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18th June 2012

Dear James Clarke, Chairman of the Pesticides Forum,

Re. The Pesticides Forum annual reports

I am writing to you regarding some serious issues with the Pesticides Forum annual reports which should be raised with you, as the Chairman of the Pesticides Forum¹, as it is not satisfactory for me to only raise this with the CRD secretariat of the Pesticides Forum.

These issues should also be highlighted to the other members of the Pesticides Forum. (Please note that I was informed by Nigel Chadwick the Pesticides Forum Secretariat that if I wanted to send something to the Pesticides Forum for consideration that I could do so, but that it needed to be sent through you, as the Chair of the Pesticides Forum, with a request that it be circulated).

I shall start with the current report entitled "*Pesticides in the UK – The 2011 report on the impacts and sustainable use of pesticides*" – *A report of the Pesticides Forum.*"

This report was published on 11th May 2012. I was not able to access it electronically (due to currently only being on dial up here) and so I requested from the Pesticides Forum Secretariat a hard copy. I subsequently received in the post a copy of this report on 17th May 2012.

Within minutes of opening this report I was astonished to see a number of grossly inaccurate statements just in the Executive Summary itself, before even reading any further into the report.

For example, the first line of the Executive Summary says this (on page 10 of the report):-

*"The work of the UK Pesticides Forum in 2011 confirms that the use of pesticides is **not** adversely impacting on the health of UK citizens or the environment."*

This is simply not factually correct, and in fact even just going by the Government's *own monitoring system* it shows cases of acute effects recorded in members of the public each year.

The very next line of the Executive Summary states, "*This is testimony to the effectiveness of both statutory and voluntary controls.*" However, considering the aforementioned line was inaccurate, as there most definitely are adverse impacts to both human health and the environment from the use of pesticides in the UK, then this subsequent line is simply not accurate either. The current controls are wholly inadequate and in relation to exposure for residents there simply are no controls **at all**, as there are currently no mandatory measures in the statutory conditions of use in the UK for the authorization/approval of *any* pesticide for the protection of

¹ I also noted that in an online article at:- <http://www.pitchcare.com/magazine/pesticides-in-the-uk-2011-report-on-the-impacts-and-sustainable-use-of-pesticides.html> it states that, "*All enquiries concerning the report should be addressed in the first instance to the Chair of the Forum, James Clarke on 01954 268219 or email james.clarke@adas.co.uk*"

the health of residents and others exposed. (Such conditions of use would include the prohibition of the use of pesticides in the locality of residents' homes, schools, children's playgrounds, etc.)

The Executive Summary then goes on to praise the "UK's robust and innovative range of controls" that "deliver high standards of protection for human health and the environment."

Again this is simply not factually correct at all, as the UK Pesticides Campaign has been pointing out for the last 11 years since the outset of the campaign, there is currently **no protection for residents** and others exposed to pesticides, and the UK Government has not even, to date, carried out a risk assessment for the long term exposure of residents which means that pesticides should never have been approved for use in the first place for spraying in the locality of residents' homes.

Having been astonished to see such grossly inaccurate statements in the Executive Summary itself, and as said above before even reading any further into the report, I thought it was important to establish who the current members of the Pesticides Forum are, and which members of the Pesticides Forum had signed up to such statements within the annual report, or whether any Pesticides Forum members had dissented from such statements in disagreement to their inclusion.

Considering that there was no actual list of Pesticides Forum (PF) members in the annual report itself then I confirmed with the PF Secretariat where to find the list on the website. However, before saying anything else I would point out that it would have been helpful for those reading the report if the list of Pesticides Forum members had been included in the actual report itself and I am still not quite sure why this was not included as it would have only been 1 to 2 pages extra. It is also very important to have the list of members of the Pesticides Forum in the actual report itself (as opposed to being available only on the website) as a permanent record to show which organisations signed up to and agreed that particular report, as if changes are made to the membership link on the website in the future then anyone who clicks on the hyperlink in the "Background" of the report may not get to see exactly which organisations signed up to and agreed a report if they have, for example, left the membership of the Forum for any reason since a report was published² and thus no longer appear listed in the membership that is on the website.

In an email on 21st May 2012 to the Pesticides Forum Secretariat I asked for confirmation that the members listed on the Pesticides Forum website (at: <http://www.pesticides.gov.uk/guidance/industries/pesticides/advisory-groups/pesticides-forum/links-to-pesticide-forum-member-organisation-websites.htm>) were the members that produced the Pesticides Forum's latest report published on 11th May 2012.³ I then asked whether any of the Pesticides Forum members had dissented from, objected to, queried and/or raised concerns over any of the statements within the report, including the two statements in the

² Another eg. is this. In an email on 22nd May 2012, Nigel Chadwick of the PF Secretariat stated, "Lastly, as you may recall FWAG went into administration earlier this year (2012) so although that organisation was a member through 2011 there was no-one present (Jo Oborn was nominally their representative) at the February meeting (or subsequently) who could check the draft report." However, if FWAG no longer exists (although I actually think this may have changed very recently as I saw somewhere that they may have come out of administration), and they did not have anyone check the draft report as Nigel Chadwick has stated in his email, then again this should have been pointed out both in the report itself, as well as on the website, so that it was clear that FWAG had not agreed and signed up to the 2011 Pesticides Forum report due to FWAG's absence as a PF member.

³ In response to this Nigel Chadwick confirmed in his email dated 22nd May 2012 that, "the membership organisations is still as listed on the Forum's website. However, during 2011 there were a number of changes in the representatives of some of those organisations. These included: Mark Ballingall (SAC) replaced Jonathan Cowens (SAC) in June 2011; Alastair Leake (GWCT) rejoined in place of John Holland (GWCT) in June 2011; Charles Sadler (FPC/BRC) replaced Tony Palmer (FPC/BRC) in October 2011; Prof. Gay Hawksworth (ACP) replaced Prof. Jon Ayres (ACP) in October 2011; Richard Butler (VI) replaced Prof. Barry Dent (VI) in October 2011."

Executive Summary on page 10 that state, *"The work of the UK Pesticides Forum in 2011 confirms that the use of pesticides is **not** adversely impacting on the health of UK citizens or the environment,"* and then the last line of the Executive Summary that goes on to praise the *"UK's robust...controls"* that *"deliver high standards of protection for human health and the environment."* Or whether, as it appears, all Pesticides Forum members agreed and signed up to all the statements within the report (as in the absence of any clear dissent from any of the members of the Pesticides Forum from any of the statements contained within the report then it would mean that **all** members would have indeed agreed with them, and signed up to them etc.)

In his response to all these points Nigel Chadwick of the PF Secretariat stated, (in an email sent to me on 22nd May 2012) that, *"The published report is that agreed by the Forum as a whole."*

I wanted further clarification on this as I felt that that short response to the aforementioned questions was not adequate enough and so in an email sent on the 22nd May 2012 to Nigel Chadwick of the Pesticides Forum Secretariat I again asked whether any of the Pesticides Forum members had dissented from, objected to, queried and/or raised concerns over any of the statements within the report, including the two statements in the Executive Summary on page 10.

In his reply on 30th May 2012 Nigel Chadwick stated, *"Thank you for your email (below) seeking clarification of the answers I gave to you originally in my email to you of 22 May 2012. I can confirm that no Pesticides Forum members dissented from or objected to any of the statements within the Annual Report during its preparation including the two statements in the executive summary on page 10 that you referred to. As I explained to you over the telephone, some members will have raised queries and/or concerns over parts of the text but these queries were all dealt with to the satisfaction of the member concerned."*

Considering that some of the members of the Pesticides Forum are organisations and/or organisation representatives that I would not have expected to have signed up to such inaccurate statements in the Pesticides Forum annual report, such as the Wildlife and Countryside Link and Sustain, then I had also contacted both of these organisations to enquire about whether they had in fact tried to dissent from such statements in disagreement to their inclusion in the 2011 annual report. Both organisations maintain that they do not agree with these statements and since I raised this issue with them both organisations have *now* put statements on their websites to point out that they do not agree with the two statements in the Executive Summary of the 2011 Pesticides Forum annual report. Another organisation, PAN UK, has also made a similar website statement.

However, although the Wildlife and Countryside Link have usefully dated its website statement to be 28th May 2012, neither PAN UK nor Sustain have done so which does not then make it clear to those reading the statements when they in fact went up. (I am aware that it appears both Sustain's and PAN UK's statements went up on either 25th May 2012 or 28th May 2012, possibly the former). However, it is imperative that in a report that a wide range of organisations is involved with agreeing and signing up to then any dissenting from any statements in such a report absolutely must come **before** it is published and yet it appears, according to the Pesticides Forum Secretariat's emails of 22nd May 2012 and 30th May 2012, that **no** Pesticides Forum member did dissent or object to such statements. Further, this is not an isolated case, as this non-dissenting and thus agreeing with and signing up to the contents and inaccurate statements (by organisations that are supposed to be on the Pesticides Forum as organisations concerned about the adverse impacts of pesticides on human health and the environment) has actually been going on **for years**

For example, the same or similar statements as to those in the Executive Summary of the 2011 Pesticides Forum annual report appear in the Pesticides Forum reports **for 2008, 2009, and 2010.**

1. In the 2008 report at:- http://www.pesticides.gov.uk/Resources/CRD/Migrated-Resources/Documents/P/Pesticides_forum_annual_report_2008.pdf at page 2 (after the roman numeral pages) in the Executive Summary it states in the 2nd para that "***Our report confirms that the use of pesticides is not impacting adversely on the health of UK citizens or the environment.***"

2. In the 2009 report at:- http://www.pesticides.gov.uk/Resources/CRD/Migrated-Resources/Documents/P/Pesticides_forum_annual_report_2009.pdf at page 3 (after the roman numeral pages) in the Executive Summary it states in the 2nd para that "*The report confirms that the use of pesticides is not impacting adversely on the health of UK citizens or the environment.*" And then the final line in the Executive Summary states "*The UK public can be assured that pesticides are being applied in an increasingly professional fashion **and that there is no evidence of unacceptable risks to human health or the environment.***"

3. In the 2010 report at:- <http://www.pesticides.gov.uk/Resources/CRD/Migrated-Resources/Documents/F/FINALPFAR2010pdfforwebsite.pdf> at page 3 (after the roman numeral pages) in the Executive Summary it states in the 2nd para that "*The report confirms that the use of pesticides is not adversely impacting on the health of UK citizens or the environment.*" And then the final line in the Executive Summary states "*The UK public can be assured of the high degree of professionalism exhibited by those who sell, supply, store and use pesticides **and the high standards of measures in place in the UK to protect human health and the environment.***"

(Please note that I am still checking through the pre 2008 Pesticides Forum reports to see if the same or similar statements also appear, as if they are in there, they are not in the same place as the 2008 to 2011 reports).

According to conversations that I have had with the Pesticides Forum Secretariat there was **no** dissenting to any of the aforementioned statements from any of the Pesticides Forum members in relation to the 2008, 2009 and 2010 reports either (although it is not clear whether Sustain was in fact a member of the Pesticides Forum in 2008 and may not have been until the following year).

Ministers are highly likely to have been informed by the regulators when highlighting the various Pesticides Forum reports to those Ministers that the reports were reports agreed by **all members** of the Pesticides Forum, including the various NGOs that are members of the Pesticides Forum.

Further still, it is clear that there are actually quite a number of other inaccurate statements contained within the various Pesticides Forum reports. Unfortunately, due to time constraints and other work commitments I am not able to detail all such statements here in this letter and so I intend to send a further letter to you, as the Chairman of the Pesticides Forum, regarding other such inaccurate statements contained within the various Pesticides Forum reports, in due course.

It is of course absolutely imperative that any organisation that is involved in a Forum that provides advice to Ministers, (which is one of the main objectives of the Pesticides Forum as stated in each one of the Pesticides Forum reports⁴), must know what it is signing up to and

⁴ For example, under the 4th bullet point in the "*Introduction*" it states, "*To advise Government on the development, promotion and implementation of its policy relating to the responsible use of pesticides*"; then on page 3 of the 2011 report it states under "*Overall aims*": "*To continue to oversee work under the Government's UK Pesticides Strategy, monitor the effects of policies, laws and other initiatives that affect or are affected by the use of pesticides, and other advice to ministers and stakeholders as appropriate.*"; then under the heading "*Specific Objectives*" it states, "*To prepare and publish an annual report of our activities and maintain a close working relationship with the Advisory Committee on Pesticides.*" Then under the heading "*Monitoring impacts*" it states, "*To consider how to most effectively monitor all impacts arising from the use of pesticides (including using indicators), and communicate these findings to ministers, our stakeholders and the public.*"

agreeing with, especially when that organisation purports to be representing a link of other organisations as well (as it could then look as if all those other organisations are also agreeing).

The UK Pesticides Campaign has long been concerned at the lack of any representative for those adversely impacted from exposure to pesticides on the Pesticides Forum, and more importantly, on the various National Action Plan groups, especially the human health group. There are a considerable number of people, particularly rural residents, who have been adversely impacted as a result of the use of pesticides sprayed in their localities. There is simply no representative on the Pesticides Forum representing the interests of those adversely affected from the use of pesticides, as no true representative of those adversely affected would have ever agreed and signed up to such statements in the first place, let alone year after year, with no apparent dissent or objection.

Thus there is no real voice on the Pesticides Forum to input on behalf of those directly affected.

As said this has always been of great concern to the UK Pesticides Campaign.

I would add that it in relation to the organisation PAN UK (Pesticide Action Network UK) it cannot possibly be argued that PAN UK did not dissent from the inaccurate statements such as those highlighted earlier that were included in the 2008, 2009, 2010 Pesticides Forum reports (as well as in advance of the publication of the 2011 report) because PAN UK was not aware of the contents of the Pesticides Forum reports and the statements contained therein, as in the 2009 Pesticides Forum report (at:- http://www.pesticides.gov.uk/Resources/CRD/Migrated-Resources/Documents/P/Pesticides_forum_annual_report_2009.pdf) in a section on pages iv and v entitled “*Views on the Report*” there is, sandwiched between the supportive comments on pesticides and the Pesticides Forum report from Dominic Dyer of the Crop Protection Association and Peter Kendall of the NFU, the following statements by Martin Tyler, then Chair of the Board of Directors, Pesticides Action Network UK in which he states, “*Pesticide Action Network UK has been a long time member of the Pesticides Forum and believes that it offers a unique opportunity for stakeholders of all backgrounds to come together to debate contentious issues surrounding the use of pesticides in the UK. While PAN UK may not always agree with the conclusions of the Pesticides Forum, we welcome the opportunity to present an alternative viewpoint.*” However, irrespective of whether there may be disagreements on any conclusions reached in the Forum meetings and during verbal discussions or not, in relation to the actual Pesticides Forum report this is what Martin Tyler of PAN UK went on to state (still on page iv of the 2009 PF report) “*The Pesticides Forum annual report is a document that provides a useful snapshot of both the work of the forum and the state of play regarding pesticide usage in the UK. **It provides excellent information presented as indicators that can be readily understood by the general public or those with a greater interest in pesticide issues. It is a valuable document and PAN UK are pleased to be associated with it and to take an active role in the Forum.***”

There is no way that PAN UK could try and excuse not dissenting from the types of inaccurate statements in the Pesticides Forum reports (eg. that there are no adverse impacts on human health and the environment from the use of pesticides), as an oversight or a mistake on their part. Martin Tyler’s comments regarding the 2009 report and that it provided “*excellent information*” and that it is a “*valuable document*” and that PAN UK “*are pleased to be associated with it and to take an active role in the Forum*” says it all really.

I therefore reiterate that there is no real voice on the Pesticides Forum on behalf of those directly affected, and in any event, the Pesticides Forum has always been dominated by industry based organisations. In relation to this it is therefore also wholly inaccurate for the 2011 Pesticides Forum report to maintain in the Executive Summary that “*The Forum continues to highlight the importance and value of all relevant stakeholders working collaboratively to co-ordinate and*

provide advice on pesticide use.” (NB. This statement may well be in the other Pesticides Forum reports as well, but I have not had time to check this yet). The Pesticides Forum does **not** contain *all* relevant stakeholders and thus to state, or merely even to imply, that it does is not correct at all

I would make clear at this juncture that I am not in any way suggesting that the UK Pesticides Campaign would want to be on the Pesticides Forum, this is definitely not the case, as the UK Pesticides Campaign does **not** compromise on its position and it appears some organisations have done so for a number of years in order to be included in a Forum *they view* as an influential one.

However, as the CRD is aware, the UK Pesticides Campaign was keen to input into any Action Plan Groups⁵, particularly the health group, and had continued to point this out to CRD, but as said, most certainly not the Pesticides Forum itself that produces reports that in large part the UK Pesticides Campaign disagrees with, as the whole tone of the reports is one that is largely industry based, and which contains, as highlighted throughout this letter, grossly inaccurate statements.

As said earlier, it is clear that there are actually quite a number of other inaccurate statements contained within the various Pesticides Forum reports. As said, due to time constraints and other work commitments I am not able to detail all such statements here in this letter and so I intend to send a further letter to you, as the Chairman of the Pesticides Forum, regarding other such inaccurate statements contained within the various Pesticides Forum reports, in due course.

However, I will just briefly give a few other examples here in relation to the 2011 annual report.

Firstly, on page 25 under Part 1 entitled “*Protecting human health*” it states under the heading “*The issue*” that, “*The protection of human health is the primary objective of the pesticide regulatory regime and underpins the UK Pesticides Strategy. No pesticide product may be authorised if there is an **unacceptable effect on human health**, based on an internationally accepted risk assessment procedure.*”

This is legally incorrect as EU legislation imposes an absolute test, that there **must** be “**no harm**” (not just no “*unacceptable*” or no “*serious*” harm or effect) **to human health**: (Article 4). The above approach wrongly dilutes the absolute protection of the EU legislation so as to allow approvals of pesticides where they are known to produce adverse effects on human health. Again it is extraordinary that certain organisations have agreed with, and signed up to, such a statement.

Secondly, Figure 1 on page 11 is misleading as those are the figures **excluding** sulphuric acid, but I cannot see that pointed out anywhere in the text. In any event considering that Figure 1 predominantly relates to years in which sulphuric acid **was used** then it is again totally misleading in relation to the actual amount of pesticides that were used for all crops in Great Britain for the related years featured in Figure 1, as with sulphuric acid **included** it was approx. 10,000 tonnes higher (in relation to the latter years in which sulphuric acid was used at least). Therefore this is simply misleading to the reader. I pointed this out in a phone conversation with David Garthwaite at FERA (as FERA was cited as the source of the information in Figure 1) on 30th May 2012, who acknowledged the points I was making in relation to this. He later emailed me to say that “*I have just contacted CRD and they are looking into making a change to the report.*” However, I am not sure whether any correction to this has been made? Again someone on the actual Pesticides Forum should surely have spotted this and so why was it not spotted?

⁵ I have been informed by CRD that the Action Plan Groups are to apparently be abolished with instead some Working Groups set up as and when they are required. The UK Pesticides Campaign would of course be keen to be able to input into any working group related to human health considering the specific focus area of the campaign is related to the exposure of residents, and others, and the related risks and acute and chronic effects.

Thirdly, on page 13 it states, *“Pesticide use promotes public safety...”* Again it is extraordinary that certain organisations have agreed with, and signed up to, such a statement.

The final example I will highlight for now is on page 29 of the 2011 Pesticides Forum report that states, *“Virtually all farmers (including **many** organic growers) **rely** on pesticides to produce an economic crop.”* Then it states, *“**The availability of a sufficient range of products and techniques to control pests and diseases is, therefore, central to sustainable farming.**”*

These statements are outrageous. The first line is grossly inaccurate, as most organic farmers do not use pesticides **at all**, so it is nonsense to say that **“many”** organic growers **“rely”** on them! Again it is extraordinary that certain organisations have agreed with, and signed up to, such statements with no dissent and objections to their inclusion within the Pesticides Forum report.

Incidentally following directly on from this last point a related point to make is one that I have again already raised with the Pesticides Forum Secretariat in relation to the Advisory Committee on Organic Standards (ACOS). In an email dated 21st May 2012 I asked Nigel Chadwick whether he could please confirm that *“the Advisory Committee on Organic Standards (ACOS) which is listed as a member of the Pesticides Forum and in which the website states is a “non-executive, non departmental public body (NDPB) comprising of an independent Chair and members drawn from a wide range of interests in organic food”, does not actually still exist and thus it is not a member of the Pesticides Forum as it is stated at the aforementioned weblink, and thus that the contact listed, Peter Hall, who you said was both a conventional and organic farmer, was not involved with the Pesticides Forum on behalf of the Advisory Committee on Organic Standards itself, as you said it no longer exists? I reiterate what I said on the phone this is highly misleading to anyone who might look at the Pesticides Forum membership as it implies that an Advisory Committee with “a wide range of interests in organic food” were involved in this report, and thus would have agreed and signed up to its contents, when actually that is not the case as ACOS no longer exists.”*

In his response to this Nigel Chadwick stated, (in an email sent to me on 22nd May 2012) that, *“As I mentioned to you when we spoke on the telephone yesterday, when we found out that ACOS had been disbanded we instigated investigations to find out whether that organisation was to be reconstituted in another form, and discussions are ongoing to organise a replacement organisation. Peter Hall (who was the ACOS representative) has continued on the Forum as it was felt important that members continue to get a view from the organic sector on the range of issues discussed by the Forum over the year. Inclusion of reference to ACOS on the Forum website is an oversight on my part and I should have included a statement about the loss of ACOS and the search for a replacement organisation. I will instigate this change in our next website update.”*

I responded to this in an email sent on 22nd May 2012 in which I stated, *“what you have said regarding ACOS is not satisfactory as anyone wanting to see who agreed and signed up to the Pesticides Forum report will still think that Peter Hall did so on behalf of ACOS when he did not. You should put an actual statement up on your website asap to point out that ACOS itself did not agree to this report as ACOS currently does not exist and thus that Peter Hall is currently on the Pesticides Forum in an independent capacity. (By the way you said on the phone yesterday that he is a conventional as well as organic farmer but that does not necessarily represent the position of organic anyway seeing as you said he also practices conventional farming).”*

Incidentally I have checked the list of Pesticides Forum members on the website this evening (17th June 2012) and cannot see that there has been any change made to this on the website as yet

As said, I intend to send a further letter to you, as the Chair of the Pesticides Forum, regarding other inaccurate statements contained within the various Pesticides Forum reports, in due course, once I have had a chance to finish reading all the reports and compiling all the necessary points.

I hope you, and the other Pesticides Forum members, will carefully consider the serious issues I have raised in this letter regarding the Pesticides Forum annual reports, as as said at the start of this letter, it is not satisfactory for me to only raise these issues with the CRD secretariat of the PF

I will look out for, and then carefully monitor, the minutes of the forthcoming Pesticides Forum meeting once they have been published on the Pesticides Forum website in due course.

Please can you confirm receipt of this letter.

Thanks and kindest regards,

Georgina Downs FRSA.
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