Frequently asked questions on pesticide application testing under the Sustainable Use Directive.

Background

On the 18th July 2012 regulations that implement the Sustainable Use Directive came into effect in the UK which effectively removes grandfather rights for sprayer operators and requiring mandatory testing for sprayer and any product applying pesticide with the exception off handheld and knapsack sprayers.

The Sustainable Use Directive is a framework directive that requires member states to encourage the safe and responsible storage, use and disposal of pesticides. Most of the key measures duplicate or are similar to statutory, voluntary or other arrangements that have been in place in the UK (but not across the whole EU) for many years.

For most farmers and growers who are members of crop assurance schemes and therefore following best practice, it is mainly business as usual with existing certificates of competence continuing to be recognised, while the annual National Sprayer Testing Scheme (NSTS) will more than meet the requirements for sprayer testing.

Frequently asked questions by members on pesticide application equipment testing

Who will be affected by the new legislation?

(Q) Will the legislation affect livestock farmers who occasionally use pesticides or small holders who are using professional herbicides?
(A) The legal requirements apply to all users of professional pesticides.

(Q) Will the legislation be included in assurance schemes?
(A) It is understood that livestock based assurance schemes will expect their members to comply with the legal requirements. Thus livestock farmers will be expected to test pesticide application equipment and provide evidence of training or certificates of competence to use Professional PPP. Whilst other crop assurance schemes will look to maintain the best practice undertaken under Voluntary Initiative schemes.

(Q) Will the legislation be included in cross compliance?

1 DIRECTIVE 2009/128/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides
(A) It is understood that the Sustainable Use Directive will not be included in general cross compliance until all EU member states have implemented the legislation. It is unclear when this will be but for 2014 SUD will not be included in SPS only claims. However it is understood that the SUD rules will apply to those in Agri-environment schemes included in cross compliance from 2014.

Sprayer testing

(Q) What spray equipment needs to be tested?
(A) All mechanised, trailed or mounted operational equipment applying professional products will require testing. All boom sprayers over 3 meters and aerial applicators will be tested on the same frequency. Other non-spray applicators, booms sprayers under 3 meters and mounted equipment that is used in pesticide application such as granular applicators will be tested less frequently (at a maximum interval of 6 years).

(Q) Will Knapsack sprayers require testing?
(A) No, there is no testing requirement for handheld application equipment, although regular checking through a voluntary self-assessment test is encouraged.

(Q) When do I need to have my sprayer tested by?
(A) Once before 26 November 2016 (unless it is less than 5 years old on that date). Once every 5 years after first testing until 26th November 2020. Then from 26th November 2020 all sprayers over 5 years old must be tested every three years.

(Q) Do I need to test other types of pesticide application equipment?
(A) Yes other equipment that is used for applying pesticides will require testing. DEFRA current published list of other equipment requiring testing is:

- Ground crop sprayer (mounted/trailed) boom less than 3m
- Granule applicator
- Boat mounted applicators (boom less than 3m)
- Boat mounted granule applicators
- Fogging, misting and smoking equipment
- Batch dipping equipment
- Seed treating equipment
- Conveyor, roller table, other moving equipment
- Sub-surface liquid applicator

Defra advise that other equipment may fall into this category and advise that CRD will provide advice on this on request. For such equipment the requirement will be that equipment that is 5 years old (from date of purchase) will require testing once before 26 November 2016 to obtain a first certificate, then every 6 years after 26th November 2016. New equipment must be tested once before it is 5 years old (from date of purchase).

(Q) Am I liable for spray/application equipment I am leasing?
(A) Yes you are responsible for ensuring that any equipment that you use is certificated correctly, so it will be important to check when entering a lease agreement.
(Q) I have an old sprayer that has never been tested I am not sure if I want to use it again. Do I have to get it tested before 26th November 2016?
(A) No. But it will need to be tested before use if you decide to use it to apply professional pesticides after 26th November 2016.

(Q) I have an old sprayer, will it be OK if I leave testing it until just before I decide to next spray, which maybe after 26th November 2016
(A) Yes. It must be tested before use if you decide to use it to apply professional pesticides on or after 26th November 2016.

(Q) I have an old sprayer that has never been tested and I use it to apply trace elements and nutrients. Do I have to get it tested before 26th November 2016?
(A) No. Testing is only required if it is used to apply professional pesticides.

(Q) Is there a checklist for sprayer testing that will help me ensure that my sprayer is in good working order?
(A) Yes, a sprayer checklist is available on the NSTS website.

(Q) How much will sprayer testing cost?
(A) The NSTS registration fee currently costs £23.50. The cost of the test itself is determined on a case-by-case basis by each approved NSTS Sprayer examiner – who will invoice the machine owner directly.

This document will be updated regularly with member’s questions on the implications of the new sustainable use regulations as they come into force. Last update 13/11/2013.