

Grandfathers Rights. The clock is ticking

SUMMARY

- Under EU law 2009/128/EC on the Sustainable Use of Pesticides it requires all EC countries to implement the Sustainable Use Directive and produce a National Action Plan.
- The Sustainable Use Directive, (SUD), came into effect into UK law on the 18th July 2012. The SUD effectively replaces an existing UK law which allowed those, termed grandfathers rights, i.e. those born prior to 31st December 1964, to apply crop protection products on their own or employees land without an official certificate of competence.
- The UK law allows grandfathers rights to continue until 26th November 2015 after which all those who apply authorised crop protection products must have a certificate of competence.
- In addition after 26th November 2015 it will be an offence for anyone to purchase crop protection products authorised for professional use unless they have ensured the intended user has a certificate.

How can a Grandfather (born before 31st December 1964) comply with the Sustainable Use Directive and continue treating crops/grass on land you own /rent with crop authorised crop protection products.? There are three options.

1. Go on line to the City & Guilds web site, www.nptc.org.uk and download the level 2 Grandfathers rights Qualification Guidance notes and work book. If necessary speak to an NPTC administrator. These notes and work book detail all the knowledge and questions you will be required to answer by an assessor. There are two parts to the document. One section is compulsory, the other directs you either to hand held knapsack sprayers sections or those related to tractor mounted boom sprayers. It may be after reading through the guidance notes and or work books you feel competent to take the grandfathers rights assessment. The NPTC administrator will give details of local assessors. The assessment will take the form of the workbook, oral questioning on the safe use of crop protection products, legislation, personal safety, safe guarding the environment, storage and correct disposal of products, spray washings and recording keeping.

The work books can be self assessed but most grandfathers will benefit from extra training before assessment. Note there are many independent trainers and assessors but a trainer can not be the assessor. ! Note once you have passed the grandfathers right assessment you are only able to apply crop protection products to your own or rented land, not as a contractor.

Note for training and assessment in outlying areas it will be cost effective if groups of farmers collaborated. Typical training costs vary between £100- 130 + NPC fees of around £165

2. It may be that you do not want to take the grandfathers assessment as it is too inflexible and you want to carry spraying as a contractor or spray friends of family farms. In these cases you are best seeking qualification under existing PA1 (compulsory), and then any of the PA2. (boom tractor mounted sprayer or PA6 (hand held sprayer) qualifications). Note the PA training and certificates are more expensive than the grandfathers rights. Prices on application to individual trainers.
3. Avoid the hassle of testing and exams and rely on qualified contractors.

For more information of Grandfathers rights go to the following websites

www.nptc.org.uk

www.voluntaryinitiative.org.uk/

<http://www.scotland.gov.uk/Topics/farmingrural/Agriculture/Environment/Pesticides/PesticideUsers>

Author

Mark Ballingall *Weeds and Herbicide Specialist*
Applied Practice Team, SAC Consulting, Sandpiper House
Inveralmond Industrial Estate, Perth PH1 3EE