
STATUTORY INSTRUMENTS

2012 No. 1657

**The Plant Protection Products
(Sustainable Use) Regulations 2012**

Use of plant protection products

10.—(1) A person who uses, or causes or permits an individual to use, a plant protection product must ensure—

- (a) that all reasonable precautions are taken to protect human health and the environment;
 - (b) that the application of the plant protection product is confined to the crop, land, produce, buildings, contents of buildings, materials or other areas intended to be treated; and
 - (c) when the product is used in any of the places listed in paragraph (2), that the amount used and the frequency of use are as low as reasonably practicable.
- (2) The places referred to in paragraph (1)(c) are—
- (a) areas used by the general public or by vulnerable groups;
 - (b) areas in the close vicinity of healthcare facilities;
 - (c) protected areas of the type referred to in paragraph 1(v) of Annex IV to Directive [2000/60/EC](#) of the European Parliament and of the Council establishing a framework for Community action in the field of water policy⁽¹⁾ (“Directive [2000/60/EC](#)”) or other areas identified for the purposes of establishing the necessary conservation measures in accordance with the provisions in Directive [2009/147/EC](#) of the European Parliament and of the Council on the conservation of wild birds⁽²⁾ and Council Directive [92/43/EEC](#) on the conservation of natural habitats and of wild fauna and flora⁽³⁾;
 - (d) areas recently treated with a plant protection product and used by or accessible to agricultural workers;
 - (e) on or along roads, railway lines, very permeable surfaces, or other infrastructure close to surface water or groundwater; or
 - (f) on sealed surfaces with a high risk of run-off into surface water or sewage systems.

(3) A person who uses, or causes or permits an individual to use a plant protection product in the circumstances set out in paragraph (4) must, so far as is reasonably practicable, use or cause or require the use of a plant protection product not classified as dangerous for the aquatic environment pursuant to Directive [1999/45/EC](#)⁽⁴⁾ nor containing priority hazardous substances as referred to in Article 16(3) of Directive [2000/60/EC](#) (“priority hazardous substances”).

- (4) The circumstances referred to in paragraph (3) are—
- (a) the use of the plant protection product represents a risk to the aquatic environment or drinking water; and

(1) OJ No L 327, 22.12.2000, p1.
(2) OJ No L 20, 26.1.2010, p7.
(3) OJ No L206, 22.7.1992, p7.
(4) OJ No L200, 30.7.1999, p1.

- (b) there is a product authorised for use in the particular situation which is neither classified as dangerous for the aquatic environment pursuant to Directive 1999/45/EC nor containing priority hazardous substances.
- (5) Where necessary in order to protect non-target aquatic organisms, the appropriate United Kingdom competent authority must include in authorisations and permits granted under Regulation 1107/2009 a requirement for an appropriately sized buffer zone.
- (6) In this regulation—
 - (a) “areas used by the general public” includes public parks and gardens, sports and recreation grounds, school grounds and children’s playgrounds;
 - (b) “sealed surfaces” means surfaces that do not allow liquid to pass through them;
 - (c) “vulnerable groups” means persons needing specific consideration when assessing the acute and chronic health effects of plant protection products, including pregnant and nursing women, the unborn, infants and children, the elderly and workers and residents subject to high plant protection product exposure over the long term.