Minutes of the 44th Pesticides Forum meeting: 22nd June 2011
Conference Rooms 1&2, Foss House, Defra Offices, York

Those present are listed at Annex A.

Item 1: Introductions and apologies for absence

1.1 The Chairman welcomed Mark Ballingall who has now formally taken over at the SAC representative from Jonathan Cowens although Mark has attended previous meetings. Alastair Leake was also welcomed on his return to the Forum in place of John Holland in GWCT. He also welcomed the guest speakers: Jemilah Bailey from Defra’s Food and Farming Science Group to update members on Defra-funded research and the SCAR project on IPM (items 4 & 6); Neil Hipps from East Malling Research to update members on his project looking at the development of zero and minimal herbicide regimes on hard surfaces (item 5) and Tom McHale (Dupont on behalf of CPA) who was giving a presentation on counterfeit products (item 7). Julie Howarth and Paul Adamson (both from CRD) would provide support for the research and counterfeit products items respectively.

1.2 The Secretary recorded apologies of absence from: Jeanette Longfield (SUSTAIN); Nick Mole (PAN-UK); Barry Dent (VI); Jon Ayres (ACP); Peter Hall (ACOS); Mike Green (NE); and Kobby Andam (FSA)

1.3 The Chairman also wished to formally record the thanks of all Forum members to: Tony Palmer (FPC/BRC); Barry Dent (VI); and Angela Rabess (BIS) who were all standing down as members/observers on the Forum. He asked the Secretary to write to each member. Lastly, the Chairman suggested that all members would wish to share in sending congratulations to Jon Ayres on the award of an OBE in the most recent Queen’s Birthday Honours List.

Item 2: Minutes and matters arising from the 43rd meeting: 16th February 2011

2.1 The minutes had been circulated and have been agreed as an accurate record. The final version would be placed on the Forum website shortly.

2.2 Nigel Chadwick highlighted a number of outstanding issues from the last Forum meeting:

- The Forum had now responded to the letter sent by the ACP seeking views of the usefulness of the Pesticides Incidents Advisory Panel (PIAP) data. The response focussed trying to better identify where there been
occurrences of poor practice so that action could be directed accordingly. In addition, The Forum had suggested that the VI through their Chairman – Barry Dent – should be the first line in preparing revised guidance for all professional users.

- Secretariat to arrange a session on the issue of counterfeit products. Nigel Chadwick noted that this was on the agenda for this meeting.

- Secretariat was still to draft a letter to go to Defra highlighting the need for more research in areas not covered by the Technology Strategy Board such as local level data to provide evidence to help drive farmers’ behaviour change. It was agreed that letter would go from James Clarke to Defra’s R&D co-ordinator with responsibility for pesticides and include the need for a LINK-type scheme.

**Item 3: Agriculture & Horticulture Development Board (AHDB) – Research and Knowledge Transfer for sustainable UK agriculture**

3.1 **Mike Storey** (AHDB) started by explaining that the AHDB was responsible for 75% of UK agricultural output and had a major role in improving industry efficiency and competitiveness. Their goals were to help levy payers produce food in an efficient, environmental, social and economically sustainable way. They also allowed producers to improve their knowledge and understanding of climate change issues and mitigation measures together with alternative crop protection measures which were all underpinned by access to knowledge and advice. The levy raises approximately £50m per year with over a third going on R&D and a half on direct activities such as the production of guidance such as: Recommended Lists; Disease Management Guides; Topic Sheets; and, Crop Monitor newsletter.

3.2 Mike also highlighted that the HGCA had recently produced its research and knowledge transfer strategy for 2011-14 entitled ‘Investing in Innovation’. James Clarke asked that the Secretary circulate a link for this strategy report to all members.

**Action: Secretariat**

[Post meeting note: The ‘Investing In Innovation’ Strategy can be found [here.]

**Item 4: CRD/Defra research priorities and progress to date**

4.1 **Adrian Dixon** (CRD) opened by explaining that Chemicals Regulation Directorate were in the process of updating their R&D strategy. They currently have three programme advisors: George Rothschild (alternatives); Hans Dobson (fate & behaviour and Operator Exposure); and Len Levy (human health issues). He noted that the R&D expenditure on an ‘alternatives’ strategy had reduced significantly. However, this was perhaps understandable given the significant expenditure in this area over recent years. Budgets in this area related to ‘discretionary’ expenditure, monies for
‘non-discretionary’ work included funding for PRC monitoring programme and the WIIS scheme.

4.2 **Jemilah Bailey** from Defra’s Food and Farming Science Group then explained how Defra’s business plan aimed to: support and develop British farming and encourage sustainable food production; help to enhance the environment and biodiversity; and support a strong and sustainable green economy resilient to climate change. She explained that one of the higher level priorities was to implement the findings of the Taylor review on ‘Science for a new age of agriculture’ which recommended: encouraging private sector investment; re-invigorating research; translate research into practical benefits; equip producers with the right skills; and drive progress across the world. Another priority was to implement the National Environment White Paper with its emphasis on ecosystem services and natural capital.

4.3 Jemilah explained that there was an ongoing re-organisation of Defra food and farming policy and this was set against a backdrop of reduced R&D funding in future years with a larger percentage of the funding centrally controlled. However, Defra intended to continue to develop collaborative research through the Technology Strategy Board (TSB) similar to those undertaken through LINK.

**Item 5: Update report on progress of project on development of zero and minimal herbicide regimes for controlling weeds on hard surfaces and determining their emissions**

5.1 The Chairman explained that **Neil Hipps** from East Malling Research had already attended an earlier Forum meeting to outline the project plan and said that this was intended to update members on progress with the Project. Neil explained that the project was intended to run over 5 years and was based around Thanet in Kent and was being run by EMR in conjunction with Kent Highway Services, the Environment Agency, the University of Hertfordshire and service providers (Languard). He explained the protocols being used to test effectiveness of: a) full pesticide use; b) pesticide use integrated with alternative approaches such as the use of ‘infra-red’ and ‘wire brushing’ machines; and c) a programme relying totally upon the non-chemical approaches as outlined in b).

5.2 There had been some teething problems initially with correctly setting up of the thermal control method machinery to optimise its operation and weed treatment had started at later than the ideal time. The preliminary conclusions were that perennial rather than annual weeds were the most frequent problem found on pavements. The weed coverage was lowest on the central pavement area and only small differences between the treatments occurred in this area, i.e. similar levels of control were achieved. Weed control was less efficient at the edges of the pavement for any of the treatments, but the non-herbicide treatments were not as effective as herbicide on the kerbside. The project highlighted that practical issues also need to be addressed such as ensuring
removal of detritus particularly following wire brushing of pavement edges, and parked cars causing access problems.

5.3 The concentrations of glyphosate in roadside gully pots were monitored before and after herbicide applications and following rainfalls. This showed that herbicide runoff to drains was evident following rainfall. The first rainfall event following application was the most significant. The project will provide useful information on herbicide run off into drains. The costs of the differing approaches had yet to be analysed. Neil thought it inevitable that costs of weed clearance would increase with either an integrated or non-pesticide regime, but that these costs had to be considered against the risks of restrictions or loss of active ingredient use and the potential to reduce herbicide emissions into the wider environment. This information would be extremely important for all local authorities when they finally are made aware of the research findings in the KT programme. However, he acknowledged that it may be difficult to get this information to all local authorities.

Item 6: EU-funded Standing Committee on Agricultural Research (SCAR) project on Integrated Pest Management

6.1 Jemilah Bailey explained to members about this collaborative working group which had as its goal the exchange and identification of joint research and development priorities to facilitate the use of IPM across Europe. She said that the two year project was being led by the French Ministry of Agriculture and was expected involve 3-4 main meetings of member states. The main stages of the project would involve: mapping the current situation in member states; identifying shared needs and gaps in research and monitoring programmes; and, publishing recommendations for co-ordinated research and extension services (knowledge transfer). She added that DG SANCO in the EU Commission was currently collating information on member states action in response to requirements in the SUD and this data would be made available to the working group.

Item 7: Counterfeit products

7.1 Tom McHale from DuPont (on behalf of the CPA and ECPA) welcomed the opportunity to explain to Forum members the issues around the trade in counterfeit and illegal products that was affecting all the crop protection companies. He explained that he was a part of the ECPA Anti-Counterfeiting Expert Group made up from a number of member companies covering most of Europe. The aim of the group was to counter those individuals and organised groups who seize any opportunity to commercially trade in copied or fake products with one objective – to make money. Although customs-led operations have resulted in the seizure of hundreds of tonnes of counterfeit products in the past two years, the Treaty of Rome rules on free trade have hampered attempts to curb this illegal trade completely.
7.2 The illegal pesticides typically arrive in Europe largely from Asia in either bulk formulated product ready for packaging and labelling or ready-formulated, packed and labelled ready for immediate sale to farmers. Many are sophisticated illegal copies of branded proprietary products packaged and labelled to look exactly like the real product, but their contents have not been tested to prove safety. Others contain ingredients not allowed in products or based on outdated/obsolete stocks often based on banned or severely restricted products perhaps with diluted original materials that are not fit for purpose.

7.3 Tom highlighted the lack of co-ordination between national and international enforcement strategies. In particular, he was critical about too many agencies involved and very little communication between national governments. He also recognised that most member states had too few resources to deal with the range of illegal imports and that in many cases they could not react until the fake pesticide had been placed on the market. He outlined the efforts of the industry to counter this illegal trade through awareness-raising in the EU Commission and member states, to distributors and farmers as well as through engagement with national enforcement agencies. They were also seeking a widening of the EU customs mandate on seizure rules to include illegal PPP’s rather than just IP infringements.

7.4 Paul Adamson from CRD’s Compliance Branch reported that whilst CRD deals with between 70 to 120 marketing and use cases per year, none of these relate to “counterfeit” products (i.e. attempting to pass off fake product as an authorised product) and there was little evidence that such counterfeit products were at all common in the UK. However there are a small number of cases, mostly involving parallel trade products where there is doubt about origin of the contents, where a safety issue could be identified and regulatory action could be taken. An example is the revocation of Agrotech Chlorothalonil in May 2010. More problematic were repackaged parallel trade products which were substituted by counterfeits that are difficult to distinguish from approved products and where there was little or no known safety or performance issues. These types of illegal product were difficult to identify and problematic to enforce against and it was harder to be sure that there was no problem with these in the UK.

7.5 Up until 14th June this year, the control arrangements for parallel imports in EU Member States were covered by the provisions in the Treaty of Rome and were subject to lengthy and complex case law and as a consequence the control arrangements on parallel imports operated by Member States were not necessarily consistent. However controls on parallel imports are now also covered by Article 52 of Regulation 1107/09/EEC on the placing on the market of plant protection products. The Commission has established a working group on parallel trade which will hopefully improve harmonisation of controls. Further information on Paul’s presentation can be found in the note at Annex B. [To all members: This note will be circulated as soon as it’s available.]

7.6 Anne Buckenham (CPA) said that her organisation was working closely with AIC, NFU and others on awareness-raising. In particular on ensuring that all
pesticides are purchased from reputable sources – cheap pesticides can indicate that products have come from illegal sources. Anne urged all farmers to ensure that they get a full invoice of the products supplied (including quantity purchased) and check that the invoice marries up with the product label. This would limit the risk of purchasing illegal products. The Chairman agreed that this was a very serious issue and that the UK should not be complacent. He believed that there should be better co-ordination between enforcement and customs agencies.

Item 8: Update on the progress with implementation of the Sustainable Use Directive

8.1 Adrian Dixon (CRD) explained the public consultation on how the legislation would be implemented was expected later this year. He also added that Ministers had yet to decide on how to deal with the concerns, raised by the Forum and others, on issues relating to the training and certification of all professional users. He agreed to keep members informed of progress. Andrew Bauer commented that NFU Scotland had yet to reach a decision on whether or not to support Defra’s position regarding implementation of the SUD and in particular sprayer operator certification.

Action: Adrian Dixon

Item 9: Progress with actions from the Container Management report

9.1 In opening this session, Nigel Chadwick (Forum Secretary) explained that the working group produced its report on container management on 14th October 2010. The recommendations made in the report covered subjects such as: foils; container shape and labels; container manufacture; best practice for rinsing and disposal; and training and advice. All the recommendations were attributed to specific organisations including: manufacturers; agriculture industry; and regulators. Nigel said that he had received responses from the CPA and VI confirming that they had taken on board those relevant recommendations. Nigel added that he had also written to the British Plastics Federation but had yet to hear back from them. Lastly, CRD had agreed to publish an ‘all approval holders’ information update encouraging manufacturing companies to consider a range of developments to help with the use and disposal of containers. The only recommendations that had not so far been acted upon required changes to the existing Code of Practice. Unfortunately, no decision had yet been made about the future of the CoP in light of the changes resulting from implementation of the new Approvals Regulation (EC) 1107/2009 and the Sustainable Use Directive.

9.2 Alastair Leake (GWCT and Chair of the Container Management working group) added that he had spoken with a number of industry representatives since the report had been produced and agreed that more needed to be done to look into the use of recyclable containers. The Chairman agreed that this would be a worthwhile extension of the original group’s remit. He suggested that the Forum should revisit the subject at the February 2012 meeting where
members could be advised about further progress with the existing recommendations and how to take forward any new work.

**Action: Secretary**

**Item 10: Forum’s 15th Anniversary meeting: October 2011 – “Focus on what the Forum has achieved” updates from industry**

10.1 **James Clarke** explained that a number of members had been contacted since the last meeting to consider what elements of the Pesticides Forum’s work might be worthy of further discussion in the 15th Anniversary meeting when it was hoped that a Minister might be available to learn about the Forum’s successes. **Anne Buckenham** suggested that the Container Management report was perhaps the most comprehensive piece of work done by the Forum with the potential to fundamentally change the way containers are manufactured, used and disposed of. James Clarke suggested that The Forum’s original Indicators Report, and subsequently the Annual Report, has become accepted both nationally and internationally as one of the most comprehensive reports on the impacts from the use of pesticides. **Helen Bowers** (WFFU) also felt that the diversity of views of all the Forum members was important and that subjects had been discussed openly, freely and honestly between members with very different backgrounds and ideals. James asked the Secretary to consider how best to bring together these ideas into a programme for the October meeting.

**Action: Secretary**

**Item 11: Possible items for the next and future meetings**

11.1 It was agreed that the October meeting should focus in addition to the 15th Anniversary celebrations on discussions about the development of the National Action Plan, as required under the SUD, together with hearing more about developments on application technology including the findings from the BREAM (Bystanders and Residents Exposure Assessment Model) report.

**Action: Secretary and Tom Bals**

11.2 It was agreed that the February 2012 meeting should have as its focus the development of ‘integrated approaches’. Again the Secretary was asked to put together a draft programme to reflect both requirements in the SUD and action taken nationally to meet those aims.

**Action: Secretary**

**Item 12: Any other business**

12.1 **Nigel Chadwick** explained that the Pesticides Forum Annual Report was currently going through the final draft stage and should be ready to be published in the next 2-3 weeks. He added that CPA (Anne Buckenham) had kindly offered their press services to help publicise the Report’s publication. **James Clarke** urged other organisations to do what they can to ensure that
the Report gains the widest possible audience. AIC, ADAS, WFFU & BASIS all agreed to promote the Report within their organisations.

**Action: Secretary & members**

12.2 There was discussion over whether the session on counterfeit products would be worthwhile reporting in a press release however, James wanted to be sure that any messages were targeted at the appropriate audience and whether that should be farmers or Government. He suggested that Anne Buckenham discuss the possibility of further Forum action with the Secretary following the meeting.

**Action: Secretary & Anne Buckenham**

**Item 13: Date of next meeting**

13.1 The Chairman noted that the next meeting was due to take place on Wednesday, 19th October 2011 at the Defra Offices in York. However, in the event that a Minister is able to attend this may have to be moved to Defra’s London offices. The Secretary agreed to keep members informed of developments.

**Action: Secretary**

Close