

Risk mitigation measures for PT 8 products for *in-situ* applications.

Dear colleagues,

Concerning the product assessment for PT8 products used in *in-situ* brushing treatments for Use Class 3, we've noticed that in many cases the risk assessment results in a risk for the terrestrial environment. However, many of these products do still receive an authorisation in the end by imposing the Risk Mitigation Measure (RMM) that a plastic sheet should be used to cover the soil while applying the product.

We do recognize that this could be a useful RMM, but we are rather surprised to see this RMM used without apparent restriction or distinction, regardless of the level of risk (the RCR) and regardless of the type of user (professional or amateur).

The CARs for most of the representative active substances for PT8 (tebuconazole, propiconazole, permethrin,...) all specify the use of "appropriate risk mitigation measures" but give no other indication on what is considered appropriate and what are the limits of these measures.

Specific RMM for industrial sites already exist and have been validated by the Member States (e.g. impermeable hard standing). We find it much easier to accept this RMM for this particular case (industrial sites), since it is more enforceable.

However, RMM proposed for *in-situ* application are difficult to control (amateurs? Removal of the plastic sheet?). We are questioning the use of this RMM by default to override the negative risk assessment due to the *in-situ* brushing application. What is the purpose of calculating the risk for the soil compartment during *in-situ* application if the results are directly "swept away" by a RMM?

We think this topic needs to be discussed before the upcoming PT8 products renewal period in order to have a harmonization in the decisions between Member States. Therefore we would like to ask the opinion of the Member States on the following:

- Is this RMM acceptable in all cases of *in situ* applications for wood in Use Class 3?
- And if the above is no, what are the limits of this RMM?

Conclusion:

6 Member States have sent comments during the opening of the dedicated newsgroup in CIRCABC.

Generally speaking, all Member States shared the observation that many PT8 products used in brushing treatment *in-situ* for Use Class 3 show a risk for the terrestrial environment. They agreed that the proposed RMM (a plastic sheet be used to cover the soil) while applying the product is appropriate for non-professional users as well as professional users. Moreover the majority of the MSs agreed that the calculation of the risk to the terrestrial environment should be done, independently of the RMM.

Taking into account these comments, and the discussions that have taken place during the CG 31 and 32 meetings an agreement was reached on this issue :

Agreement:

the RMM is considered acceptable and sufficiently efficacious to reduce the risk to an acceptable one for PT8 products used in brushing treatment *in-situ* for Use Class 3 for non-professional users as well as professional users. This condition is deemed acceptable provided that not only clear instructions on how to use the cover but also an appropriate and safe disposal of the cover after use in accordance with local regulation is included on the label.