

Plant Protection Products (Sustainable Use) Regulations 2012 (PPP(SU)R 2012), regulation 20(1) and Schedule 3, paragraph 7

Enforcement Notice

Serial Number W/01/2014

To:	Name	Mr John Reskelley
	Address	Bogee Farm Rumford Wadebridge Cornwall PL27 7SQ
Authorised person's full name	I,	
Authorised person's official designation	being a person authorised by an instrument in writing made pursuant to Regulation 20(1) of the PPP(SU)R 2012 and entitled to issue this Notice	
Authorised person's official address & telephone number	of	Health & Safety Executive, Chemicals Regulation Directorate, Mallard House, Kings Pool, 3 Peasholme Green, York YO1 7PX
Location of premises or place of activity		Bogee Farm, Rumford, Wadebridge

*** Part A**
Schedule 3
paragraph 7(1)

being of the opinion that you are committing an offence contrary to regulation 24 of the PPP(SU)R 2012 in relation to regulations 8-17 or regulation 31, in that you are contravening the following statutory provisions:-

Regulation 17(1) which states:

A professional user or distributor who carries out any of the operations set out in paragraph (2) must take all reasonable precautions to ensure that such operations do not endanger human health or the environment.

(2) The operations referred to in paragraph (1) are—

- (a) the storing, handling, diluting or mixing of plant protection products before application;
- (b) the handling of the packaging and remnants of plant protection products;
- (c) the disposal of tank mixtures remaining after the application of plant protection products;
- (d) the cleaning of plant protection product application equipment after the application of that product;
- (e) the recovering or disposing of plant protection product remnants and their packaging.

Regulation 17(6) which states:

A person must not store a plant protection product, or cause or permit another person to do so, unless storage of that product is authorised or permitted under a valid authorisation or permission granted in accordance with Regulation 1107/2009.

The reasons for my opinion are:

As part of an investigation into the discovery of a poisoned bait found on land to the eastern edge of Trevoze Golf and Country Club that also resulted in the death of a buzzard and a crow, your premises were visited on 20th March 2014 by officers from Natural England, the Devon and Cornwall Constabulary and the National Wildlife Crime Unit. As a result of this visit a number of authorised and unauthorised products were found. All the products found were housed in an unsuitable pesticide store as it was situated directly below a fuel tank and the key to the pesticide store was not kept in a secure place.

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Remedial or preventative
measures

I direct you to take the remedial or preventative measures set out in the attached Schedule, which forms part of this Notice. These measures are to be taken no later than the compliance date indicated on the right.

Compliance date:
17 May 2014

Authorised person's
signature

Date: 01/05/2014

of the Health and Safety Executive
