



25 March 2021

## **Guidance for Local Authorities to ensure compliance with the Sustainable Use of Pesticides Directive**

Directive 2009/128/EC, establishes a framework to achieve the sustainable use of pesticides (“the SUD”) by reducing the risks and impacts of pesticide use on human health and the environment. Statutory Instrument (S.I.) 155 of 2012 gives effect to Directive 2009/128/EC by way of regulating the training and registration requirements for advisors, distributors, equipment inspectors and users of Plant Protection Products (PPPs) in Ireland. Since the 26th November 2015, only a DAFM-registered professional user can apply PPPs that are authorised for professional use regardless of the quantity or the method of application.

(Product labels clearly identify whether the product is specifically for professional use)

In order to ensure compliance under the SUD, Local Authorities (LAs) must adhere to the following requirements.

- Any staff who applies pesticides designated as ‘Professional Use’ on the label, irrespective of method of application or quantity applied must register as a Professional User (PU) with the Department of Agriculture, Food and the Marine (DAFM)
- To register as a PU staff must have completed an approved pesticide application course
- To purchase PPPs, staff must produce their PU number
- Sprayers (except knapsack/handheld sprayers) must be tested by a DAFM-registered Equipment Inspector
- Sprayers must be calibrated at least once per year
- Pesticide application records must be kept of all sprays applied
- Storage requirements must be adhered to
- Integrated pest management (IPM) records must be maintained

Officers of the Pesticide Controls Division of the DAFM will inspect LAs for compliance with the SUD.

During inspection, LAs will be requested to provide:

- Training certificates for all staff who apply professional use PPPs
- Test certificates for all sprayers used (except knapsack sprayers)
- Calibration details for all sprayers
- Copy of pesticide application records
- Copy of IPM records
- Information on best management practices in relation to the filling of the sprayer, disposal of remnants, disposal of tank washings, etc.

The use of contractors to conduct the application of PPPs does not waive the LA's responsibility in terms of compliance with the SUD. If the LA employs a contractor, the LA must only use trained and registered PUs. In addition, pesticide application and IPM records must be available for inspection. The contact details of the contractor must also be provided.

### Restrictions on use in sensitive areas

National legislation (S.I. No. 155 of 2012) provides for restricted use of PPPs in certain designated areas:

- a) Areas used by the general public or vulnerable groups (public parks, hospitals, public schools, public playgrounds etc.);
- b) Areas designated as "Special Protection Areas" under the Wild Birds Directive;
- c) Areas designated as "Special Areas of Conservation" under the Habitats Directive.

Pesticides should not be used in these areas, unless (i) a risk assessment has clearly shown that their use is necessary, and (ii) appropriate risk management measures have been put in place.

Alternative methods such as cultural control measures should always be considered in the first place. In cases where a risk assessment has shown that pesticide use is necessary, low-risk or biological PPPs should be used where possible. If there are no suitable low-risk or biological PPPs, other PPPs may be used but the use of PPPs classified as an acute hazard to the aquatic environment (Hazard class: Aquatic Acute, Category 1) should be avoided where possible.

In all cases involving the use of pesticides in sensitive areas, the onus of proof will be on the user to show, in a documented risk assessment, that there were no viable alternatives and that appropriate risk management measures were put in place. Risk assessment records may be requested during DAFM inspections.

Guidance on best practice measures and responsible pesticide use in public areas is available on our website at the following location –

[www.pcs.agriculture.gov.ie/media/pesticides/content/sud/ResponsiblePesticideUsePublicAmenityGardenAreas200217.pdf](http://www.pcs.agriculture.gov.ie/media/pesticides/content/sud/ResponsiblePesticideUsePublicAmenityGardenAreas200217.pdf)

Please visit <http://www.pcs.agriculture.gov.ie/sud/professionaluserssprayeroperators/> for more information on the use of PPPs or alternatively, please contact the Pesticide Control Division at the email address above.

Pesticide Controls Division