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PLANT PROTECTION PRODUCTS LAW OF 2011

Decree pursuant to Article 23

Government Gazette Three Appendix III(I) 1.6.2012.	With a view to the implementation of Regulation No 4 of the 2012 Regulations on the sustainable use of pesticides, use should be made of National Action Plans aimed at setting quantitative and other objectives, targets, measures and timetables to reduce risks and impacts of pesticide use on human health and the environment and at encouraging the development and introduction of integrated pest management and of alternative approaches or techniques in order to reduce dependency on the use of pesticides.
141(I), 2011.	The Minister for Agriculture, Rural Development and the Environment, exercising the powers conferred on him by Article 23 of the 2011 Law on Plant Protection Products, hereby issues the following Decree:
Short title.	1. This Decree shall be referred to as the Plant Protection Products (National Action Plan) amending decree of 2018
Definitions.	2. – (1) For the purposes of this Decree –
Regulatory Administrative Act (RAA) 193/2012 141(I), 2011.	“Regulations” means the 2012 Regulations on the sustainable use of pesticides. (2) Any other terms used in this Decree which are not otherwise defined shall have the meaning ascribed to them under the 2011 Law on Plant Protection Products or the Regulations.
Annex	3. The National Action Plan for the five-year period 2018-2022, which revises the 2013-2017 NAP and sets quantitative and other targets, measures and timetables to reduce the risks and impacts of the use of plant production products on human health and the environment, and to develop and introduce integrated pest management and alternative approaches and techniques in order to reduce dependency on the use of plant protection products, is described in the Annex to this Decree.

KOSTAS KADIS
Minister for Agriculture,
Rural Development and the Environment

ANNEX
(Paragraph 3)

NATIONAL ACTION PLAN 2013-2017

PART I: TRAINING FOR PROFESSIONAL USERS, DISTRIBUTORS AND ADVISORS

Under the National Action Plan, the following measures must be taken:

- i) establishment of procedures and timetables for the training of professional users, distributors and advisors to ensure that they have adequate knowledge of plant protection products, and
- ii) establishment of a system of certification by the competent authority attesting to the adequacy of the knowledge obtained.

Purpose

The purpose of the National Action Plan is to ensure that professional users, distributors and advisors obtain sufficient knowledge, which should reduce the risks posed by the use of plant protection products and their impact on human health and the environment.

Application of measures and timetables

1) PROFESSIONAL USERS

On entry into force of this Decree, all professional users must hold a certificate of training as a professional user of plant protection products showing that they have acquired sufficient knowledge in the fields listed in Annex II to the Regulations.

a) Requirements for the issue of a training certificate

The issue of a certificate of training as a professional user of plant protection products shall be contingent on:

- i) the submission of an application to the Department of Agriculture for the issue of a training certificate, using a form approved by the competent authority, with the simultaneous payment of the relevant fees where required by decision of the competent authority, and
- ii) participation in training courses organised by the Department of Agriculture, which shall include at least all the subjects referred to in Annex II to the Regulations, with due regard for the role and responsibilities of professional users. These courses shall be devised by the Department of Agriculture and approved by the competent authority;

or

- iii) the passing of written examinations organised by the Department of Agriculture based on material which must include at least all the subjects listed in Annex II to the Regulations. If the candidate fails the examinations, he or she must attend the training courses referred to in (ii) above in order to obtain the training certificate.

For the application referred to above, the competent authority may require the submission of particulars attesting to the applicant's professional capacity to obtain the certificate of training as a professional user of plant protection products (e.g. farmer, gardener, etc.).

The competent authority may require additional training of professional users if it deems this appropriate.

In the event of the Department of Agriculture notifying the competent authority of its inability to provide access to the relevant training, the competent authority may certify other bodies for the provision of the training in question in accordance with the criteria set out in a decision of the competent authority.

The training certificate issued by the Department of Agriculture shall be valid for five years and may be renewed for successive periods of five years.

Persons holding a certificate of training as a plant protection product advisor may immediately acquire the certificate of training as a professional user of plant protection products on submission of the above-mentioned application.

Persons holding a degree or diploma in a discipline relating to agronomy or forestry may immediately acquire the certificate of training as a professional user of plant protection products on submission of the above-mentioned application.

b) Renewal of a training certificate

To renew a certificate of training as a professional user of plant protection products, an application must be submitted to the Department of Agriculture using a form approved by the competent authority.

c) withdrawal of a training certificate

The Director of the Department of Agriculture may withdraw or suspend, for as long as is deemed necessary, any certificate of training as a professional user of plant protection products, where it is found that the holder does not comply with the provisions of the Law, the Regulations or this Decree or the documentary instructions of the Department of Agriculture.

Before taking a decision about the withdrawal or suspension of a training certificate, the Director of the Department of Agriculture shall send the person concerned written notification of his intention, informing them of the reasons why he intends to do so and granting them the right to submit objections within fifteen days of the date of service of the notification. The person concerned may contest the decision within thirty days of the date of notification of the decision, by submitting a reasoned application in writing to the Minister in accordance with the procedures provided for in the 2011 Law on Plant Protection Products.

2) DISTRIBUTORS

With the entry into force of this Decree, all distributors must hold a certificate of training as distributors of plant protection products showing that they have acquired sufficient knowledge on the subjects listed in Annex II to the Regulations.

Distributors who must hold a certificate of training as distributors of plant protection products include:

- vendors of plant protection products (retailers)
- owners or managers of retail establishments selling plant protection products and
- at least one person who is working for a natural or legal entity responsible for making a plant protection product available in Cyprus.

a) Requirements for the issue of a training certificate

The issue of a certificate of training as a distributor of plant protection products shall be contingent on:

i) the submission of an application to the Department of Agriculture for the issue of a certificate of training, using a form approved by the competent authority, with the simultaneous payment of the relevant fees;

ii) the participation in training courses organised by the Department of Agriculture, which shall include at least all the subjects referred to in Annex II to the Regulations, due account being taken of the role and responsibilities of distributors. These course shall be devised by the Department of Agriculture and approved by the competent authority.

In the event of the Department of Agriculture notifying the competent authority of its inability to provide access to the relevant training, the competent authority may certify other bodies for the provision of the training in question in accordance with the criteria set out in a decision of the competent authority.

iii) the passing of written and/or oral examinations organised by the Department of Agriculture on the subjects covered by the above-mentioned training courses.

By way of derogation from the provisions of (ii) above, if the applicant demonstrates sufficient knowledge of one or more of the subjects listed in Annex II to the Regulations by submitting a degree, certificate or other diploma attesting to completion of training in the relevant subject or subjects and satisfying a three-member Committee set up by the competent authority, an exemption may be granted from participation in training course for the subject or subjects in question. To this end, the party concerned shall submit to the Department of Agriculture a request for an exemption from participating in the training courses, using a form approved by the competent authority.

The competent authority may require additional training of distributors if it deems this appropriate.

The training certificate issued by the Department of Agriculture shall be valid for five years and may be renewed for successive periods of five years.

Persons holding a certificate of training as a plant protection product advisor may immediately acquire the certificate of training as a distributor of plant protection products on submission of the relevant application.

b) Renewal of a training certificate

To renew a certificate of training as a distributor of plant protection products, an application must be submitted to the Department of Agriculture in a form approved by the competent authority.

c) withdrawal of a training certificate

The Director of the Department of Agriculture may withdraw or suspend, for as long as is deemed necessary, any certificate of training as a distributor of plant protection products, where it is found that the holder does not comply with the provisions of the Law, the Regulations or this Decree or the documentary instructions of the Department of Agriculture.

Before taking a decision about the withdrawal or suspension of a training certificate, the Director of the Department of Agriculture shall send the person concerned written notification of his intention, informing them of the reasons why he intends to do so and granting them the right to submit objections within fifteen days of the date of service of the notification. The person concerned may contest the decision within thirty days of the date of notification of the decision, by submitting a reasoned application in writing to the Minister in accordance with the procedures provided for in the 2011 Law on Plant Protection Products.

3) ADVISORS

With the entry into force of this Decree, all advisors must hold a certificate of training as plant protection product advisor showing that they have acquired sufficient knowledge in the fields listed in Annex II to the Regulations .

a) Requirements for the issue of a training certificate

The issue of a certificate of training as a plant protection product advisor shall be contingent on:

- i) the submission of an application to the Department of Agriculture for the issue of a certificate of training, using a form approved by the competent authority;
- ii) a certificate of registration as an agronomist in a sector approved by the Council of Agronomists, based on the degree or diploma held, pursuant to Article 4 of the Law on the registration of agronomists.

Persons involved in the drawing up and implementation of plant protection programmes for forest species must obtain a certificate of training as a plant protection product advisor which refers exclusively to this field of application. In this case the applicant may, instead of the certificate of registration as an agronomist, submit a copy of a university diploma or qualification in the field of forestry;

and

- iii) participation in training courses organised by the competent authority in conjunction with the Council of Agronomists in order to provide the additional requisite training, due account being taken of the subjects included in Annex II to the Regulations and of the role and responsibilities of advisors.

The training certificate issued by the Department of Agriculture shall be valid for five years and may be renewed for successive periods of five years. The competent authority may require additional training of advisors if it deems this appropriate.

b) Renewal of a training certificate

To renew a certificate of training as a plant protection product advisor, an application must be submitted to the Department of Agriculture using a form approved by the competent authority.

c) withdrawal of a training certificate

The Director of the Department of Agriculture may withdraw or suspend, for as long as is deemed necessary, any certificate of training as a plant protection product advisor, where it is found that the holder does not comply with the provisions of the Law, the Regulations or this Decree or the documentary instructions of the Department of Agriculture.

Before taking a decision about the withdrawal or suspension of a training certificate, the Director of the Department of Agriculture shall send the person concerned written notification of his intention, informing them of the reasons why he intends to do so and granting them the right to submit objections within fifteen days of the date of service of the notification. The person concerned may contest the decision within thirty days of the date of notification of the decision, by submitting a reasoned application in writing to the Minister in accordance with the procedures provided for in the 2011 Law on Plant Protection Products.

4) Prohibitions

Upon entry into force of this Decree, persons who have not obtained a certificate of training as a plant protection product professional user, distributor or advisor respectively, as referred to above, shall be prohibited from using plant protection as professional users, placing plant protection products on the market and providing consultancy relating to pest management and the safe use of plant protection products.

Upon entry into force of this Decree, only persons who hold a certificate of training as a plant protection product advisor shall be permitted to provide verbal or written guidance to the final user regarding the use of an appropriate plant protection product in accordance with the terms and restrictions of its authorisation. The competent authority may, if deemed necessary, allow the use of a plant protection product only on the written instruction of an advisor.

PART II: REQUIREMENTS FOR SALES OF PLANT PROTECTION PRODUCTS

Under the National Action Plan, the following measures must be taken to ensure that:

- i) all distributors employ sufficient numbers of staff who hold the relevant certificates of training as referred to in Part I of the Annex to this Decree and who are available at the time of sale to provide customers with the relevant information on the use of plant protection products, the risks to health and the environment and the safety guidelines for managing these risks in relation to the products in question,
- ii) the plant protection products that are authorised for professional use will be sold only to persons holding the relevant training certificates as referred to in Part I of the Annex to this Decree, and
- iii) distributors who sell plant protection products to non-professional users provide general information regarding the risks of those products to human health and the environment, in

particular on hazards, exposure, proper storage, handling, application and safe disposal in accordance with Community legislation on waste, as well as regarding low-risk alternatives.

Purpose

The purpose of the National Action Plan is to ensure that plant protection products authorised for professional use are sold only by and to people with sufficient knowledge, and to ensure that information is provided on the risks of the use of plant protection products and the management of such risks. These measures are expected to reduce the risks and impacts of the sale and use of plant protection products on human health and the environment.

Application of measures and timetables

These measures will be applied in conjunction with those provided for in the 2003 Regulations on pesticides (sale, manufacture and storage), as amended or replaced.

1) Upon entry into force of this Decree, the competent authority will make available an on-line inventory of plant protection products for professional use which will also include plant protection products classified as toxic, highly toxic, carcinogenic, mutagenic or toxic for reproduction pursuant to the Law on chemical substances, as amended or replaced. The inventory may be broken down by group of professional users who may have occasion to use the plant protection products in question in the course of their professional activity.

2) Upon entry into force of this Decree, all licensed vendors of pesticides under the 2003 Regulations on pesticides (sale, manufacture and storage) must hold the certificate of training as a distributor of plant protection products within the meaning of Part I of the Annex to this Decree.

3) Upon entry into force of this Decree, the sale of plant protection products shall be permitted only in the presence of a vendor who has the relevant training certificate.

4) Upon entry into force of this Decree, the vendor shall provide customers with relevant information on the use of plant protection products, the risks to health and the environment and the safety guidelines for managing these risks relation to the products in question.

To be able to provide this guidance, the vendor must hold a certificate of training as a plant protection product advisor under Part I of the Annex to this Decree. Otherwise, the owner of the establishment must sign a contract with a person who holds such a certificate, outlining the responsibilities of this person in terms of the following:

- (a) supervision of the establishment and of the sales person or persons working in it as regards application of the 2003 Regulations on pesticides (sale, manufacture and storage), as amended and replaced,
- (b) the taking of measures to minimise the risks from the handling of plant protection products within the establishment (e.g. during transport, storage, etc.),
- (c) the protocol to be followed in the event of an accident, and
- (d) the provision to customers, in writing or verbally, of appropriate information on the use of plant protection products, the risks to health and the environment and the safety guidelines for managing these risks in relation to the products in question,

In order to ensure that the holder of a certificate of training as a plant protection product advisor is available at the time of sale, this person may not sign a contract for the supervision of more than one retail establishment selling pesticides.

5) Upon entry into force of this Decree, only professional users presenting a training certificate as a professional user of plant protection products shall be permitted to buy plant protection products included in the inventory of plant protection products for professional use. The register number of the professional user must be indicated on the copy of the invoice to be kept in the establishment's records.

6) Micro distributors selling only products which are for non-professional use and which are not included in the inventory of plant protection products for professional use need not hold a certificate of training as a distributor of plant protection products referred to in Part I of the Annex to this Decree, on condition that they are exempted from the licensing requirement as a vendor pursuant to the 2003 Regulations on pesticides (sale, manufacture and storage), as amended and replaced.

Upon entry into force of this Decree, each person in charge of placing plant protection products on the market which are intended for non-professional use must provide each distributor or micro distributor of the product with a form containing general information regarding the risks of those products to human health and the environment, in particular on hazards, exposure, proper storage, handling, application and safe disposal in accordance with Community legislation on waste, as well as regarding low-risk alternatives.

Distributors or micro distributors of these types of plant protection products must provide their customers with the relevant form each time the product in question is sold.

PART III: PUBLIC INFORMATION AND AWARENESS

Under the National Action Plan, the following measures must be taken:

- i) measures to inform the general public and to promote and facilitate information and awareness-raising programmes and the availability of accurate and balanced information relating to plant protection products, in particular regarding the risks and the potential acute and chronic effects for human health, non-target organisms and the environment, and the use of non-chemical alternatives, and
- ii) set up a system for gathering information, where available, on pesticide acute poisoning incidents, as well as chronic poisoning developments, among groups that may be exposed to plant protection products.

Purpose

The purpose of the National Action Plan is to minimise the risk and impact of the use of plant protection products on human health and the environment, by taking measures for informing the general public and raising awareness. the introduction of measures to educate and raise awareness among the general public.

Application of measures and timetables

1) The Department of Agriculture shall issue/update forms to educate and raise awareness among the general public about the dangers of plant protection products. These shall mention:

- the risks to humans posed by the use of plant protection products and the protective measures to be taken, particularly for vulnerable groups of the population as defined in Article 3 of Regulation (EC) No 1107/2009.
- the risks to the environment, non-target organisms, flora and fauna posed by the use of plant protection products and the measures that must be taken to protect them, and
- the symptoms of poisoning following exposure to plant production products and first aid measures.

This information will also be made available via the website of the Department of Agriculture and the “Agrokypros” website, via radio and/or TV broadcasts and via articles published in daily newspapers and in the periodical “Agrotis”. All information will be available to any body wishing to use it as part of public information campaigns.

2) Medical services and Public Health Services shall be responsible for collecting information on acute poisoning incidents and chronic poisoning developments in groups which may be exposed regularly to plant protection products such as operators, agricultural workers or persons living close to areas in which plant protection products are applied.

These data shall be forwarded each year to the competent authority. The competent authority, together with the Medical Services and the Public Health Services, shall assess the incidents in order to take appropriate measures to inform the public, authorisation holders and vendors of pesticides, and amend or withdraw plant protection product authorisations.

PART IV: INSPECTION OF PLANT PROTECTION PRODUCT APPLICATION EQUIPMENT

Under the National Action Plan, the following measures must be taken:

- i) put in place a procedure for the inspection and certification of the equipment used for the application of plant protection products where the use of such equipment may pose a risk to human health and the environment, in accordance with the timetables provided for in Regulation No 8 of the Regulations, to ensure that this equipment satisfies the requirements of Annex III to the Regulations;
- ii) ensure that operators of hand-held PPP application equipment or knapsack sprayers who are exempt from the inspection referred to above are informed of the need to regularly change accessories, of the specific risks linked to that equipment and have received training in the proper use of that application equipment, and
- iii) ensure that professional users conduct regular calibrations and technical checks of the PPP application equipment in accordance with the appropriate training received as provided for in Part I of the Annex to this Decree.

Purpose

The purpose of the National Action Plan is to minimise the risks and impacts of the application of PPPs on human health and the environment, by ensuring that PPP application equipment is appropriate and that operators are sufficiently knowledgeable.

Application of measures and timetables

1) Training

Upon entry into force of this Decree, all professional users must undergo training in the correct use and maintenance of application equipment as part of the training referred to in Part I of the Annex to this Decree.

2) Information on the risks posed by the use of PPP application equipment.

Upon entry into force of this Decree, vendors of PPP application equipment must inform their customers about the specific risks relating to that equipment, and about the need to regularly change accessories. This information must be given at least in leaflet form when the customer purchases the equipment.

Professional users shall be informed about the risks linked with PPP application equipment and about the need to regularly change accessories, as part of the training referred to in Part I of the Annex to this Decree.

3) Inspection and certification system for PPP equipment

a) The inspection and certification system shall apply to foggers and field sprayers which are fitted with or connected to a spray tank of more than 100 litres or to application equipment whose use, in the opinion of the competent authority, may pose a risk to human health or the environment.

b) Upon entry into force of this Decree, holders of the PPP application equipment referred to above shall submit an application to the Department of Agriculture to have their equipment notified in a special register. The application form for notification shall be drawn up by the Department of Agriculture.

c) Inspections of the above-mentioned PPP application equipment shall be carried out by centres authorised by the competent authority in accordance with the criteria determined by decision of that body. Furthermore, the competent authority shall determine, by its decision, the procedure for issuing or renewing a licence to centres responsible for inspecting PPP application equipment and shall determine the persons responsible for checking the operations of inspection centres in accordance with their licensing conditions.

d) The licensed centres shall check during the inspection that PPP application equipment meets the relevant requirements set out in Annex III to the Regulations.

On successful completion of the inspection, the centre shall issue a relevant certificate of conformity for the application equipment, using the form determined by the competent authority.

The competent authority shall issue an Inspection Handbook for plant protection product application equipment, which the centres must follow when issuing certificates of conformity.

e) Upon entry into force of this Decree, it shall be prohibited to use plant protection product application equipment referred to in point (a) above which does not have a certificate of conformity.

4) Checks on professional users

As part of the checks carried out on compliance with the 2011 Law on plant protection products, checks will be carried out to establish whether professional users are conducting regular calibrations and technical checks on plant protection product application equipment.

PART V AERIAL SPRAYING

Under the National Action Plan, the requisite measures must be taken to determine the procedure for the approval of aerial spraying in special cases only, in accordance with Regulation No 9 of the Regulations.

Purpose

The purpose of the National Action Plan is to determine the procedure for the licensing of aerial spraying in special cases only and under conditions that minimise the risks to human health and the environment.

Application of measures and timetables

Procedure for granting aerial spraying approval in special cases

1) The Department of Agriculture shall determine:

- a) the specific conditions under which aerial spraying may be carried out,
- b) the crops, the areas, the circumstances and the special application requirements, including weather conditions, where aerial spraying may be allowed;
- c) the measures for the timely warning of residents and passers-by, and the environmental protection measures, for the areas near to that in which the spraying is to take place.

The Department of Agriculture may modify the above arrangements if deemed necessary.

2) The applicant shall submit to the Director of the Department of Agriculture an application plan, together with the requisite particulars, describing how it will be ensured that the following conditions are met:

- a) the aerial spraying application must be in line with the criteria drawn up by the Department of Agriculture pursuant to (1) above;
- b) there are no viable alternatives, or there are clear advantages in terms of reduced impacts on human health and the environment as compared with land-based application of plant protection products;

c) the plant protection products to be used have been approved for aerial spraying by the Department of Agriculture after a specific assessment of the hazards of aerial spraying;

d) upon entry into force of this Decree, the operator performing aerial spraying must demonstrate that his knowledge of carrying out aerial spraying is sufficient by means of previous professional experience obtained in this field. An operator shall be deemed to have sufficient knowledge of performing aerial spraying only if he holds a certificate of training as a professional user of plant protection products as referred to in Part I of the Annex to this Decree;

e) the enterprise responsible for carrying out aerial spraying has been certified by the body responsible for authorising equipment and aircraft for the aerial application of plant protection products;

f) specific risk management measures are taken if the area to be sprayed is in close proximity to areas accessible to the public to ensure that there are no adverse effects on the health of residents or passers-by. The area to be sprayed may not be in the immediate vicinity of residential areas;

g) aircraft must be equipped with accessories that constitute the best available technology for reducing spray drift.

3) The applicant shall submit to the Director of the Department of Agriculture an aerial spraying request using the form drawn up by the Department of Agricultural and showing:

a) the application plan approved by the Department of Agriculture that will be used as the basis for aerial spraying,

b) the exact area(s) in which aerial spraying will take place,

c) how long the aerial spraying is scheduled to take,

d) the plant protection products that will be used and

e) the quantities of plant protection products that will be used.

4) The Director of the Department of Agriculture shall communicate the data to the Department of the Environment, the Department of Water Development, the Department of Forestry, the Hunting and Wildlife Service, the Department of Medical Services and Public Health Services and to any other Department or Service as appropriate, for consultation, with a view to safeguarding the protection of public health and the environment, particularly protected species of flora and fauna.

5) The Director of the Department of Agricultural shall appoint a three-member committee composed of two officials from the Department of Agriculture and one official from the Department of Forestry which shall be responsible for assessing the application plan and the aerial spraying request, in the light of the results of the above-mentioned consultation, and for submitting a relevant proposal to the Director.

Procedure for granting aerial spraying approval under special conditions in particular circumstances

In particular circumstances such as emergency or specific difficult situations, an aerial spraying request may be submitted without an application plan having to be submitted. The Director of the Department of Agriculture shall convene a meeting with the Department of the Environment, the Department of Water Development the Department of Forestry, the Hunting and Wildlife Service, the Department of Medical Services and Public Health Services and any other Department or Service as deemed necessary, for consultation, with a view to safeguarding the protection of public health and the environment, particularly protected species of flora and fauna. During the meeting, an assessment shall be made of compliance with the conditions set out paragraphs 2 and 3 of Regulation No 9 of the Regulations. Depending on the conclusions of the meeting, the Director of the Department of Agriculture shall approve or reject the request.

PART VI: INFORMATION TO THE PUBLIC

The National Action Plan must include measures for informing persons who might be exposed to spray drift.

Purpose

The National Action Plan aims to protect the health of persons who might be exposed to spray drift from plant protection products.

Application of measures and timetables

1) Professional users must take all requisite measures during the application of plant protection products to minimise the likelihood of spray drift arising.

To this end, professional users may take the following steps, as appropriate:

- apply plant protection measures other than chemical treatments,
- apply plant protection products using application equipment that does not create spray drift,
- use low-drift nozzles or nozzles that can be regulated or manipulated to minimise spray drift,
- apply plant protection products on days or at times that minimise the likelihood of people being exposed to spray drift,
- not apply plant protection products when the wind is blowing.

2) Professional users must inform all persons who might be exposed to spray drift.

Where the only people who may be exposed to spray drift are those passing through the area, the professional user, prior to the commencement of spraying, shall affix notices around the area (on posts, perimeter fencing, etc.) stating at least the plant protection products to be used, their toxicity and relevant risk phrases relating to human health and impact on the activities of other professionals that might be affected (such as bee keepers, livestock rearers, snail farmers, etc.).

3) The competent authority may decide to require additional measures to be taken to inform persons who might be exposed to spray drift, where it thinks it appropriate to do so.

PART VII PROTECTION OF THE AQUATIC ENVIRONMENT AND DRINKING WATER

Under the National Action Plan, the following measures must be taken:

- i) giving preference to plant protection products that are not classified as dangerous for the aquatic environment (GHS09) pursuant to the Law on chemical substances, as amended and replaced, and do not contain priority hazardous substances as defined in the Law on the protection and management of water, as amended and replaced;
- ii) giving preference to the most efficient application techniques such as the use of low-drift PPP application equipment especially in vertical crops such as those found in orchards and vineyards;
- iii) use of mitigation measures to minimise the risk of off-site pollution caused by spray drift, drain-flow and run-off;
- iv) reducing as far as possible or eliminating applications of plant protection products on or along roads, railway lines, very permeable surfaces or other infrastructure close to surface water or groundwater or on sealed surfaces with a high risk of run-off into surface water or sewage systems.

Purpose

The National Action Plan aims to ensure that measures are taken to protect the aquatic environment and drinking water from the effects of plant protection products.

Application of measures and timetables

1) Users of plant protection products must comply strictly with any restrictions regarding the use and storage of plant protection products in the following protection/buffer zones:

- a) in buffer zones as defined by the issue of authorisation a licence for an individual plant protection product, as detailed on the label,
- b) in protection zones as defined in Regulatory Administrative Acts issued pursuant to the Law on the protection and management of waters, for bodies of water used as sources of water for human consumption, and
- c) in water boring protection zones as defined in the 1996 Law on the control of water pollution (groundwater protection measures), as amended and replaced.

2) The Department of Agriculture shall ensure, as part of the checks carried out at the level of the farmer and pursuant to the 2011 Law on plant protection products, that there is strict compliance with any additional instructions provided on the label in relation to measures to limit the risks to the aquatic environment, such as the use of low-drift nozzles, buffer zones, protection zones, etc.

Furthermore, during the checks, the Department of Agriculture shall identify, at the level of the farmer, any plant protection products which have reached the end of their shelf life and which must be collected and safely disposed of/managed as they constitute potentially

significant sources of contamination of the aquatic environment. Expired plant protection products of this type shall be identified and entered in a national register.

3) As part of the training referred to in Part I of the Annex to this Decree and of the information and advisory services provided in accordance with Part I of the Annex to this Decree, special care shall be taken to ensure that:

i) preference is given to plant protection products that are not classified as dangerous for the aquatic environment (GHS09) pursuant to the Law on chemical substances, and do not contain priority hazardous substances as defined in the Law on the protection and management of waters. To this end, the Department of Agriculture will draw up a list of plant protection products which fall under the above-mentioned categories;

and

b) preference is given to the most efficient application techniques such as the use of low-drift PPP application equipment especially in vertical crops such as those found in orchards and vineyards;

4) The Department of Agriculture shall investigate the possibility of providing incentives under the new Common Agricultural Policy to promote the use of low-drift nozzles.

5) The Department of Agriculture, in conjunction with the Department of the Environment and the Institute of Agricultural Research, shall assess the feasibility of applying innovative waste water management systems (such as bio beds) to manage PPP residues and spraying solution that remains after application, due account being taken of the relevant national legislation. The possibility shall also be investigated of providing incentives under the new Common Agricultural Policy to promote the use of low-drift nozzles.

6) The use of plant protection products and the disposal of their waste shall be prohibited on or along roads, very permeable surfaces or other infrastructure close to surface water or groundwater or on sealed surfaces with a high risk of run-off into surface water or sewage systems.

By way of derogation from the above, the use of plant protection products may be authorised only upon presentation of a signed expert opinion justifying the non-use of alternative practices and proposing any risk mitigation measures needed to be taken to protect surface and groundwater. Furthermore, use may only be made of low-risk plant protection products as defined in Article 47 of Regulation (EC) No 1107/2009. Otherwise, special authorisation must be obtained from the competent authority in accordance with the procedure laid down by decision of that authority.

PART VIII REDUCTION OF THE USE OF PLANT PROTECTION PRODUCTS OR OF THE RISKS THEY POSE IN SPECIFIC AREAS

Under the National Action Plan, measures must be taken to reduce or prohibit the use of plant protection products:

- in areas which are used by the general public or by vulnerable groups of the population,
- in protected areas as defined in the Law on the protection and management of waters and in areas where the necessary conservation measures are taken in accordance with the Law on the

protection and management of nature and wildlife and the Law on the protection and management of wild birds and game, and

– in areas in which a plant protection product has recently been used and in areas which are used by, or accessible to, agricultural workers.

Purpose

The purpose of the National Action Plan is to protect human health and the environment by minimising or banning the use of plant protection products or by minimising the risks posed by their use in specific areas.

Application of measures and timetables

1. “Specific areas A”

“Specific areas A” are designated areas that are used by the general public or by vulnerable groups of the population, as these vulnerable groups are defined in Article 3 of Regulation (EC) 1107/2009, such as public parks and gardens, camp sites, sports and recreation grounds, schools, educational establishments, playgrounds, healthcare institutions (such as hospitals, clinics, charitable foundations), hotel establishments, camps and archaeological sites.

In specific areas classified as “A”:

- i) the use shall be prohibited, upon entry into force of this Decree, of plant protection products classified as GHS06 or GHS08 (toxic, highly toxic, carcinogenic, mutagenic or toxic for reproduction) in accordance with the Law on chemical substances, as amended and replaced;
- ii) priority shall be given, upon entry into force of this Decree, to the use of low-risk plant protection products as defined in Article 47 of Regulation (EC) No 1107/2009, biological pest control measures and alternative non-chemical methods.

In the light of (i) above, in the event of use being made of other plant protection products, there must be an advisor’s expert opinion setting out the proposed risk mitigation measures that must be taken to protect human health. Under such measures, the maximum length of time shall be left between the application of the plant protection product and the access by people to the area on which it has been applied. This interval shall be notified by the user, with special signs placed around the application area.

The application of any plant protection product shall be done only with equipment fitted with low-drift aerial spray nozzles;

- iii) all measures shall be taken to inform the public as provided for in Part VI of the Annex to this Decree.

2. “Specific areas B”

“Specific areas B” are defined as:

- a) protected areas as defined in the Law on the protection and management of waters, as amended and replaced. Depending on the circumstances, measures shall be taken to minimise or ban the use of plant protection products in these areas. For bodies of water classified as

recreational, including areas classified as bathing waters, the bans and measures referred to in “Specific areas A” shall apply, and

b) areas for which the requisite conservation measures are taken in accordance with the provisions of the Law on the protection and management of nature and wildlife and the Law on the protection and management of wild animals and game, as amended and replaced. The measures applicable to these areas include the measures set out in decrees adopted under the above laws for Natura 2000 sites concerning plant protection products, and/or other measures set out by the competent authorities.

3. “Specific areas C”

“Specific areas C” are areas in which a plant protection product has recently been used and areas which are used by, or accessible to, agricultural workers.

Strict compliance shall be ensured with instructions on the label concerning the safety interval between applications and access by people to crops that have been treated with a plant protection product.

In any event, care must be taken to ensure that people can access the relevant areas only after the spray liquid has dried out or the plant protection product been absorbed into the ground or, where applied in enclosed areas, adequate ventilation has been assured.

4. “Green Eco-Management Bodies”

The Department of Agriculture will invite all municipalities and stakeholder bodies (e.g. school boards, hotels, hospitals and other stakeholders) which manage green areas classified as “Specific areas A” to take part in the “Green Eco-Management Bodies” programme, which will bring together municipalities and stakeholder bodies with a view to minimising the use of plant protection products on their green sites, applying integrated and biological pest and disease control programmes.

To this end, stakeholder municipalities and bodies must send the Department of Agriculture the integrated biological pest and disease control programme which they intend to apply. They may send information on the use of plant protection products prior to application of the programme to allow an assessment to be made of the extent to which the objective of minimising the use of plant protection products has been achieved.

The Department of Agriculture shall determine success criteria for including stakeholder municipalities and bodies in the “Green Eco-Management Bodies” programme and shall issue the relevant participation certificates conferring the right to display a special logo once the relevant fees have been paid.

PART IX HANDLING AND STORAGE OF PLANT PROTECTION PRODUCTS AND PROCESSING OF THEIR PACKAGINGS AND RESIDUES

Under the National Action Plan, measures must be taken relating to:

- i) the storage, handling, dilution and mixing of plant protection products prior to application,
- ii) the handling of the packagings and residues of plant protection products,

- iii) the disposal of tank mixtures remaining after application;
- iv) the cleaning of the equipment used after the application and
- v) the recovery or disposal of plant protection product residues and their packaging in accordance with existing national and EU legislation on waste.

Purpose

The purpose of the National Action Plan is to minimise the risk and impact on human health and the environment by the appropriate handling and storage of plant protection products and the appropriate processing of their packagings and residues.

Application of measures and timetables

- 1) The Department of Agriculture shall issue/update codes of good agricultural practice in relation to the above-mentioned measures. The Department of Agriculture may amend these to take account of scientific or technical progress.
- 2) The codes of good agricultural practice shall include training material referring to Part I of this Decree.
- 3) The application of label guidelines for plant protection products is obligatory. As part of the checks conducted on compliance with the 2011 Law on plant protection products, checks shall be carried out on to establish whether instructions on labels relating to the above-mentioned measures are followed and on whether the code of good agricultural practice is complied with.
- 4) The Department of Agriculture shall assess, in conjunction with the Department of the Environment and the Institute of Agricultural Research, the possibility of implementing innovative liquid waste management systems within the meaning of Part VII of the Annex to this Decree. They shall also evaluate the options for collecting and managing empty plant protection product packaging and or expired or recalled PPPs.

PART X: INTEGRATED PEST MANAGEMENT

Under the National Action Plan, the following measures must be taken:

- i) promotion of low plant protection product-input pest management such as integrated plant protection and organic farming,
- ii) creation of and support for the conditions for implementing integrated pest management by providing professional users with the necessary information and tools for pest monitoring and decision-making, and securing access to advisory services for integrated pest management,
- iii) implementation by all professional users of the general principles of integrated pest management protection as defined in Annex I to the Regulations, and
- iv) creation of incentives for the use of integrated pest management on a voluntary basis for specific crops or sectors.

Purpose

The purpose of the National Action Plan is to reduce dependency on plant protection products and thus reduce the dangers they pose and their impact on human health and the environment.

Application of measures and timetables

1) The Department of Agriculture shall run a campaign to promote low-pesticide input pest management, particularly integrated pest control and organic production:

- by organising information seminars under the Agricultural Applications Programme for all relevant sectors of production,
- under the Apprenticeship Scheme at the Agricultural Training Centres,
- via radio and/or TV broadcasts, and
- via articles published in daily newspapers and in the “Agrotis” periodical.

2) The Department of Agriculture shall post on its website the contact details (telephone number, e-mail address) of officials able to provide advice on integrated pest management and organic production. Furthermore, by 30 June 2013 a website will be created to post information relating to the application of integrated pest management and organic production.

Advisory services on integrated pest management may also be provided by private advisors. To this end, the Department of Agriculture shall draw up/renew a list of all private advisors, who shall communicate to the Department of Agriculture their ability to provide such advisory services.

3) The Department of Agriculture shall draw up/renew a non-exhaustive list of products, means and practices which are available and practically suited to Cypriot conditions and may be deemed suitable alternatives for use as plant protection products. This list may be used by anyone providing advisory services for integrated pest management.

4) As part of the strategy for managing resistance with a view to maintaining the effectiveness of plant protection products, thus ensuring that there is no need to increase the number of applications or doses, the competent authority will promote the voluntary indication of the “mode-of-action group” on the labels of plant protection products.

5) The competent authority shall set up committees of experts to help draw up guidelines on integrated pest management for specific crops or sectors. Preference shall be given to crops or sectors showing the greatest inputs of plant protection products, attention being paid to active substances of particular concern.

The guidelines on integrated pest management shall be approved by decision of the competent authority.

The Department of Agriculture shall explore the possibility of creating incentives to encourage the application of the above-mentioned guidelines on integrated pest management on a voluntary basis.

6) The Department of Agriculture must, as part of the campaign referred to in point (1) above, inform professional users of their obligation to apply the general principles of integrated pest management as set out in Annex I to the Regulations, by 1 January 2014.

As part of the checks carried out on compliance with the 2011 Law on plant protection products, checks will be carried out to establish whether all farmers are complying with general principles of integrated pest management.

PART XI RISK INDICATORS

Following the application of the National Action Plan, to gauge progress made in reducing risks and adverse effects on human health and the environment from the use of plant protection products, the competent authority shall evaluate harmonised risk indicators drawn up at Community level in accordance with Regulation No 15 of the Regulations.

In Cyprus, no national risk indicators had been drawn up by the time this Decree was published. However, some national risk indicators will have to be set in addition to the harmonised indicators in order to measure achievement of the objectives set out in the National Action Plan.

Risk indicators - objectives - timetables

1) Training

The use and marketing of plant protection products and the provision of advisory services relating to their use by persons who have not received the appropriate training poses a risk to human health and the environment.

Under the National Action Plan one of the objectives is the basic training and certification of all PPP professional users, distributors and advisors on entry into force of this Decree and additional training to renew the certificates that expire.

2) Use of plant protection products

Implementation of the National Action Plan should lead to a reduction in the use of plant protection products that may require risk mitigation measures for human health and the environment on a larger scale, and to an increase in the use of other plant protection products that do not call for risk mitigation measures on such a large scale (e.g. organic preparations, formulations containing low-risk substances and the like).

At this stage, the quantitative level that might be set as a target for the reduction or increase, as appropriate, of the use of such products cannot be gauged. Nevertheless, the Department of Agriculture shall identify the trends in the use of such products (particular those of greatest concern), taking into account data on their sales between 2013 and 2017, and calculate a PPP use indicator via a questionnaire in order to assess any impact under the National Action Plan.

3) Levels of residues of plant protection products in plant products

Implementation of the National Action Plan is expected to have a positive impact on the levels of residues of plant protection products detected in plant products.

Consequently, under the National Action Plan:

a) there is a target to reduce the amount by which the maximum permissible residue levels are exceeded, with a view to achieving a maximum overrun of 3 %,

b) in the absence of national legislation to assess the risk posed by the presence of more than one PPP residue in food products (polypharmacy), the target shall be set of gradually reducing polypharmacy with the ultimate objective of keeping it to the minimum.

To this end, the General Chemical State Laboratory will provide the required data relating to the laboratory analysis of samples of locally sourced plant products submitted by the Health Services to the GCSL.

4) Levels of residues of plant protection products in surface waters

The application of the National Action Plan is expected to have a positive impact on water affected by plant protection products.

In recent years, the water monitoring conducted pursuant to Article 24 of the Law on the protection and management of waters has sporadically identified very small concentrations of active substances of plant protection products that were contained in the control programme. The Department of Water Development will investigate, in conjunction with the Department of Agriculture and the GCSL, the possibility of including in the monitoring programme a number of active substances, preference being give to the priority substances referred to in the Law on the protection and management of waters and to substances classified as hazardous to the aquatic environment under the Law on chemical substances. Once the current situation has been assessed, consideration will be given to the need for setting future objectives to reduce the presence of plant protection products in surface waters.

5) Management of empty plant protection product packaging

Empty plant protection product packaging poses a risk to the environment. Implementation of the National Action Plan is expected to have a positive impact on the proper management of empty packaging.

The Department of Agriculture will assess the current situation regarding the handling of PPP packaging. To this end, information will be requested from companies distributing plant protection products in Cyprus about the volume of packaging waste delivered for recycling or recovery. The aim is to increase the volume of empty packaging delivered for recycling or recovery, due account being take of commercial sales of PPP, by 5 % per year.

6) Acute poisoning incidents caused by plant protection products

Under the current National Action Plan, the aim is to reduce acute poisoning incidents during the five year-period 2018-2022 compared with the previous five-year period.

To calculate achievement of this objective, use will be made of annual data from the Medical Services and Public Health Services.

7) Off-target spray dispersion

Off-target spray dispersion poses a risk to human health and the environment.

The use of low-drift spray nozzles will mitigate this risk. One of the objectives under this National Action Plan is therefore to increase the use of low-drift spray nozzles by 15 % during the five-year period 2018-2022.

To gauge achievement of this objective, use will be made of data on sales of such nozzles by the relevant companies, and of data from farmers collected by means of a questionnaire.

Furthermore, the Department of Agriculture, in conjunction with the Institute of Agricultural Research, will investigate the feasibility of using a model to analyse the potential risk of frequently used PPPs in mountainous regions being transported via spray dispersion and causing the pollution of surface waters.

8) Indication of the mode-of-action group on PPP labels

The development of resistance by pests and diseases to plant protection products often leads to an increase in the number of applications of chemical products or an increase in dosage, which poses and increased risk to human health and the environment. As part of the strategy to manage resistance, professional users should be provided with the requisite information to allow them to switch safely to alternative products. This may be done via training programmes or by indicating the “mode-of-action group” on PPP labels.

One of the objectives under this National Action Plan is therefore to indicate the mode-of-action group on 80 % of plant protection products during the five-year period 2018-2022.