

**WAT-G-052**

**EASR Guidance: Registration Activity: Application of pesticides that are Plant Protection Products (PPP) and adjuvants near water**

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# 1. Purpose

This document provides information and guidance for anyone applying [pesticides](#_Definitions) that are [Plant Protection Products (PPPs)](#_Definitions) and [adjuvants](#_Definitions) to plants that are not [invasive non-native species](#_Definitions) within 1 metre of a [surface water](#_Definitions) or [wetland](#_Definitions).

This activity requires registration under The Environmental Authorisations (Scotland) Regulations (EASR).

This guidance does not cover any other permissions that may be required.

# 2. What activity does this guidance apply to?

This activity is the application of pesticides that are Plant Protection Products (PPPs) and adjuvants, to plants where the application is within 1 metre of:

1. any [watercourse](#_Glossary) or loch (as measured from the top of the bank),
2. any [wetland](#_Definitions); or
3. [transitional](#_Definitions) or [coastal water](#_Definitions) (as measured from the shoreline),

and where the plants being treated are **not** invasive non-native plant species (INNS).

If you are intending to apply pesticides to **plants that are INNS** **within 1 metre** of a surface water or wetland, you are authorised by EASR water General Binding Rule (GBR) 23, as long as you follow the rules associated with GBR 23.

If you are intending to apply pesticides to **any plants** **more than 1 metre** from a surface water or wetland, you are authorised by EASR water General Binding Rule (GBR) 23, as long as you follow the rules associated with GBR 23.

You should avoid applying pesticides **directly to surface water or wetlands** to treat **any species of plant**. If you need to undertake this activity you will need to apply for an EASR permit.

# 3. Understanding the activity

This activity covers the application of pesticides that are Plant Protection Products (PPPs) and adjuvants to **plants other than INNS,** on landless than 1 metre from a surface water or wetland, as measured from the top of the bank or shoreline. Application less than 1 metre from a surface water or wetland, as measured from the top of the bank or shoreline, means applying PPPs and adjuvants:

* On the bank of a river, burn or loch.
* On a 1 metre wide strip of land, as measured from the top of the bank, further away from the water.
* On a 1 metre wide strip of land inland from the shoreline for [transitional](#_Definitions) or [coastal water](#_Definitions)s. The shoreline is defined by the Mean High Water Springs mark. This mark can be found on an Ordnance Survey 1:25,000 scale map.
* To emergent plants provided the PPP or adjuvant will not enter the water. This could be achievable using very controlled application techniques e.g. by using stem injection or a weed wiper.

Species which are considered INNS on land for the purposes of this registration are:

* [Japanese Knotweed (](https://www.nonnativespecies.org/home/index.cfm)*[Fallopia japonica](https://www.nonnativespecies.org/home/index.cfm)*[).](https://www.nonnativespecies.org/home/index.cfm)
* [Japanese Knotweed/Giant Knotweed hybrid (](https://www.nonnativespecies.org/home/index.cfm)*[Fallopia x bohemica](https://www.nonnativespecies.org/home/index.cfm)*[).](https://www.nonnativespecies.org/home/index.cfm)
* [Giant Hogweed (](https://www.nonnativespecies.org/home/index.cfm)*[Heracleum mantegazzianum](https://www.nonnativespecies.org/home/index.cfm)*[).](https://www.nonnativespecies.org/home/index.cfm)
* [Himalayan Balsam (](https://www.nonnativespecies.org/home/index.cfm)*[Impatiens grandiflora](https://www.nonnativespecies.org/home/index.cfm)*[).](https://www.nonnativespecies.org/home/index.cfm)
* [Rhododendron (](https://www.nonnativespecies.org/home/index.cfm)*[Rhododendron ponticum](https://www.nonnativespecies.org/home/index.cfm)* [and hybrids).](https://www.nonnativespecies.org/home/index.cfm)
* [Gunnera (](https://www.nonnativespecies.org/home/index.cfm)*[Gunnera tinctoria](https://www.nonnativespecies.org/home/index.cfm)* [and](https://www.nonnativespecies.org/home/index.cfm) *[Gunnera manicata](https://www.nonnativespecies.org/home/index.cfm)*[).](https://www.nonnativespecies.org/home/index.cfm)
* [American Skunk cabbage (](https://www.nonnativespecies.org/home/index.cfm)*[Lysichiton americanus](https://www.nonnativespecies.org/home/index.cfm)*[).](https://www.nonnativespecies.org/home/index.cfm)

The application of PPPs and adjuvants includes the maintaining, filling, operating and cleaning the sprayer device used to apply the PPPs and adjuvants. This registration does not cover the storage of PPPs and adjuvants. These aspects are covered by water GBR rules 23 (d), (i) and (j), which are summarised in the Storage section in the Do’s and Don’ts below.

# 4. Understanding and minimising risks to the water environment

## 4.1 Risks to the water environment

PPPs and adjuvants can pollute surface waters if they are not applied correctly and are allowed to enter surface water. They may harm non-target native species of plants or animals.

The method used to apply the PPP and adjuvant can have a significant influence on the potential risk posed by the activity:

* Applications using stem injections or weed wiping present the lowest risk of PPP and adjuvant drifting or impacting on non-target plants or areas.
* The use of handheld equipment where the PPP and adjuvant is carefully applied directly to the plant present the next lowest risk.
* The use of boom sprayers present a higher risk of PPP and adjuvant entering surface water. Air assisted sprayers should not be used.

To minimise risks to the water environment and to help you comply with the standard conditions for this activity, you should follow the Do’s and Don’ts below.

## 4.2 Do’s and Don’ts

### Do you need to apply PPP and adjuvant?

* Do make sure that you are certain there is a genuine need for plant management, for example it is damaging a site designated for nature conservation, posing a risk to infrastructure or impacting on the use of the water for navigation or recreation.
* Do assess why the excessive plant growth is occurring. Determine any underlying reasons for the excessive plant growth together with any steps needed to tackle any underlying reasons. For example, the problem may be due to plants colonising the area by being washed downstream from upstream areas. Plants in these upstream areas need to be controlled first.
* Do assess whether there is an alternative non-chemical option. E.g. physical removal, shading or nutrient removal. Non-chemical control is the preferred method where practical. If PPP and adjuvant are the only option, make efforts to minimise their use through combined chemical and non-chemical methods.

### Application of pesticide

* Do ensure that only PPPs and adjuvants approved for aquatic use under the Plant Protection Products Regulation (EC) No 1107/2009 are used and that these are applied in accordance with the terms and instructions of Plant Protection Products Regulation (EC) No 1107/2009. PPPs approved for aquatic use can be found by searching the Pesticide Register. Adjuvants approved for aquatic use can be found by searching the [Official List of Adjuvants](https://scottishepa.sharepoint.com/sites/IntegratedAuthorisationFramework/Shared%20Documents/WS06_Water_Activities/Decision%20Documents%20for%20NCW%20sign%20off/Tranche%203/Official%20List%20of%20Adjuvants)
* Don’t allow PPPs and adjuvants to enter the water environment. You should take particular care and minimise the amount applied to infrastructure near to surface water, for example to roads with gulleys, central reservations, road verges, filter trenches, bridges and bridge decks over or beside rivers, culverts and roads over culverts and rail tracks and areas adjacent to rail tracks.
* Don’t apply during rainfall or when it is windy such that the PPP or adjuvant may enter the water environment.
* Do ensure that the PPP and adjuvant use does not harm non-target species or affect other water users.
* Do use targeted application techniques (other than spraying) where possible, for example stem injection or weed wiping.
* Don’t use air assisted application (e.g. diffuse undirected sprayers, as used in orchards).
* Don’t apply within 50 metres of any spring, well or borehole that supplies water for human consumption.
* Don’t apply within 250 metres upstream of an abstraction of water intended for human consumption from a river or burn.
* Do consider whether PPP and adjuvant use may leave areas of bankside bare of vegetation and prone to erosion or alternatively make room for another more damaging plant to take hold.

### Pesticide sprayers

* Do ensure sprayer devices used to apply PPPs and adjuvants are:
  + Maintained so that they operate in good working order.
  + Fitted with a device to prevent back siphoning, if used to abstract water directly from any watercourse or loch.
  + Calibrated to accurately deliver the required application rate.
* Don’t undertake the following operations within 10 metres of any surface water, wetland or any opening into a surface water drainage system:
  + Preparation of PPPs and adjuvants for application.
  + The filling of pesticide application equipment.
  + The cleaning or maintenance of pesticide sprayers or other devices used to apply PPPs and adjuvants.
  + The cleaning of any personal protection equipment.

### Storage

* Don’t store PPPs and adjuvants including any used packaging within 10m of any surface water or wetland.
* Don’t store PPPs and adjuvants including any used packaging on an impermeable surface draining to a surface water drainage system.

# 5. Glossary

**Adjuvant** means a substance other than water that does not have significant pesticidal properties, but which enhances or is intended to enhance the effectiveness of a pesticide product.

**Coastal water** means water (other than groundwater) within the area extending landward from the 3 mile limit up to the limit of the highest tide or, where appropriate, the seaward limits of any bodies of transitional water, but does not include any water beyond the seaward limits of the territorial sea of the United Kingdom adjacent to Scotland.

**Invasive non-native species (INNS)** means any species outwith its native range whose establishment and spread causes damage to the environment (habitats or native species), the economy or human health.

**Pesticide** means any substance, preparation or organism prepared or used for destroying any pest.

**PPP** means Plant Protection Products.

**Plant protection products** mean products, in the form in which they are supplied to the user, consisting of, or containing, active substances, safeners or synergists, and intended for one of the following uses:

1. protecting plants or plant products against all harmful organisms or preventing the action of such organisms, unless the main purpose of these products is considered to be for reasons of hygiene rather than for the protection of plants or plant products;
2. influencing the life processes of plants, such as substances influencing their growth, other than as a nutrient;
3. preserving plant products;
4. destroying undesired plants or parts of plants, except algae unless the products are applied on soil or water to protect plants; or
5. checking or preventing undesired growth of plants, except algae unless the products are applied on soil or water to protect plants.

**Surface water** means inland water [other than groundwater], transitional water and coastal water).

**Transitional Water** means water (other than groundwater) in the vicinity of river mouths which is partly saline in character as a result of its proximity to coastal water, but which is substantially influenced by freshwater flows.

**Water environment** means surface water, groundwater or wetlands.

**Watercourse** includes all rivers, streams, ditches, drains, cuts, culverts, dykes, sluices and passages through which water flows and includes artificial watercourses and underground watercourses.

**Wetland** means an area of ground the ecological, chemical and hydrological characteristics of which are attributable to frequent inundation or saturation by water and which is directly dependent, with regard to its water needs, on a body of groundwater or a body of surface water.

# 6. Disclaimer

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