

8 key tips to protect you and your business against illegal pesticides

Users of pesticides are strongly advised to take the following simple precautions to minimise the risks of buying and using illegal products and demonstrate due diligence:

1. Buy only known and reputable products from known and reputable suppliers (including if buying through the internet).
2. Check the accreditation (eg BASIS) of advisers recommending and/or supplying pesticides.
3. Always question unrealistic prices – if in doubt ask your supplier where the product came from.
4. Check that the product detailed on the invoice and delivery note matches the product ordered and delivered.
5. Check that packaging is professional, tamper-proof and securely sealed and it has a full label written in English.
6. If you are familiar with the product, ensure the colour and appearance are as expected. A parallel import should look the same as the UK reference product.
7. If you are told that the product “is the same as X’s” and is a parallel import, ask for confirmation that it was made by company X and ask which country it came from (you could ask what the original product was called). Remember that, in order to qualify for a parallel import permit, a product must be:
 - a. authorised for sale and use in the EU country from which it is purchased and,
 - b. identical to one that is already authorised for sale and use in the UK.
8. If you are unsure about the approval status of a pesticide product, check the label for details of the producer, approval holder and official authorisation. Look for it on the CRD database at: <https://secure.pesticides.gov.uk/pestreg/ProdSearch.asp> and check the Notice(s) for full details of the product. You could also contact the manufacturer or your adviser for help.

ALWAYS REPORT SUSPICIOUS PRODUCTS AND SUPPLIERS

(use the Defra helpline – contact details overleaf).

Regulatory context

All pesticides used in the United Kingdom must be authorised by the Chemicals Regulation Directorate (CRD) of the Health and Safety Executive (HSE).

EU legislation harmonises the registration of pesticides across member states and ensures that they are safe to use.

Once an active substance is on the EU approved list, pesticide products containing that substance can be approved by member states for sale and use in that country.

It is illegal to market or use a product introduced from another EU member state unless CRD has granted a Parallel Trade Permit confirming that it is identical to (including made by the same company) as a product already authorised in the UK.



Contacts for further information:

Chemicals Regulation Directorate
www.pesticides.gov.uk

Amenity Forum www.amenityforum.co.uk

Defra helpline : 08459 33 55 77

(calls charged at local rate)



Watch Out!

for illegal pesticides



DO YOU KNOW WHAT YOU'RE BUYING??



Watch Out!

for illegal pesticides

What are illegal pesticides?

- Trade in illegal pesticides, involving organised criminal gangs, is increasing around the world.
- Often originating in Asia, there is a trend towards importing active ingredients or formulations into the European Union (EU) in order to produce unauthorised packaged pesticide products intended for illegal sales. In addition, illegal pesticide products, ready for sale, are directly imported into the EU.
- Illegal pesticides are being passed off as legitimate pesticide products, for example as counterfeits/fakes or through misuse of parallel trade permits. This is a dangerous and illicit trade which is damaging to the credibility of the legitimate free movement of authorised products (parallel trade – see back page) within the EU.
- Illegal pesticides are untested and unapproved for sale in the EU so they have not complied with the strict safety and quality standards required for product authorisation in Europe.
- Genuine plant protection products require many years of investment in research, development and testing to prove safety to human health and the environment. Illegal pesticides are not tested in this way and, therefore, their safety cannot be guaranteed.
- Illegal products are unregulated and uncontrolled, so there is no way of knowing what substances they contain. This may pose genuine risks to human health and the environment.

Key facts

- An estimated 7-10% of pesticides on the EU market are illegal.
- Europol estimates that the global market for counterfeit and illegal pesticides is about €4.4bn a year.

The dangers of illegal pesticides



Since illegal pesticides are untested and uncontrolled, they may contain inferior or even dangerous and banned substances.

Amenity users are warned that buying and using illegal pesticides could:

- Endanger the health of operators
- Create environmental risks to wildlife, soil and water
- Cause serious and unintentional damage to turf and ornamental plants
- Invalidate insurance, leaving operators open to financial claims for damages
- Run the risk of prosecution and criminal proceedings

The distribution of illegal pesticide products threatens the positive efforts being made by the amenity sector to use pesticides safely and responsibly.

It also abuses and undermines the EU/UK regulatory controls for pesticides.

Is it worth the risk?

Illegal pesticides may be offered for sale at a significant discount to the genuine product. If a deal sounds too good to be true, that's probably because it is.

Consider the following example:

A greenkeeper is offered a fungicide for the treatment of his greens at a 50% discount.

This fungicide is stated to contain the same active ingredients as their current product of choice and would offer a significant saving.

But if the fungicide was of dubious origin that saving could prove to be a false economy.

At a basic level, all branded pesticides have been rigorously tested and approved to work to specific standards. Non authorised products cannot be guaranteed to reach the same performance standards. This greenkeeper may risk underperformance and the need to then purchase more product to achieve the same results, negating any initial savings.

Consider also a contaminated fungicide that causes serious damage to a number of greens. Serious damage could lead to some or all of the course being out of action for up to 3 months to allow for the impacted greens to be re-sown/ re-turfed.

This in turn would result in a significant revenue loss due to a reduced loss of rounds - on average a golf course has 86 rounds of play per day. Use of an illegal pesticide may leave the club with little legal recourse to reclaim any losses incurred through their insurance.

The final risk could come in the form of failing an inspection by the HSE, which if illegal pesticides are found could lead to significant fines for the club.

So a potential saving for the golf club would not stack up well against a much bigger financial risk for the club and, equally importantly, the potential loss of reputation with members.

Is it worth taking the risk?