

Laws referred to in this code

1 This code reflects the following laws and sets out the best practice to make sure you meet your legal obligations. If the law listed applies only to certain parts of the United Kingdom, there is likely to be a similar law applying elsewhere in the United Kingdom. In general, laws relating to human health and safety are enforced by the Health and Safety Executive, and environmental law is enforced by the Environment Agency in England and Wales.

2 Food and Environment Protection Act 1985 (FEPA)

Part III of FEPA aims to:

- protect the health of people, creatures and plants;
- protect the environment; and
- establish safe, effective and humane methods of controlling pests.

This act also sets out arrangements for enforcing its requirements and aims to make information about pesticides available to the public.

Part III of FEPA applies to:

- any pesticide; or
- any substance, preparation or organism that is prepared or used for the purpose of:
 - protecting plants, wood or other plant products from harmful organisms;
 - regulating the growth of plants;
 - controlling against harmful creatures;
 - controlling organisms with harmful or unwanted effects on water systems (including sewage treatment works), buildings or other structures, or on manufactured products; and
 - protecting animals against parasites.



3 Control of Pesticides Regulations 1986 (as amended) (COPR)

These regulations, made under FEPA, specify that:

- all pesticide products must be approved by the Minister; and
- pesticides can only be sold, supplied, stored, advertised or used in line with the regulations.

Under COPR, anyone who uses pesticides in the course of their work must have received training in using them in a safe, efficient and humane way and have the knowledge, skills and experience needed for the duties they will perform. Also, any person who uses a pesticide must use it only on the land, crop, structure, material or other area being treated.

4 Plant Protection Products Regulations 2005 (PPPR) and Plant Protection Products (Basic Conditions) Regulations 1997

PPPR puts the European Council Directive of 1 July 1991 in force in the UK. It concerns placing plant protection products on the market (91/414/EEC). These regulations aim to make the 'approval' of plant protection products consistent throughout the European Union. The Basic Conditions Regulations define the conditions for selling, supplying, storing, advertising and using pesticides approved under PPPR (and are essentially the same as for pesticide products approved under COPR). These regulations, made under the European Council Directive, apply to new active substances and to older actives once they have been reviewed in the European Union.

5 Health and Safety At Work etc. Act 1974 (HSWA)

This act gives people the following obligations:

- Employers must protect (as far as is reasonably possible) the health, safety and welfare of their employees while at work. This includes providing the necessary information, training, supervision and protective equipment to carry out any job safely, and to protect employees and others;
- Employees and the self-employed must take reasonable care of their own health and the safety of others. This includes wearing suitable protective equipment;
- Suppliers must make sure that substances are safe and do not put health at risk when they are being used, handled, stored or transported. Suppliers must provide information about risks and how the substances can be safely used and disposed of.

6 Control of Substances Hazardous to Health Regulations 2002 (COSHH)

Under the COSHH regulations there is a legal duty to:

- assess the risks to health when working with substances which are dangerous to people's health (which includes many pesticides); and
- eliminate or, if this is not reasonably possible, adequately control exposure to these substances.

7 Management of Health and Safety at Work Regulations 1999

These regulations, which bring the European Health & Safety Framework Directive into force in the UK:

- give employers general obligations to improve health and safety management; and
- explain what employers and employees must do under the Health and Safety at Work Act.

8 Personal Protective Equipment at Work Regulations 1992

These regulations:

- set out the principles for choosing, providing, maintaining and using personal protective equipment (PPE); and
- order that PPE is suitable for both the person using it and the risks it protects against.

These regulations do not replace specific laws dealing with providing appropriate PPE in certain situations.

9 Wildlife and Countryside Act 1981 (as amended)

This act, which brings into force the Convention on the Conservation of European Wildlife and Natural Habitats (the 'Bern Convention') and the European Union Directives on the Conservation of Wild Birds (79/409/EEC) and Natural Habitats and Wild Fauna and Flora (92/43/EEC) in Great Britain, is the main legal protection of wildlife in Great Britain.

10 Groundwater Regulations 1998

These regulations, which bring into force the EU Groundwater Directive Protection of Groundwater Against Pollution Caused by Certain Dangerous Substances (80/68/EEC), aim to prevent the pollution of groundwater by controlling disposal of certain substances, including all pesticides. Under these regulations, a groundwater authorisation is needed before pesticide waste can be applied to land in a way other than as approved for the product.

11 Regulation (EC) 852/2004 of the European Parliament and of the Council on the hygiene of foodstuffs

These regulations make sure that there is a high level of protection in food production from the farmer or grower to the consumer ('from farm gate to plate'). The regulations say that risks from food should be identified and controlled and that food and food ingredients should be able to be traced along the food chain to make sure that food is safe.

The regulations came into force on 1 January 2006 and say that people who produce or harvest plant products must keep records of any plant protection products and biocides used.

12 Regulation (EC) 1831/2003 of the European Parliament and of the Council on the hygiene of feed

These regulations make sure that in the production of animal feed, there is a high level of protection from the farmer or grower to the consumer ('from farm gate to plate'). The regulations say that risks from food should be identified and controlled and that feed and feed ingredients should be able to be traced along the food chain to make sure that all feed and foodstuffs are safe.

The regulations came into force on 1 January 2006 and say that people who produce or harvest plant products for feed to livestock must keep records of any plant protection products and biocides used.

Other laws

Although not an obligation under FEPA, this code also provides advice on good practice for transporting and disposing of pesticides.

13 Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004

These regulations place conditions on those who carry dangerous goods by road or rail (or who use transportable pressure containers). The conditions relate to vehicle design and construction, vehicle markings, transport documents, the type of goods transported, packaging, labelling, training and providing information.

14 Chemicals (Hazard Information and Packaging for Supply) Regulations 2002 (CHIP)

These regulations set out the conditions for classifying and labelling dangerous substances on the basis of their hazardous properties.

The labelling necessary to reflect the hazard classification includes:

- hazard symbols;
- standard risk phrases (R-phrases); and
- standard safety phrases (S-phrases).

Manufacturers, importers and other suppliers are responsible for classifying and labelling dangerous substances.

15 Clean Air Act 1993

This act applies to pollution by smoke, grit and dust from fires and commercial and industrial processes that are not covered by other laws.

16 Conservation of Natural Habitats and of Wild Fauna and Flora 92/43/EEC ('Habitats Directive')

Under this directive, which is how the EC meets its obligations under the Bern Convention, member states must protect natural habitats and important wild species. Member states must:

- protect the habitats and species listed in the annexes to the directive;
- monitor and report on habitats and species;
- propose, prepare and maintain national sites to form a European network of protected sites (Natura 2000 sites); and
- control development and other projects which may affect these sites.

17 Conservation (Natural Habitats, &c.) Regulations 1994 ('Habitats Regulations')

These regulations bring into force the obligations of the 'Habitats Directive' in Great Britain, setting out the procedure for:

- choosing conservation sites;
- assessing and reporting on habitats and species in conservation sites; and
- assessing and controlling projects affecting Natura 2000 sites.

18 Countryside and Rights of Way Act 2000 (CRoW)

This act extends the public's right to enjoy the countryside while protecting landowners and occupiers. The act:

- creates a new right of access to open countryside and registered common land;
- modernises the rights of way system;
- gives greater protection to sites of special scientific interest (SSSI);
- provides better management arrangements for areas of outstanding natural beauty (AONB); and
- strengthens wildlife protection laws.



19 Environment Act 1995

This act created Environment Agencies and introduced arrangements for:

- cleaning up contaminated land;
- protecting water;
- managing air quality; and
- reducing packaging waste.

Under this act, the Environment Agencies have powers to give polluters (or potential polluters) notice to carry out work to clean up or prevent pollution. To dispose of waste to controlled waters, people need permission from the Environment Agency. The Environment Agency may carry out anti-pollution work if they think that controlled waters have been (or are likely to be) polluted, and then recover costs from the polluters.

20 Environmental Protection Act 1990 (as amended)

Under this act, it is an offence to treat, keep or dispose of 'controlled waste' in a way likely to pollute the environment or harm people. It is also an offence to keep, treat or dispose of 'controlled waste' without a waste-management licence, unless the activity in question is 'exempt' under the Waste Management Licensing Regulations 1994. Under the act, people who produce waste must make sure that it is passed only to an authorised person who can transport, recycle or dispose of it safely.



21 Environmental Protection (Duty of Care) Regulations 1991

These regulations describe the actions which anyone who produces, imports, keeps, stores, transports, treats, recycles or disposes of 'controlled waste' must take. These people must:

- store the waste safely so that it does not cause pollution or harm anyone;
- transfer it only to someone who is authorised to take it (such as someone who holds a waste-management licence or is a registered waste carrier); and
- when passing it on to someone else, provide a written description of the waste and fill in a transfer note. These records must be kept for two years and a copy must be provided to the Environment Agency if they ask for one.

22 Hazardous Waste Directive (HWD) (91/689/EEC) and the European Waste Catalogue (EWC) (200/532/EC)

This directive aims to provide a precise definition of 'hazardous waste', and sets out a framework for correctly managing and regulating the waste. Hazardous waste is any waste on a list drawn up by the European Commission, or waste which has one or more of the hazardous properties set out in the HWD (for example, being explosive, toxic, oxidising, flammable or an irritant).

23 Hazardous Waste Regulations 2005

These regulations replace the current Special Waste Regulations, and bring into force the obligations of the EC Hazardous Waste Directive. The regulations:

- adopt the definition of hazardous waste set out in the Hazardous Waste Directive;
- make it necessary for those who produce hazardous waste to register their sites with the Environment Agency and send them records every three months; and
- set out the conditions for those handling or treating hazardous waste.

24 Health and Safety (Consultation with Employees) Regulations 1996 (HSCER)

Under these regulations, any employees not in groups covered by safety representatives from the trade union must be consulted by their employers, either directly or through elected representatives. Elected representatives can:

- talk to employers about concerns on possible risks and dangerous events in the workplace;
- talk to employers about general matters affecting the health and safety of the employees they represent; and
- represent the employees who elected them, in consultation with health and safety inspectors.

25 Landfill Directive (99/31/EC)

This directive aims to prevent or reduce (as far as possible) damage to the environment from disposing of waste to landfill by:

- setting targets for diverting waste away from landfill to other disposal methods (with targets for recovering and recycling waste and reducing the amount of bio-degradable household waste disposed of to landfill);
- pre-treating of waste before it is disposed of to landfill;
- classifying landfill sites as 'hazardous', 'non-hazardous' and 'inert' according to the type of waste they can handle (and banning the disposal of both hazardous and non-hazardous wastes to landfill); and
- banning (or phasing out) the disposal of certain wastes to landfill.

26 Landfill (England and Wales) Regulations 2002

These regulations bring into force the Landfill Directive (see above) in England and Wales and set out conditions to make sure that:

- landfill sites are appropriately located, designed, managed and maintained;
- the waste acceptance criteria specified in the Landfill Directive are met; and
- the site is monitored appropriately.

27 List of Wastes (England) Regulations 2005

These regulations adopt the European Waste Catalogue (EWC) into the various waste regulations in England. The EWC lists all types of waste and gives each type a six-figure code number.

Hazardous waste entries in the EWC are either:

- 'absolute entries' for products classified as hazardous regardless of their concentration; or
- 'mirror entries' for products which are hazardous only if present above the certain concentrations specified.

28 Manual Handling Operations Regulations 1992

These regulations make it necessary that, where reasonably possible, pesticides are not handled by people. When lifting, carrying and so on has to be done by hand, a risk assessment must be carried out if there is a risk of injury.

29 Provision and Use of Work Equipment Regulations 1998 (PUWER)

Under these regulations, using any mobile work equipment must not result in health and safety problems. Equipment must:

- meet and be maintained to the relevant CE standards;
- be used only for the intended purpose;
- be used only by a trained person; and
- have factory-installed safety features.

30 Safety Representatives and Safety Committees Regulations 1977 (SRSCR)

Under these regulations, if an employer recognises a trade union and that trade union has appointed (or is about to appoint) safety representatives, the employer must consult those safety representatives on matters affecting the group (or groups) of employees they represent. Members of these groups of employees may include people who are not members of that trade union. The trade union's safety representatives can:

- investigate and talk to the employer about possible dangers at work, the causes of accidents, and general complaints employees make about health, safety and welfare issues;
- carry out inspections of the workplace;
- represent employees in discussions with health and safety inspectors, and receive information from inspectors; and
- go to meetings of safety committees.

31 Special Waste Regulations 1996

These regulations affect people who produce, carry, receive, keep, treat (including recovering) or dispose of waste that is classified as 'special'. These regulations are replaced by the Hazardous Waste Regulations 2005. Under the new regulations, those who produce hazardous waste must register with the Environment Agency.

32 Waste Framework Directive 75/442/EEC (amended under EC Directive 91/156/EEC)

Under these directives, waste must be disposed of without causing danger to people or the environment, and waste management must include plans to reduce, reuse and recycle waste.

33 Waste Management (England and Wales) Regulations 2006

These regulations bring into force the controls specified under the Waste Framework Directive (75/442/EEC as amended) and the Landfill Directive (1999/31/EEC), and places the same controls on agricultural waste as those applying to other waste.

34 Waste Management Licensing Regulations 1994 (as amended)

Under these regulations, people who deposit, recover or dispose of 'controlled waste', or store more than 23,000 litres of 'special waste' must have a waste management licence. The regulations specify which activities qualify for a licensing exemption and cover the use of exempt incinerators. Unless 'controlled waste' is carried by the person who produced it, it must be transported by a waste carrier who is registered with the Environment Agency or is exempt. Licensing exemptions have to be registered with the Environment Agency.

35 Water Framework Directive 2000

Under this EC directive, all inland and coastal waters must achieve 'good status' by 2015 and certain standards must be met for groundwater, by creating river-basin management plans within which environmental targets are set.

36 Water Resources Act 1991

Under this Act (which replaced the corresponding law in the Water Act 1989), it is an offence for any person to cause or knowingly allow any poisonous or polluting matter to enter any controlled waters (these include all rivers, lakes, canals, estuaries, coastal waters and underground waters) without the proper authority. This act categorises certain substances as 'special category effluent' (the 'red list') and approval from the Environment Agency (as well as a trade-effluent consent from the local water company) is needed before disposing of these substances into a sewer.



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Glossary of terms used in this code and of application equipment and methods

The definitions in this glossary are for guidance only. They are not legally binding, unless it specifically states that the definition is that set by law.

Glossary 1

This glossary defines words used in this code.

Active ingredient	The part of a pesticide product which gives it its pesticidal properties. 'Active substance' is often used to mean the same thing.
Active substance	Any substance or micro-organism (including a virus), that has a general or specific action against harmful organisms or on plants, parts of plants or plant products. 'Active ingredient' is often used to mean the same thing.
Adjuvant	A substance (other than water) without significant pesticidal properties and which, when added to a pesticide before it is applied, improves or is intended to improve the effectiveness of the pesticide.
Aerial application	Applying a pesticide from an aircraft (either fixed-wing or helicopter) in flight.
Approval	All pesticide products must be approved before they can be advertised, stored, sold, supplied or used. The company wanting to sell a pesticide will usually apply for the approval. It will only be given when all the necessary evidence and information on the safety, effectiveness and, where relevant, the humaneness of the pesticide have been evaluated and considered acceptable. You can find full details of the approvals process on the PSD website (www.pesticides.gov.uk)
Biobed (lined biobed)	A lined pit, 1 to 1.3 metres deep, filled with a mixture of straw, soil and peat-free compost and then turfed over. When correctly used, biobeds are effective at locking in and breaking down pesticide residues resulting from drips and splashes. In certain circumstances, a lined biobed may also be used to dispose of dilute pesticide from tank washings.
Biodiversity (or biological diversity)	The richness, abundance and variety of plant and wildlife species. Both the number of species and the number of individuals within each species are important in considering the biodiversity in an area.
Biological agents	Bacteria, viruses, fungi, other micro-organisms and their associated toxins. They can affect human health in a variety of ways, ranging from relatively mild, allergic reactions to serious medical conditions, even death. They are everywhere in the natural environment – in water, soil, plants, and animals. Because many microbes reproduce quickly and need very little to survive, they are a potential danger in a wide variety of occupational settings.

Glossary of terms used in this code and of application equipment and methods

Biological monitoring	Measuring and assessing levels of chemicals or their 'metabolites' (substances the body converts the chemical into) in the breath, urine or blood of exposed workers. This monitoring may investigate either the level of exposure to an active substance or look for chemical signs of a reaction to exposure.
Bystander	Any person who is in or near the area where a pesticide is being or has been used but is not directly involved in using the pesticide.
Catchment	The area of land which water flows from (by run-off, movement through the soil or drainage) to surface water or groundwater.
Cholinesterase	An enzyme found primarily at nerve endings. It is important in sending nerve impulses in the body.
Cholinesterase inhibitors	A class of chemicals that includes many insecticides, such as parathion or carbaryl. They prevent the action of cholinesterase, which can in turn lead to a variety of symptoms such as nausea, vomiting, blurred vision, stomach cramps, and rapid heart rate.
Closed-transfer system	A way of transferring the necessary amount of a pesticide from its container to the equipment applying it in a closed system to avoid the need for pouring and measuring and so reducing the risk of contamination. Some systems are designed for use with returnable containers.
Commodity substance	Substances with an approved pesticidal use which also have other non-pesticidal uses. Approval is given only for using the substance, not for selling, supplying, storing or advertising it. There is no approval holder or approved pesticide product label. You must read, understand and follow the approved conditions of use in the approval. You can look at the approval on the PSD website (www.pesticides.gov.uk).
Consent	Consents are issued by ministers and allow pesticides to be advertised, sold, stored, supplied and used under certain conditions. These conditions set out general obligations for all pesticide users. (The term 'consent' is also used in the Water Resources Act to describe a consent to discharge effluent to surface or groundwater.)
Following crop	The next crop grown in the treated area, including when it is a treated perennial.
Groundwater	By law, all water which is below the surface of the ground in the saturation zone (the soil lying immediately under the top layer of soil) and in direct contact with the ground or subsoil.
Landfill site	Defined in the Landfill (England and Wales) Regulations as 'a waste disposal site for the deposit of the waste onto or into land'. This applies to both landfill sites receiving waste from a range of external sources and also internal waste disposal sites used by producers to dispose of waste at the site where it is produced.

Annex C

Leaching	The movement of pesticide residues through the soil by water filtering through the ground.
Local Environmental Risk Assessment for Pesticides (LERAP)	For certain pesticides you must leave 'buffer zones' (untreated areas) to protect water and anything living in it when you are applying pesticide with a ground crop sprayer or a broadcast air-assisted sprayer. In some circumstances, the size of the buffer zone needed, as stated on the product label, can be adjusted to suit individual situations by carrying out a LERAP. Details of the LERAP schemes for ground crop sprayers and broadcast air assisted sprayers are on the PSD website (www.pesticides.gov.uk).
Maximum exposure limit (MEL)	The maximum concentration of a substance in the air, averaged over a set period, which people at work can be exposed to under any circumstances. The MEL for each substance that has one is given in Schedule 1 of the COSHH Regulations. These are now referred to as Workplace Exposure Limits.
Mixer or loader	A person who is involved in mixing or loading pesticides into the tank or hopper of any application equipment.
Occupational exposure standard (OES)	The concentration of a substance in the air, averaged over a set period, at which, according to current knowledge, there is no evidence that it is likely to harm a person at work who repeatedly breathes in that concentration. These are now referred to as Workplace Exposure Limits.
Parallel import	An imported pesticide which is identical to a product already approved in the UK. A parallel import also has to get a UK approval before it can be sold, supplied, stored, used or advertised.
Personal protective equipment (PPE)	Any device or appliance, which meets the appropriate standards, designed to be worn or held by a person to protect them from one or more health and safety risks.
Pesticide	Any substance, preparation or organism that is prepared or used for controlling any pest.
Pest	Any organism that is harmful to plants, wood or other plant products, any unwanted plant, or any harmful creature.
Pesticide approved for agricultural use	A pesticide (other than one with methyl bromide or chloropicrin as one of its active ingredients) approved for use: <ul style="list-style-type: none"> • in agriculture and horticulture (including amenity areas); • in forestry; • in or near water (other than by householders); or • as an industrial herbicide (such as weedkillers for use on land that is not intended for producing any crops).

Glossary of terms used in this code and of application equipment and methods

Plant protection product	<p>An active substance or preparation that contains one or more active substances (in the form in which it is supplied to the user) which is intended to:</p> <ul style="list-style-type: none"> • protect plants or plant products against all harmful organisms or prevent the action of those organisms; • influence the life processes of plants other than as a nutrient (for example, as a growth regulator); • preserve plant products (except for substances or products which are controlled under European Union law on preservatives); • destroy unwanted plants; or • destroy parts of plants or control or prevent the undesired growth of plants. 														
Reduced-volume spraying	<p>Applying a pesticide in a lower volume of water than the minimum volume recommended on the label for that dose.</p>														
Respiratory protective equipment (RPE)	<p>Any respiratory or breathing apparatus, which meets the appropriate standards and is designed to prevent or control contamination from breathing in a substance.</p>														
Specific off-label approval (SOLA)	<p>Other approved uses of a pesticide product (possibly on a minor crop or in an uncommon situation) as well as the uses described on the product label. If you use a pesticide under a SOLA you must read, understand and follow the approved conditions of use set out in the Notice of Approval for that SOLA. You can view the approval on the PSD website (www.pesticides.gov.uk).</p>														
Spray quality	<p>A classification reflecting the size of droplet in a spray, normally expressed in terms of the 'Volume median diameter (VMD)'. Under the British Crop Protection Council (BCPC) scheme, the following categories are used:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Volume median diameter</th> <th style="text-align: left;">Size classification</th> </tr> </thead> <tbody> <tr> <td style="padding-left: 20px;">Less than 25µm</td> <td>Fine aerosol ('Fog' or 'Very fine spray')</td> </tr> <tr> <td style="padding-left: 20px;">26 to 50µm</td> <td>Coarse aerosol ('Fog' or 'Very fine spray')</td> </tr> <tr> <td style="padding-left: 20px;">51 to 100µm</td> <td>Mist ('Very fine spray')</td> </tr> <tr> <td style="padding-left: 20px;">101 to 200µm</td> <td>Fine spray</td> </tr> <tr> <td style="padding-left: 20px;">201 to 300µm</td> <td>Medium spray</td> </tr> <tr> <td style="padding-left: 20px;">More than 300µm</td> <td>Coarse spray</td> </tr> </tbody> </table>	Volume median diameter	Size classification	Less than 25µm	Fine aerosol ('Fog' or 'Very fine spray')	26 to 50µm	Coarse aerosol ('Fog' or 'Very fine spray')	51 to 100µm	Mist ('Very fine spray')	101 to 200µm	Fine spray	201 to 300µm	Medium spray	More than 300µm	Coarse spray
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101 to 200µm	Fine spray														
201 to 300µm	Medium spray														
More than 300µm	Coarse spray														

Annex C

<p>Substance hazardous to health</p>	<p>Any substance (including any preparation) which:</p> <ul style="list-style-type: none"> • is listed in Part I of the Approved Supply List as dangerous within the meaning of the Chemical (Hazard Information and Packaging) Regulations 1993, and which is classified as 'very toxic', 'toxic', 'harmful', 'corrosive' or 'irritant'; • has a maximum exposure limit specified in Schedule 1 of the COSHH regulations or the Health and Safety Commission has approved an 'occupation exposure standard' for; • is a biological agent; • is a dust of any kind when present at a substantial concentration in the air; or • not mentioned in the list above, but which creates a similar danger to the health of any person.
<p>Swale</p>	<p>A broad shallow drain used as part of sustainable urban drainage schemes (SUDS).</p>
<p>Tank mix</p>	<p>A spray solution, prepared by the user, containing a mixture of two or more pesticide products.</p>
<p>Tremcard</p>	<p>A transport emergency card containing essential information for the driver and the emergency services. This card must be prominently displayed in the cab of a vehicle carrying dangerous goods on the road.</p>
<p>Water abstraction</p>	<p>Removing water, either permanently or temporarily, from any source including groundwater (for example, wells and boreholes) or surface water (rivers, streams, lakes and coastal waters). In the UK, the main water abstractors are statutory water supply undertakers, households, irrigated agriculture, industry and energy generators.</p>

Glossary of terms used in this code and of application equipment and methods

Glossary 2

The definitions in glossary 2 relate to equipment and methods of applying pesticides. They are loosely based on the NPTC assessment schedules for certificates of competence in using pesticides safely.

Air assistance	Using forced air to carry spray droplets to their intended target (see 'Broadcast air-assisted spraying' and 'Downward placement air-assisted spraying').
Air-inclusion (air-induction) nozzle	A type of hydraulic nozzle with an air inlet so that the flow of liquid through the nozzle sucks in air which mixes with the spray liquid. These nozzles usually produce a coarse spray with many droplets containing one or more bubbles of air.
Broadcast air-assisted spraying	Using any equipment which broadcasts spray droplets, in an air stream produced by forced air, which carry upwards and outwards from the source of the spray.
Controlled droplet application (CDA)	See 'Rotary atomiser'
Deflector (flooding, anvil, impact) nozzle	A nozzle of either the 'hydraulic' or 'twin-fluid' type which produces a fan-shaped spray pattern when a cylindrical jet of liquid passes through a relatively large hole and hits a smooth, angled surface at a high speed. Generally, for hydraulic types, these nozzles produce relatively large droplets and are used at low pressures.
Downward placement air-assisted spraying	Using a forced stream of air to force the pesticide downwards (for example to help it to penetrate a crop canopy or reduce off-target drift).
Electrostatically charged	Material which has had an electrostatic charge added to help deposit the pesticide on target.
Fog	A space treatment using a droplet with a volume median diameter of less than 50µm, and with more than 10% of the spray volume having a droplet diameter smaller than 30µm. This includes both thermal fogs produced in a very hot air flow and cold fogs produced by a whirling mass of air.
Fumigation	An operation in which the pesticide acts as a gas, although it may not be applied in the form of a gas, to control or kill pests or other undesirable organisms.
Granule applicator	Any equipment, possibly air-assisted, which applies pesticides in granule form.
Ground crop sprayer	Any equipment of the spray boom type which applies pesticides using a horizontal boom.
Hand-held applicator	Any equipment carried by a person or where the pesticide delivery nozzle or outlet is supported directly by the user.

Annex C

Hydraulic nozzle	A device through which spray liquid is given out, broken up into droplets and scattered using the pressurised liquid as the energy source.
Induction bowl or hopper	Metal, plastic or fibreglass hoppers attached to the side of the sprayer or the nurse tank that allow pesticides to be added to the mix tank without the person climbing onto the spray rig. Pesticides are poured into the bowl and water is added to flush out the bowl and carry the pesticide to the spray tank. A rinse nozzle is often mounted inside the bowl for rinsing out empty pesticide containers.
Mist	A space treatment using a droplet with a volume median diameter of 51 to 100µm, and with less than 10% of the volume of the spray having a droplet diameter smaller than 30µm.
Mounted equipment	Any pesticide application equipment which is mounted on, attached to or which forms a permanent part of the prime mover.
Pedestrian-controlled equipment	Any equipment which is supported by a mechanical carriage controlled by a person who does not ride in or on the carriage.
Pre-orifice nozzle	A hydraulic nozzle which incorporates a second hole upstream of the outlet. This decreases the pressure through the nozzle and so reduces the proportion of small droplets.
Prime mover	Any self-propelled vehicle used by a person who rides in or on the vehicle.
Roller table equipment (conveyor-belt mounted equipment, planter-mounted equipment and so on)	Application equipment which is mounted on, attached to, or forms a permanent part of a treatment system.
Rotary atomiser	A device in which a rotating solid surface, such as a cup, disc, wheel or cage, is the main source of energy used to produce a spray.
Seed-treating equipment	Any equipment, either mobile or static, which applies pesticides on cereal grains, pulses and other small seeds.
Shrouded boom sprayer	A horizontal boom sprayer, that is mounted on a vehicle, trailed or pedestrian-controlled, and which incorporates a shroud designed to prevent, or reduce, off-target drift. The shroud could be with a flexible skirt in contact with the target.
Smoke	A space treatment using a device to produce smoke containing the pesticide's active substance.

Glossary of terms used in this code and of application equipment and methods

Spray train	Any vehicle running on rails that has equipment for applying pesticides to the track, trackside or nearby areas and which is mounted on or attached to the vehicle or forms a permanent part of the vehicle.
Sprayer	Any equipment used to apply sprays that have droplets within limits described by the British Crop Protection Council nozzle classification scheme as 'coarse', 'medium', 'fine' and 'very fine'.
Sub-surface liquid applicator	Any equipment, except pedestrian-controlled equipment, which is designed to apply liquid pesticides below the surface of the ground.
Trailed equipment	Any application equipment which is trailed behind the prime mover.
Twin-fluid nozzle	A nozzle in which air under pressure is mixed with the spray liquid before it reaches the nozzle's hole.
Variable geometry sprayer	Any equipment which applies pesticides using a boom which can be positioned horizontally or vertically to suit the target.
Vehicle-mounted kerb sprayer	Any equipment which is mounted on, fixed to, or forms part of any vehicle for applying pesticides on roadside kerbs.
Water volume (application volume)	The volume of a spray liquid, including all pesticides, diluents, adjuvants, carriers and other components of the spray solution, applied in each unit area, normally expressed as litres per hectare.
Wick applicator or weed wiper	Any equipment which applies pesticides to the target by direct contact with an impregnated absorbent surface (wick, pad or roller).

Addresses

ADAS Environmental

Gleadthorpe Grange
Meden Vale
Mansfield
Nottinghamshire
NG20 9PD
Phone: 01623 846742

Agricultural Engineers' Association (AEA)

Samuelson House
Paxton Road
Orton Centre
Peterborough
Cambridgeshire
PE2 5LT
Phone: 01733 362925
Website: www.aea.com.uk

Agricultural Industries Confederation (AIC)

Confederation House
East of England Showground
Peterborough
Cambridgeshire
PE2 6XA
Phone: 01733 385230
Website: www.agrindustries.org.uk

Association of Independent Crop Consultants

Agriculture House
Station Road
Liss
Hampshire
GU33 7AR
Phone: 023 80895354
Website: www.aicc.org.uk

BASIS (Registration) Limited

34 St John Street
Ashbourne
Derbyshire
DE6 1GH
Phone: 01335 343945
Website: www.basis-reg.com

BCPC (formerly the British Crop Protection Council)

7 Omni Business Centre
Omega Park
Alton
Hampshire
GU34 2QD
Phone: 01420 593200
Website: www.bcpc.org

British Pest Control Association (BPCA)

1 Gleneagles House
Vernon Gate
South Street
Derby
Derbyshire
DE1 1UP
Phone: 01332 294288
Website: www.bpca.org.uk

British Beekeepers' Association

National Agricultural Centre
Stoneleigh
Kenilworth
Warwickshire
CV8 2LG
Phone: 024 76696679
Website: www.bbka.org.uk

Centre for Aquatic Plant Management (CAPM)

Broadmoor Lane
Sonning
Reading
Berkshire
RG4 6TH
Phone: 0118 9690072
Website: www.capm.org.uk

Chartered Institution of Wastes Management (CIWM)

9 Saxon Court
St Peter's Gardens
Marefair
Northampton
NN1 1SX
Phone: 01604 620426
Website: www.ciwm.co.uk

Countryside Commission

John Dower House
Crescent Place
Cheltenham
Gloucestershire
GL50 3RA
Phone: 01242 521381
Website: www.countryside.gov.uk

Countryside Council for Wales (CCW)

Plas Penhros
Ffordd Penhros
Bangor
Gwynedd
LL57 2LQ
Phone: 01248 370444
Website: www.ccw.gov.uk

Crop Protection Association (UK) Limited (CPA)

4 Lincoln Court
Lincoln Road
Peterborough
Cambridgeshire
PE1 2RP
Phone: 01733 294222
Website: www.cropprotection.org.uk and
www.voluntaryinitiative.org.uk

Department for Environment, Food and Rural Affairs (Defra)

Nobel House
17 Smith Square
London
SW1P 3JR
Phone: 020 72386000
Website: www.defra.gov.uk

English Nature

Northminster House
Peterborough
Cambridgeshire
PE1 1LA
Phone: 01733 455000
Website: www.english-nature.org.uk

Environment Agency

Rio House
Waterside Drive
Aztec West
Almondsbury
Bristol
BS12 4UD
Phone: 08708 506506
24-hour emergency phone: 0800 807060
Website: www.environment-agency.gov.uk

Farmers' Union of Wales

Llys Amaeth
Queen's Square
Aberystwyth
Dyfed
SY23 2EA
Phone: 01970 612755
Website: www.fuw.org.uk

Farming and Wildlife Advisory Group (FWAG)

National Agricultural Centre
Stoneleigh
Kenilworth
Warwickshire
CV8 2LG
Phone: 024 76696699

Forestry Commission

231 Corstorphine Road
Edinburgh
EH12 7AT
Phone: 0131 3340303
Website: www.forestry.gov.uk

The Game Conservancy Trust

Burgate Manor
Fordingbridge
Hampshire
SP6 1EF
Phone: 01425 652381
Website: www.gcb.org.uk

Annex D

Health and Safety Executive (HSE)

HSE Information Services
Caerphilly Business Park
Caerphilly
CF83 3GG
Phone: 08701 545500
Website: www.hse.gov.uk

Contact your nearest HSE office (the address and phone number will be in The Phone Book under 'Health and Safety Executive') to report pesticide-related human health. For out-of-hours emergencies, phone 0151 9229235.

Lantra Sector Skills Council (and Lantra Awards)

Lantra House
National Agricultural Centre
Stoneleigh
Kenilworth
Warwickshire
CV8 2LG
Phone: 024 76696996 (Sector Skills Council)
Phone: 024 76419703 (Lantra Awards)
Website: www.lantra.co.uk
Website: www.lantra-awards.co.uk

Linking Environment and Farming (LEAF)

National Agricultural Centre
Stoneleigh
Kenilworth
Warwickshire
CV8 2LZ
Phone: 024 76413911
Website: www.leafuk.org

National Assembly for Wales

Cathays Park
Cardiff
CF10 3NQ
Phone: 029 20826144

National Association of Agricultural Contractors (NAAC)

Samuelson House
Paxton Road
Orton Centre
Peterborough
Cambridgeshire
PE2 5LT
Phone: 01733 362920
Website: www.naac.co.uk

National Farmers' Union

Agriculture House
164 Shaftsbury Avenue
London
WC2H 8HL
Phone: 020 7331 7200
Website: www.nfu.org.uk

NPTC (formerly National Proficiency Tests Council)

National Agricultural Centre
Stoneleigh
Kenilworth
Warwickshire
CV8 2LG
Phone: 024 7685 7300
Website: www.nptc.org.uk

Office of Public Sector Information

Website: www.opsi.gov.uk
Does not give legal or public sector advice nor sell legislation. You can look legislation up on this site.

Pesticides Action Network UK (PAN UK)

Development House
56-64 Leonard Street
London
EC2A 4JX
Phone: 020 70650905
Website: www.pan-uk.org

Pesticides Safety Directorate (PSD)

Information Services Branch
Mallard House
Kings Pool
3 Peasholme Green
York
YO1 7PX
Phone: 01904 455775
Website: www.pesticides.gov.uk

Scottish Agricultural College (SAC)

SAC Central Office
West Mains Road
Edinburgh
EH9 3JG
Phone: 0131 5354004
Website: www.sac.ac.uk

The Stationery Office (TSO)

TSO orders/Post Cash Dept
PO Box 29
Norwich
NR3 1GN
Phone orders: 0870 600 5522
Website: www.tso.co.uk

Water UK

1 Queen Anne's Gate
London
SW1H 9BT
Phone: 020 7344 1844
Website: www.water.org.uk

Welsh Beekeepers' Association (WBA)

Pencefn
Tynreithin
Tregaron
SY25 6LL
Phone: 01974 298336
Website: www.wbka.com

Wildlife Administration Unit

Defra
Burghill Road
Westbury on Trym
Bristol
BS10 6JN
Phone: 0800 321 600
E-mail: Bristol.wildlife@defra.gsi.gov.uk
Website: www.defra.uk/wildlife-countryside/vertebrates/

Guidance on using personal protective equipment

Follow the guidance in this annex when you are using a pesticide in a situation not covered by the product label (or the appropriate notice of approval when using a pesticide for an approved use not specified on the product label or using a substance that has a non-pesticidal use but is approved for use as a pesticide) or when you need extra protection.

Situation (some situations occur in more than one row)	Reason	Wear (See the notes at the end of this table for details)
<ul style="list-style-type: none"> All situations (including all those set out below) 	Good occupational hygiene practice, to avoid exposure of your hands and skin and to keep your personal clothing clean	Coverall Gloves Boots
<ul style="list-style-type: none"> Preparing products Handling contaminated equipment and containers 	To avoid exposure to 'very toxic', 'toxic' or 'corrosive' products	Apron (for liquid products), coveralls, gloves and boots
<ul style="list-style-type: none"> Handling and applying dusts Handling contaminated equipment and empty containers after applying dusts Handling and applying 'very toxic' granules Applying fogs, smokes or gases Handling liquid products Applying to targets above waist height Applying indoors (for example, to protected crops) Cleaning equipment used to apply pesticides 	To avoid the chance of eye, face or head contamination (for example, by splashes or contact with droplets or particles in the air)	Face-shield for splashes, hood, coveralls, gloves and boots

Guidance on using personal protective equipment

Situation (some situations occur in more than one row)	Reason	Wear (See the notes at the end of this table for details)
<ul style="list-style-type: none"> • Handling and applying dusts • Handling contaminated equipment and empty containers after applying dusts • Handling and applying 'very toxic' granules • Applying fogs, smokes or gases 	To avoid breathing in droplets, particles or gases in the air	Respiratory protective equipment (full-face type if product is 'very toxic'), coveralls, gloves and boots
<ul style="list-style-type: none"> • Reduced-volume spraying outdoors by a vehicle without a closed cab or hand-held sprayers 	To avoid increased exposure from using a more concentrated spray solution	Face-shield, coveralls, gloves and boots Hood for 'harmful' or 'irritant' products and coveralls, gloves and boots
<ul style="list-style-type: none"> • Reduced-volume spraying by indoor sprayers and outdoor equipment on a vehicle without a closed cab 	To avoid increased exposure from using a more concentrated spray solution	Face-shield, RPE, hood, an apron for 'harmful' or 'irritant' products, and coveralls, gloves and boots
<ul style="list-style-type: none"> • Applications using ATV-mounted or trailed equipment • Applying from tractors without closed cabs 	To avoid increased exposure from using a vehicle without a closed cab	Face-shield, hood, coveralls, gloves and boots

Notes

Coveralls – choose your coveralls for the particular purpose, in line with the following table.

Purpose	CEN type	Description
Protection against: liquid jets	Type 3	Chemical protective clothing where liquid cannot pass through the connections between different parts of the clothing
sprays	Type 4	Chemical protective clothing where spray cannot pass through the connections between different parts of the clothing
solid particles	Type 5	Reusable and limited-use protective clothing which particles cannot pass through
liquid splashes and solid particles	Type 6	Reusable and limited-use protective clothing offering limited protection against liquid splashes and aerosols and solid particles

Gloves – unless the pesticide label or a specific COSHH assessment says otherwise, gloves should be made from nitrile rubber, be at least 0.5 millimetres thick and at least 300 millimetres long. Gloves should be taken off when entering 'clean' areas such as tractor cabs.

Boots – appropriate boots are wellington boots or waterproof footwear.

Face-shields – choose face-shields that give full protection of your face and do not mist up when you use them (anti-mist visors).

Respiratory protective equipment – your choice will depend on the product label and a COSHH assessment. Consider the following as the basic conditions.

Potential dust particles or spray droplets in the air Use an EN 149 particle-filtering half mask FF2-SL or EN 140 + 143 half mask connected to particle filter P2

Potential vapour in the air Use an EN 140 + 141 half mask connected to combined filters A1P2

Open-backed cabs – open cabs (including cabs with open rear windows) do not count as closed cabs as spray can be drawn inside.

Record sheet for pesticide treatments

You might find this record of your pesticide treatments useful. You may want to add or take away columns because of the specific circumstances of your particular treatments. If you are keeping written records rather than computer ones, you might want to use a large book opened to a double page to give yourself plenty of room to add or take away columns, record different information and so on. You will then be able to see all of the information at once.

The notes referred to in the columns are at the bottom.

Worker's name	Job reference	Date	Site treated	Crop, area, material or structure treated	Reason for treatment	Product and MAPP or HSE number (see note 1)	Dose of product applied (litres or kilograms per hectare)

Note 1: show all products when a mixture is used.

Note 2: you should record:

- periods when crops should not be harvested, people or animals should not be allowed on the site, or ventilation is needed, as appropriate;
- whether the crop or weeds are in flower;
- whether you have told neighbours, beekeepers or others;
- whether you have displayed (and removed) warning signs; and
- whether you had any problems when using the pesticide.

Record sheet for pesticide treatments

Volume applied (litres per hectare)	Total amount of product used (litres or kilograms)	Total area treated (hectares or square metres)	Start time	Finish time	Total hours	Weather conditions (such as wind speed and direction)	Other relevant information (see note 2)

It is good practice to make a note of the effectiveness of the treatment and any damage noticed after an appropriate time.

You may need to make extra records, where appropriate. For example:

- to meet the conditions of the LERAP schemes, crop assurance schemes or the woodland assurance standard; or
- when you are applying certain pesticides or working in certain situations (see section 4 of this code).

Applying pesticides from an aircraft

52 You must meet specific legal obligations before, during and after applying pesticide from the air. You can only use products which are specifically approved for this purpose, and you must regularly send details of all pesticides applied from aircraft to:

Pesticides Usage Survey Group (PUSG)
Defra
Central Science Laboratory
Sand Hutton Lane
Sand Hutton
York.

You must follow the conditions of use shown on the product label when applying pesticides from the air.

Everyone applying pesticides from an aircraft must hold a Civil Aviation Authority qualification (the aerial application certificate) and, in the case of contractors or people born after 31 December 1964, the appropriate certificate of competence in applying pesticides.

Under the Control of Pesticides Regulations 1986 (as amended) you must give notice to specific organisations before applying a pesticide from the air. You will also need to consult the following organisations (see below and table 6) and get their agreement before carrying out the treatment.

53 Consultation

Consultation means more than just giving notice to the relevant authorities. It should take place well before you intend to apply pesticide and certainly not after the minimum consultation period set by law. The person applying the pesticide will need to provide the information so the organisations consulted can comment in full. You will need to take account of the organisations' views when deciding how to apply the pesticide (or whether to apply it at all). If you are not sure what to do, talk to the organisations concerned for more advice.

Ideally, you will consult the relevant authorities when deciding to use a contractor to apply pesticides from the air. This will give the organisations consulted as much time as possible to consider the matter. They will then have reached a decision by the time you carry out the consultation you need to do by law.

When you give notice that you intend to apply a pesticide from the air, you must include the following information:

- The name, address and, where possible, phone number of the person applying the pesticide;
- The name of the pesticides you will use and their active ingredients;
- The date and time you intend to apply the pesticide;
- Confirmation that you have given the same details to the Chief Environmental Health Officer for the district.

54 Consultation and conditions for giving notice before applying a pesticide from the air

Under the Control of Pesticides Regulations 1986 (as amended) any person applying a pesticide from the air must do the following:

55 **At least 72 hours** before starting the treatment you must do the following:

- Consult the relevant conservation agency (English Nature or the Countryside Council for Wales) if any part of a local nature reserve, marine nature reserve, a national nature reserve or a site of special scientific interest lies within 1500 metres of any part of the land to be treated;
- Consult the appropriate area office of the Environment Agency if the land to be treated is next to, or within 250 metres of, water;
- Get permission from the Environment Agency if the pesticide will be applied to control weeds in water or on the banks of watercourses or lakes.

56 **At least 48 hours** before starting the treatment you must do the following:

- Give notice to the appropriate reporting point of the local beekeepers' spray-warning scheme running in the district.

57 **At least 24 hours** and (as far as reasonably possible) no more than 48 hours before starting the treatment, give notice to:

- the Chief Environmental Health Officer for the district;
- the people occupying any property within 25 metres of the boundary of the land to be treated (or those people's agents); and
- the person in charge of any hospital, school or other institution with boundaries lying within 150 metres of the flight path intended to be used for the treatment.

58 **At least 24 hours** before starting the treatment you must do the following:

- Put sturdy and clear signs within 60 metres of the land to be treated to tell people about the place, date and time of the treatment.

You can find information on these and other legal conditions in the Civil Aviation Authority (CAA) booklet 'Information on requirements to be met by applicants and holders of the aerial application certificate' (CAP 414).

Things to consider when preparing and managing contracts for applying pesticides in amenity areas

59 If you are writing up or managing contracts for applying pesticides in amenity areas you should read the following guidance. It will help you to make sure that:

- all the work will be carried out in line with the relevant law; and
- the risks to people, wildlife and the environment will be assessed and adequately controlled.



60 Preparing tenders

Anyone preparing a contract for pesticide to be applied should:

- take account of any relevant law; and
- consider the possible negative effects the pesticide may have on people, wildlife and the environment.

You should consider the following checklist when preparing land managing contracts. If you are not sure about anything, get expert advice.

Things to consider when preparing and managing contracts for applying pesticides in amenity areas

61 Policy on using pesticides

- Have you considered alternative methods of control?
- Have you taken account of risks to people and the environment?
- Are you using the minimum amount of pesticides?

62 Objective

- Do you have a clear understanding of the cause and effect of the problem to be treated?
- What does the contract aim to achieve?

63 Laws

- Do you know and understand all relevant laws and codes of practice relating to supplying, storing and using pesticides?

64 Employees

- Do you have enough trained and appropriately qualified staff and do they have the relevant expertise and knowledge?

65 Performance standard

- Do you want to set standards that must be met and put these in the contract?

66 Areas for treating

- Have you defined the areas to be treated (including any relevant measurements, maps and plans)?
- Do your employees or the contractor know where sensitive and vulnerable areas (such as schools, hospitals, old people's homes, watercourses, groundwater protection zones, sites of special scientific interest and nature reserves) are?

67 Monitoring

If you have a programme for monitoring the contract, can you make sure that:

- the conditions and standards of the contract are met; and
- appropriate records are kept.

68 Review

- You should review all aspects of long-term contracts each year to make sure they act in line with any changes in policy, law, controls or any other factor that is likely to affect the contract.

69 Mixtures

- Where you or an employee, contractor or supplier acting for you mixes pesticides with other substances, only enough mixture for the day's use should be made.
- However, unforeseen circumstances, such as bad weather conditions, may make it necessary to keep material for use in the next few days.
- If you have to keep material for use in the next few days, by law you or the contractor must make a new safety assessment on labelling and storing the mixture safely to make sure that, as far as is possible, no unacceptable risks are created.
- Do not store mixed products for long periods or in large amounts.

Proper guidance on the law about selling and mixing pesticides is given in a leaflet available from PSD or on the PSD website (www.pesticides.gov.uk).

Contract details



Things to consider when preparing and managing contracts for applying pesticides in amenity areas

70 Work to be carried out

In the contract it would be a good idea to include a statement on the type and range of work to be carried out, with specific details of areas to be treated including:

- appropriate measurements;
- information on any unusual risks;
- any other proposed work (such as building work);
- any restrictions on working hours or machinery that may be used; and
- any specific instructions for working in or near sensitive or vulnerable areas.

71 Choice of pesticide

- In the contract you should specify the pesticide products to be used and their MAPP or HSE numbers (also written as active ingredients) and the rates of application.
- If you want the contractor to specify which pesticides they are going to use, you may want to ask them to give you a list of the pesticides (including MAPP or HSE numbers) they will use for each part of the contract, giving the application rates and number of treatments considered necessary.

72 Reporting and keeping records

- It is best practice for the contractor's representative on site to regularly report to your representative (perhaps once a week) to give you a detailed record of the work done and the plan for future work.

73 Documents you might ask contractors to provide

You may want the contractor to send you the following documents with their tender for the contract:

- A copy of their insurance certificates;
- The names and addresses of two referees they have carried out work of a similar type and value for;
- A copy of their storage certificate (unless less than 200 litres or 200 kilograms of pesticide are being stored);
- Copies of the appropriate NPTC certificates of competence for anyone who will be applying the pesticide or supervising the work;
- A copy of the contractor's safety policy, risk assessment and control procedures (as instructed under the Health and Safety at Work etc. Act and its associated regulations);
- Details of membership of any professional body or trade association;
- Details of the contractor's waste management policy;

- Details of the contractor's standard operating procedures (SOPs), directly related to the work as specified in the contract.

74 Monitoring contracts

It is good practice to monitor work carried out under contracts to make sure that all legal and safety conditions, and agreed standards, are met. A monitoring programme may cover the following:

75 Preparing tenders

- Make sure that the contract schedules are an accurate record of the areas to be treated.
- Make sure the pesticides specified are adequate and suitable to achieve the aim of the treatment.
- Decide how often site inspections should take place.
- Prepare a checklist of the areas to be assessed during site inspections.

76 Carrying out the contract

When the contract is being carried out, you may want to visit all the sites to make sure of the following:

- The work is being carried out safely, legally and in line with relevant codes of practice;
- The people applying the pesticide are using suitable personal protective equipment and have the appropriate NPTC certificates of competence;
- The contractor's vehicles are suitably equipped to deal with any spillage or similar incident;
- The pesticides are being mixed and prepared in an appropriate location and in a safe and legal way;
- Only the people named in the documents provided with the tender are using pesticides;
- The pesticides being applied are as agreed in terms of the approved products, rates and method of application. (If any samples are tested, two samples should be taken, sealed immediately, and one should be left with the contractor.);



Things to consider when preparing and managing contracts for applying pesticides in amenity areas

- All appropriate health and safety regulations are being followed;
- The pesticides are being stored on site in a safe and legal way;
- The appropriate records of the pesticides applied and the areas treated are being kept;
- All environmental risks are being managed appropriately;
- Written records are kept to show that leftover spray solution, tank washings and empty packaging are being disposed of safely, legally and in line with relevant codes of practice.

77 Assessing the performance of contracts

It is good practice to inspect all sites while the contract is being carried out and at appropriate intervals after it has ended to assess how effective the treatment is and, where necessary, ask the contractor to put things right.

Things to consider when using pesticides in high-security or high-risk amenity and industrial areas

78 You should take special care when applying pesticides in areas such as railways, gas and electricity plants, Ministry of Defence sites, oil refineries, public roads and motorways. This is because of the increased dangers at these sites and the need to take any extra safety precautions demanded at the site.



If you are supervising work on high-risk sites, you should fully understand:

- what work has to be done;
- how and when to contact the site's liaison officer;
- the local risks; and
- the safety precautions you must take as a result of the local risks (when working on public roads this will include meeting the Road Traffic Regulations).

79 You may also need to consider the following:

- Access to the site may be restricted to specific times, and certain types and sizes of vehicle may not be allowed;

Things to consider when using pesticides in high-security or high-risk amenity and industrial areas

- You may need a work permit or to be escorted on site;
- The controller of the site should supply you with all the relevant information and everyone involved should clearly understand the arrangements;
- You may want to agree appropriate penalties if you or the person who has to escort you does not arrive on schedule;
- Access routes to the site may be over land that is not controlled by the person who controls the site. You should make sure you have the permission you need to reach the site with the equipment you propose to use;
- For site security, visitors or your staff not directly involved in the work may only be allowed onto the site with the specific permission of the site controller (perhaps in writing).

As most of these sites are enclosed, it is best practice to see that you remove all rubbish and waste materials from site at the end of the work. You may want to have this done every day.

Special conditions apply to individual sites within any one contract. Make sure these are clear before you start work.

You should make sure any application equipment left on site is secure. If you leave any pesticides on site you must have the written permission of the site controller and they must be stored safely and securely.

The person supervising the work should contact local site controllers at least seven days before work is due to start to check whether:

- any special conditions apply to each site; and
- there will be other work in progress on the site while pesticides are being used.

80 You must not allow pesticides being applied to drift beyond the target area. If the weather conditions become unsuitable, stop work and tell the site controller what has happened.



Note: numbers refer to paragraphs, not pages. Numbers with a letter before them refer to annexes for example, B11 is paragraph 11 in annex B.

- A**
- access restriction 3.7.4
 - active ingredients C1
 - dangers 3.4.3
 - volatile 3.4.4
 - advisers, training 2.6
 - agri-environment agreements 3.8.2
 - air-assisted application C2
 - broadcast C2
 - downward placement C2
 - equipment 3.5.4
 - aircraft 3.8.3, 3.8.12, G
 - consultation G53, G54, G55
 - obligations 4.6.14
 - permission 4.2.1
 - aluminium phosphide 5.6
 - amenity area spraying 1.3, 3.7.3, H
 - access points 3.7.4
 - contracts
 - carrying out H75
 - monitoring H66, H73
 - performance assessment H76
 - review H67
 - work to be carried out H69
 - loading pesticides 3.8.10
 - mixing pesticides 3.8.10
 - tenders H60, H74
 - weed control 3.7.4
 - anemometer 4.7.3
 - animals
 - protection 3.2.4, 3.7.4
 - suspected poisoning A4
 - see *also* insect(s); livestock; pets; vertebrate control; wildlife
 - anticholinesterase compounds 3.4.3, 3.6.3
 - anticholinesterase effects 3.2.4
 - antifoamers 4.5.2
 - apiculture 1.3
 - see *also* beekeepers; bees
 - application of pesticides 3.1.2
 - actions after 4.8
 - certificates of competence 4.6.1
 - equipment 2.2
 - hand 4.6.7
 - methods 4.6
 - choice 4.6.1
 - ground-based reduced volume 4.6.4
 - order of treatment 4.6.2
 - special precautions 4.6.3
 - volume C2
 - see *also* aircraft/air-assisted application; preparation for application
 - approval C1
 - checking 3.2.3
 - aquatic life 3.8.8
 - areas of special environmental status 4.2.1
 - artificial resuscitation A2
 - atomisers, rotary 4.7.4, C2
- B**
- baits 3.8.4, 4.6.7
 - disposal 5.7
 - unprotected A4
 - BASIS (Registration) Ltd 2.5, 2.6
 - Professional Register 2.7
 - transport of pesticides 3.3.3
 - beekeepers 3.7.2
 - notification 3.8.5, 4.8, G56
 - spray liaison officer 3.7.2
 - bees 1.3
 - protection 3.2.4, 3.8.5
 - biobed, lined 3.8.10, C1
 - waste disposal 5.5
 - biodiversity 3.7.1, C1
 - biological monitoring 3.6.1, 3.6.3, C1
 - birds, wild 3.8.4
 - blood see biological monitoring
 - boots E
 - boreholes 3.8.10
 - bowsers 3.3.3
 - breath see biological monitoring
 - breathing
 - pesticide contamination 3.4.4
 - see *also* respiratory protective equipment
 - British Beekeepers' Association (BBKA) 3.8.5
 - British Pest Control Association 2.5
 - buffer zones 3.2.4
 - drift prevention 4.7.4
 - location 3.8.2
 - untreated 3.8.2
 - watercourses 3.8.8
 - bystanders C1
 - notifying of application 3.7.3

- C**
- carbamates 3.6.3
 - anticholinesterase effects 3.2.4
 - cardiopulmonary resuscitation A2
 - Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations (2004) 4.4.1, A12
 - catchment areas 3.8.10, C1
 - Centre for Aquatic Plant Management (CAPM) 3.8.13
 - certificates of competence 1.7, 2.1
 - application 4.6.1
 - continuing professional development 2.7
 - need for 2.3, 2.5
 - obtaining 2.5
 - use of pesticides without 2.4
 - weed control on/near water 4.6.13
 - Chartered Institution of Wastes Management 5.4
 - Chemicals (Hazard Information and Packaging for Supply) Regulations (2002) A13
 - children 3.7.3
 - risks of unattended pesticides 3.3.5
 - Clean Air Act (1993) A14
 - closed-transfer systems 3.5.4, C1
 - co-formulants 3.4.3
 - commercial service 2.3
 - commodity substances C1
 - approval 3.2.3, 3.5.5
 - Common Agricultural Policy Single Payment and Support Schemes (Cross Compliance) (England) Regulations (2004) 3.7.1
 - Common Agricultural Policy Single Payment Scheme 3.8.2
 - compost, treated 3.4.5
 - disposal 5.7
 - concentrates, disposal 5.4
 - conditions of use 3.1.2
 - conservation, special areas 3.8.3
 - conservation agencies 3.8.3
 - conservation headlands 3.8.2
 - Conservation of Natural Habitats and of Wild Fauna and Flora 92/43/EEC (Habitats Directive) A15
 - Conservation (Natural Habitats, &c.) Regulations 1994 (Habitats Regulations) A16
 - consignment note 5.4, 6.9
 - consumer protection 3.2.4
 - containers
 - cap replacement 4.5.2
 - cleaned 5.3
 - closed-transfer system 4.5.2
 - damaged 4.3, 4.4.3, 5.4
 - disposal 4.2.1, 5.6
 - handling 4.3, 4.5.2
 - intermediate bulk 4.5.2
 - labelling of transferred material 4.3
 - leaking 3.3.2, A3
 - loading 4.4.4
 - movement 4.3
 - pressure-rinsing 3.5.4
 - protection from weather 4.4.4
 - re-sealing 4.5.2
 - reuse 5.6
 - rinsing 5.6
 - seals 4.5.2, 5.6
 - security 3.3.5, 4.3
 - size 4.5.2
 - small-volume returnable 4.5.2
 - stolen 3.3.5
 - storage of empty 3.8.10
 - unloading 4.4.4
 - contamination 4.2.1, 4.2.2
 - avoidance
 - for equipment 4.6.2
 - hand-held equipment 4.6.10
 - surface water 4.5.1
 - disposal of materials 3.3.4, 4.3, A3
 - emergency procedures A2
 - Environment Agency notification 4.4.2
 - equipment for dealing with 3.3.2
 - fogs in enclosed spaces 4.6.5
 - mists in enclosed spaces 4.6.5
 - risk 3.4.4, 3.5.4
 - smokes in enclosed spaces 4.6.5
 - surface water 3.8.10, 4.5.1
 - continuing professional development (CPD) 2.5, 2.7
 - contractors
 - application in specially designated areas 3.8.3
 - briefing by land owner/occupier 3.8.2
 - documentation H72
 - mobile stores 3.3.3
 - record keeping 6.3
 - contracts
 - drafting 2.6
 - see *also* amenity area spraying, contracts

Index

- control measures
 - effectiveness 3.6.1
 - failure 3.4.4
 - maintaining 3.5.7
 - use 3.6.1
 - Control of Pesticides Regulations (1986)
 - 4.4.1, A3
 - Control of Substances Hazardous to Health Regulations (COSHH, 2002) 3.4, A6, C1, C3
 - application 3.4.1
 - assessment 3.1.2
 - dips/drenches 4.6.12
 - for dust/granules/pellets/baits 4.6.8
 - for fogs/mists/smokes 4.6.5
 - recording 3.4.6, 6.3, 6.4
 - reviewing 3.4.7
 - dangers 3.4.3
 - exposure
 - control 3.4.5
 - monitoring 3.6.1
 - prevention 3.5.1, 3.5.2
 - health surveillance 3.6.2, 3.6.3
 - neighbouring property 3.7.1
 - personal protective equipment 3.5.5
 - preparation for application 4.2.1
 - product label advice 3.2.4
 - risk assessment 3.4.1, 3.4.2, 3.4.4
 - schedules 3.4.3
 - controlled droplet application (CDA) 4.6.10, C2
 - Cornwall Knotweed Forum 3.8.13
 - Countryside and Rights of Way Act (CROW, 2000) 3.7.4, A17
 - Countryside Council for Wales 3.8.3, 3.8.13
 - coveralls E
 - Crassula helmsii* 3.8.13
 - crop(s)
 - edible 1.3
 - non-edible 1.3
 - sensitive 3.7.3
 - treated 3.4.5
 - crop assurance scheme records 6.3
 - crop covers, contaminated 5.7
 - crop protection 3.8.1
 - management plan (CPMP) 3.8.1
 - Crop Protection Association 1.5, 3.8.10
 - cuttings, treated 3.2.6, 3.4.5
- D**
- dangerous goods transport 4.4.1
 - dangerous practices 4.2.2
 - dangers, information about 3.4.3
 - data sheets 3.4.5
 - see also material safety data sheet (MSDS)
 - defoamers 4.5.2
 - deliveries, trained personnel 3.3.5
 - Department for Environment, Food and Rural Affairs (Defra) licence 3.8.2
 - desiccants 3.7.2
 - dipping operations 3.4.5, 4.6.12
 - waste disposal 4.6.12
 - diseases 1.1
 - identification 3.1.1
 - prevention 3.1.1
 - resistance 3.1.2
 - disposal 5.1
 - concentrates 5.4
 - packing 4.2.1
 - product label advice 3.2.4
 - ready-to-use formulations 5.4
 - waste products 4.2.1
 - ditches, dry 3.8.8
 - drainage
 - collection 3.8.10
 - see also run-off
 - drenching operations 3.4.5, 4.6.12
 - waste disposal 4.6.12
 - drifting see spray drift/drift
 - drink containers 4.3
 - drip trays 4.5.2
 - portable 3.8.10, 4.6.10
 - droplet size 4.6.4, 4.7.3
 - dusts 3.4.1, 4.6.7
 - drift 4.7.1
 - exposure 4.6.8
 - seed treatment 4.6.11
- E**
- effluent, special category 5.5
 - effluent treatment plant 5.5
 - emergency phone numbers 3.3.2
 - emergency procedures 2.2
 - action plans A1
 - personal contamination A2
 - preparation for application 4.2.1
 - transport 4.4.2
 - employees

- amenity area application H64
 - records 6.8
 - risk assessment 3.4.4
 - sudden illness 3.6.5
 - welfare facilities 3.5.8
 - employers
 - control measure maintenance 3.5.7
 - health surveillance 3.6.4
 - incident reporting 3.6.5
 - risk assessment 3.4.4
 - training 3.4.5
 - engineering controls 3.4.5, 3.5.2, 3.5.9
 - commodity substance 3.5.5
 - maintenance 3.5.7
 - problem reporting 3.5.9
 - product label advice 3.2.4
 - English Nature 3.8.3, 3.8.13
 - environment
 - negative effects 3.8.1
 - protection 3.2.4, 3.8, 4.2.1
 - risk assessment 3.1.2
 - spillages A3
 - Environment Act (1995) A18
 - Environment Agency 3.8.10, 3.8.11, A3, A4
 - aircraft application 3.8.12
 - emergency contact details 4.2.1
 - hazardous waste fee 5.4
 - invasive weed control 3.8.13
 - notification of spillage/contamination 4.4.2
 - permission for weed control on/near water 4.6.13
 - trade effluent consent 5.5
 - Environmental Health, notification G57
 - environmental information sheets (EIS) 3.2.2
 - environmental management 3.7.1
 - Environmental Protection Act (1990) A19
 - Environmental Protection (Duty of Care) Regulations (1991) A20
 - environmental risk assessment 4.2.1
 - dips/drenches 4.6.12
 - records 6.5
 - environmental stewardship scheme 3.7.1
 - equipment
 - air-assisted 3.5.4
 - application 2.2
 - calibration 3.5.4
 - checks 4.2.1
 - cleaning 3.5.4, 3.8.10, 4.2.1
 - after application 4.8
 - dilute materials 5.5
 - disposal of washing 4.4.5
 - dust application 4.6.7
 - granule application 4.6.7
 - pellet application 4.6.7
 - seed treatment 4.6.11
 - transport 4.4.5
 - undiluted products 5.4
 - contamination, avoidance 4.6.2
 - decontamination 3.8.10
 - disposal 5.7
 - exposure, control 3.5.4
 - failure 3.4.5
 - filling 4.5
 - precautions 4.5.1
 - hand-held 3.5.4, 4.4.3, 4.6.10, C2
 - handling containers 4.4.5, 4.5.2
 - location for filling 4.5.1
 - low-drift 4.7.4
 - maintenance 3.5.4, 4.4.2
 - measuring 4.5.2
 - mounted C2
 - overfilling, avoidance 4.4.2
 - pedestrian-controlled C2
 - remote control 3.5.4
 - safe handling 3.4.5
 - seed treatment 4.6.11, C2
 - seed-drilling 4.6.11
 - standard 3.5.4
 - storage 3.8.10
 - types 2.5
 - used near workers 3.5.4
 - waste disposal 5.5
 - see also filling equipment; sprayer tank
- European Hazardous Waste Directive (1991) 5.4
- European Waste Catalogue (EWC) 5.4
- evacuation, fires A5
- exposure control measures, maintenance records 6.7
- exposures
 - control 3.4.5, 3.5
 - measures 3.5.4, 4.2.1
 - working procedures 3.5.7
- emergency procedures A2
- limits 3.6.1
- monitoring 3.6
 - records 6.6
- prevention 3.4.5, 3.5
 - measures 3.5.3

Index

- working procedures 3.5.7
 - protection 3.4.5
 - eyes, contaminated A2
- F**
- Farm and Wildlife Advisory Group 3.8.2
 - farmers
 - risks 3.4.5
 - Single Payment scheme 3.7.1
 - feed stores, contamination avoidance 4.2.1
 - field drainage 3.8.10
 - field margins 3.7.1
 - filler cap 4.6.10
 - filler openings 4.5.2
 - filling equipment 4.5
 - precautions 4.5.1
 - filling operations 3.8.10
 - spillage prevention 3.8.10
 - filters, cleaning 5.5
 - fire extinguishers 4.4.2
 - fires A5
 - emergency procedures 4.4.2
 - equipment for dealing with 3.3.2
 - first aid 3.2.4
 - fish, protection 3.8.8
 - foaming, avoidance 4.5.2
 - fogs/fogging 3.4.5, C2
 - enclosed spaces 4.6.5
 - foil seals 4.5.2, 5.6
 - Food and Environment Protection Act (1985) 1.4, A2, C1, C2
 - food containers 4.3
 - forestry 1.3
 - access points 3.7.4
 - loading pesticides 3.8.10
 - mixing pesticides 3.8.10
 - restocking 3.8.10
 - worker risks 3.4.5
 - formulation of pesticides 3.5.3
 - fumigants 4.6.6, C2
 - certificate of competence 2.5
 - fungi, edible 1.3
 - fungicide resistance action group (FRAG) 3.1.2
- G**
- Game Conservancy Trust 3.8.2
 - gardening, hobby/professional 3.5.5
 - gassing compounds, storage 3.3.3
 - glasshouses
 - automatic pesticide application 3.5.4
 - fog application 4.6.5
 - mist application 4.6.5
 - remote-controlled pesticide application 3.5.3, 3.5.4
 - smoke application 4.6.5
 - treated 3.4.5
 - gloves, protective 3.5.7, E
 - good practice 3.5.4
 - notification of application 3.7.3
 - personal protective equipment 3.5.5
 - GPS (global positioning satellite) 3.1.2
 - granules 4.6.7
 - drift 4.7.1
 - exposure 4.6.8
 - incorporation into soil/compost 4.6.7
 - measurement 4.5.2
 - grass margins, permanent 3.8.2
 - grassland
 - amenity 1.3
 - dilute waste disposal 5.5
 - green cover 1.3
 - groundwater C1
 - contamination 3.8.10
 - pollution avoidance 4.5.1
 - protection 3.8.10
 - Groundwater Regulations (1998) 1.4, A10, C4
 - growers
 - risks 3.4.5
 - Single Payment scheme 3.7.1
 - guidance materials 3.4.3
- H**
- hair, contaminated A2
 - handling
 - containers 4.3
 - machinery 4.4.4
 - safe 3.4.5
 - harvesting, treated crops 3.4.5
 - hazardous waste 5.4
 - Hazardous Waste Directive (91/689/EEC) and the European Waste Catalogue (200/532/EC) A21
 - Hazardous Waste Regulations (2005) A22
 - hazards 3.4.1
 - classification 3.4.3
 - risk management 3.4.5
 - headland conservation 3.8.2
 - health

danger to 3.4.1
 exposure effects 3.4.5
 surveillance 3.6
 Health and Safety at Work etc. Act (1974)
 1.4, A5, C1, C3
 Health and Safety Executive 3.7.5
 Health and Safety (Consultation with
 Employees) Regulations (1996) A23
 health monitoring 2.2
 health surveillance 3.6.2, 3.6.3
 employers 3.6.4
 records 6.8
 herbage, agricultural 1.3
 herbicides, wild plant damage 3.8.2
 herbs 1.3
 high-risk/high-security areas I77
 site access I78
 horticultural crops 1.3
 hoses
 cleaning 5.5
 maintenance 4.4.2
 hospitals 3.7.3
 hydrogen cyanide gassing powders 5.6

I

illness, sudden 3.6.5
 imported pesticides 3.2.3
 incident reporting 3.6.5, 3.7.5
 incinerators 5.6
 induction systems 4.5.2, C2
 cleaning 5.5
 industrial areas 1.3, I77
 site access I78
 industrial crops 1.3
 information about pesticides 3.2.2
 dangers of product 3.4.3
 see *also* material safety data sheet (MSDS);
 product labels
 information cards 3.2.2, 3.7.3
 insect(s)
 beneficial 3.8.6
 protection 3.2.4
 see *also* bees
 insect pest monitoring 3.1.1
 insecticides resistance action group (IRAG) 3.1.2
 integrated management
 crop 3.1.1
 farm 3.8.1
 pest 3.1.1

K

Knotweed, Japanese 3.8.13

L

Landfill Directive (99/31/EC) A24
 Landfill (England and Wales) Regulations
 (2002) A25
 Lantra Sector Skills Council 2.5
 Awards 2.6
 law
 amenity area application H63
 training 2.2
 transport of pesticides 4.4.1
 legal information 3.4.3
 legal status of code 1.4
 Linking Environment and Farming (LEAF) 3.8.2
 audit 3.8.1
 List of Wastes (England) Regulations (2005) A26
 livestock
 protection 3.2.4, 3.8.7, 4.2.1
 risks of unattended pesticides 3.3.5
 loading operations 3.8.10, 4.4.4
 dedicated area 3.8.10
 illegal 4.5.2
 local authority, treatment of rights of way 3.7.4
 Local Environmental Risk Assessment for
 Pesticides (LERAP) 3.8.8, C1
 low-drift equipment 4.7.4
 local nature reserves 3.8.3

M

magnesium phosphide 5.6
 mammals, wild 3.8.4
 Management of Health and Safety at Work
 Regulations (1999) A7
 managers, training 2.6
 Manual Handling Operations Regulations
 (1992) A27
 manufacturers, feed-back 4.8
 marine nature reserves 3.8.3
 masks 3.5.6
 material safety data sheet (MSDS) 3.2.2, A1, A2
 danger information 3.4.3
 medical conditions, product label advice 3.2.4
 medical practitioners
 biological monitoring 3.6.3
 employee sudden illness 3.6.5
 medical services, emergency contact details
 4.2.1

Index

micro-organisms 3.4.1
mists/misting 3.4.5, 4.6.5, C2
mixing operations 3.8.10
 adding products 4.5.2
 dedicated area 3.8.10
 illegal 4.5.2
 procedure 4.5.2
mixtures, amenity areas H68

N

National Assembly for Wales (NAW) 3.8.2
national nature reserves 3.8.3
National Occupational Standard 2.5
National Poisons Information Service 3.2.4
National Register of Sprayer Operators 2.7
National Sprayer Testing Scheme 3.5.4
Natura 2000 sites 3.8.3
nature reserves 3.8.3
neighbouring property 3.7.1, 3.7.3
nerve cell effects 3.6.3
notice giving of application 3.7.2, 3.7.4
notification
 beekeepers 3.8.5, 4.8, G56
 spillages A3
 see *also* warning notices
nozzles
 air-induction 4.7.4, C2
 choice 4.7.4
 cleaning 5.5
 covers 4.6.10
 deflector C2
 maintenance 4.4.2
 pre-orifice 4.7.4, C2
 twin-fluid 4.7.4
NPTC 2.5
nursery workers 3.4.5

O

occupational exposure
 limits 3.4.3
 standard C1
off-label use
 approval 3.2.3, 3.2.5, 3.5.5
 preparation for application 4.2.1
open country, access points 3.7.4
Open Spaces Society 3.7.6
operational controls 3.5.2
optical sensing 3.1.2
orchards, windbreaks 4.7.4

organic crops 3.7.3
organophosphates 3.6.3
 anticholinesterase effects 3.2.4
ornamental plants 1.3

P

pack size 3.5.4
packaging
 disposal 5.7
 reduction 5.3
 water-soluble 4.5.2
 see *also* containers
packing, treated crops 3.4.5
parks 3.4.5
patch application 3.1.2
paved areas, application 4.6.9
pellets 4.6.7
performance standard H65
personal hygiene 3.5.9
personal protective equipment 3.4.5, 3.5.2,
 3.5.5, 3.5.9, 4.3
 checking 3.5.7
 cleaning 4.8
 commodity substance 3.5.5
 contaminated 3.5.7, 3.5.9
 COSHH assessment 3.5.5
 definition C1
 dipping 4.6.12
 disposal 3.5.7, 4.8, 5.7
 drenching 4.6.12
 good practice 3.5.5
 guidance on use E
 maintenance 3.5.7
 materials 3.5.6
 off-label use 3.5.5
 performance limits 3.5.6
 product label advice 3.2.4
 protection 3.5.6
 storage 3.5.7, 3.5.9
 suitable 3.5.6
 wearing correctly 3.5.6
Personal Protective Equipment at Work
 Regulations (1992) A8
Pesticide Incident Appraisal Panel 3.7.5
pesticides
 agricultural 2.1
 choice 3.1.3, H70
 definition 1.2
 foreign 3.2.3

- mixtures 3.3.2
 - unwanted effects 3.1.2
 - see *also* use of pesticides
 - pests 1.1
 - prevention 3.1.1
 - resistance 3.1.1, 3.1.2
 - pets
 - protection 3.2.4, 3.8.4
 - risks of unattended pesticides 3.3.5
 - slug pellet risk 4.6.7
 - pigmy weed, New Zealand 3.8.13
 - pipes, cleaning 5.5
 - plant(s)
 - aquatic 3.8.11
 - bank-side 3.8.11
 - pesticide-treated 3.8.10
 - see *also* weed(s)
 - plant propagation materials, treated 3.2.6, 3.4.5
 - plant protection products, definition 1.2, C1
 - Plant Protection Products Regulations (2005)
 - 4.4.1, A4
 - Plant Protection Products (Basic Conditions)
 - Regulations (1997) A4
 - plant-free areas 1.3
 - policy for amenity area spraying H61
 - pouring technique 4.5.2
 - powder measurement 4.5.2
 - precautions, taking of reasonable 3.2.4
 - preparation for application 4.2
 - checks 4.2.1
 - dangerous practices 4.2.2
 - pressure-relief systems 3.5.4
 - pressure-rinsing 3.5.4
 - product hazard data sheet see material safety
 - data sheet (MSDS)
 - product labels 1.5, 1.6, 3.2, A2, A4
 - COSHH regulations 3.4.1
 - danger information 3.4.3, 3.4.5
 - employee risks 3.4.4
 - instructions 4.5.2
 - preparation for application 4.2.1
 - protection function 3.2.4
 - reading 3.2.4, 4.3, 4.5.2, 4.6.10
 - transferred material 4.3
 - understanding 3.2.4, 4.5.2, 4.6.10
 - protected species 3.8.2
 - protective equipment A2
 - see *also* personal protective equipment
 - Provision and Use of Work Equipment
 - Regulations (1998) A28
 - pruning, treated crops 3.4.5
 - public exposure
 - amenity areas 3.7.3, 4.2.1
 - information 3.4.5
 - recorded 6.3
 - notification G57
 - treated areas 3.4.5
 - public protection 3.7
 - baits/dusts/granules 4.6.7
 - notification of pesticide use 3.7.1
 - pellets 4.6.7
 - public rights of way 3.7.4
 - application 4.6.9
 - permission for application 4.2.1
 - temporary closure 3.7.4
- R**
- ragwort 3.8.7
 - rainwater run-off 3.8.10
 - Ramblers' Association 3.7.6
 - Ramsar sites 3.8.3
 - ready-to-use formulation disposal 5.4
 - recirculating system 4.4.2, 4.5.2
 - record keeping 2.2, 6.1
 - records
 - amenity area spraying H71
 - contractors 6.3
 - COSHH assessment 6.4
 - employees 6.8
 - environmental risk assessment 6.5
 - exposure control measure maintenance 6.7
 - health surveillance 6.8
 - keeping H71
 - LERAP decisions 3.8.8
 - sheets F
 - stock 3.3.2
 - storage 6.2
 - training 2.5
 - treatments 3.8.3, 6.3
 - waste disposal 6.9
 - recreational land, treated 3.4.5
 - reduced-volume spraying 4.6.4, C1, E
 - Regulation (EC) 852/2004 of the
 - European Parliament and of the Council on
 - the hygiene of foodstuffs A11
 - reporting
 - emergencies A2
 - incidents 3.6.5, 3.7.5

Index

- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR, 1995)
 - 3.6.5, 3.7.5
- resistance 3.1.1, 3.1.2
- resistance action groups (RAGs) 3.1.2
- respiratory protective equipment 3.5.5, C1, E
 - contamination level 3.6.1
 - face-fit 3.5.6
 - maintenance 3.5.7
 - records 6.7
- retirement homes 3.7.3
- rinsings 5.6
- risk 3.4.1
 - training 2.2
- risk assessment 3.1.2, 3.4.4
 - COSHH regulations 3.4.1, 3.4.2
 - fogs/mists/smokes in enclosed spaces 4.6.5
- rodenticides resistance action group (RRAG) 3.1.2
- Royal Society for the Protection of Birds (RSPB) 3.8.2
- run-off
 - collection 3.8.10
 - fire extinguishers 4.4.2
 - hard surfaces 4.6.9
 - prevention 4.6.12
 - rainwater 3.8.10
- S**
- safe working practices 2.2
- safety measures, product label advice 3.2.4
- Safety Representatives and Safety Committees Regulations (1997) A29
- salespeople, training 2.6
- sampling equipment 3.6.1
- schools 3.7.3
- scientific information 3.4.3
- seed treatment 4.6.11
 - equipment 4.6.11, C2
- seed-drilling equipment 4.6.11
- seedlings, treated 3.4.5
- seeds, treated 3.2.6, 3.4.5, 3.8.4
 - disposal 5.7
- self-employed people
 - incident reporting 3.6.5
 - risk assessment 3.4.4
 - training 3.4.5
- selling of pesticides 2.6
- sensitive areas 3.8.2
- sensitive crops 3.7.3
- sewers 5.5
- signs see warning notices
- Single Payment scheme 3.7.1
- sites of special scientific interest (SSSI) 3.8.3
- skin
 - absorption 3.4.4
 - contaminated A2
 - disorders 3.6.3
- slug pellets 4.6.7
 - exposure 4.6.8
- smokes C2
 - enclosed spaces 4.6.5
- soil
 - dilute waste disposal 5.5
 - disposal of treated 5.7
 - treated 3.4.5
- soil-incorporated granules/pellets 3.8.4
- source protection zone (SPZ) 3.8.10
- special areas of conservation 3.8.3
- special category effluent 5.5
- special protection areas 3.8.3
- Special Waste Regulations (1996) A30
- specially designated areas 3.8.3
- specific off-label approval (SOLA) 3.2.5, 3.5.5, C1
- spill kit 4.5.2
- spillages 3.3.4, A3
 - actions 4.5.2
 - avoidance 4.4.3, 4.6.7
 - baits 4.6.7
 - containment 3.8.10, 4.3
 - disposal 4.6.7
 - emergency procedures 4.4.2, A2
 - Environment Agency notification 4.4.2
 - equipment for dealing with 3.3.2
 - fires A5
 - granules 4.6.7
 - prevention 3.8.10
 - hand-held equipment 4.6.10
 - risk 4.4.2
 - treated seed 4.6.11
- sports turf 3.4.5
- spot application 3.1.2
- spot gun 4.6.10
- spray drift/drifted 3.7.1, 3.7.4, 3.8.10, 4.7
 - causes 4.7.1
 - control with reduced-volume spraying 4.6.4
 - effects 4.7.1

- exposure 4.6.8
 - high-risk/security areas I79
 - industrial areas I79
 - near watercourses 3.8.10
 - prevention 4.7.4
 - risk 4.6.4
 - spray quality 4.5.2, 4.7.4
 - sprayer pump 4.4.2
 - sprayer tank
 - closed-transfer systems 3.5.4
 - content levels 4.5.2
 - overfilling 4.6.10
 - washing 5.5
 - sprayers C2
 - air-assistance 4.7.4
 - boom height 4.7.4
 - check valves 3.5.4
 - equipment/equipment calibration 3.5.4
 - filling 3.8.10
 - knapsack 4.6.10
 - low-drift 3.8.8, 4.7.4
 - nozzles 3.5.4
 - re-circulating tunnel 4.7.4
 - shrouded-boom 4.7.4, C2
 - storage 3.8.10, 4.8
 - testing 3.5.4
 - sprays, quality C1
 - springs 3.8.10
 - stirring systems 4.5.2
 - stonecrop, Australian swamp 3.8.13
 - storage 3.3, 5.4
 - conditions for sale/supply 3.3.2
 - management 3.3.2, 5.4
 - mobile 3.3.3
 - moving pesticides 3.3.4
 - product label advice 3.2.4
 - records 6.2
 - safety equipment 3.3.2
 - unwanted materials 5.4
 - storage tanks 3.3.3
 - substances hazardous to health C1
 - see also Control of Substances Hazardous to Health
 - sulphuric acid 3.7.2, 3.7.4
 - notice giving 4.2.1
 - supervision 2.4
 - suppliers, returning unwanted products 5.4
 - surface water contamination 3.8.10
 - avoidance 4.5.1
 - swallowing risk 3.4.4
- T**
- tank mix 4.5.2, C1
 - see also sprayer tank
 - tanker, intermediate 4.5.2
 - technical controls 3.5.2
 - technical information 3.4.3
 - tenders, amenity area spraying H60, H74
 - test-baiting 3.8.4, 4.6.7
 - towing 4.4.2
 - tractors
 - closed cabs 3.5.4
 - open cabs E
 - trade associations 2.5
 - trade effluent consent 5.5
 - training
 - advisers 2.6
 - managers 2.6
 - personnel 2.1, 3.4.5
 - preparation for application 4.2.1
 - providers 2.5
 - records 2.5
 - salespeople 2.6
 - topics 2.2
 - transport of pesticides 3.3.3, 4.4
 - dangerous goods 4.4.1
 - extra responsibilities 3.3.3
 - inside vehicle 4.4.3
 - law 4.4.1
 - legality 4.2.1
 - mixed loads 4.4.2
 - precautions 4.4.2
 - safety 4.2.1
 - trained personnel 3.3.5
 - water protection 3.8.10
 - treated areas/materials
 - amenity areas H65
 - non-essential people 3.5.3
 - people in contact 3.4.4
 - treatment records 3.8.3, 6.3
 - effectiveness 6.3
 - sheets F
 - tremcard C1
 - turf, managed 1.3

Index

- U**
- unloading operations 4.4.4
 - urine see biological monitoring
 - use of code 1.5
 - use of pesticides 1.1, 3.1.1
 - abuse 3.8.9
 - approved 3.8.9
 - correct 3.1.2
 - dose 3.1.2, 3.5.4
 - giving notice 3.7.2
 - misuse 3.8.9
 - non-agricultural 1.5
 - pre-prepared 3.2.6
 - restrictions 3.8.6
 - safe 1.2
 - targeting 3.1.2
 - timing 3.1.2
 - treatment records 3.8.3
- V**
- valves
 - cleaning 5.5
 - maintenance 4.4.2
 - pressure control 4.6.10
 - resetting 4.5.2
 - vapours
 - build-up 4.3
 - inhalation 4.6.12
 - varied-dose treatment 3.1.2
 - vegetation, amenity 1.3
 - vehicles
 - parking location 3.3.3
 - storage in 3.3.3
 - towing 4.4.2
 - treatment of rights of way 3.7.4
 - without cabs 4.6.8
 - ventilation
 - fogs in enclosed spaces 4.6.5
 - handling containers 4.3
 - mists in enclosed spaces 4.6.5
 - product label advice 3.2.4
 - smokes in enclosed spaces 4.6.5
 - vertebrate control 1.3
 - agent disposal 5.7
 - agents 3.8.4
 - baits 4.6.7
 - dead body disposal 5.7
 - vocational organisations 2.5
 - voles, water 3.8.4
 - Voluntary Initiative 3.8.1, 5.6
- W**
- warning notices 3.7.3, 3.7.4, 4.2.1, G58
 - fogging 4.6.5
 - misting 4.6.5
 - removal 4.8
 - smokes 4.6.5
 - washing facilities 3.5.8, 3.5.9
 - waste
 - hazardous 5.4
 - reduction 5.3
 - registered carriers 5.4
 - waste disposal 3.8.10, 5.1
 - containers 5.6
 - dilute materials 5.5
 - equipment 5.5
 - records 6.9
 - regulation 5.2
 - waste disposal site 5.4
 - container disposal 5.6
 - Waste Framework Directive (75/442/EEC) A31
 - Waste Management Licensing Regulations (1994) 5.5, A33
 - Waste Management (England and Wales) Regulations (2006) A32
 - waste transfer note 5.4
 - waste treatment site 5.4
 - waste-disposal contractors 5.4, 5.7
 - containers 5.6
 - water
 - contamination 3.8.10, 4.2.1
 - pollution
 - avoidance 4.4.2, 4.5.1
 - spray drift 4.7.1
 - volume
 - for application C2
 - for mixing 4.5.2
 - see also groundwater; surface water contamination; watercourses
 - water abstractors 3.8.11, C1
 - Water Framework Directive (2000) A34
 - Water Resources Act (1991) A35
 - water supply
 - drinking water 3.8.10
 - protection 4.5.2
 - public 3.8.10
 - water voles 3.8.4
 - watercourses 3.8.8
 - pesticide application near 3.8.10
 - run-off from hard surfaces 4.6.9
 - water-soluble bags 3.5.4

- weather conditions, spray drift 4.7.3
 - weather forecast 4.7.3, 4.7.4
 - weed(s) 1.1
 - invasive 3.8.13
 - poisonous 3.8.7
 - prevention 3.1.1
 - resistance 3.1.2
 - weed control
 - amenity areas 3.7.4
 - watercourses 3.8.11, 4.6.13
 - weed resistance action group (WRAG) 3.1.2
 - weed wipers 3.1.2, C2
 - weighing scales 4.5.2
 - welfare facilities 3.5.8
 - wells 3.8.10
 - wick applicator see weed wipers
 - wild plant protection 3.8.2
 - wildlife
 - mammal protection 3.8.4
 - negative effects 3.8.1
 - protection 3.8, 3.8.2, 4.2.1
 - risks of unattended pesticides 3.3.5
 - slug pellet risk 4.6.7
 - Wildlife and Countryside Act (1981) 3.8.2, A9
 - Wildlife Incident Investigation Scheme (WIIS)
 - 3.8.9, A4
 - wind speed 4.7.3
 - windbreaks, orchard 4.7.4
 - woodland, restocking 3.8.10
 - woodland assurance scheme 6.3
 - work with pesticides, previous experience 3.4.3
 - workers
 - exposure 3.4.5
 - see *also* contractors; employees
 - workers' safety representatives 3.4.4
 - personal protective equipment 3.5.6
 - Workplace Exposure Limit (WEL) 3.4.1,
 - 3.6.1, C1
- Z**
- zinc phosphide 5.6

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