

Session 2: Pesticide Legislation and Policy

Code of Conduct

Pesticide legislation

2003 definition

Pesticide legislation means any laws or regulations introduced to regulate the manufacture, marketing, distribution, labelling, packaging, use and disposal of pesticides in their qualitative, quantitative, health and environmental aspects.

(deleted in the new Code)

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Policy and legislation

2013 (Article 6.1.1)

Governments should...

introduce the necessary policy and legislation for the regulation of pesticides, their marketing and use throughout their life cycle, and make provisions for its effective coordination and enforcement, including the establishment of appropriate educational, advisory, extension and health-care services, using as a basis FAO and WHO guidelines and, where applicable, the provisions of relevant legally binding instruments.

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Legislation (Articles 1, 3, 6, 7, 8, 9, 11)

Countries should have laws for...

- regulating pesticides, their marketing and use throughout the life cycle
- child labour
- standards for registration and evaluation,
- availability and use
- licensing procedures
- public access to information
- advertisement

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Policy (Articles 5,6,9)

(only in 2013 revision)

Governments should...

- introduce the necessary policy and legislation for the regulation of pesticides, their marketing and use throughout their life cycle...
- information exchange ... [about] regulatory and policy actions

Note:

The word "policy" is not defined. It generally refers to a coherent set of decisions with a common long-term objective or objectives) affecting or relevant to pesticide management.

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Article 3: Pesticide Management

Governments should...

- regulate pesticides and allocate adequate resources
- promote integrated management strategies

Industry should...

- adhere to the Code as a standard for manufacture, distribution, sale and advertisement

Exporting countries should...

- follow good trading practices

All parties should

- develop educational materials

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Article 3: Pesticide Management

Changes

- Added: Industry should adhere to the standards of the Code, particularly in countries that have not yet established or *are unable to effectively operate* adequate regulatory schemes and advisory services (before: countries lacking appropriate legislation)
- Added: packages should have **one or more of the official languages** (before: adequate language)
- Added: All parties should ensure that the **requirements of relevant international agreements** are followed

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Article 3: Pesticide Management

Continued ...

- Added: IPM/IVM (before IPM only)
- Added: risks to **the public** (before users and environment)
- Added: Governments whose programmes for regulating pesticides are well developed should provide technical assistance ... in developing ... infrastructure and capacities. (before: Governments of exporting countries should provide technical assistance in the assessment of relevant data)

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Article 5: Reducing Health and Environmental Risks

Governments should...

- implement a pesticide policy, registration and control system
- collect poisoning and contamination data
- monitor pesticide residues
- limit the availability of highly hazardous pesticides

Industry should...

- develop low risk products, formulations, application methods

Governments and industry should...

- promote awareness and high safety standards
- safely dispose of containers and pesticides

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Article 5: Reducing Health and Environmental Risks

Changes

- Added: Governments should have a **pesticide policy** (in addition to a registration and control scheme)
- Added: guidance on **prevention of exposure and the reporting** of poisoning incidences (not just treatment)
- Added: Use of the Rotterdam Convention Human Health **Incident Report Forms**
- Added: Use of the Rotterdam Convention Environmental Incidents Report Forms
- Added: Dissemination of risk reduction information and measures
- Added: limit sales through non-specialized outlets to **low hazard and ready-to-use products**

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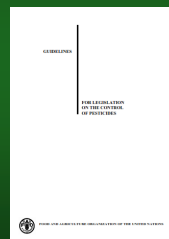
Article 5: Reducing Health and Environmental Risks

Continued...

- Added: residue monitoring in feed, drinking water and habitations
- Added: provide information on measures in case of spills and accidents
- Added: halt sales and recall products that pose an unacceptable risk
- Added: Disseminate information on risks and alternatives (in addition to uses)
- Added: Monitor emissions (not just wastes and effluents) from production sites and stores according to national and international guidelines

Guidelines

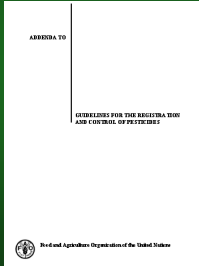
Guidelines for legislation on the control of pesticides (1989/2014?)



- Definitions
- Scope of legislation
 - Types of pesticides to be covered
 - Exclusions (Nutrients, drugs ...)
- Important features of legislation
 - Organisation
 - Registration
 - Maximum residue limits
 - Control of imports
 - Licensing and certification
 - Advertising, record keeping, enforcement, monitoring, training

Guidelines

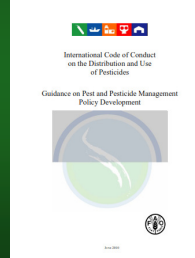
Addenda to Guidelines for the registration and control of pesticides (1988)



- Addendum I
List of data requirements to be submitted to the regulatory authority when seeking registration of a pesticide
- Addendum II
Proprietary rights to pesticide data

Guidelines

Guidelines on pest and pesticide management policy development (2010)

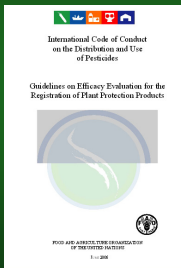


- Driving forces behind pest and pesticide management policy development
- The role of pesticides in the broader context of pest management
- Pesticide risk reduction
- Policy formulation
- Coordination

Annex I: Further information on Integrated Pest Management
Annex II: Notes on the economics of pesticide use

Guidelines

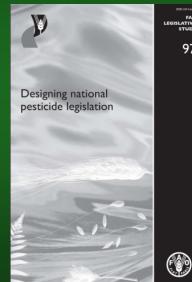
Guidelines on efficacy evaluation for the registration of plant protection products (2006)



- Scope of efficacy evaluation
 - Data generation for efficacy evaluation
 - General principles for the design of efficacy trials
 - Design, conduct and analysis of efficacy trials
 - Crop tolerance
 - Agronomic sustainability
 - Reporting
 - Principles for assessing acceptability of efficacy
 - Specific issues (biocontrol agents etc.)
- ANNEXES

Tools

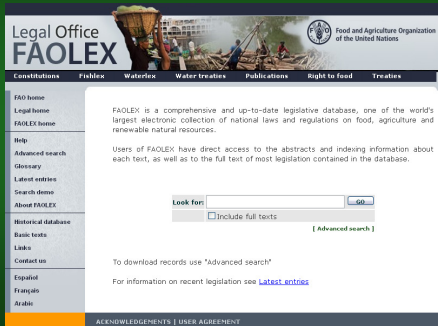
FAO Legislative study on designing national pesticide legislation (2007)



- International framework
- The design of a national pesticide law
 - Administration
 - Inspection
 - Registration
 - Import and export
 - Licensing
- Changing the national policy and legal framework
 - Considerations in reviewing and revising national legislation
 - Tools for implementing change

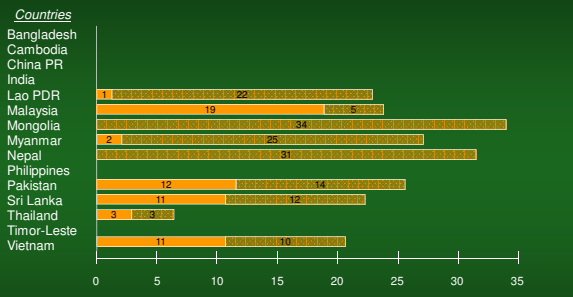
Tools

FAOLEX legislative database



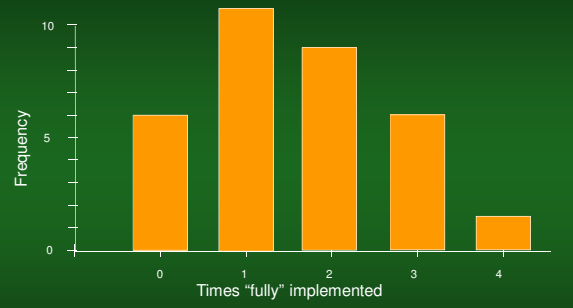
Summary of Regional Status

Implementation of guidelines



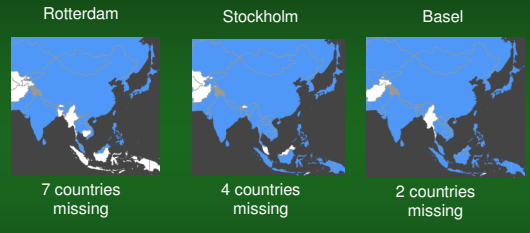
- Total of 34 guidelines
- Most guidelines found "not relevant" for Thailand

"Full" guideline implementation



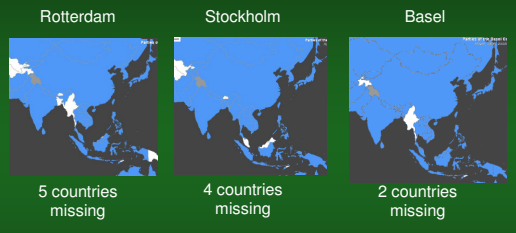
- Guidelines four times "fully" implemented:
 - Good labelling practices
 - Classification of pesticides by hazard

Ratification Status 2005



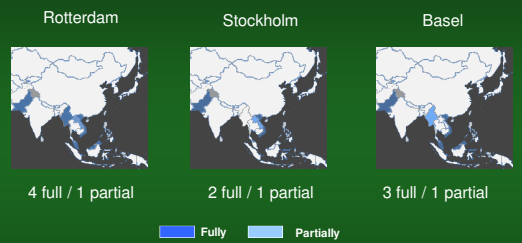
- Most APPPC countries have joined all three treaties
- A number of countries still have not joined the Rotterdam Convention

Ratification Status 2015



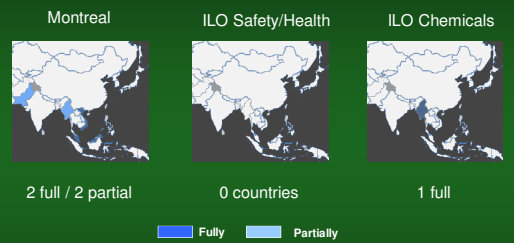
- Most APPPC countries have joined all three treaties
- A few countries have not yet ratified some Convention

Implementation Status 2015



- Implementation status different from ratification status
- Questionnaire results too sketchy to allow conclusions

Implementation Status 2015



- Implementation status different from ratification status
- Questionnaire results too sketchy to allow conclusions

Implementation Status 2015

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1 full / 7 partial

Codex Alimentarius



1 full / 5 partial

GHS



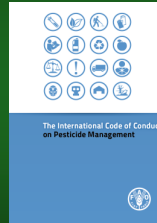
1 full / 5 partial

■ Fully ■ Partially

➤ Questionnaire results too sketchy to allow conclusions

I. Pesticide Legislation and Regulations

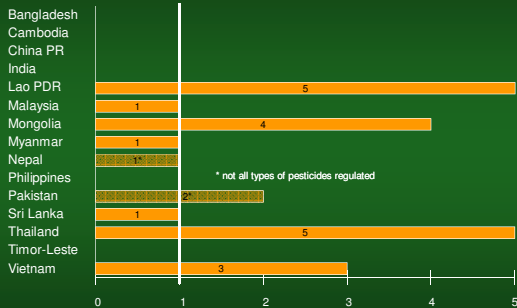
The Code of Conduct promotes...



- Uniform management of all pesticides in all sectors
- Transparent and legally defined procedures
- Use of international guidelines and treaties

Number of regulatory agencies

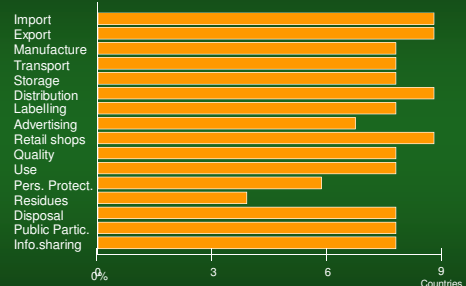
Countries



➤ In 3-4 countries, pesticide regulatory management is already in the hand of a single agency

Regulated Functions

Functions



➤ Most countries regulate the full life-cycle of pesticide

Policy priorities

Increasing importance



Increase production and food security

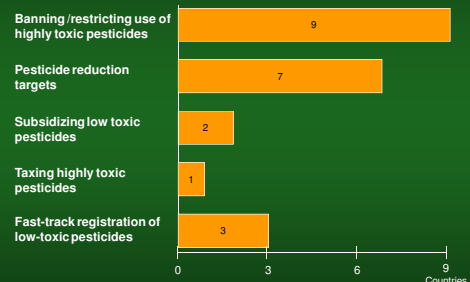
Reduce health/environmental risks

IPM

Reduce pesticide dependency

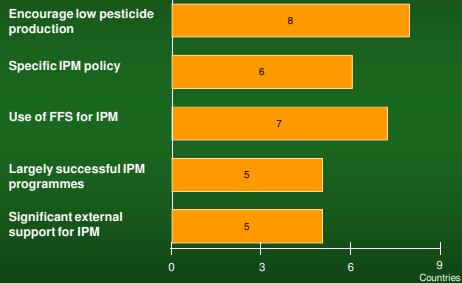
Trade and export earnings

Pesticide management policies



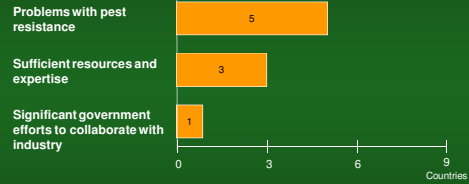
➤ Limited use of policy instruments in many countries

Pest management policies



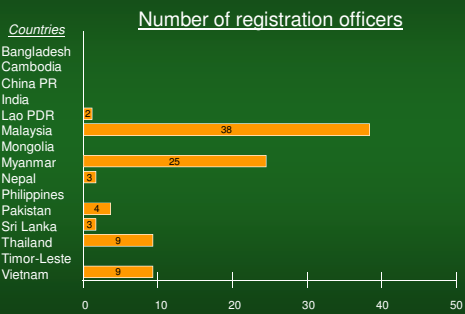
➤ Successful IPM implementation in about half the countries

Pest resistance management policies

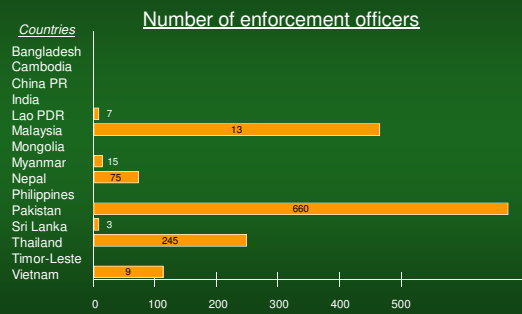


➤ More efforts are needed for developing and promoting pest resistance management strategies

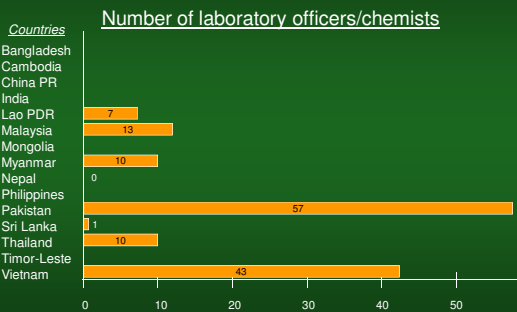
Registration Capacity



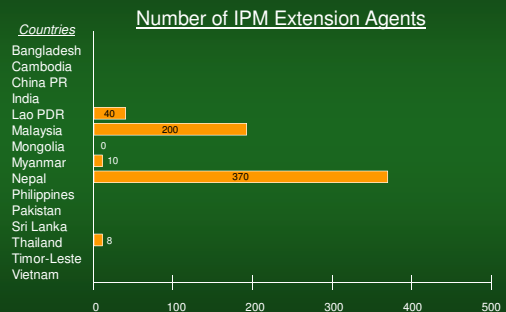
Enforcement Capacity



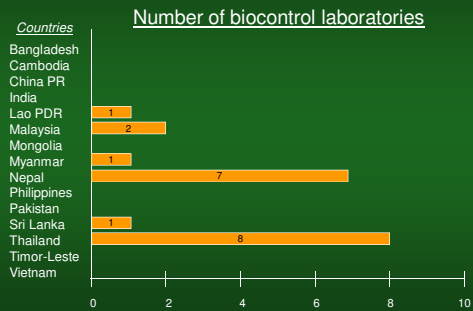
Quality / Residue Control Capacity



IPM Capacity



Biocontrol Capacity



Exchanges Discussion

Exchange

- Review Articles 3 and 5 and discuss how the changes in the 3rd revision affect the implementation in your country
- Make a list of policies related to pesticide management
- Not all country legislations cover the same aspects; make a list of differences between the countries
- Give recommendations for priorities and changes for policies, legislation and regulations