

ACP OPEN MEETING 10 JULY 2002
TEMPEST ANDERSON HALL, YORK
5.00 – 5.40

David Coggon

We've had a very long discussion of this, we've run over time but there are a few people, can I just say in relation to the last item on questions. What I could do I think, given that people have been here a long time, I think we've had a very useful and vigorous discussion and I know not everybody here will go away smiling and feeling they've got everything they wanted out of it and that includes the people up here as well because that's inevitable in this sort of situation. But I do think it's been a useful debate. The questions that have been asked... There are a few and I'm very grateful to the people who wrote in with questions. What we did last year when we weren't able to cover them all was that we provided written answers to the questions, which were published on the website in due course, so the questions and the answers were there for everybody to see.

Given that we are running short of time would you be happy – some of the issues we've covered in our discussion today anyway – but would you be happy to do the last item on the agenda that way and we'll

just finish up the discussion on this item. Is that okay?

Okay well let's have – you've been waiting a long time?

Dr Hartley

Yes. Dr Hartley on behalf of the National Association of Agricultural Contractors. Just to clarify for all those present at the meeting. there is a revised code of conduct for the application of sulphuric acid. Recognising the quite serious problems of people possibly getting any of the liquid on them and also to neighbouring gardens and I can confirm it is a requirement now to inform all neighbours in advance before such an application. Signs have to be posted all the way round the field – there were two operators in Norfolk last year who were fined by Health and Safety for not so complying. And we are also coming up with more stringent requirements even for our own operators, so maybe they don't work alone so if there is an incident help is quickly available. Just to clarify that for the meeting.

David Coggon

Thank you and there were some other questions down here. Microphone on its way.

Alex McBain

I happen to be a victim of pesticide spraying. And two points that you all seem to be missing in your assessment – what

happens to the people that have eaten the food that's been sprayed with pesticide that doesn't come into the equation. And in your estimation, in the country, how many doctors are qualified can certify to a patient being sprayed with pesticide and analysing what medication to give them.

David Coggon

Shall I deal with the first of those while Nick is thinking about the second one? Bad luck Nick.

The first one - As I said earlier on in the meeting, one of the aspects of human exposure that is routinely considered as part of the risk assessment that we carry out is the potential for exposure through the diet. And that doesn't just include exposure from the crop that is being sprayed, but also indirect exposure if an animal feeds on the crop and then people eat meat or dairy products that derive from the animal that's fed on the crop. It isn't just limited to the pesticide itself but also to metabolites of the pesticide that might occur in the plant or in the animal that's eaten the plant. And there is a very comprehensive exposure assessment and risk assessment carried out in relation to dietary exposures from use of pesticides on food crops.

Nick, regarding doctors' knowledge and understanding about clinical toxicology and

recognising poisoning and treating it appropriately?

Nick Bateman

I think there are two themes to your question. One is the management of an acute exposure and the second is the management of patients who have chronic symptoms. And I think these are dealt with very separately within the health service. In an acute exposure where patients have symptoms they would normally present to their local accident and emergency department or GP, who would be able to get information very quickly as you've heard from the Poisons Information Service either on the telephone or now on the web from our data base. And we would hope that the acute management would follow a good practice following that advice.

Patients who have chronic symptoms are more difficult. As you know there's considerable uncertainty about the cause of chronic symptoms in patients who've been exposed to pesticides of various sorts and it's not always clear why those symptoms are present and why they persist in patients who have them. And treatments therefore have been based on addressing the symptoms rather than trying to treat a cause and various treatment regimens have been recommended. There was a working party set up as you may well know by the previous government with the Royal College

of Physicians as the lead agency which considered evidence from OP sufferers and from a variety of other sources and produced treatment recommendations and guidance. Now how successful that has been in changing practice I'm not sure. There certainly have been attempts to try and address the issue you state.

In terms of specific numbers of clinical toxicologists there are a very small number. This is not a specialty with hundreds of thousands of doctors out there specially trained. With most GP's it's a rare occurrence for them so they need to seek advice elsewhere. And I understand the reasons why you're asking the question – that isn't always very forthcoming. I'm not sure that fully answers what you've asked but I hope it's an attempt to address the issue you've raised.

David Coggon

Those of us here, particularly the medics, are obviously interested particularly in this area and we try to push our corner as hard as we can and certainly in Southampton over recent years we've taught our medical students about organophosphate poisoning as an exercise in the management of a poisoning and hopefully the majority of them turn up. They don't always come even though you put on the teaching for them. But we do try to get the message across to medical students and to doctors – as Nick

has said it's just that there is such a welter of information that doctors have to be able to access these days and the trend in medical education is much more these days rather than trying to get doctors to learn everything that they could possibly need to know, is to get them to know and understand a core of information but then to know and recognise where they're ignorant and where they can get additional information when they need it. That's the way people are trying to go because there's just so much medical information available now you can't possibly retain it. None of us could you know, even if we were a genius with a wonder memory. But you can try to make sure that that information is accessible to people and the advances in information technology make that a much more ready proposition. David Buffin?

David Buffin

I'd just like to ask a structural question about some of the issues that have been raised here this afternoon. Your Secretariat is undergoing a review as I understand it at the moment. And I was wondering whether some of the issues that you've been discussing can be fed into that review in light of the fact that issues raised in relation to bystander exposure have been covered by the Health and Safety Executive and there are a number of other agencies that have an issue or an interest in pesticide issues. I think from an outside perspective

it's often difficult to tell exactly where the lines of communications are and who is exactly responsible for what in relation to pesticides. So I was wondering if tomorrow you're going to discuss the review of your secretariat?

David Coggon

It's not actually a review of our secretariat I think it's a review of agencies within Defra I think.

David Buffin

Which includes PSD?

David Coggon

And the secretariats are a small part of the total agency Pesticide Safety Directorate. And I'm looking at the chief executive up there – perhaps you're not allowed to comment, you're the one who's being commented on.

Kerr Wilson

I am happy to say a couple of words. As far as the agencies are concerned we await the outcome of the review and I'm sure there are many people here that have been invited to comment and let's wait and see what they have to say.

David Coggon

I mean I think that most of the issues we've been discussing today are technical issues about the way in which the scientific risk assessment is carried out and the need for further research rather than the organisation of the agencies which I think is what the review is more about - the way in which

they're organised - is it the best value for money, the best way administratively to carry out the functions that PSD performs. But there are other ways in which we can take forward things that we've been discussing today that don't actually require such an elaborate process and then it can probably be put into action rather quicker.

Alison Craig

I'd like to propose as an action, as an outcome from today that given that we have expressed concern about the data gaps that the consideration is given to a minimum buffer safety zone over rights of way and around residential areas and that is given serious consideration and taken forward as you suggested.

David Coggon

Yes I think that it's certainly one of the things that could be considered if there were concerns about the exposures and I think that we would be in a very strong position to move in that direction if we had evidence that the current risk assessment and the current exposure assessment in particular is a long way out from where we believe it is. And if we were in that situation, so the risk assessment was unacceptable, some sort of buffer zone would be one possible way forward – provided we could be confident that farmers would comply with it. If we weren't confident they would comply with it then it might be that you'd have to go towards restrictions on the use of the

pesticide altogether. So you know there is an issue about whether an action recommended is practical as well. But if there were strong reasons or good reasons to believe that exposures were higher than we believed that they are on current evidence and that impacted significantly on our risk assessment then we would have to take appropriate action. But I think I'm right in saying really that the position we're in at the moment - it's not that there is a total lack of information that we're just guessing. We do have information. The information that we have indicates that provided farmers follow the rules, the exposures that people get as bystanders should be below acceptable levels, they should be within acceptable levels.

But we're saying that while we think that's the most likely situation, there is an element of uncertainty and therefore there is a case for collecting further information just to confirm whether we're right and if it shows that we're wrong then clearly we need to take further action. I think that's really the position that we're in – is that fair, if I can ask my colleagues on the committee.

Georgina Downs

The risk assessments that you carry out I'm sorry are not correct in the context of the reality of people living next to farmland, 'cause people living next to farmland are not bystanders, they're not out there for a

minute. How often do you go into your garden for a minute and then you sell up and move?

David Coggon

We recognise...

Georgina Downs

It's not though Mr Chairman, it's not in reality of what's actually happening

David Coggon

That was why I asked the question of Mr Hamey as to whether the exposure estimates that he was using for a bystander would reliably reflect the exposure of somebody who stayed in a garden like yours all day.

Georgina Downs

Not necessarily just in the garden, I mean if the windows are all open in the house and it's going into the house...

David Coggon

No well I think you can include that as well, but actually I think the exposure there would be lower than if they stayed in the garden all day. You know if you stayed close to the edge of the field as possible and stay there all day, that's the maximum exposure situation. And what I was trying to get from Mr Hamey is whether the exposure estimates that are currently used for the risk assessment are a reasonable reflection of that sort of exposure and the answer that we were getting was that in his view they probably are. And the reason for that is that actually from the scientific evidence we

have, from the experiments that have been carried out, the major determinant of a person's exposure in that situation is what happens on the pass when the sprayer comes closest to them.

There is some exposure additionally from when the sprayer is further away but it doesn't add on in proportion anywhere near as much. So that's the information we have and that's why I'm saying that on the basis of the information that we have at the moment the indications are that the risk assessments that we're currently carrying out for bystanders are reasonable ones to carry out and that they should provide adequate protection. And we should perhaps also make the point at this stage, which is in Mr Hamey's paper as well, that when you do these risk assessments and you assess exposure in this way – in many cases, I should think in most cases, the exposures that you estimate – they're not just below the acceptable level, they're orders of magnitude below the acceptable level. So there is a very big margin of safety on those.

Georgina Downs

But I have to say I live in this situation Mr Chairman and it's not realistic. You can detect chemical fumes days after it's been applied and they're still in the atmosphere and I'm sorry I don't think, I don't believe that you do know and what degree of

particles remain in the atmosphere you don't know and that's . .

David Coggon

Well we're saying that there are scientific experiments there that tell us what the levels are. What you're detecting I guess is what you can smell and...

Georgina Downs

No I'm not talking about just myself, we're talking about a common occurrence.

David Coggon

Yes you're absolutely right you can smell some pesticides a long time after they've been applied, I know 'cause my neighbour puts them on his lawn and I can smell them for weeks afterwards. But I don't think I'm being heavily exposed to pesticides, it's just that my nose is very sensitive. You can detect very low levels of pesticides or often it's not the pesticide itself but a contaminant in the pesticide product, you can detect them at very low levels by smell – doesn't mean that you're being exposed to a toxic dose.

Georgina Downs

Well if you can detect chemical fumes you're inhaling the particles.

Background noise

Laura Potts

We're talking about the information that is required to make accurate risk assessments. There's one crucial element of information that we seem to have been

ignoring for around about the last hour and that is the evidence of morbidity that is reported. There seems to be a reluctance of the panel to connect those two elements of data, and in order to contextualise that perhaps I can take the panel back to the meeting last year when we were discussing the precautionary principle at some great length. The basis of that being, I'm sure I don't need to remind you but I will anyway, that we act on the available evidence in order to protect human health. Isn't that the ethical principle which you mentioned at the beginning Professor Coggon, that there were two elements to this debate one of which was ethics? Isn't that the element of the debate that we need to revive and which I hope you will revive tomorrow in order to make sense of the kind of conflicting science – non-science dichotomy you seem to have pushed us into?

David Coggon

Well I think that under the precautionary principle the response has to be proportionate and ultimately where you draw the balance and how you draw the balance comes down to value judgements and as we've said all along that ultimately is a societal decision. But it's certainly not true that we are ignoring the evidence for adverse health effects that are occurring in relation to spraying. We started from that point. We said we recognise that there is a problem and what can we do effectively to

minimise it. But what you can't do in this situation is say we've got a problem and this seems an obvious way of acting to reduce the problem - put a major burden on farmers and then find out that actually it hasn't done the good that you expect and it hasn't made things better. You have to analyse the problem more carefully and analyse the possible actions and what benefits they might produce.

So you can't just shoot from the hip, it has to be a considered response and I think what the debate today has done is actually helped to focus people's minds on just what the problem is and how big it is. What are the unknowns, and particularly what are the unknowns that could be known, because there are some things that will never be known but there are some questions unanswered now that could be answered. And what information could we collect now to answer those questions, to reduce the uncertainties, so that we could find a better way ahead to reduce the ill health that does occur. There certainly is some ill health that is occurring in relation to pesticide spraying – nobody is trying to deny that. We are not turning our back on the problem saying there's nothing there, but we have to act in an appropriate way – we have to recommend to ministers a way that's going to work. It would be wrong for us to make a recommendation for ministers to take an

action that produced no benefits, cost a lot of time and effort and money to farmers. Doesn't that seem reasonable to you?

Laura Potts

Yes but why do you assume there will be no benefits?

Georgina Downs

It will benefit the people who are being exposed

David Coggon

No, no because life is not that simple, you can't just assume there will be a benefit.

Laura Potts

You can't assume it will not (unclear) that's not scientific

David Coggon

No, no but it's about getting a proportional response you see. And you have to judge, you have to weigh the uncertainties and the level of benefit you might get, how confident you can be of that benefit, what would it cost, what might be the worst case in terms of costs if you go down another route? It is quite a complicated exercise risk management. And when you're having to balance a lot of different interests and make sure that you're fair by everybody, it's not straightforward it's...

Georgina Downs

Yes but your number one priority is the protection of human health, that's the Food and Environment Protection Act, it's the protection of human health, it should be your number one priority . .

David Coggon

Well...

Georgina Downs

. . . and it will benefit those people, countless numbers of people who are being exposed to poisonous chemicals on their property and in their surrounding environment. Why should they be, who gives you the right to choose, who gives you the right, Professor Coggon?

David Coggon

Well we are appointed by government according to Nolan Principles so that's how we come to be where we are and we don't actually make the final decision. We give advice to government who make the final decision and their right to choose comes from the fact that they've been elected by the people.

Georgina Downs

Yeah and you're not really taking on board too much today about the concerns that have been highlighted because you are not really going to do anything.

David Coggon

Well I think we've identified a number of actions that will actually take us forward. But you know you have to be realistic about what we can do at this stage. We've got to be fair to everybody it's not just about listening to one interest.

Georgina Downs

Yes, but the protection of human health is the most important thing and you're saying

about protecting farmers' interests, which is, of course, but farmers have got alternative options available, there is organic sustainable non-chemical means of pest control available and that is all to do with costs then, you are putting costs before health.

David Coggon

Can you guarantee that there will be no adverse impact on health from complete conversion to organic farming in this country?

Georgina Downs

Maybe Christopher will be able to answer that.

David Coggon

Can you guarantee? Well should we not adopt the precautionary principle and not change. I mean this is the sort of

Georgina Downs

Yeah, but that is really a question for the organic agriculture movement, because the organic agriculture movement has provided, has shown to be extremely beneficial and I mean, Christopher will probably be able to answer that about . . .

David Coggon

Well it's been shown to be beneficial in some respects but can you guarantee that there will be no risks to human health if you convert completely to organic farming – there are all sorts of potential risks. The precautionary principle sounds simple but actually it's not quite so simple when you try to operate it in practice. Because there are

uncertainties not only about the technology that you're talking about and the risks that that carries, but also about the benefits that it brings and the risks associated with the alternatives. The general principle is that you have to give due weight to uncertainties when you're managing risks and that's what we try to do.

John Clark

I'm sorry I'm going to have to leave but you may not feel that way.

David Coggon

The museum wants us to go, they are trying to close.

John Clark

This does sound incredibly like the debate we had in '95 just prior to the sudden realisation that BSE was a serious problem. I'm not a qualified scientist. I learn my farming, my agriculture, my food, through my boots. But what was fairly obvious to me then and was obvious to me for long before that, back into the 50's even, was that cows ate grass. And that however clever the scientists were saying that protein was protein – giving cattle food that was ground up animals wasn't making sense. But we had to have the scientific proof – we still haven't got the scientific proof but the panic set in in March '96 with the realisation that the human impact of BSE was going to be great. And as an equal non-scientist and as a farmer who's

learnt it through his boots, it cannot be right to spray chemicals that kill things onto public footpaths or onto garden.

The organic debate I would love to take up and if you would like to meet me in some public place and we have time for a proper debate I will debate with you long and hard the position over organic versus chemical. But that isn't the debate of today. The debate of today, you keep saying farmers must not – I don't want to be associated with spraying chemicals into people's gardens, that is the question and onto public footpaths. Take that issue and say there is some doubt, we don't care how small the scientific doubt is but the risk must be nil for those cases.

David Coggon

No I think.

John Clark

In terms of the other things Chair, you can debate for a long time and I put that challenge to you, if you wish to debate the non-use of chemicals against the use of chemicals with me on any occasion you so wish, I will take that challenge up if you will. But please Chair – separate the two issues. This is not a scientific question – spraying chemicals into people's gardens and onto footpaths, it is a moral one that you should be saying to government – please government, take footpaths and gardens out of the chemical farming arena and give

it back to the people to whom it belongs.
Thank you Chair and I'm sorry I have to
leave now.

David Coggon

Okay.

Meryl Knapp

I wonder if I can just (unclear). In the water
business we have zero tolerance for
pesticides in water. We are not allowed to
supply water with pesticides in. It does
seem to me it is possible to have zero
tolerance for pesticides being sprayed into
people's gardens. A combination of buffer
zones, improving spraying methods, things
like that. You keep on saying it's the
politicians that make the decisions. It's you
that recommend things to the politicians and
I would suggest that in this particularly fairly
small instance of people who live right next
to fields which are sprayed, you have the
power to say to politicians, we should have
sufficient buffer zones and we should
change the spraying methods in such a way
that the spray does not go into people's
gardens.

Gareth Edwards-Jones?

Could I just comment there aren't zero
tolerances for water, there are set limits for
tolerances above which the water
companies aren't allowed to supply –
there's a slight difference.

David Coggon

This is the last question because the museum is closing so we're going to have to go.

Chris Wallwork

Thank you Mr Chairman, Chris Wallwork United Agri Products. First a passing comment on the organic versus non-organic. I was yesterday in the situation of advising a conventional grower who had a very heavy flight of black bean aphid that was infesting about twenty acres of lettuce approaching harvest. These aphids needed to be sprayed to make them acceptable to the public – they'd just come in from a field of organic beans on the next farm. But my main point was on the comments about bystander exposure and spraying into gardens. I for twenty-four years now have been involved in advising farmers and growers and as happens I've occasionally had to investigate situations where there've been complaints from members of the public. And there are two cases that I can recall that involved complaints of spray possibly going into gardens. One was a situation where a farm manager had a problem because his next door neighbour had sprayed 'Round-up' round the edges of her garden and had killed his leylandii and wanted me to confirm that it was indeed 'Round-up' damage.

The other one was a chap who had seen one of our contract sprayers operating in

the field alongside his garden and a day or so later all of his Koi Carp had died. That situation was one where we were spraying Glyphosate on the field. There were no symptoms of damage to any of the plants in the garden but it had been a very hot day when the Koi Carp died and he was happy to understand that that was indeed the situation – well he wasn't happy but I was able to give him enough data to prove that.

And one other related incident – nearly twenty years ago when we still did some aerial spraying we had a demonstration of aerial spraying at an open day for farmers. A helicopter came along did a couple or three passes in the field next to the beer tent – very impressive. Because we were spraying customers and because of general concern the machine had been thoroughly cleaned and it was spraying clean water but we did get two cases of suspected pesticide poisoning from the houses up the road.

David Coggon

Yes.

Chris Wallwork

Thank you Mr Chairman.

David Coggon

Okay, it is time to finish now because the museum is closing but I would like to thank those of you who've lasted through and we've got pretty hot in here as well. But I'm pleased that people have managed to remain good humoured through out and I

think that these sorts of open meeting are very useful. They do influence the way in which we think. We have made some decisions today as well as to further things that should be done. I know it's not what everybody's looking for but I can promise that no matter what we decide as a committee we're never going to please everybody, we have to try and get a sensible balance that we are comfortable with – thank you.

End of recording...