

Relevant Legislation

The Control of Pesticides Regulations 1986 (as amended)
The Control of Substances Hazardous to Health Regulations 2002
Poisons Act 1972 and the Poisons Rules 1986
Environmental Protection Act 1990
Environment Act 1995
Control of Pollution Act 1974
Special Waste Regulations 1996
Groundwater Regulations 1998
Pesticides Code of Practice on Use of Plant Protection Products 2006

General

Pesticides contain chemicals that kill pests or drive them away. They are designed to cause harm to living organisms and are therefore potentially harmful to people, animals and the environment.

Pesticides include:

- herbicides
- fungicides
- insecticides
- molluscicides
- lumbricides
- growth regulators.

Pesticides may be found in everyday products that are used to combat fungi, mould, insect pests and to destroy weeds. Pesticide legislation aims to exert control on both the products and the people using them whilst at work.

Very strict rules apply to handling poisons. These require additional control measures, such as a higher level of training or the need for two members of staff to be present, for example when using phostoxin for the control of moles. Detailed risk assessments are also required.

Training

Pesticides can only be applied on County Council premises by people who have received appropriate training and have obtained a Certificate of Competence or by someone who is under the direct and personal supervision of a person with an appropriate Certificate of Competence.

The National Proficiency Test Council (NPTC) or the Scottish Skills Testing Council (SSTS) are the awarding bodies for Certificates of Competence. These Certificates last a lifetime. It is also necessary to receive specific training from an awarding body such as LANTRA when using chemicals to control vertebrates. LANTRA, a sector skills council is an employer-led organisation licensed by the government to represent the interests of over 400,000 businesses in the UK. Amongst other things, it promotes the importance of training and career development opportunities.

A Certificate of Competence is a green card with a passport photograph of the operative. This must be carried when work with pesticides is being undertaken.

An HSE inspector has the power to demand that persons using pesticides produce their Certificates of Competence for inspection.

There are a number of modules for the various types of application work, as detailed below.

Certificates of Competence - Modules for Spray Operators	
PA1	Foundation module (Note - All candidates must complete a foundation module)
PA2	Ground crop sprayers – mounted or trailed
PA3	Broadcast air – blast sprayer, variable geometry boom air assisted sprayers
PA4	Granule applicator – mounted or trailed
PA5	Boat-mounted applicators
PA6	Hand-held applicators
PA7	Aerial application
PA8	Mixer/loader
PA9	Fogging, misting and smokes
PA10	Dipping bulbs, corms, plant materials or containers
PA11	Seed-treating equipment
PA12	Application of pesticides to material as a continuous or batch process

Anyone storing and/or supplying pesticides in quantities of more than 200 litres must hold a BASIS certificate. BASIS is an independent officially recognised Registration Scheme for the pesticide industry. It is responsible for ensuring competence in areas of pesticide storage and advice.

COSHH Assessment

A COSHH assessment must be undertaken on pesticides that present a significant risk. Product labels contain the safety information, as well as instructions for safe use. Products must only be used in accordance with the information on the label and there must be no unauthorised mixing of chemicals. Safety data sheets must also be provided free of charge by the manufacturer or supplier. Further information is given in the COSHH section of this policy.

Personal protective equipment needs to be identified as part of the assessment. As a minimum, this should include gloves, coveralls and a face shield to the appropriate European Standard. A limited number of products may require the operator to wear a respirator with a filter designed for organic vapours.

Storage arrangements must be recorded on the COSHH assessment. It is particularly important that unauthorised access to pesticides is prevented. Products can be stored in a fire resistant place, such as a 'chemsafe'. Measures should also be taken to contain spillages, for example by using bunds.

Empty containers should be rinsed out and the residual fluid added to the knapsack sprayer and used as part of the spray dilution.

Record Keeping

COSHH Regulations require that records of spraying pesticides and calibration of equipment be kept for three years. Health surveillance records need to be kept for 40 years.

Banned Pesticides

Under the provisions of European Directive 91/414/EEC member states were obligated to draw up a list of chemicals that must be banned from use in pesticides. This action took place during 2003.

Each substance that has now been withdrawn has its own unique registration number and it is this that should take precedence. It is possible that replacement products might retain the same name, which is why reference to the registration number is paramount when identifying substances for disposal.

The list of proprietary products containing banned chemicals is reproduced in the appendix to this section. Many of the products on the list are well known household applications, such as lawn treatments and weed killers. Further, detailed information is available on the Pesticides Safety Directorate's website at www.pesticides.gov.uk. The Pesticides Safety Directorate (PSD) is an Executive Agency of the United Kingdom's Department of Environment, Food and Rural Affairs (DEFRA). This administers the regulation of agricultural, horticultural, forestry, food storage and home garden pesticides. The principal functions of the PSD are to evaluate and process applications for approval of pesticide products for use in Great Britain and provide advice to the Government on pesticides policy.

It is likely that employees of the County Council may still be using some of these products at work. Stocks of the banned products had to be used up or disposed of by 1 March 2004. Following that date, enforcement agencies will have the powers to seize these products and prosecute for storing or using them.

Arrangements within Children's Services

Many schools use the services of the Community and Environmental Services Grounds Division via a service level agreement. The Grounds Division employ skilled operatives who are trained to a high standard (LANTRA) and possess an extensive range of risk assessments. This enables the Division to undertake its activities competently and safely. In addition, the Division does not use or store any banned pesticides products.

However, where schools choose an external provider, it is incumbent on the governing body to verify that the contractor is fully competent and has received suitable training to enable their operatives to use pesticides safely.

The contractor should be aware that several substances have been withdrawn from use. Schools should check to see that they are aware of this and request that the contractor ceases to use them and arranges to dispose of them.

It is important that schools that opt out of the SLA and then choose to manage their own staff (such as caretakers) do not instruct them to undertake work with pesticides without providing them with appropriate training and equipment.

Amateur Products Withdrawn From Use

Reg No	Product Name	Approval Holder
M10871	ASDA Lawn Feed Weed and Mosskiller	William Sinclair Horticulture Ltd
M10872	ASDA Lawn Feed and Weed	Doff Portland Ltd
M10874	ASDA Lawn Spot Weeder	Doff Portland Ltd
M08137	AgrEvo Lawn Weed Killer	S A G
M08912	AgrEvo Lawn Weedkiller Concentrate	S A G
M06234	Armillatox (Plant Protection Uses Only Withdrawn)	Armillatox Ltd
M07850	B & Q Granular Weed and Feed for Lawns	The Scotts Company (UK) Limited
M05487	B & Q Lawn Feed and Weed	Doff Portland Ltd
M05486	B & Q Lawn Spot Weeder	Doff Portland Ltd
M05324	B & Q Lawn Weedkiller	Doff Portland Ltd
M05293	B & Q Liquid Weed and Feed	Miracle Garden Care Ltd
M06897	B & Q Nettle Gun	Doff Portland Ltd
M10858	B&Q Spring Lawn Care Granular Feed Weed	William Sinclair Horticulture Limited
M10859	B&Q Spring Lawn Care Granular Feed Weed Mosskiller	William Sinclair Horticulture Ltd
M03455	Boots Nettle and Bramble Weedkiller	The Boots Company Plc
M07783	Cutlass	Miracle Garden Care Ltd
M09543	Cutlass	The Scotts Company (UK) Limited
M09311	Do It All Lawn Feed & Weed	Doff Portland Ltd
M08106	Do-It-All Lawn Weedkiller	Doff Portland Ltd
M08197	Do It All Wipeout! Lawn Weed Killer	Doff Portland Ltd
M05117	Doff Lawn Feed and Weed	Doff Portland Ltd
M03995	Doff Lawn Spot Weeder	Doff Portland Ltd
M05708	Doff Lawn Weed and Feed Soluble Powder	Doff Portland Ltd
M07158	Doff Nettle Gun	Doff Portland Ltd
M05666	Doff New Formula Lawn Weedkiller	Doff Portland Ltd
M09639	Evergreen Grasshopper	The Scotts Company (UK) Limited
M05868	Fisons Ready-to-Use Lawn Weedkiller	Fisons Plc
M05807	Fisons Water-on Lawn Weedkiller	Fisons Plc
M07468	Focus Lawn Spot Weeder	Doff Portland Ltd
M06096	Focus Lawn Weedkiller	Doff Portland Ltd

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M06896	Focus Nettle Gun	Doff Portland Ltd
M08643	Grasshopper Triple Action	Miracle Garden Care Ltd
M09785	Grasshopper Weed & Feed	The Scotts Company (UK) Limited
M08367	Great Mills Lawn Feed & Weed	Doff Portland Ltd
M05014	Great Mills Lawn Spot Weeder	Doff Portland Ltd
M09296	Great Mills Lawn Weedkiller	Doff Portland Ltd
M09324	Greensward Triple Action	The Scotts Company (UK) Limited
M05953	Groundclear	pbi Home & Garden Ltd
M07539	Homebase Lawn Weedkiller Liquid	Doff Portland Ltd
M07536	Homebase Lawn Weedkiller Ready To Use Sprayer	Doff Portland Ltd
M07989	Homebase Liquid Lawn Feed and Weed	Doff Portland Ltd
M07538	Homebase Nettle Gun	Doff Portland Ltd
M06432	House Plant Pest Killer	Vitax Ltd
M07164	J Arthur Bower's Granular Feed and Weed	William Sinclair Horticulture Ltd
M07042	J Arthur Bower's Granular Feed, Weed and Mosskiller	William Sinclair Horticulture Ltd
M09458	J Arthur Bower's Lawn Feed and Weed	William Sinclair Horticulture Ltd
M09459	J Arthur Bower's Lawn Feed, Weed and Mosskiller	William Sinclair Horticulture Ltd
M09460	J Arthur Bower's Lawn Weed and Mosskiller.	William Sinclair Horticulture Ltd
M09461	J Arthur Bower's Lawn Weedkiller	William Sinclair Horticulture Ltd
M04606	Jeyes Fluid (Plant Protection Uses Only Withdrawn)	Jeyes Ltd
M09736	Lawn Weedkiller	S A G
M09740	Lawn Weedkiller Concentrate	S A G
M07497	Levington Ready to Use Lawn Weedkiller	Levington Horticulture Ltd
M07495	Levington Water-on Lawn Weedkiller	Levington Horticulture Ltd
M05271	Murphy Clover-Kil	Fisons Plc
M09209	New Supertox	pbi Home & Garden Ltd
M07876	Nimrod T	Miracle Garden Care Ltd
M09502	Nimrod T	The Scotts Company (UK) Limited
M08736	Roseclear 2	Miracle Garden Care Ltd
M09498	Roseclear 2	The Scotts Company (UK) Limited
M02864	Touchweeder	Thomas Elliott Ltd
M08325	Tumbleweed Clover	Levington Horticulture Ltd

M08546	Tumbleweed Clover Ready to Use	Levington Horticulture Ltd
M08088	Tumbleweed Lawns	Levington Horticulture Ltd
M08089	Tumbleweed Lawns Ready to Use	Levington Horticulture Ltd
M08689	Verdone Plus	Miracle Garden Care Ltd
M09732	Wilko Granular Feed and Weed for Lawns	William Sinclair Horticulture Ltd
M07471	Wilko Granular Feed, Weed and Mosskiller	William Sinclair Horticulture Ltd
M09731	Wilko Granular Feed, Weed and Mosskiller for Lawns	William Sinclair Horticulture Ltd
M08816	Wilko Lawn Feed and Weed	William Sinclair Horticulture Ltd
M04602	Wilko Lawn Feed, Weed and Mosskiller	William Sinclair Horticulture Ltd
M05130	Wilko Lawn Spot Weeder	Doff Portland Ltd
M07473	Wilko Lawn Weed and Feed	Doff Portland Ltd
M03749	Wilko Lawn Weedkiller	Doff Portland Ltd
M06898	Wilko Nettle Gun	Doff Portland Ltd
M04391	Wilko Soluble Lawn Food and Weedkiller	William Sinclair Horticulture Ltd
M07105	Woolworths Lawn Spot Weeder	Doff Portland Ltd
M07474	Woolworths Lawn Weed and Feed	Doff Portland Ltd
M07064	Woolworths Lawn Weedkiller	Doff Portland Ltd
M07060	Woolworths Liquid Lawn Feed and Weed	Miracle Garden Care Ltd

Professional Products Withdrawn From Use

The commodity substance approval for disodium octaborate tetrahydrate is now withdrawn.

Professional Products with Essential uses are marked with an asterisk. These are not to be used on County Council establishments.

Reg No	Product Name	Approval Holder
M09174	Activus	Cyanamid Agriculture Ltd
M10207	Activus	BASF plc
M10662	Activus	Feinchemie Schwebda GmbH
M11202	Activus	Feinchemie Schwebda GmbH
M04802	Alpha Bromacil 80 WP	Makhteshim-Agan (UK) Ltd
M04871	Alpha Prometryne 50 WP	Makhteshim-Agan (UK) Ltd
*M04795	Alpha Prometryne 80 WP	Makhteshim-Agan (UK) Ltd
M04792	Alpha Terbalin 35 SC	Makhteshim-Agan (UK) Ltd
M04809	Alpha Terbutryne 50 SC	Makhteshim-Agan (UK) Ltd
M04875	Alpha Terbutryne 50 WP	Makhteshim-Agan (UK) Ltd
M10208	Arsenal	BASF plc
M05537	Arsenal	Nomix-Chipman Ltd
M05567	Arsenal 50	BASF plc
M07243	Asset	Bayer CropScience Limited
*M07703	Atlas Brown	Atlas Crop Protection Ltd
M03046	Atlas Minerva	Atlas Interlates Ltd
M03091	Atlas Red	Atlas Interlates Ltd
M07724	Atlas Red	Atlas Crop Protection Ltd
*M07726	Atlas Solan 40	Atlas Crop Protection Ltd
*M03045	Atlas Somon	Atlas Interlates Ltd
*M07727	Atlas Somon	Atlas Crop Protection Ltd
M10210	Avenge 2	BASF plc
M03241	Avenge 2	Cyanamid Agriculture Ltd
M09711	Aventis Galtak 50 SC	Aventis CropScience UK Limited
*M07530	Barclay Canter	Barclay Chemicals (UK) Ltd
*M08305	Batallion	Makhteshim-Agan (UK) Ltd
M04335	Bay UK 292	Bayer plc
M07246	Benazalox	Bayer CropScience Limited
M09924	Borocil K	Bayer CropScience Limited
M05183	Borocil K	Rhone-Poulenc Agriculture Ltd

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M08394	Brasoran	Novartis Crop Protection UK Ltd
*M08049	Bullet	Cyanamid Agriculture Ltd
*M10212	Bullet	BASF plc
*M10654	Bullet	Feinchemie Schwebda GmbH
*M11204	Bullet	Feinchemie Schwebda GmbH
M00368	Calirus	BASF plc
*M11182	Certis 2 - Aminobutane	Certis Europe BV
M09122	Checkmate	Hortichem Ltd
*M10141	Clayton Gazette	Clayton Plant Protection (UK) Ltd
*M10475	CleanCrop Vectro	It Agro Ltd
M09271	Cleanrun 2	The Scotts Company (UK) Limited
M08398	Comodor 600	Syngenta Crop Protection UK Ltd
M10954	Comodor 600	Syngenta Crop Protection UK Ltd
M08708	Compete Forte	Rohm & Haas (UK) Ltd
M07310	Competitor	Bayer CropScience Limited
*M11329	Croptex Bronze	Certis Europe BV
*M04087	Croptex Bronze	Hortichem Ltd
*M02415	Croptex Chrome	Hortichem Ltd
*M11180	Croptex Chrome	Certis Europe BV
*M02418	Croptex Steel	Hortichem Ltd
M08471	Deftor	Novartis Crop Protection UK Ltd
M10524	Dorado	Syngenta Crop Protection UK Limited
M06657	Dorado	Zeneca Ltd
*M09351	Dosaflo	Syngenta Crop Protection UK Limited
M04855	Elvaron WG	Bayer plc
M11272	Elvaron WG	Bayer CropScience Limited
M05541	Fairy Ring Destroyer	Vitax Ltd
*M08885	Flex	Syngenta Crop Protection UK Limited
M08407	Fongarid	Syngenta Crop Protection UK Ltd
*M07009	Fortrol	Cyanamid Agriculture Ltd
*M10222	Fortrol	BASF plc
*M10666	Fortrol	Feinchemie Schwebda GmbH
*M11174	Fortrol	Feinchemie Schwebda GmbH
M07258	Galtak 50 SC	Bayer CropScience Limited

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*M08410	Gesagard	Syngenta Crop Protection UK Limited
*M06147	Hortichem 2 - Aminobutane	Hortichem Ltd
M01088	Hydon	Nomix-Chipman Ltd
M01105	Hyvar X	Du Pont (UK) Ltd
M07819	Intrepid	Miracle Garden Care Ltd
M09266	Intrepid	The Scotts Company (UK) Limited
*M10179	I.T. Cyanazine	IT Agro Ltd
M01165	Krenite	Du Pont (UK) Ltd
M08676	Legumex Extra	Bayer CropScience Limited
M08379	Longlife Renovator 2	Miracle Garden Care Ltd
M05269	Lontrel Plus	Dow AgroSciences Ltd
M01394	MSS 2,4-DP	Mirfield Sales Services Ltd
M01396	MSS 2,4-DP + MCPA	Mirfield Sales Services Ltd
M01300	Marks Polytox-K	A H Marks & Co Ltd
M01301	Marks Polytox-M	A H Marks & Co Ltd
M10225	Match	BASF plc
M07186	Match	Cyanamid Agriculture Ltd
*M07206	Meothrin	Sumitomo Chemical Agro Europe SA
*M10400	Meothrin	Sumitomo Chemical Agro Europe SA
M01376	Morestan	Bayer plc
M11293	Morestan	Bayer CropScience Limited
*M08510	Nectec Paste	Janssen Pharmaceuticals Ltd
M07865	Nimrod T	Miracle Garden Care Ltd
M09268	Nimrod T	The Scotts Company (UK) Limited
*M08427	Opogard	Syngenta Crop Protection UK Limited
M08574	P-Weed	Pan Britannica Industries Ltd
M09608	P-Weed	SumiAgro (UK) Ltd
M09261	Pancil T	Dow AgroSciences Ltd
M10568	Parade	BASF plc
M07397	Patafol	AgrEvo UK Ltd
*M10638	Pennine 50	DAPT Agrochemicals Ltd
M05750	Phosfleur 1.5	Perifleur Products Ltd
M01587	Phosfleur 10% Liquid	Perifleur Products Ltd

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*M01601	Plantvax 75	Fargro Ltd
M01613	Polymone X	Universal Crop Protection Ltd
M08432	Prebane	Syngenta Crop Protection UK Limited
*M01653	Pynosect 30 Water Miscible	Mitchell Cotts Chemicals Ltd
M10934	Pynosect 30 Water Miscible	Mitchell Cotts Chemicals Ltd
M08483	Recoil	Syngenta Crop Protection UK Limited
M07524	Redipon	United Phosphorus Ltd
M07518	Redipon Extra	United Phosphorus Ltd
*M08884	Reflex T	Syngenta Crop Protection UK Limited
M07270	Rental SC	Aventis CropScience UK Limited
M09272	Renovator 2	The Scotts Company (UK) Limited
M08485	Ripost Pepite	Syngenta Crop Protection UK Limited
M08895	Ripost Pepite	Syngenta Crop Protection UK Limited
M09926	SHL Granular Feed & Weed	William Sinclair Horticulture Ltd
M09925	SHL Granular Feed, Weed & Mosskiller	William Sinclair Horticulture Ltd
M04437	SHL Turf Feed & Weed	William Sinclair Horticulture Ltd
M04438	SHL Turf Feed and Weed and Mosskiller	William Sinclair Horticulture Ltd
M10227	Saprol	BASF plc
M07016	Saprol	Cyanamid Agriculture Ltd
M08441	Sameron	Novartis Crop Protection UK Ltd
M10016	Seritox 50	Aventis CropScience UK Limited
M11075	Seritox 50	Nufarm UK Ltd
M06170	Seritox 50	Rhone-Poulenc Agriculture Ltd
M10911	Seritox Turf	Nufarm UK Ltd
M06802	Seritox Turf	Rhone-Poulenc Agriculture Ltd
M05623	Setter 33	AgrEvo UK Ltd
M07282	Setter 33	Aventis CropScience UK Limited
*M01956	Sinbar	Du Pont (UK) Ltd
*M09230	Standon Cyanazine 50	Standon Chemicals Ltd
M10085	Stefes Legumex Extra	Aventis CropScience UK Limited

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M05060	Sterilite Hop Defoliant	Coventry Chemicals Ltd
M03820	Tedion V-18 EC	Hortichem Ltd
M11398	Tedion V-18 EC	Certis Europe BV
M05050	Trustan WDG	Du Pont (UK) Ltd
M09121	UPL Campex	United Phosphorus Ltd
M10295	Vitagrow Mini-Granular Feed, Weed & Mosskiller	William Sinclair Horticulture Ltd