

Good Neighbour Initiative

SPRAYING RESPONSIBLY

best practice when spraying near residential areas



This guide is designed to help sprayer operators adhere to legal requirements as set out in the **Code of Practice* for using Plant Protection Products and other guidance on the Health and Safety Executive website** but also to highlight extra steps they can take to help relationships with neighbours, bystanders and the general public when carrying out spraying operations.

Key Legal Requirements

Below is a summary of the requirements of the Code of Practice for using Plant Protection Products; this is not an exhaustive list of the legal requirements for the use of plant protection products and you should refer back to the Code for specific requirements.

- Use of plant protection products should be considered as part of an integrated programme of control. The Voluntary Initiative and Amenity Forum provide practical advice on how this can be done.
 - Anyone who applies pesticides as part of their professional activities must (including those previously operating under grandfather rights) hold a recognised specified certificate.
 - All those purchasing professional plant protection products must reasonably believe that products will be used by someone holding a specified certificate.
 - All application equipment, except knapsacks and hand-held equipment, must from November 2016 possess a certificate demonstrating that it has passed an officially recognised test conducted by the National Sprayer Testing Scheme. Equipment has to be tested on either a one, three, five or six yearly basis thereafter depending on when the most recent test was conducted and the type of equipment (details are available in the National Action Plan https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/221034/pb13894-nap-pesticides-20130226.pdf).
- All equipment must be calibrated on a regular basis.
- In the exceptional circumstances when aerial spraying is carried out - it must be done in accordance with a permit obtained from HSE.
 - Users, or those who cause or permit use, must ensure that: all reasonable precautions are taken to protect human health and the environment; applications are confined to target areas; and in certain areas (including public spaces and conservation areas) that the amount used and frequency of use is as low as reasonably practicable.
 - Professional users and distributors must take all reasonable precautions to ensure handling, storage and disposal operations do not endanger human health or the environment.
 - Storage areas must be constructed in such a way as to prevent unwanted releases of products.
- *<http://www.hse.gov.uk/pesticides/topics/using-pesticides/codes-of-practice/code-of-practice-for-using-plant-protection-products.htm>

What are the legal requirements when spraying near residential areas, footpaths and public access areas?

The Code of Practice for using plant protection products gives advice on what you should do when spraying public rights of way (paragraph 3.7.4 page 56).

You must make sure that the pesticides you apply are targeted at the land, crop, structure, material or area you want to treat. Pesticide drifting off target can cause problems between pesticide users and their neighbours. You must remember that pesticides which are dust or fine granules can drift. Make sure you apply them in the appropriate weather conditions and with the correct equipment that is properly adjusted for the product you are using. Concerns of the public over spray drift should be considered. You should also consider whether you are applying pesticides near to homes, schools, nursing homes, hospitals, environmentally sensitive areas, organic farms and so on. It is good management to consider if you need to take any extra measures when applying pesticides near these premises. This may include spraying when people are out at work or when schools are closed, or leaving an untreated area next to the neighbouring property or area. If you need to make a COSHH assessment* for the pesticide product you are using, you should include this factor within it. Telling people before you apply a pesticide gives those people who might be affected information about the pesticide. It is good practice for you to give information about the pesticide and the reason for using it to anyone who has concerns about pesticides. People often



do not know that there is a positive approvals process and that precautions are taken to keep any effects outside the target area to a minimum.

- If applying pesticides to crops or other areas to be treated, you must not let your pesticide drift onto areas or routes where the public have access, whether people are using them or not.
- When applying pesticides in areas where the public are allowed to go you must make sure that people are not put at risk. To make sure people are not put at risk this means stopping if there is a risk to health either from the machinery or from the spray if people are using the land or right of way while you are applying pesticides.
- You should also consider using notices to tell people that pesticides are being applied and asking them to keep themselves, children and pets to the path or access area. Remember, you must not put up a notice that might stop people going onto the right of way or into any area that they have a right to use.

*<http://www.hse.gov.uk/coshh/basics/assessment.htm>

- If pesticide labels tell you to keep unprotected people or livestock out of the treated area for a specific period, do not use these pesticides if you cannot restrict access to the site until the area is safe.
- In some instances you may need to apply a pesticide directly onto a public right of way (for example for weed control or crop destruction).

In these instances you should strictly follow the pesticide's instructions or the detailed advice given by a BASIS qualified agronomist to avoid putting people at risk.

- A public right of way cannot be closed by a private individual.
- Some schemes and protocols stipulate requirements with regard to public rights of way and land access. You should ensure that you are operating within the terms of these schemes and protocols as appropriate.

- You should also make sure your agronomist is aware of fields adjacent to properties or bisected by public footpaths as product choice and timings may be relevant.



Twelve Tips to Avoid Drift

- 1** Use nozzles which reduce drift wherever practical.
- 2** Check the local weather forecast and adjust work accordingly. Do not spray if wind speed and direction would cause drift onto neighbouring property or sensitive areas.
- 3** Ideal spraying conditions are a Force 2 light breeze (3.2 – 6.5 km/h) blowing away from sensitive areas. This would be a breeze strong enough to be felt on the face and to rustle leaves.
- 4** Check the product label for spray quality recommendations; where practical choose coarser quality sprays as they reduce the risk of drift.
- 5** Always follow statutory product label advice on “no spray zones” and any buffer zone requirements.
- 6** Ensure that the sprayer is calibrated; with nozzle flow rates within 10% of their specification.
- 7** In the field, check wind speed and direction and if necessary amend your plans.
- 8** Set the spray boom at the correct height and keep as low as possible without compromising the evenness of spray deposition. Check spray angles and adjust the height accordingly.
- 9** Watch for changes in the wind speed and direction; if necessary change your spray programme to avoid drift onto non-target areas or stop spraying until suitable conditions return.
- 10** *Stay alert:* ensure that spray is not allowed to drift onto non-target areas.
- 11** Maintain a constant speed and pressure particularly if the sprayer is fitted with an automatic volume regulator. Small increases in the speed result in large increases in pressure.
- 12** When using a boom sprayer, reduce the operating pressure and forward speed but keep the dose, volume and spray quality within label recommendations.



Adherence to **BEST PRACTICE** in pesticide use can result in:

- Reduced risk to the aquatic environment and can help work towards improved compliance with the Water Framework Directive.
- Protection of pollinators and other farm wildlife.
- Reassurance for people living adjacent to sprayed crops, bee keepers and the general public that pesticides are being used safely.
- Confidence for consumers and retailers that food produced in the UK is safe.
- A reduced risk of further regulation or restriction on the use of pesticides.

Being a good neighbour

What's the difference between a resident and a bystander?

Residents are people who live adjacent to land where pesticide application takes place e.g. a person whose property borders a sprayed field. Bystanders are people who use public footpaths across or alongside fields where pesticide application is taking or has taken place. Bystanders differ from residents because they may only cross the field you are spraying once in a season, whereas residents, in theory, are next to the field each time you spray.

Who are your neighbours?

A first step is to identify your neighbours. Where there are only a few neighbours this should be easy, it is more difficult when your land is adjacent to many properties, so it might be better to build up one or two contacts with town or parish councillors.

Try to:

- Develop a good relationship with your neighbours to prevent concerns arising;
- Explain to them about farming and the role of crop protection;
- Consider hosting Open Farm Sunday to help show the public what happens on farm.

Assess the risks and their level of concern:

Once you have identified your neighbours consider if any spraying is likely to cause a problem. Remember to consider:

- Which fields are next to their property?
- What are the crops you grow and what pesticides may need to be applied and when?
- What sort of boundaries there are between your fields and their property?

These factors should all be considered as part of your farm COSHH assessment for spraying.

Conduct a risk assessment:

Identify any potential areas of concern and then review whether normal drift reduction measures and legal compliance will be sufficient. If not, be prepared to consider the following:

- Introducing a 5-10m cropped or non-cropped 'no-spray zone' alongside the resident's property.
- Identify a time to spray when residents will be indoors or out at work.
- Warning residents by driving along the headland adjacent to property before spraying to warn them that you are about to spray.
- Prepare a field/operator card highlighting key issues/sites on the farm.
- Review the efficacy of any measures you take with neighbours.
- Keep a record/diary of everything including comprehensive spray and field record including date, time, weather conditions and product applied.

Be considerate:

- Always ensure you and your staff follow best practice and comply with the law and the code of practice when spraying.
- If possible, ensure your spray equipment has drift reducing features (e.g. air induction nozzles) and that your operator knows how to use these features.
- Train and encourage your operators to follow best practice when spraying close to residential areas.
- Equip operators with spray information cards for your farm to give to any walkers or concerned residents.
- Always adopt drift reduction measures, be extra vigilant when spraying near residential areas.

- Implement any additional measures you have identified as necessary and follow any local arrangements agreed with local residents.
- Be calm and polite when handling any concerns from residents or bystanders and keep a record of any concerns received.

If your employer is readily available (e.g. mobile phone) seek their advice, otherwise complete the job taking account of reasonable concerns e.g. leave a buffer strip and then report the concern to your employer.

More help?

Despite your best intentions sometimes things can go awry, or maybe your neighbours are making unrealistic requests, or you feel you lack the necessary diplomatic skills. Help is available. In some situations your agronomist, NFU group secretary or branch chairman may be able to help. You may want to make use of a mediation service.

These are often available through your local council. Alternatively you can make contact through

<https://www.ukmediation.net/>

Contact NFU Callfirst:
0370 845 8458

Laws and regulations governing pesticide use
may be subject to change.
Therefore, always check whether any new laws
have been introduced which may have subsequently changed
the legal requirements referred to in this leaflet.

