

#### Legislation

Under the Plant Protection Products (Sustainable Use) Regulations, as from 26<sup>th</sup> November 2015, all sprayer operators applying professional pesticide products (PPPs) in the UK will need to have a Specified Certificate, previously known as a Certificate of Competence.

See <http://content.govdelivery.com/accounts/UKHSE/bulletins/123298e> for further information.

If you previously sprayed under the 'grandfather rights' exemption, then you need to:

- Take the Level 2 award in the safe use of pesticides replacing grandfather rights
- Or take the existing Level 2 safe use of pesticides (PA) certificate.

Options if you don't take the qualifications:

- You could hand over the spraying to perhaps a family member or employee who has got the correct qualifications.
- Or you could use a qualified spray contractor.

#### Frequently asked questions – end users of Grassland Herbicides

*Does the legislation affect livestock farmers or small holders who only occasionally use pesticides?*

- The legislation applies to all users of professional pesticides

*Do I need to be certified to purchase professional pesticide products after 26<sup>th</sup> November 2015?*

- No, you do not need to be certified to purchase professional pesticide products, but if you are going to be applying the products yourself, then you will need to hold suitable qualifications.
- If you are buying them for someone else to apply, then you need to ensure that the intended sprayer operator is suitably qualified, or will be working under the direct supervision of someone who is suitably qualified (because they are undergoing training).

*Do I need to be qualified to spray GrazonPro<sup>®</sup> using a knapsack on my own farm?*

- Yes, after 26<sup>th</sup> November 2015, you will need to have a recognised certificate to apply GrazonPro.

*Do I need to be qualified to spray DoxstarPro<sup>®</sup>, PastorPro<sup>®</sup>, Thistlex<sup>®</sup> or Forefront T<sup>®</sup>?*

- Yes, these are all professional use products, and after 26<sup>th</sup> November 2015 will need to be applied by an operator who has suitable qualifications.

*Who runs training courses for certificates of competence?*

- Specified certificates, previously known as certificates of competence are issued by City and Guilds Land Based Services. See [www.nptc.org.uk](http://www.nptc.org.uk) for further details, or contact your local agricultural college.

*I already have an existing PA certificate, will it still be valid?*

- Existing certificates of competence in the safe use of pesticides will continue to be recognised under the new legislation.

### **What does the grandfather rights certification involve?**

If you were born before 31<sup>st</sup> December 1964, and are only spraying on your own land, or your employer's land (owned or rented), you can apply for the Level 2 qualification replacing grandfather rights.

The Level 2 qualification replacing grandfather rights takes account of the fact that people previously working under grandfather rights should already have some form of training, and may have many years of experience in working with pesticides. In recognition of this, the qualification has been developed so as to take significantly less time, and cost less, than the existing Level 2 qualifications for pesticide users.

Training is based on a workbook, setting out the required knowledge, which can be studied at the candidate's convenience, followed up with oral questioning and a practical assessment of competence. Training modules are based on the type of equipment to be used (hand held, machine mounted / trailed, other pesticide application methods). Assessment should generally be possible at the candidate's premises, an assessment centre or at an alternative suitable venue.

You cannot do contracting work using this qualification, if you wish to carry out spray contracting work applying professional PPP you will need to complete the existing Level 2 safe use of pesticides (PA) certificate.

### **Inspection of application equipment**

All spray application equipment in use (except handheld and knapsacks) must have passed an inspection by 26<sup>th</sup> November 2016, unless it is less than five years old on that date. Newer machines must pass inspection before the 5<sup>th</sup> anniversary of purchase. The National Sprayer Testing Scheme (NSTS) is compatible with the regulations <http://www.nsts.org.uk/>.

Knapsack sprayers and handheld equipment are exempt from the inspection scheme, although should be regularly checked on a voluntary basis.

### **Storage and supply of pesticides**

Anyone who stores pesticides of any quantity must store them in such a way as to prevent unwanted releases. For small volumes of PPPs a chemsafe is a good way to do this.

There is no maximum quantity that can be stored by a distributor, as long as they have the bunding capacity (stored volume + 85%) to contain leaks. (The 85% is an example, the exact figure relates to their position relative to water protection zones).

From 26<sup>th</sup> November 2015 distributors who sell to end users must ensure that they have sufficient members of staff with specified certificates available at the time of sale to provide information to customers on pesticide use, health and environmental risks, and safety instructions on how to manage those risks. This applies to both professional and amateur products, and to all sales whether over the counter, telephone or internet. Micro-distributors are exempt.