



House of Commons
Environment, Food and Rural
Affairs Committee

**Progress on the use of
pesticides: the
Voluntary Initiative:
Government Response
to the Committee's
Report**

**Third Special Report of Session 2005–
2006**

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Environment, Food and Rural Affairs Committee

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THIRD SPECIAL REPORT

The Environment, Food and Rural Affairs Committee reported to the House on *Progress on the use of pesticides: the Voluntary Initiative* in its Eighth Report of Session 2004–2005, published on 5 April 2005 as HC 258. The Government Response was received on 3 August 2005.

Government response

The Voluntary Initiative

Recommendations 1-8

1. The credibility of the Voluntary Initiative is critically dependent on the targets that are set for it. Setting strong and robust targets – and then meeting those goals – is the best way of deflecting criticism of the VI and averting the possibility of alternative measures, such as a pesticides tax. (Paragraph 41)

The Government agrees that to judge the Voluntary Initiative a success, the targets specified must be challenging and rigorous and the Initiative must be clearly delivering good environmental and biodiversity outcomes. As such the more the Voluntary Initiative's targets can be directly related to its environmental impact the better its success in that respect can be judged.

But the difficulty in setting any environmental, especially biodiversity, targets also needs to be recognised. Any indicator for biodiversity is likely to move only slowly and is likely to be in response to a wide range of drivers – not just those measures introduced by the Initiative itself. To this end the Initiative's signatories have drawn up and refined a long list of targets and indicators covering both the roll-out of key measures and environmental outcomes.

The Government considers progress on the Voluntary Initiative, including how it is meeting its targets, twice a year in the run up to the Budget and the Pre-Budget report. Since its introduction in April 2001 the Voluntary Initiative has, through the active participation of all its stakeholders, shown good progress against objectives, surpassing many of the initial key targets.

2. The VI's current targets for the area of land under Crop Protection Management Plans and for water quality are insufficiently challenging, and should have been strengthened earlier. We welcome the VI steering group's offer to strengthen the target for water quality, but feel the conditional nature of the offer undermines its credibility. We recommend that the target for CPMPs be similarly strengthened to reflect the inclusion of the plans in the entry-level stewardship scheme. The VI steering group should also be able to show evidence that the CPMPs are leading to real improvements in agricultural practice, rather than just being a form-filling exercise. (Paragraph 42)

3. In relation to farmers seeking to improve their environmental practice, as indicated on their CPMPs, the Government should have regard to Professor Dent's suggestion that agri-environment money could be used to promote such improvement. (Paragraph 43)

Since 2001 Defra ministers and officials have kept up the pressure on the Voluntary Initiative's signatories to devise and commit to convincing measures of environmental outcomes with particular reference to levels of pesticides in water and effects on biodiversity.

Overall the Government believes that the Voluntary Initiative has made progress in changing farmer behaviour and has welcomed its latest proposals for strengthening its environmental targets. But the Government sees these latest proposals as only one step in a process of continuous improvement which, provided it continues to be developed, should provide Government with much of the information it needs to assess the success of the Initiative.

The Government has welcomed the Initiative's confirmation of the river catchment target reduction of 50% from 2001 to 2006 together with a new target to keep individual pesticide peaks below 0.5ppb from autumn 2005. The Initiative's intention of recruiting new pilot catchments to develop and test the experiences gained so far to see whether these can deliver similar improvements but in a faster timescale and at a lower cost is also welcomed. However the Government also shares the Committee's concerns over the conditional nature of the proposal and has made it clear that it expects the proposals to be taken forward unconditionally.

On biodiversity the Government was pleased to see that the Steering Group has agreed that yellow hammer population trends will be added to the current list of species indicators for the Voluntary Initiative and that the Group is keen to assist with the development of existing, or introduction of new, indicators in respect of invertebrates, arable weeds, terrestrial risk, cereal field margins and compensatory measures, and possible additional monitoring schemes on indicator farms.

Much of the work undertaken as part of the Initiative, such as Crop Protection Management Plans, already goes towards attracting points awarded under the Environmental Stewardship schemes that qualify farmers for payments for introducing environmental benefits at levels above those of Good Farming Practice and cross-compliance conditions. As such the Government believes that some financial incentive is already there to encourage farmers to adopt such practice and that it would be inappropriate to go further than this.

4. Since the objective of the VI is to minimise the impact of pesticides on the environment, the ability to measure achievements in this respect is fundamental. Data problems and delays to projects have meant that we have little irrefutable evidence of the environmental benefits of the VI, just one year prior to the completion of the programme. We recommend that Defra, the Environment Agency and the VI steering group move rapidly to put in place the necessary arrangements to allow for a proper assessment of environmental benefits of the VI to be undertaken in 2006. We are concerned that Defra is not only unable to provide assurances on the environmental

benefits of the VI at this time, but appears to have little confidence in the usefulness of the research it commissioned specifically to provide tools for this assessment. (Paragraph 48)

The Voluntary Initiative has set itself a number of targets and indicators against which its progress will ultimately be measured. Although the Government agrees that the Voluntary Initiative must be seen to be clearly delivering good environmental and biodiversity outcomes to be considered a success it also acknowledges the difficulty in setting any environmental, especially biodiversity, targets.

In recognition of this the Voluntary Initiative's indicators are a mixture of environmental outcome and activity measures. Examples of environmental outcomes are those indicators for the detection of pesticides in water and changes in wildlife population trends for corn bunting, grey partridge, and yellow hammer. Examples of indicators for activity measures include the number of spray operators on the National Register of Sprayer Operators and the number of sprayers tested under the National Sprayer Testing Scheme.

In addition to the Initiative's own indicators and targets Defra awarded a contract to produce an evaluation model to help provide a framework for evaluating the success of the Initiative and for comparing it with alternative approaches to the problem of reducing negative impacts of pesticides on the environment. The evaluation project was awarded to a team from Newcastle University. The project has three main components:

- an economic assessment, based on the results of focus group interviews, of the perceived costs to farmers of generating particular benefits under the Voluntary Initiative as against other instruments such as a pesticides tax;
- modelling of levels of pesticides in the environment in various agricultural practice scenarios; and
- ecological network analysis to look at the effects of pesticide use and present a new insight into ways to minimise ecological damage.

The evaluation project has produced some useful results in its own right but before the tools produced by Newcastle University can be given practical application it will first be necessary to have further work done on them to develop them further. This work will be put into the public domain once it has, in line with normal Defra procedures, been through a scientific peer review process. Although the Pesticides Safety Directorate considers that the Newcastle study would not make a major contribution to the evaluation of the Voluntary Initiative it does believe that if it is further developed it could well be useful in considering possible successor projects.

5. The incorporation of some VI measures into the requirements of assurance schemes was worthwhile. Nevertheless, the VI must cover the significant numbers of farmers operating outside the schemes. Setting challenging targets for levels of participation by farmers is an important aspect; so too is engagement with non-farming sectors. However, the VI can never be sufficiently comprehensive so as to include all pesticide users. Therefore, we recommend that the Government strengthen enforcement of existing regulations in the amenity sector and, if this does not succeed

in bringing about the desired improvement in practice, that the Government then consider introducing further regulatory measures. (Paragraph 53)

6. Local authorities have a particular responsibility to ensure that their contracts are carried out only by suitably trained operators, using equipment that has been properly checked. The Government should ensure that this responsibility is communicated clearly to local authorities by central government. Prior to the introduction of any legislation, the Government should work with local authorities to agree a code of practice on the use of pesticides. This code should apply across all types of local authority. (Paragraph 54)

The Government does not believe that strengthening enforcement of the existing pesticides regulations in the amenity sector is warranted at the present time. Firstly, the UK amenity pesticide sector is small both in terms of value and, more importantly, the volume of pesticide used. The Crop Protection Association's most recent statistics show that at manufacturing selling price the sector was worth an estimated 4% of the professional pesticide market. Also although from time to time there have been allegations of misuse of pesticides in the amenity sector no hard evidence that problems have been actually occurring in practice has been forthcoming.

There is also a common misconception that the use of pesticides in the amenity sector is relatively unregulated. However pesticides used in this sector have to undergo the same rigorous prior approval procedures as those used in agriculture. Under these the Government must approve pesticides before they can be sold or used. In considering approval for use of a pesticide in the amenity sector issues such as toxicity, operator exposure, pesticide chemistry, environmental fate and behaviour, ecotoxicology and efficacy are all examined as part of the approval process. Under this process statutory conditions of use can be applied to pesticides to ensure they can be used safely with respect to people, animals and the environment.

However despite this the use of pesticides in the amenity sector does have the potential to cause environmental pollution. For example a number of pesticides used solely or mainly in this sector are often found in water. In recognition of this the Government believes that it is no longer acceptable for the amenity use of plant protection products to be scrutinised less closely than their use in agriculture. Therefore an action plan for the amenity sector has been included in the draft national strategy for the sustainable use of plant protection products which is currently out to public consultation.

Controls on the amenity sector will also be strengthened by the incorporation of the existing voluntary code for amenity users into the revised statutory 'Code of Practice for the Safe Use of Pesticides on Farms and Holdings' – the so called 'Green Code'. Since the introduction of statutory controls on pesticides, advice and guidance to farmers and growers on how to meet their responsibilities under the pesticides and health and safety legislation has been provided in this statutory Code of Practice. However a new statutory Code – the 'Code of Practice for Using Plant Protection Products' is in the process of being produced which combines a revised 'Green Code' along with parts of the voluntary code of practice for users of pesticides in amenity situations and the voluntary code of practice for users of pesticides in forestry.

This new code is an important development as it will help all professional users of pesticides, whether they work in agriculture, horticulture, forestry or the amenity sector, to understand and operate within the legislation. The new Code's statutory basis means that it can be used in evidence if anyone is taken to Court for a breach in pesticide, health and safety at work or protection of groundwater legislation. The new code has been approved by the Health and Safety Commission and will be submitted to Ministers for their approval to go to publication later this year. The aim is to have the new code in operation this autumn. The production of a leaflet giving guidance and advice on best environmental practice to those using pesticides in the amenity sector will be published in parallel.

There is also the role of the Voluntary Initiative for pesticides itself. The Voluntary Initiative's initial programme of measures was heavily geared towards agriculture – where pesticide use is greatest – but included a commitment to examine the needs of the amenity sector. Industry bodies carried out an exercise to identify areas where amenity use poses a risk to the environment and an Amenity Stewardship Forum was set up last year to bring together bodies with an interest in improving practices.

7. It is regrettable that the Government co-operated so little with the VI at the beginning of the programme. Despite HM Treasury's initial welcome for the initiative, in 2000, the evidence we received indicates that the Government, and in particular Defra, did not engage meaningfully with the VI. Government agreement on the VI's targets, at that stage, would have assisted the initiative in planning for the achievement of those targets. We recommend that Defra continues to foster its newfound partnership with the VI. To this end, the Government should provide financial support for the national roll-out of the water catchment projects, and help to facilitate ongoing professional training, using rural development funds. (Paragraph 61)

The Government accepts that after perhaps a less than perfect start great progress has since been made in building up close and good working relationships with the Voluntary Initiative's steering group and is keen to see these continue.

The Government does not believe it would be appropriate to find 'new money' to fund the activities of the Voluntary Initiative. The initiative was proposed by the farming and agrochemicals industries in 2000, whilst a possible pesticides tax was being considered, and was put forward as an alternative means of achieving the Government's environmental objectives. Through the VI the onus is on farmers and producers to reduce the environmental impact of their actions in line with the polluter pays principle. However that is not to say that existing funds and funding mechanisms should not be used by the Voluntary Initiative to take forward some of its measures. For example, a key component of the Voluntary Initiative is Crop Protection Management Plans (CPMPs). It should be noted that these are the same plans which farmers can adopt (as option EM4) under the Entry Level Scheme of Environmental Stewardship which is an England Rural Development Programme (ERDP) scheme.

Defra, under the sustainable arable link programme already jointly funds with industry a pest and pesticides research programme that covers a number of the areas that the Initiative is involved with. These include projects dealing with such matters as alternatives to chemical control, weed management support systems, and Sustainable Arable Farming For an Improved Environment (the SAFFIE project), to name a few. The total annual

project spend on these LINK projects for 2004/5 was £9.9 million. Defra also manages and funds a number of other R&D programmes that contribute to pesticides minimisation. These include projects covering horticulture, arable crops and alternatives to pesticides. The Pesticides Safety Directorate itself spent £1.5 million of its £5.5 million R&D budget in 2004/5 on projects covering work on alternatives to pesticides.

As for financial support for the national roll-out of the water catchment projects, it might be possible that existing funds allocated to Defra to tackle diffuse water pollution from agriculture could be used for this purpose. Defra has an allocation of £10 million in 2006-07 and £15 million in 2007-2008 to spend in England on tackling diffuse water pollution from agriculture under its catchment-sensitive farming delivery programme. Defra is currently in the process of considering how these monies might best be spent, possibly through the establishment of a catchment support function for each River Basin District, within Natural England. The Government will therefore invite the Voluntary Initiative steering group to approach Defra with a view to exploring the possibility of using some of these funds to support the national roll-out of the Initiative's water catchment projects.

The Government agrees that it is useful to explore the use of rural development funds to facilitate ongoing professional training. To this end officials from the Pesticides Safety Directorate (PSD) met with members of the NPTC (formerly the National Proficiency Test Council) in August 2004 to discuss the possibility of using Vocational Training Scheme funds to support the National Register of Sprayer Operators. The register is one of the key components of the Voluntary Initiative for pesticides and provides a continuous professional development scheme to improve sprayer operator training and certification.

At the August 2004 meeting representatives from the NPTC discussed with PSD officials its proposal for 'recognised' training that it hoped would receive funding from the Vocational Training Scheme. PSD discussed the NPTC's proposals with them and provided them with scheme literature, copies of the relevant application forms, and a list of Defra contacts. The competitive nature of the scheme was explained to the NPTC and it was emphasised that although PSD would assist and support the NPTC in their application that would not in any way guarantee that their application would be successful: it was stressed that the NPTC would need to put forward a thorough and robust application that met the scheme's criteria. No further approach to PSD has been made by the NPTC since the meeting but the Directorate's offer of assistance remains open to them.

8. It is crucial that the benefits of the VI are not lost after April 2006. The initiative should continue, at least until the Government has developed and fully implemented a national pesticides strategy. Even then, we believe that there will be a continuing need for the establishment of a centre of best practice for the use of pesticides; the experience acquired through operating the initiative's programme leaves the VI steering group well placed to fulfil this requirement. As more of the VI's measures are encompassed by other schemes – such as food assurance and environmental stewardship – we consider that the initiative should evolve to focus more on catchment-sensitive farming and other water issues. (Paragraph 64)

It is already clear at this stage that the Initiative has created and rolled out several schemes that will be very valuable in helping to ensure good practice in the use of pesticides. The

Government therefore agrees with the Committee that it would not be acceptable for this progress to be lost after 2006.

What happens after April 2006 will depend largely on the Initiative producing meaningful, challenging and stretching water and biodiversity benefits by which it can be judged. We will need to consider, with the Initiative Steering Group, how the Initiative proposes keeping the momentum going beyond 2006. But such considerations do not automatically rule out what role fiscal measures might play in addition to complementary measures.

Defra officials are working on a framework for evaluating the Initiative and discussions within Government as to how best to measure the success of the Initiative and what might succeed it have already begun. An initial meeting to discuss the issues surrounding the future of the Initiative was held last October between all those departments and agencies with an interest in pesticides. A further meeting is to be held this summer following which future options will be discussed with members of the Voluntary Initiative Steering Group. The Steering Group itself has also started to formally consider a likely successor to the Voluntary Initiative with this particular issue being a major topic at its December 2004 meeting.

The Government's assessment of what has or has not worked in the Initiative will be an important factor in shaping its view of what should happen next. But account will also need to be taken of other factors including:

- the forthcoming EU Thematic strategy for the sustainable use of pesticides. This is likely to include requirements on training, sprayer checking, promotion of Integrated Crop Management and collection/disposal of packaging waste and surplus pesticides. For most of these issues it seems likely that Member States will be expected to put measures in place rather than the EU setting central rules. A judgement will need to be made as to whether Initiative measures such as the National Sprayer Testing Scheme can fulfil the requirements of the strategy or whether they need to be superseded by statutory measures;
- CAP Reform. Cross-compliance and new stewardship schemes (not identical across the UK) may provide opportunities to help give incentives to voluntary schemes to reduce the environmental impacts of pesticide use;
- Water Framework Directive. This will require considerable changes to farming practices in at least some catchments. The problems and solutions will not be uniform across the UK and a combination of flexible regulation and voluntary action may well be the most effective way of delivering the Directive's requirements;
- stakeholder views and capabilities. The Voluntary Initiative does appear to have developed the understanding of industry stakeholders as to what is needed and what can be done.

But perhaps the key factor in determining the role for a successor to the Voluntary Initiative is the part that it could play in developing the Government's draft national strategy for the sustainable use of plant protection products – the so called 'National Pesticide Strategy.' It was recognised in the recent consultation on the strategy that the

Government would look to build on its relationships with key stakeholder initiatives such as the Voluntary Initiative so as to forge even stronger constructive links to ensure that there is co-ordination in the approaches used to minimise the impact of plant protection products on the environment. As such the Government views a successor to the Voluntary Initiative as essential and integral to developing the strategy. The Voluntary Initiative Steering Group has responded positively to the strategy consultation in welcoming many aspects of the proposed strategy and particularly the proposal to integrate many existing Initiative measures in a future strategy.

A possible pesticides tax

Recommendations 9-11

9. We recognise that there is a possibility that a pesticide tax will be imposed. However, considerably more work is needed to explore the possible design of such a tax before we can adopt a firm position with regards to its imposition. (Paragraph 82)

10. Conceptually, a properly designed banded approach to pesticide taxation seems advantageous, since it should create an incentive for pesticide users to switch to less environmentally hazardous products. However, before the potential of such an approach can be properly assessed, several practical issues, including possible administrative complexity, need to be resolved. We recommend that the Government undertake research to define the criteria and methodology for categorising pesticides into different bands. Furthermore, if the Government regards a banded pesticides tax as a credible policy option, it must also carry out a detailed evaluation of the administrative costs that would be involved. (Paragraph 83)

11. We welcome the Treasury's open-mindedness about the prospect of revenue recycling, or hypothecation, for environmental taxes. Funds are needed to pay for the full spectrum of measures required to minimise the environmental impact of pesticides. To raise revenue to pay for these measures, we recommend that the Government should consider a hypothecated tax on pesticides. We strongly believe that the only justifiable reason for imposing a pesticides tax would be to raise funds to pay exclusively for pesticide mitigation action. If the revenues raised from such a tax were not hypothecated, then the adverse financial impacts on farmers would make levying a tax unjust. (Paragraph 84)

To cover the potential case that the Voluntary Initiative might fail to deliver the required environmental benefits within a reasonable timescale, the Government has continued to keep the options for a tax or economic instrument under review. The Government agrees that there are complex issues around the design of a potential pesticides tax and has continued to look at these. In particular, a study of key design issues for potential economic instruments carried out on behalf of Defra by Risk and Policy Analysts Limited (RPA) was published in September 2004.

The review by RPA, building on ECOTEC's work in 1999, examined the design of a banded tax that would differentiate between pesticides on the basis of risk and encourage switching toward less environmentally-hazardous products. It also examined the varying degrees of administrative complexity associated with the various tax options (e.g., banded, unbanded, 'ad valorem', 'per kg', 'per dose' and an approach based on bands derived using

application rates 'kg/ha'). The Government will continue to take the issue of banding, and implications for administrative costs, into consideration in any assessment of a possible pesticides tax.

The Government does not agree that the only justifiable reason for imposing a pesticides tax would be to raise funds to pay exclusively for pesticide mitigation action. A tax could be justified on polluter pays grounds and could bring positive environmental benefits by encouraging farmers to apply pesticides more efficiently and reducing the volume of pesticides used, though this depends on the extent to which a reduction in pesticide quantities used feeds through to environmental benefits. Furthermore, an effective banded tax that encouraged farmers to switch from more harmful to less harmful products would also deliver environmental benefits. Although spending measures can help to bolster the environmental impact of a tax by, for example, facilitating changes in behaviour, direct hypothecation from a tax is generally not desirable as it can distort the efficient allocation of public resources. However the design of any tax does need to take into account distributional effects and impacts on competitiveness. Revenue recycling is one potential way in which to do this.

National pesticides strategy

Recommendations 12-15

12. We are unconvinced by Defra's justification for the lengthy delay in launching its national pesticides strategy. Despite promising, in February 2003, that the development of the plan would be a "priority", the Government did not publish the plan until February 2005 – a time lapse of two years. The delay indicates to us that the sustainable use of pesticides has not been given the priority it deserves. We recommend that the Government publish its final strategy document, as a matter of urgency, to establish a clear policy framework within which the VI, or its successor, can operate. (Paragraph 90)

The Government does not agree that the sustainable use of pesticides has not been given the priority it deserves. Pesticides are amongst the most regulated chemicals in the world and at the heart of the UK's system for regulating them is the rigorous prior approval procedure whereby the Government must approve pesticides before they can be sold or used.

In addition, the present regulatory system not only aims to ensure that pesticides are available to those who need them but that proper use of approved products carries no unacceptable risk to people or to the environment. Another key element of current pesticide policy is that of pesticide 'minimisation', i.e. procedures and policies in place for minimising the hazards and risks to the environment from the use of pesticides without putting necessary crop protection at risk. Producing a strategy for the sustainable use of plant protection products is the latest step in this minimisation policy.

Although the Government would have liked to have published its 'final' draft strategy earlier, stakeholders have been engaged in developing the strategy since July 2003 when their views on the scope and content of a possible strategy were first sought. Following that, a working draft of the strategy was sent to the Pesticides Forum, the Advisory

Committee on Pesticides and the Pesticide Residues Committee as well relevant parts of Defra, other government departments, and the devolved administrations.

As a result of this wide consultation, many helpful comments were received resulting in a much improved strategy document being produced, which now includes draft action plans, targets and indicators. The resultant strategy also provided a better fit with Defra's wider food and farming strategy.

In conclusion, although the draft strategy only emerged in March 2005, stakeholders have in fact been involved in its development for nearly 2 years now. The Government believes that it is far better to produce a better end product rather than sacrificing quality in putting an inferior version out earlier to public consultation. And, as explained above, this has not in any way compromised sustainable pesticide use. Nevertheless, now that the draft strategy has appeared, we believe that it will have a key role in developing policy for sustainable pesticide use for the foreseeable future.

13. We welcome the inclusion in the draft national pesticides strategy of an action plan addressing the use of pesticides in the amenity sector. The amenity sector has participated very little in the VI, and has therefore been left behind in the adoption of best practice. We recommend that the Government bring forward this action plan as a matter of priority. The amenity use of pesticides should be controlled in the same way as agricultural use. (Paragraph 96)

The Government agrees that it is only right that the amenity use of pesticides should be controlled in the same way as agricultural use. However, as stated above in the response to recommendation 1, there is already a large degree of commonality between the regulation of pesticides in both the amenity and agricultural sectors. Before a pesticide can be used in either sector they have to undergo the same rigorous prior approval procedures and pesticides approved for use in amenity situations like their agricultural counterparts can, and do, have statutory conditions applied to their use to ensure they can be used safely with respect to people, animals and the environment.

However it is true to say that the amenity uses of pesticides have historically received less attention than farm uses but this will be addressed to a large extent by the proposed new statutory 'Code of Practice for Using Plant Protection Products' which combines a revised code for agricultural uses with parts of the voluntary code of practice for users of pesticides in amenity situations and the voluntary code of practice for users of pesticides in forestry. This new code is an important development as it will help all professional users of pesticides, whether they work in agriculture, horticulture, forestry or the amenity sector, to understand and operate within the pesticides and health and safety legislation. The Pesticides Safety Directorate is also in the process of producing a leaflet on best environmental practice for those using pesticides in the amenity sector. This leaflet will specifically highlight the relevance of the new code to amenity users and more generally raise the profile of this sector.

There is also the role of the Voluntary Initiative itself where an Amenity Stewardship Forum was set up last year to bring together bodies with an interest in improving practices. Bearing in mind that the Amenity Forum has only been established since February 2003 it has already made several contributions to the objectives of the Voluntary Initiative:

- communicated to all member organisations the process for removing obsolete pesticides;
- supported the Voluntary Initiative action to have the non-statutory amenity code incorporated into the new planned ‘Code of Practice for Using Plant Protection Products’;
- spent considerable time reviewing and commenting on the plans prepared by BASIS and NPTC in their respective roles to set standards and qualifications for those selling and supplying pesticides (BASIS) and those using them (NPTC);
- has commented to Defra on their review of diffuse pollution from non-agricultural sources; and
- the Chairman has reported to the Pesticide Forum and there is a proposal that the Amenity Forum should represent the amenity horticulture sector on the Pesticides Forum.

Nevertheless, despite all the above initiatives, the draft national strategy recognises that it is no longer acceptable for amenity use to be scrutinised any less closely than agricultural use and it therefore includes an action plan for the amenity sector. The public consultation on the strategy ended on the 30th June. All the comments received will be taken into account in preparing the final strategy and its associated action plans, targets and indicators.

This consultation should enable the Government to refine the impacts and initial costs of implementing the strategy, both for itself and other stakeholders. These will be important considerations in finalising the strategy’s action plans – including that for amenity use. Although this work will be taken forward as quickly as possible, the issues involved are undoubtedly complex and it is essential that the strategy considers the variety of economic and competition issues faced by pesticide users alongside their environmental challenges.

Input from stakeholders to this process will be essential if they are to sign up to a strategy that will deliver measurable benefits whilst imposing the minimum additional burden necessary to achieve this. Much will depend on the response of stakeholders to the consultation. In addition it is also likely that a further round of consultations may need to be undertaken for some/all of the action plans as these are taken forward.

14. We recommend that the Government move to legislate to make some elements of the VI mandatory – in particular, the initiative’s schemes for sprayer testing and operator registration. This would force pesticide users not already participating in these schemes to take action, in particular, non-agricultural users. Since forthcoming EU legislation is likely to make sprayer testing and operator registration compulsory, such an approach should not compromise the competitiveness of UK agriculture. (Paragraph 101)

UK legislation already requires that all pesticide users are appropriately trained and that users of agricultural pesticides are certified. The Voluntary Initiative goes beyond this by encouraging pesticide users and their advisers to extend their training by undertaking continuous professional development and has a voluntary testing scheme for sprayers.

Whether such voluntary measures should be placed on a statutory basis needs careful consideration. Regulation is appropriate for some issues but alternative approaches may be better for others. A statutory approach can be very effective but does not give maximum scope for innovative ways to reach desired outcomes. Also legislation is often unpopular and, unless EU wide, can disadvantage UK businesses. On the other hand although a voluntary approach can have the benefits of being less bureaucratic, less costly to administer, more flexible and generate 'ownership' it also has to be recognised that uptake can be low and it can be hard to reach those people whose behaviours most need to be changed.

In arriving at a decision it will obviously be essential to look at the costs and benefits (covering economic, social and environmental impacts of the different options) for both the statutory and voluntary options. However the Government believes that it would be premature to take a final position on this until such a time as the details of the EC Commission's proposals for a thematic strategy on the sustainable use of plant protection products is known. It is the Commission's intention to publish these this autumn. Clearly once the Commission's proposals are known a judgement will need to be made as to whether Initiative measures such as the National Sprayer Testing Scheme can fulfil the requirements of the Commission's strategy or whether they need to be superseded by statutory measures.

15. It is important that the scope of the national pesticides strategy is wide enough to enable the Government to explore how complementary policies can play a role in reducing pesticide impacts. Agri-environment schemes and cross compliance measures can – and should – complement and encourage a greater uptake of measures in the VI. We recommend that the Government look at ways in which different policy instruments can complement each other in achieving a reduction in the environmental impacts of pesticides. (Paragraph 108)

The Government agrees with this recommendation. As well as proposing new measures and building upon the existing minimisation policy to achieve a broader impact, the proposed strategy also attempts to take full account of existing and proposed controls and other regulations that affect or influence the use of plant protection products. This is one of the reasons why the relevant parts of Defra, other government departments, and the devolved administrations have all been involved in developing the strategy from the outset and why they have been included in a further internal government consultation which is running in parallel to the present public consultation exercise.

Therefore, in developing and implementing the strategy, an assessment of existing policies and instruments that influence the use of plant protection products is being undertaken. This assessment includes not only existing pesticide policies such as minimisation but also related environmental and agri-environmental policies. To this end the more significant measures that will affect pesticide use are outlined in a set of tables included in the draft strategy. These tables are reproduced in the Annex attached to this response.

It is envisaged that by incorporating existing legislation and policies that the strategy will provide for the first time a coherent view of those measures that will affect pesticide use and of the implications for crop protection, production and the continued development of safe crop protection measures.

Possible health effects

Recommendation 16

16. The possible health effects of pesticides were not the primary focus of our inquiry. However, it is generally acknowledged that pesticides have the capacity to harm human health. The Government's independent advisory committees, the CoC and the ACP, have recommended further research into possible links between pesticide use and human disease. The potential effects of pesticides on human health, together with the public concern surrounding this issue, make it even more important that the national pesticides strategy be developed and implemented. (Paragraph 118)

Although the Government sees it as imperative to develop and implement its national strategy it would wish to stress that the strategy is not intended to replace the existing rigorous system of pesticide regulation. Rather the purpose of developing the strategy is to act as a driver to enhance environmental protection within the context of the sustainable use of plant protection products.

The safety of people is one of the two principal aims of UK pesticide policy; the other being the protection of the environment. To this end all pesticides must be approved before they can be marketed or used, and only those that pose no unacceptable risks to human beings, non-target species or the wider environment will be given approval. In order to obtain approval, applicants have to provide an extensive package of scientific data which are rigorously evaluated by the Pesticides Safety Directorate and/or the Health & Safety Executive.

The components of such a data package would, amongst other things, include data on the pesticide's potential toxicity in humans, dietary intake through residues in food, and the exposure of operators, workers and members of the public. Data on potential toxicity are required for the active ingredient, the product as a whole, and also any important metabolites of the active ingredient to which humans might be exposed. In assessing the risks from pesticide residues in food, account is taken of all foodstuffs in which significant residues might occur and any significant concentrations of toxic metabolites that might occur. The exposure of people to pesticides during their application or through contact with crops or other materials that have been treated with them takes into account many factors including the physical form of the pesticide product (e.g. liquid or granules) and the method, frequency and duration with which it is used.

The evaluations undertaken by the Pesticides Safety Directorate and the Health & Safety Executive are closely scrutinised by the independent experts of the Advisory Committee on Pesticides. The Advisory Committee makes recommendations as to whether a pesticide can be approved for use and, if so, under what conditions. Only when Ministers are satisfied on the basis of the Advisory Committee's expert advice that a pesticide can be used safely will authority be given to put it on the market. Provided that pesticides are used in accordance with their statutory conditions of approval, they should pose no unacceptable risk.

The Pesticides Safety Directorate (PSD) and Defra also undertake an extensive Research & Development (R&D) programme into pesticides. Three recent examples of such R&D commissioned by PSD that may be of interest to the sub committee are:

- A mechanistic study on the association between pesticide exposure and Parkinson's disease;
- An epidemiological study on the association between pesticide exposure and Parkinson's disease; and
- An epidemiological study on cohorts in pesticides manufacturing plants regarding possible link to prostate cancer.

Details of all these projects can be found on the Defra website. The tender process for all three has just finished and the Pesticides Safety Directorate is currently in the process of considering the tender proposals. In addition the Directorate is currently funding, or part funding, various other human health related projects including:

- A Biological Monitoring of pesticide exposures (end date: 31st August 2005);
- An investigation into the gastrointestinal effects of organophosphate and carbamate pesticide residues on young children. (end date: 31st May 2006);
- An investigation into the potential impact of tank mixing on the dermal penetration of pesticide active substances (end date: 31st January 2006); and
- Occupational exposure through inadvertent ingestion. PSD funding of this ended on 28th February 2005.

Conclusion

Recommendations 17-18

17. We consider it vital that the Government now makes significant progress with its strategic approach to the sustainable use of pesticides and show a clear commitment to prioritise pesticides issues. Such a commitment is necessary to help allay the public concerns that surround the use of pesticides. We are frustrated at the lack of effort being made to devise a means of measuring progress made by the policies intended to control pesticide use. The Government is still struggling to develop an appropriate benchmarking exercise or baseline position against which to judge its pesticide policies. (Paragraph 119)

The Government does not believe that pesticide issues have in any way been given a low priority. As previously stated in this response, pesticides are amongst the most regulated of all chemicals and the UK has had in place for a number of years a rigorous system of regulation. At its centre is the pesticides approvals process under which no pesticide may be sold, or used unless Ministers are satisfied that it carries no unacceptable risk to people or the environment.

This regulatory approach is backed up by the Government's policy of "pesticide minimisation", i.e. a set of non-statutory measures to help and encourage users to reduce to a minimum the impact of pesticides on the environment consistent with the requirements of crop protection. There are various parts to the minimisation policy including a research and development programme, advice to pesticide users and the work

of the Pesticides Forum (which brings together stakeholder organisations with an interest in pesticide use to develop and promote best practice) and the industry led Voluntary Initiative for pesticides which aim to reduce the environmental damage caused by pesticides.

Nevertheless, the Government shares the sub committee's desire to adopt a more strategic approach to the sustainable use of pesticides and that is why it has produced its draft national strategy for the sustainable use of plant protection products which should assess the current state of play of the various pressures on pesticide use and set a direction for the future. The strategy contains an entire section devoted to targets and indicators and recognises the particular importance these will play in respect of the economic and environmental aspects of the strategy's draft action plans.

However, for some time now, the Government has funded the development of a number of indicators that reflect the impact of Government and industry efforts to reduce the adverse environmental impacts of pesticide use. These indicators have been produced in liaison with the Pesticides Forum and have subsequently been adopted by the Voluntary Initiative for Pesticides. Given that these have already been developed and have mechanisms in place to capture and analyse the data/information, it is recommended that in addition to new targets being developed some of these existing ones be utilised to help determine how far the strategy is achieving its objectives.

18. Exerting pressure on the VI to deliver results that are convincing to those outside the agricultural and agrochemical industry is very important. The process of parliamentary scrutiny can help those involved in the initiative avoid a sense of complacency, as the VI enters the final year of its programme. We may wish to return to this issue in the future. If we do, we expect to find not only that the Government has finalised its national pesticide strategy, but that it has taken decisive steps towards achieving widespread implementation of the strategy. (Paragraph 120)

The Government believes that its national strategy for pesticides will bring many benefits including:

- environmental and economic gains
- providing a longer term focus for the regulation of plant protection products
- providing a focus for assessing the impact of wider policy initiatives on plant protection product use
- involvement of, and commitment to, a shared vision for the sustainable use of plant protection products from both Government and all stakeholders including farmers and consumers
- continuous responsive decision making on plant protection product issues reducing the risks posed by them to people and the environment whilst at the same time delivering benefits to farmers
- providing a link between policy initiatives and delivery

Progress on finalising and implementing the strategy will be dependent upon the results of the public consultation but the Government will aim to take the various elements forward as quickly as possible. Details of the consultation itself (and any others that might follow on the action plans) will, in line with Defra's and PSD's policy on openness be made publicly available through the Defra Information Resource Centre in London.

Department for Environment, Food and Rural Affairs
August 2005

Annex

SIGNIFICANT MEASURES AFFECTING PLANT PROTECTION USE

Statutory measures and EU/Government policies

(i) Pesticide policies

	Title of measure	Description of measure	Key Dates	Risks & Opportunities for users of plant protection products
1	EU Directive (91/414/EEC) on the placing on the market of plant protection products and UK pesticide regulation	Concerned with regulation to ensure safety of products to people and to the environment. Sets detailed requirements for regulators and for companies wishing to market plant protection products.	2004/5 proposals to revise 91/414 2008 scheduled end of review programme	Users need to follow legal requirements . Loss of valuable products as a result of EU review process. More even availability of plant protection products across EU.
2	Local Environment Risk Assessment for Pesticides (LERAP)	Two Defra (PSD) schemes - one for broadcast air-assisted sprayers, one for horizontal boom sprayers, which allow farmers to reduce buffer zones laid down to protect water		Allows reduced pesticide buffer zones according to local circumstances. Requirement to protect water courses from pesticide contamination by keeping pesticide sprays out of water
3	Code of Practice for the Safe Use of Pesticides on Farms and Holdings	Statutory Code giving practical advice on storing, using and disposing of plant protection products	2005	Code being revised to cover amenity and forestry uses of plant protection products as well as on-farm use.
4	EU and UK legislation on pesticide maximum residue levels	Set maximum residue levels for active substances in a range of crops, foods and feeding stuffs.	2006 consolidating EU regulation due for adoption	Pesticide users need to comply with good agricultural practice. Potential loss of valuable products as a result of MRL setting exercise.
5	Proposed EU thematic strategy for the sustainable use of plant protection products	Package of measures to control risks from the use of plant protection products	Proposals now expected end 2005	Not possible to be precise at this stage. Those complying with current legal requirements plus Voluntary Initiative measures may find there is little more that they might do.
6	Food Standards Agency (FSA) action plan to minimise pesticide residues in food	FSA has developed an action plan to reduce residues in food. This will focus on developing best practice guidance and considering, with stakeholders, in particular assurance schemes, how this might contribute to existing pesticide minimisation initiatives	Action Plan agreed May 2004	Voluntary measures to reduce pesticide residues in food

(ii) Environment policies

	Title of measure	Description of measure	Key Dates	Risks & Opportunities for users of plant protection products
7	EU Water Framework Directive (2000/60/EC) and Decision establishing the list of priority substances (2455/2001/EC)	Requires all waters to reach at least "good status" by 2015. Establishes river basin district structure within which demanding ecological objectives will be set and decisions made about measures to tackle pollution. Requires progressive reduction of pollution from priority substances and phase out of priority hazardous substances.	2004-2015	There will be stricter controls and/or increased stewardship to limit pesticide movement to water. Measures will vary from area to area according to pressure in each River Basin District. Will lead to a reduction in the range of pesticides.
8	Proposed Groundwater	Proposed directive for assessing	Draft issued	Expected that the measures will entail

	Title of measure	Description of measure	Key Dates	Risks & Opportunities for users of plant protection products
	Daughter Directive	compliance with good groundwater status.	2003. Existing EU law will be repealed in 2013	more stringent controls over pesticide use.
9	Catchment Sensitive Farming	This is a project to design and implement measures to reduce diffuse water pollution from agriculture and help achieve requirements under Water Framework Directive	Third consultation launched 17 June 2004	Main focus of Defra consultations is nutrients. However, includes some general measures (e.g. local advisory services) that could help meet pesticide requirements of water legislation.
10	Diffuse Water Pollution from Non-Agriculture Sources	Measures to reduce diffuse water pollution from non-agricultural sources		Currently under development, the proposed strategy could possibly lead to further restrictions and voluntary schemes to control pesticide use in the leisure industry, amenity sector, on roads, rail tracks and runways and for domestic and garden use.
11	The Convention for the Protection of the North East Atlantic Ocean (the OSPAR Convention)	Agreement to prevent pollution of the maritime environment by continuously reducing discharges and losses of hazardous substances with the ultimate aim of achieving concentrations close to zero.		Six pesticides have been identified for priority action. To date, the main action recommended has been to use EU legislation to achieve the necessary controls.
12	Habitats Directive and Birds Directive	Habitats Directive provides for the designation of Special Areas of Conservation while the Birds Directive provides for the classification of Special Protection Areas. Together these are known as Natura 2000 sites and are subject to various conservation requirements.		Consent to spray in these areas must be sought from English Nature (and SNH as appropriate) to limit chemical damage.
13	Waste Framework Directive	Controls over the disposal of agricultural waste to protect human health and the environment	2004	New approaches required for dealing with surplus pesticides and used containers
14	Registration, Evaluation and Authorisation of Chemicals (REACH) Current UK and EU chemicals policy	Proposed EU regulatory framework for chemicals. Manufacturers and importers will have to gather information on their substances, which will help manage substances safely, and submit the information to a central data base. More hazardous materials will face higher hurdles. A range of EU legislation exists to assess risks posed by chemicals and take action required. Much of this is too slow and fails to address long term risk properly. UK policy looks to identify and act quickly (on a voluntary basis) against chemicals of particular concern.	Proposal issued 2003. Once agreed, registration and other requirements begin to take effect quickly	REACH proposals may lead to higher prices if testing and registration costs are passed to users. Proposals may also result in some substances and preparations being withdrawn if safety issues are identified or if compliance costs make production unprofitable. Need to reformulate products if constituents withdrawn from use.
15	UK Biodiversity Action Plan	The UK Biodiversity Action Plan is a series of plans (with associated biodiversity targets) to protect wildlife plant and animal species		Action to address pesticide issues is a feature of Biodiversity Action Plans for many farmland bird and plant species. For example, the BAP for the corn bunting proposes the following actions "Seek uptake of a more cautious and targeted use of pesticides and fertilisers on farmland to reduce the impacts on potential food sources for the corn bunting. This could include encouraging integrated crop management, organic farming and the more widespread adoption of initiatives such as the recently begun Scottish 'TIBRE' project."
16	Nature Conservation (Scotland) Act 2004	A new general biodiversity duty will apply to all public bodies and office		Under this legislation, biodiversity issues will be integrated into agri-

	Title of measure	Description of measure	Key Dates	Risks & Opportunities for users of plant protection products
		holders. The duty will oblige public authorities to “further the conservation of biodiversity” in the course of exercising their functions		environment schemes, measures to protect water and so on. This may impact on the future use of pesticides
17	Countryside and Rights of Way Act 2000	The Act, amongst other things, places duties on Government Departments to have regard to conserving biological diversity		Under the Act it is important to ensure that the future use of pesticides does not lead to further declines in, or recovery of, biodiversity

(iii) Agriculture policies

	Title of measure	Description of measure	Key Dates	Risks & Opportunities for users of plant protection products
18	English Rural Development Programme	The ERDP contributes to the delivery of the Strategy for Sustainable Farming and Food by helping farmers and foresters to respond better to consumer requirements and become more competitive, diverse, flexible and environmentally responsible.		Components of the scheme deal with pesticide use
19	A Forward Strategy for Scottish Agriculture Custodians for Change	The Strategy sets out where the Scottish Executive ¹ in conjunction with stakeholders believes agriculture should be going and provides some action points for moving towards a better future for agriculture in Scotland Established in response to the Forward Strategy by identifying the environmental issues that could impact on farming and the food industry over the next 5-10 years		Action 43 -The Prevention of Environmental Pollution from Agricultural Activities Code offers practical guidance on farming in ways which minimise risks to the environment. The Code includes guidance to help farmers tackle water pollution and waste which will have implications for pesticide use/disposal Priority area of diffuse pollution identified. Promotion of the PEPFAA Code in relation to the management of pesticides
20	CAP Reform: Set-Aside	Compulsory set-aside is retained at 10% but switches to a permanent non-rotational basis (except for duly justified, principally environmental, reasons). There are options for the management of set-aside land, in particular environmental criteria for allowing a minimum strip width of 5 metres. Set-aside land has to comply with wider cross-compliance conditions.		New set-aside rules could offer farmers an incentive to have no-spray, or much reduced spraying, strip widths on their land. This could enable improved protection of water and of biodiversity in and around field margins
21	CAP Reform: Cross Compliance	To get the single payment, farmers will have to comply with the requirements of a range of EC legislation, including Directive 91/414/EEC, and keep their land in good agricultural and environmental condition.		In England cross-compliance requirements will include uncultivated/untreated areas next to living boundaries such as hedges and ditches. There are potential benefits for water/biodiversity but costs for farmers.
22	Forest Stewardship Council: Chemical Pesticides in Certified Forests	A good practice guide for forest managers to promote the development and adoption of environmentally friendly non-chemical methods of pest management and the avoidance of the use of chemical pesticides in managed forests		The guide covers good practice for the use of herbicides, insecticides, fungicides and rodenticides in managed forests, pesticide minimisation and integrated pest management. The guide also prohibits the use of certain pesticides in forestry.
23	Organic Farming Regulations (EEC No. 2092/91)	EC regulations laying down standards for the organic production of agricultural products and foodstuffs. A Defra funded scheme is in place to encourage the expansion of organic production in		The regulations lay down, amongst other things, those substances, micro-organisms and substances from traditional use in organic farming that are permitted for use in organic

		England		production
24	Agri-Environment Schemes: land and project based schemes to promote environmentally sensitive farming practices.	Defra schemes include Countryside Stewardship and the Environmentally Sensitive Areas scheme. These will form the basis of a new Higher Level Scheme to be introduced early in 2005. There will also be a new Entry Level Stewardship Scheme to cover most of the farmed area.	2005 introduction of new Entry and Higher Level Schemes	A number of options under the Entry Level Scheme include restrictions of use of herbicides in particular. Crop Protection Management Plans are also encouraged as are management options such as Cereal Field Margins that may compensate for intensive practices in crop.
25	Codes of Good Agricultural Practice	Advice on minimising risks of pollution to soil and water and air		Provides practical guidance on storing, applying and disposing of pesticides so as to protect soil, water and air.
26	Whole Farm Approach	Defra initiative to integrate farm regulation and business management to minimise unnecessary bureaucracy	Pilot November 2004, rollout 2007	Not obvious at this stage but proposals may impact on pesticide regulation including use
27	Environmental Management Systems for Farming	Environment Agency Scheme for integrating environmental management into farming	2007	A system for farmers to use to help reduce pollution. Possible implications for pesticide use but these are not yet known

Non Government Schemes

	Title of measure	Description of measure	Key Dates	Risks & Opportunities for users of plant protection products
28	The Voluntary Initiative for pesticides	An industry-led 5 year programme (started in 2001) of measures to reduce environmental damage caused by pesticides. Key measures include Crop Protection Management Plans, National Register of Sprayer Operators and the National Sprayer Testing Scheme.	Initiative is due to finish in 2006	Wider adoption of good practice including new measures such as skylark squares and text messaging services to farmers. Consequent benefits for biodiversity and water quality.
29	Farm Assurance Schemes	Industry-funded schemes to assure standards for food produce e.g. Red Tractor label	ongoing	Various schemes contain crop protocols which stipulate which pesticides can be used and at what dose rates, harvest intervals etc. All the protocols embrace the application of Integrated Crop Management
30	Retailer protocols	Contracts between retailers and growers which require growers to follow strictly defined practices.	ongoing	Agreements often include permissive lists of those pesticides that may be used and restrictions on use.
31	Linking Environment and Farming (LEAF)	One of several organisations set up to promote and encourage the uptake of Integrated Farm Management (IFM) techniques		LEAF's Integrated Farm Management (IFM) techniques will influence pesticide use. In addition to LEAF there are a number of similar self-assessment environmental audits such as the Farm and Wildlife Advisory Group and the National Trust