

HELCOM RECOMMENDATION 20/2 *)

Adopted 23 March 1999
having regard to Article 13, Paragraph b)
of the Helsinki Convention 1974

APPROVAL OF PESTICIDES (“PLANT PROTECTION PRODUCTS”) FOR USE IN THE CATCHMENT AREA OF THE BALTIC SEA

THE COMMISSION,

RECALLING Article 2 of the Convention on the Protection of the Marine Environment of the Baltic Sea Area 1992 (Helsinki Convention), in which the “pollution from land based sources” is defined i.a. as pollution of the sea by point or diffuse inputs from all sources on land reaching the sea waterborne, airborne or directly from the coast,

RECALLING Paragraph 1 of Article 6 of the Helsinki Convention, in which the Contracting Parties undertake to prevent and eliminate pollution of the Baltic Sea Area from land -based sources by using , inter alia, Best Environmental Practice for all sources and Best Available Technology for point sources,

HAVING REGARD also to Article 3 of the Helsinki Convention, in which the Contracting Parties shall individually or jointly take all appropriate legislative, administrative or other relevant measures to prevent and abate pollution in order to promote the ecological restoration of the Baltic Sea Area,

RECALLING ALSO Annex I, Part 3 of the Convention, according to which the Contracting Parties shall endeavour to minimize and, whenever possible, to ban the use of the substances listed in Annex I, Part 3 as pesticides in the Baltic Sea Area and its catchment area,

HAVING REGARD ALSO to the Ministerial Declaration of 1988, to the Baltic Sea Declaration of 1990 and to the Baltic Sea Environmental Declaration of 1992, calling, inter alia, for a substantial reduction of the load of pollutants most harmful to the ecosystem of the Baltic Sea,

HAVING REGARD to the Ministerial Communique 1998, calling to implement the HELCOM Recommendation 19/5 concerning HELCOM objectives with regard to hazardous substances,

HAVING REGARD to HELCOM Recommendation 13/13 “Approval of pesticides for use in the catchment area of the Baltic Sea” paragraphs a), b), c), d), e) and f) concerning general requirements for approval and registration of pesticides which have been implemented by year 1997, as set out in Appendix 2 of this Recommendation,

*) This HELCOM Recommendation supersedes the HELCOM Recommendation 13/13

DESIRING FURTHER to limit the potential risk of pesticides reaching the Baltic Sea Area,

RECOMMENDS to the Governments of the Contracting Parties that no approval for the use in the catchment area of the Baltic Sea shall be granted to pesticides identified as problematic according to the Criteria as contained in Appendix 1, and they should also apply these criteria not later than the year 2003,

RECOMMENDS ALSO that the national registers of approved pesticides should be published annually,

DECIDES that the Technological Committee will propose when appropriate the amendments to the list of banned substances used as pesticides in the Baltic Sea Area and its catchment area (Annex I, Parts 2 and 3 of Helsinki Convention 1992),

RECOMMENDS FURTHER that the Contracting Parties report to the Commission every three years starting in 2003.

CRITERIA FOR IDENTIFICATION OF PROBLEMATIC PESTICIDES (“PLANT PROTECTION PRODUCTS”) USED IN THE BALTIC SEA CATCHMENT AREA

1. Introduction

To cover potential problems for the marine environment associated with use of plant protection products in the Baltic Sea catchment area, basic criteria for approval of pesticides have been elaborated according to HELCOM Recommendation 13/13.

2. Release from point sources

Release from point sources can occur during production and formulation of plant protection products or by release from other point sources such as waste water treatment plants or direct discharge from farms due to filling and cleaning manipulations and thereby contribute to the total discharge.

3. Release from diffuse sources

3.1 BEP

Measures to reduce pollution by plant protection products from agriculture were originally given in HELCOM Recommendation 8/2, since 1995 in Recommendation 16/11 which supersedes Recommendation 8/2. The observance of best environmental practice is essential for successful reduction of the discharge. Information campaigns are one of the decisive tools.

3.2 Notification

According to the HELCOM Recommendation 13/13 (paragraph c) adopted in 1992 basic criteria which are relevant for the notification of plant protection products in the Baltic Sea catchment Area were to be worked out.

4. Criteria for Identification of Problematic Pesticides

The criteria for identification of pesticides which can act as hazardous substances in the marine environment, may include that the substances or group of substances:

- (i) are a general threat to the aquatic environment due to their hazardous properties;
- (ii) show indications of risks for the marine environment or may endanger human health via consumption of food directly or indirectly from the marine environment;
- (iii) have been found in one or more compartments of the Convention Area;
- (iv) reach, or are likely to reach the marine environment, for instance from a diversity of sources through various pathways;

It has to be assured that plant protection products which are used in the Baltic Sea catchment area are in full compliance with the requirement of the EU-Directive 91/414/EEC and the Annex VI, “Uniform Principles for Evaluation and Authorization of Plant Protection Products”, adopted as Council Directive 97/57/EC. In chapter C “Decision Making”, Annex VI, the general and specific principles have been described.

5. Fate and Distribution in the Environment

The relevant paragraphs in Annex VI reads as follows:

5.1 No authorization shall be granted if the active substance and, where they are of significance from the toxicological, ecotoxicological or environmental point of view, metabolites and breakdown or reaction products, after use of the plant protection product under the proposed conditions of use:

- during tests in the field, persist in soil for more than one year (i.e. $DT_{90} > 1$ year and $DT_{50} > 3$ months), or
- during laboratory tests, form non-extractable residues in amounts exceeding 70% of the initial dose after 100 days with a mineralization rate of less than 5% in 100 days,

unless it is scientifically demonstrated that under field conditions there is no accumulation in soil at such levels that unacceptable residues in succeeding crops occur and/or that unacceptable phytotoxic effects on succeeding crops occur and/or that there is an unacceptable impact on the environment, according to the relevant requirements provided below under paragraphs 5.2 and 6 and in Attachment 1, paragraph 1 to this document.

5.2 No authorization shall be granted if the concentration of the active substance or of relevant metabolites, degradation or reaction products in ground water, may be expected to exceed, as a result of use of the plant protection product under the proposed conditions of use, the lower of the following limit values:

- the maximum admissible concentration (MAC) shall not exceed by substances considered separately: 0,1 $\mu\text{g/l}$ and as a total: 0,5 $\mu\text{g/l}$ related to the quality of water intended for human consumption
or
- the concentration corresponding to one tenth of the acceptable daily intake (ADI),

unless it is scientifically demonstrated that under relevant field conditions the lower concentration is not exceeded.

6. Impact on Non-target Species

6.1 Where there is a possibility of birds and other non-target terrestrial vertebrates being exposed, no authorization shall be granted if:

- the acute and short-term toxicity/exposure ratio for birds and other non-target terrestrial vertebrates is less than 10 on the basis of LD_{50} or the long-term toxicity/exposure ratio is less than 5, unless it is clearly established through an appropriate risk assessment that under field conditions no unacceptable impact occurs after use of the plant protection product according to the proposed conditions of use;
- the bioconcentration factor (BCF, related to fat tissue) is greater than 1, unless it is clearly established through an appropriate risk assessment that under field conditions no unacceptable effects occur - directly or indirectly - after use of the plant protection product according to the proposed conditions of use.

6.2 Where there is a possibility of aquatic organisms being exposed, no authorization shall be granted if:

- the toxicity/exposure ratio for fish and Daphnia is less than 100 for acute exposure and less than 10 for long-term exposure, or
- the algal growth inhibition/exposure ratio is less than 10, or
- the maximum bioconcentration factor (BCF) is greater than 1,000 for plant protection products containing active substances which are readily biodegradable or greater than 100 for those which are not readily biodegradable,

unless it is clearly established through an appropriate risk assessment that under field conditions no unacceptable impact on the viability of exposed species (predators) occurs - directly or indirectly - after use of the plant protection product according to the proposed conditions of use and in accordance with Attachment 1, paragraphs 2, 3, 4 and 5.

Extract from Annex VI to Directive 91/414/EEC concerning the placing of plant protection products on the market.

Chapter C, Decision-Making, pe L265/106ff:

1. No authorization shall be granted if the concentration of the active substance or of relevant metabolites, breakdown or reaction products to be expected after use of the plant protection product under the proposed conditions of use in surface water:
 - exceeds, where the surface water in or from the area of envisaged use is intended for the abstraction of drinking water, the values fixed by Council Directive 75/440/EEC of 16 June 1975 and the Directives amended respectively concerning the quality required of surface water intended for the abstraction of drinking water in the Member States, or
 - has an impact deemed unacceptable on non-target species, including animals, according to the relevant requirements provided for in point 6 Impact on Non-target Species.

The proposed instructions for use of the plant protection product, including procedures for cleaning application equipment, must be such that the likelihood of accidental contamination of surface water is reduced to a minimum.

(Text corresponding the EU Directive 91/414/EEC, Paragraph 2.5.1.3)

2. Where there is possibility of honeybees being exposed, no authorization shall be granted if the hazard quotients for oral or contact exposure of honeybees are greater than 50, unless it is clearly established through an appropriate risk assessment that under field conditions there are no unacceptable effects on honeybee larvae, honeybee behaviour, or colony survival and development after use of the plant protection product according to the proposed conditions of use.

(Text corresponding the EU Directive 91/414/EEC, Paragraph 2.5.2.3)

3. Where there is a possibility of beneficial arthropods other than honeybees being exposed, no authorization shall be granted if more than 30 % of the test organisms are affected in lethal or sublethal laboratory tests conducted at the maximum proposed application rate, unless it is clearly established through an appropriate risk assessment that under field conditions there is no unacceptable impact on those organisms after use of the plant protection product according to the proposed conditions of use. Any claims for selectivity and proposals for use in integrated pest management systems shall be substantiated by appropriate data.

(Text corresponding the EU Directive 91/414/EEC, Paragraph 2.5.2.4)

4. Where there is a possibility of earthworms being exposed, no authorization shall be granted if the acute toxicity/exposure ratio for earthworms is less than 10 or the long-term toxicity/exposure ratio is less than 5, unless it is clearly established through an appropriate risk assessment that under field conditions earthworm populations are not at risk after use of plant protection product according to the proposed conditions of use.

(Text corresponding the EU Directive 91/414/EEC, Paragraph 2.5.2.5)

5. Where there is a possibility of non-target soil micro-organisms being exposed, no authorization shall be granted if the nitrogen or carbon mineralization processes in laboratory studies are affected by more than 25% after 100 days, unless it is clearly established through an appropriate risk assessment that under field conditions there is no unacceptable impact on microbial activity after use of the plant protection product according the proposed conditions os use, taking account of the ability of micro-organisms to multiply.

(Text corresponding the EU Directive 91/414/EEC, Paragraph 2.5.2.6)

QUOTATION FROM THE HELCOM RECOMMENDATION 13/13

RECOMMENDS to the Governments of the Contracting Parties to take the following measures to reduce the risk of pollution by pesticides, which are meant to include acaricides, fungicides, herbicides, insecticides, molluscocides, nematocides, rodenticides used in agriculture, forestry and horticulture, slimicides and wood preservatives:

- a) pesticides shall not be sold, imported or applied until approval for such purposes has been granted by the authorities;
- b) registration cannot be granted for substances or products which, in connection with their use or handling and storage, or on the basis of available studies or experience, are presumed to be especially dangerous to health or especially harmful to the environment;
- c) basic criteria for approval of pesticides should be elaborated within two years relevant to the Baltic Sea Area;
- d) registration should be reviewed at regular intervals in accordance with those criteria;
- e) national registers of approved pesticides should be published annually;
- f) "banned pesticides" shall not be used. "Banned pesticides" mean pesticides which, for health or environmental reasons, can not be approved for any use as pesticides by final governmental regulatory action. A list of banned pesticides is found in Appendix.

REPORTING FORMAT FOR HELCOM RECOMMENDATION 20/2

return to Lead Country: Denmark

Reporting Country: _____

For the year: _____

Amount of pesticides produced per year during the previous three years (kg active substance), if available:

Fungicides
Herbicides
Insecticides (incl. acaricides and molluscicides)
Plant growth regulators
Repellants
Soil disinfectants
other pesticides _____
Sum

Amount of pesticides sold per year during the previous three years (for domestic use, without export) (kg active substance):

Fungicides
Herbicides
Insecticides (incl. acaricides and molluscicides)
Plant growth regulators
Repellants
Soil disinfectants
other _____
Sum

Size of agricultural area:

Agriculture
Fruitfarming
Gardening/Greenhouses

Size of forestry area:

List of approved active substances contained in plant protection products:

Active substance(s)
Areas of use (fungicide, herbicide, insecticide, etc.)
modes of application for the each active substance (kg active substance for each mode of application per year during the previous three years), if available

List of active substances contained in withdrawn (e.g. from ecological, commercial reasons) plant protection products:

Active substance(s)
Areas of use
Reason for withdrawal

List of "banned" active substances contained in plant protection products:

Active substance(s)
Areas of use
Reason for "ban"

How often are the registration reviewed?