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GENERAL NOTICES

NOTICE 1120 OF 2010

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

FERTILIZERS, FARM FEEDS, AGRICULTURAL REMEDIES AND STOCK REMEDIES ACT, 1947 (ACT NO. 36 OF 1947)

ADOPTION OF PESTICIDE MANAGEMENT POLICY FOR SOUTH AFRICA

I, Tina Joemat-Pettersson, Minister of Agriculture, Forestry and Fisheries acting under Section 7bis of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947) hereby publish the Pesticide Management Policy for South Africa.

T. Joemat-Pettersson,
Minister of Agriculture, Forestry and Fisheries.

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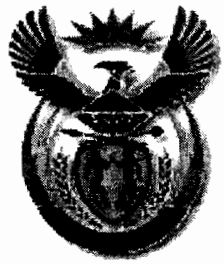

DEPARTMENT: AGRICULTURE, FORESTY AND FISHERIES

PESTICIDE MANAGEMENT POLICY FOR SOUTH AFRICA

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PESTICIDE MANAGEMENT POLICY FOR SOUTH AFRICA

1. INTRODUCTION

Pesticides are widely used to control the growth and proliferation of undesirable organisms that, if left unchecked, would cause significant damage to forests, crops, stored food products, ornamental and landscape plants, and building structures. The use of pesticides in both agricultural and non-agricultural settings provides important benefits to society, contributing to an abundant supply of food and fibre and to the control of a variety of public health hazards and nuisance pests.

Owing to the fact that they are designed to be biologically active, pesticides have potential to cause undesirable side effects. These include adverse effects on workers, consumers, community health and safety, groundwater, surface waters, and non-target wildlife organisms. In addition, pesticide use raises concerns about the persistence and accumulation of pesticides in food chains quite distant from the original point of use, and about the role of certain pesticides in causing reproductive failure and endocrine system abnormalities in both wildlife and humans and other species that are not their intended target. It is therefore, important to control the use of pesticides, by carefully weighing the benefits that they confer against any possible adverse effects.

The Fertilisers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, which governs amongst other things pesticides and their use was passed by Parliament in 1947. Although the Act has been amended on several occasions since then, it has never been systematically revised. The activities of the Department of Agriculture, Forestry and Fisheries (DAFF), the body that administers the Act, have not been publicly scrutinised since the inception of the Act. In addition, of the more than 3000 pesticides products approved for use in South Africa, many have not been re-evaluated for years. Their safety therefore, has not been reassessed to bring them in line with today's more stringent standards of risk assessment.

The absence of effective management of pesticides to ensure that pesticides are used in ways that lead to the minimisation of significant adverse effects on human health and the environment is of concern. Scientific and medical journals increasingly report the risks posed to human health by pesticides, including links between pesticides and diseases such as cancer and hormone disruption. The mounting evidence of the negative impacts of pesticides on wildlife and the environment has prompted South Africans to register their disapproval of pesticides and

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take action to reduce their use. Consumer perception, nationally as well as internationally, demanded a move from a production-centred system purely based on quantity parameter towards more quality oriented production methods and also residue-free agricultural produce.

In the light of these developments, changes to the method used to manage pesticides are required. These changes must be based on a policy that aims to eliminate all significant risks to human health and environment potentially from pesticides use and also incorporates sound production systems. Human health, environmental quality and economic development depend on effective systems that enable South Africans to manage and use pesticides safely and sustainably. Effective systems are those that identify the potential impacts that pesticide use may have on human health and the environment and provide government, industry and the community with correct tools to reduce and manage those impacts. Thus, the premise of this Policy is that sustainable development, built on a balance economic growth, equitable access and long-term environmental sustainability, is fundamental to global competitiveness.

This Policy provides information and will serve as guidelines to support the legislation and regulations. It provides decision- makers with direction by setting out a framework to ensure improvements that are aimed at ensuring that pesticides are produced, used and disposed of throughout their full life-cycle in ways that pose no significant adverse effects on health and the environment.

2. PROBLEM STATEMENT

The Fertilisers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947) is almost 60 years old. Changes to the context within which pesticides are managed have taken place and have led to a need to consider reviewing the current Act to improve efficiency and effectiveness of pesticides management in South Africa. The review yielded a number of concerns, including, *inter alia*:

- The Act does not adequately address Constitutional requirements in relation to Bill of Rights (i.e. right of environment which is not harmful to health), Access to Information, openness, transparency and participate in decision- making and also just administration action;
- The Act does not adequately incorporate international obligations and agreements to which South Africa is a Party;
- Under the current Act, anyone contravening a provision of the Act or the regulations is guilty of an offence and will be summarily convicted and liable to a fine not exceeding R1000, and such penalties have limited deterrent effect;

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- There is no requirement for review of registered pesticides or re-evaluation of old chemicals;
- Lack of establishment of pesticide use surveillance and monitoring systems to gather information on common conditions of use and their impact on health and environment;
- The act does not adequately protect non-target areas (e.g. residential areas, schools, hospitals, etc) from exposure to activities spraying activities;
- The act does not require prior training and certification to use/apply the most toxic pesticides (e.g. WHO hazard class 1 and II);
- Lack of capacity for research on alternative pest control and crop production measures
- Lack of awareness raising, education and training appropriate to the public and the user
- Does not adequately encourage registration that favours lower risk products and reduced reliance on pesticides overall;
- The Act does not adequately address the problem of obsolete stockpile pesticides and their disposal;
- The Act does not adequately address the issue of pesticide container management; and
- Inadequate integration across government departments and complementing other legislations.

3. OBJECTIVES

The objectives of this policy are:

- To improve legislative framework to ensure that South Africans are better protected from health and environmental risks posed by pesticides;
- To encourage the development and use of alternative products and techniques and reduce dependence on chemical plant protection products
- To integrate relevant international agreements and initiatives from other government departments;
- Increased transparency, access to information and improve public participation in the registration of pesticides.

These objectives can only be achieved effectively through partnerships between Government, the agro-chemical industry, farmers, Community Based Organizations, labor, Non Governmental Organizations, consumer groups and other stakeholders nationally and through international initiatives.

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4. POLICY TO ADDRESS THE PROBLEM

The objectives of the policy will be achieved through the application of relevant and existing international agreements, policies and regulatory frameworks, with particular reference to the following-

(i) Protection of human health and promotion of non-toxic environment

The stage for the development of a cohesive body of law has been set by the inclusion of an environmental clause in South Africa's Constitution (the Constitution of the Republic of South Africa, Act No. 108 of 1996). Section 24 of the Constitution of the Republic of South Africa specifically imposes a duty on the State to promulgate legislation that ensures that the environment is not harmful to the health or well being of its inhabitants; as well as the need to have the environment protected for future generations. Also, section 33 (Just Administrative Action) of the Constitution grants the right to fair, lawful, reasonable and procedurally fair administrative action and provides that where administrative action has adversely affected rights, written reasons must be given. This right is important, for example, where regulatory decision authorised in terms of pesticide legislation is refused.

To fulfil the environmental rights, the Department Agriculture, Forestry and Fisheries shall endeavour to use sound scientific criteria that are generally consistent worldwide, and this must be the cornerstone of our regulatory decision- making, and should be central to the responsibility that South Africans have entrusted us with; that is, to safeguard their health and environment. Thus, regulatory decisions will be made, using a risk management approach that will involve risk assessment. The evaluation process will focus on whether the health and environmental risks posed by a pesticide, when used as directed, are likely to be acceptable, and whether the product offers a worthwhile contribution to pest management. The Policy takes into cognisance the fact that special attention should be given to pesticides that pose unmanageable risk, with an understanding that such pesticides should be considered for phase-out, severe restriction and bans. Those that will be considered include those with Endocrine Disrupting Properties (EDP), Persistent Organic Pollutants (POPs), carcinogenic and immunotoxic potential, formulations classified by WHO as Extremely Hazardous (class 1a) and Highly Hazardous (class 1b), as well as pesticides associated with frequent and severe poisoning incidents.

Furthermore, the National Environmental Management Act (NEMA), 1998 (Act No. 107 of 1998) provides for cooperative environmental governance by establishing principles for decision-making on matters affecting the environment. To further these goals, the DAFF shall develop

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and implement comprehensive pesticide reduction strategies that would apply to all of its activities, including the registration process. The pesticide reduction strategies will include the incorporation of an appropriate application of the "substitution principles" as an important tool to promote the replacement of pesticides with less toxic products and non-chemical alternatives. The substitution principle requires or encourages phasing out the use of harmful substances when less harmful substances or methods can be identified to achieve the same or similar level. Also, the DAFF shall incorporate the requirements of review of existing registered pesticides in the new legislation. The review shall be done if there is new evidence that indicates that they (pesticides) might carry a significant risk of harm to human health, safety or the environment or that the product is no longer efficacious.

Protection of Biodiversity: Another key issue for pesticides is the effect they might have on biodiversity. The National Environmental Management: Biodiversity Act (NEMBA) 2004, (Act No. 10 of 2004) provides for the management and conservation of South Africa's biodiversity within the framework of the NEMA; the protection of species and ecosystems that warrant protection; and the sustainable use of indigenous biological resources.

Considering how prevalent the use of pesticide is in ecosystems where endangered species are at risk, the DAFF shall give explicit protection for such species. However, the approval system will not eliminate non-target species' effect altogether, and it will be difficult to reduce environmental effects from the use of pesticides to the low level desired, owing to the fact that much of the environmental impact from approved pesticides is attributed to indirect effects - for example, affecting bird chick survival rates by reducing insect populations at critical times. These indirect effects often result from products acting as intended and could sometimes be tackled through major changes to agronomic practice - which may not be practical - or through mitigation. Examples of mitigation measures might include the requirement for the use of certain pesticides or prescribing use only at a specific time.

Protection of water quality: National Water Act, 1998 (Act No. 36 of 1998) makes provision for the protection of water resources, including the prevention of pollution. Part 4 deals with the prevention of pollution, and in particular the situation where pollution of a water resource occurs or might occur as a result of activities on land.

The Department of Water Affairs (DWAF) has initiated the National Toxicity Monitoring Programme, which will monitor the levels of a number of pesticides in groundwater and surface water to ensure that water pollution from pesticides does not threaten compliance with the National Water Act, 1998 (Act No. 36 of 1998). An effective approach to reducing pollution of

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water by pesticides would be, first, to release fewer pesticides and/or less toxic pesticides into the environment and, second, to use practices that minimize the movement of pesticides to surface water and groundwater. Where necessary, the DAFF, through the regulatory system, shall place requirements or restrictions on users to limit the movement of pesticides to water. These will include instituting buffer zones, restricting aerial spraying in a certain proximity to water sources.

Food Safety: Efforts to maintain and enhance the safety of the nation's food supply are critical as established in the Foodstuffs, Cosmetics and Disinfectants Act (FCDA), 1972 (Act No. 54 of 1972). The FCDA Regulations make provision to establish maximum limits for pesticide residues that may be present in foodstuffs to ensure that food is safe to eat. To regulate the safety of food, the DAFF's regulatory systems shall ensure that pesticides are properly labeled, and the producers apply those pesticides in accordance with the label. To ensure compliance with FCDA, monitoring of residues on food is important.

Worker Protection: The Occupational Health and Safety Act (OHSA), 1993 (Act No. 85 of 1993) regulates health and safety at the workplace for all workers. This Act places the onus on employers to maintain a safe workplace. The regulation makes provision for various mandatory safety measures to protect the health of workers handling hazardous chemicals, such as risk assessment, safety training, safe practices, and medical, biological and environmental monitoring of all workplaces.

The DAFF shall, in accordance with OHSA Act, engage with employers and employees to raise awareness, institute educational and training and programmes appropriate to the public and users. Training and information programmes should include all sectors handling and using pesticides. Aside from farmers, pesticide retail store-owners and attendants, government technicians and extension workers, pest control operators, and even medical doctors, environmental health officers, nurses and paramedics should also be trained on the safe use of pesticides. Also, the DAFF shall require that any person applying and selling pesticides must be certified in order to apply or sell pesticides in South Africa.

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(ii) International obligation and agreements

Contributing to the safe use of chemicals at a global level: Over the past decade, there has been growing international concern over the state of the global environment and the complex linkages with human and environmental health as well as economic and social development.

The recognition of human health and the environment, the efforts of countries to improve chemicals (including pesticides) management at international level over the past few decades have resulted in improvements in information and knowledge and the construction of principles, processes (formal and informal), institutions, and legally binding and non-binding agreements that now constitute the prevailing international regime for chemicals management. Internationally a number of bodies, which impose specific requirements on South Africa, have been created to address aspects of chemicals management. The recommendations in this Policy will fit into international programmes and make a major contribution to achieving safer use of pesticides at a global level.

Compliance with the Rotterdam Convention on the Prior Informed Consent Procedure (PIC) for Certain Hazardous Chemicals and Pesticide in international trade: The Rotterdam Convention on Prior Informed Consent (PIC) for certain hazardous industrial chemicals and pesticides obliges an exporter of such chemicals to obtain consent of the receiving country before delivery. This Convection was adopted in 1998 after the realisation that trade and environmental policies should be mutually supportive with a view to achieving sustainable development.

This policy supports the use of international instruments such as PIC that address the international trade (import and export) of pesticides developed to protect human health and the environment from the potential harmful effects of certain hazardous pesticides. As a Party to the PIC procedure, South Africa has to comply with the procedure that international shipment of pesticides that are banned or severely restricted to protect human health or the environment should not proceed without the agreement, or contrary to the decision, of the participating country. This policy however, supports the notion that the ban or restrictions of these highly toxic pesticides should go along with the promotion of crop protection alternatives to the users.

Furthermore, the policy considers prohibiting the export of a particular product to other countries, unless the importing countries have given their consent. In addition, imported pesticides, which do not meet the quality requirements and regulations and certain minimal product labeling requirements should be refused entry into South Africa.

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Compliance with the Vienna Convention on the Protection of the Ozone Layer and the Montreal Protocol on Substances That Deplete the Ozone Layer: Vienna Convention and the Montreal Protocol were adopted in 1985 and 1992, respectively. Ozone depleting substances include methyl bromide, which is a form of a pesticide. As Party to this Convention and Protocol, South Africa has to take the necessary steps and action to control the use of methyl bromide. South Africa has reduced the use of methyl bromide by restricting the quantity imported. It is also exploring possible substances as substitutes. South Africa is expected to implement a total ban by 2015, as stipulated in the provisions of the Protocol. South Africa therefore, is under obligation to set clear targets for action by formulating a definite plan of action for the reduction and total ban on methyl bromide. To ensure that the use of methyl bromide in South Africa conforms to the international requirements with minimal domestic impacts, either of an environmental, social or economic nature, the policy considers the following:

- Raising awareness about the phasing out of methyl bromide and conducting research and studies on possible substitutes;
- Reduce the use of methyl bromide to a complete ban by 2015. The Parties to the Montreal Protocol have agreed on some exemptions, which include: quarantine and pre-shipment uses (QPS), and critical and emergency uses.

Compliance with the Stockholm Convention on Persistent Organic Pollutants (POPs): This convention was adopted in 2001. Its overall objective is to protect human health and the environment from POPs. With the exception of Dichloride Diphenyl Trichloroethane (DDT), South Africa has already banned all the POPs listed under this Convention. South Africa will work with international communities to prevent the production and use of substances with POPs characteristics. The policy considers that research to find alternate measures to control malaria should be conducted.

Conformity with international obligations under the World Trade Organisation (WTO): South Africa should conform with Article 2.1 of the WTO's Technical Barrier to trade, which sets out that imported products shall be accorded treatment no less favourable than that accorded to products on national origin. To comply with the above, the import of pesticides shall be based on scientific risk assessments.

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(iii) Labelling

The DAFF shall ensure that pesticides are properly labelled to ensure that information necessary to ensure their safe use is prominently displayed. Information should be presented in such a way that it enables a person to understand the risks and develop a sense of proportion in order to make a judgement on the acceptability of those risks. The Policy on Labelling would be consistent with the new Globally Harmonised System (GHS) of Classification and Labelling of Chemicals.

(iv) Monitoring and Research

Many pesticides are known to accumulate in the environment and to have detrimental effects on human health and the environment. Long-term monitoring programmes and targeted research are essential in order to evaluate these impacts. Without adequate and reliable data, it would be impossible for the Government to assure South Africans that pesticides in current use are not posing such a risk to wildlife and people.

The Policy recognizes that effective regulations are based on good science, and that strong ties are needed between research/monitoring and regulation. Research and monitoring will help to identify changes in pesticide pollution, danger spots, and particularly problematic pesticides. Furthermore, socio-economic studies need to be conducted to better assess the impact of pesticides on public health, the environment, and on farming practices that may be used in a particular area. Research and monitoring will provide useful information for use in refining regulatory risk assessments on registered pesticides under re-evaluation or special review.

(v) Pesticide disposal and container management

The environmentally sound disposal of cancelled, banned or unwanted pesticides poses a significant challenge to producers of agricultural products and other pesticide users, owing to its high cost. The proper disposal of waste pesticides eliminates a potential threat to health and the environment.

South Africa has enacted several laws in an attempt to ensure that toxic wastes are disposed of without becoming a danger to people or the environment. This legislation includes the Hazardous Substance Act, 1973 (Act No. 15 of 1973), the Environmental Conservation Act, 1989 (Act 73 of 1989), the Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965), and the National Environmental Management Act, 1998 (Act 107 of 1998. South Africa is also a

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signatory of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal. The Convention's main objectives are as follows:

- To ensure that the generation of hazardous waste is reduced to a minimum;
- To dispose as much as possible, hazardous wastes within the country of their generation;
- To establish enhanced controls on exports and imports of hazardous waste; and
- To prohibit the shipment of hazardous wastes to countries that lack the legal, administrative and technical capacity to manage and dispose them of in an environmentally sound manner; and
- To cooperate on the exchange of information, transfer of technology, and the harmonization of standards, codes and guidelines.

This Policy considers that programmes to collect old, out-of-date or otherwise unusable pesticides to avoid the build up of obsolete pesticide used by farmers and other users must be instituted by the DAFF. The programmes should also be expanded to include recovery and recycling of plastic pesticide containers used by farmers.

(vi) Support for alternatives product and/or methods

The Policy proposes that the Government should support the development, availability and adoption of sustainable pest management tools and practices in agriculture. This will include the following:

- Help address farmers' needs in achieving effective and sustainable pest management;
- Develop and implement strategies to reduce environmental and health risks from pesticides;
- Support research to develop and improve pest management tools;
- Facilitate the registration of reduced-risk pesticide and adoption by farmers; and
- Support the development of and provide information on the best Integrated Pest Management and organic production.

Furthermore the policy considers that incentives and disincentives should be introduced to support sustainable pest management. Disincentives will include introducing a registration levy on pesticides (proportional to the potential damage to human health and the environment). Such levies would encourage users to look for alternatives, and therefore, make non-chemical, low-risk chemical methods and biopesticides more competitive. Incentives will include introducing a

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low or no registration levy fee for companies seeking registration of biopesticides or registration meant for organic farming.

(vii) Increasing transparency

According to section 32, (Access to Information), of the Constitution of Republic of South Africa, Act No. 108 of 1986, the public has a right to access to information on pesticides to which they are exposed.

To ensure transparency and access to information, the DAFF shall incorporate all aspects of the regulatory system and also avail the opportunity for public involvement in the development of new aspects of the regulatory decision in the new legislation. Information must be presented in such a way that it enables a person to understand the risks and develop a sense of proportion in order to make a judgement on the acceptability of those risks. This will enable them to make informed choices and avoid products containing harmful pesticides, and put pressure on industry to develop safer substitutes. However, commercially sensitive information will be suitably protected. To provide South Africans with the opportunity to provide inputs into requirements, processes and policies for assessing pesticide risk and efficacy, regulatory proposals and consultation documents will be made publicly available.

5. LEGISLATION

The Policy considers that the current legislation, the Fertilisers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947) and its regulations that sets up framework for regulations of pesticides is outdated and therefore will need to be revised/repealed. Thus new legislation is needed that will:

(i) Strengthen health and environmental protection by:

- Introducing special protection for vulnerable populations (e.g. children, women,);
- Taking into account pesticide exposure from all sources, including, food and water;
- Consider cumulative effects of pesticides that act in the same way;
- Support sustainable pest management;
- Prohibiting registration of products that poses unacceptable risk to people's health or the environment;
- Expediting the registration of lower-risk products;
- Mandate buffer zones for pesticides use areas; and

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- Mandate disclosure of hazardous formulants (inerts).

(ii) Make the registration system more transparent and participatory by the public:

- By establishing a public register containing information about permits, applications, re-evaluations and special reviews; and
- The legislation will establish conditions that will allow for pre and post- decision access to health, safety and environmental data. The conditions will include provisions that will ensure confidential business information

(iii) Strengthen post-registration control of pesticides by:

- Requiring pesticide companies to report adverse effects;
- Requiring pesticide companies to report sales data;
- Requiring re-evaluation of older pesticide or special reviews of registered pesticides;
- Providing a comprehensive compliance strategy, with appropriate enforcement provisions.

6. INSTITUTIONAL ARRANGEMENTS

6.1 Pesticide Regulation Unit

The policy considers that the DAFF should have a statutory mandate to regulate pesticides. The Unit will:

- Review applications for registration of pesticides;
- Conduct science-based health, environmental and efficacy assessments;
- Develop and implements policies and guidelines related to pesticide management;
- Promote sustainable development;
- Enforce compliance with the legislation; and
- Disseminate information on pesticide management issues.

6.2 Inter-departmental Cooperation

The policy recognised that effective and efficient management of pesticides is a concerted effort that requires inter-departmental coordination from a range of team players. The responsibility for the enforcement of pesticide regulation will be shared among the Department of Health, Trade and Industry, Finance (Custom and Excise) Labour, Water Affairs, Environmental Affairs, with the DAFF having the statutory responsibility. Recognising that these departments will have complementary responsibilities, the DAFF and the above-mentioned

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government departments will develop interdepartmental Memoranda of Understanding (MOU) in relation to pesticide management issues. These MOUs are intended to foster a strong working relationship between the parties by delineating their respective responsibilities and identifying areas of mutual interest.

6.3 Advisory Bodies

This policy considers it is necessary to form advisory bodies to the pesticide regulation unit to advise on policy and issues relating to the regulatory system and to monitor the system for efficiency and performance.

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A. ANNEXURE 1

Definitions/Glossary of Terms

active ingredient	means the biologically active part of the pesticide.
advisory bodies	means the bodies that advises the registration authority on any matter pertaining to pesticide registration and control.
banned pesticide	means a pesticide for which all uses have been prohibited by final regulatory action, in order to protect human health or the environment. The term includes a pesticide that has been refused approval for first-time use, or has been withdrawn by industry either from the domestic market or from further consideration in the domestic approval process, and where there is clear evidence that such action has been taken in order to protect human health or the environment.
disposal	means any operation to recycle, neutralize, destruct or isolate pesticide waste, used containers and contaminated materials.
environment	means surroundings, including water, air, soil and their inter-relationship as well as their relationship with any living organisms.
formulation	means the combination of various ingredients designed to render the product useful and effective for the purpose claimed; the form of pesticide as purchased by users.
hazard	means the inherent property of a substance, agent or situation having the potential to cause undesirable consequences (e.g. properties that can cause adverse effects or damage to health, the environment or property).

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label	means the written, printed or graphic matter on, or attached to, the pesticide; or the immediate container thereof and the outside container or wrapper of the retail package of the pesticide.
manufacture	means the production, by a corporation or other entity in the public or private sector or any individual engaged in the business or function (whether directly or through an agent or through an entity controlled by or under contract with it), of a pesticide, active ingredient or preparation of its formulation or product.
Maximum Residue Limit (MRL)	means the maximum concentration of a residue that is legally permitted or recognized as acceptable in or on a food or agricultural commodity or animal feedstuff.
pesticide	means any substance or mixture of substances intended to prevent, destroy or control any pest, including vectors of human or animal disease, unwanted species of plants or animals causing harm during or otherwise interfering with the production, processing, storage, transport, or marketing of food, agricultural commodities, wood and wood products, or animal feedstuffs, or which may be administered to animals for the control of insects, arachnids or other pests in or on their bodies. The term includes substances intended for use as a plant growth regulator, defoliant, desiccant, or agent for thinning fruit or preventing the premature fall of fruit, and substances applied to crops either before or after harvest to protect the commodity from deterioration during storage and transport.
pesticide industry	means all those organisations and individuals engaged in manufacturing, formulating or marketing pesticides and pesticide products.

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pesticide legislation	means any laws or regulations introduced to regulate the manufacture, marketing, distribution, labelling, packaging, use and disposal of pesticides in their qualitative, quantitative, health and environmental aspects.
poisoning	means occurrence of damage or disturbance caused by a poison, and includes intoxication.
product (or pesticide product)	means the pesticide active ingredient(s) and other components, in the form in which it is packaged and sold.
Registrar	means the person appointed by the responsible Minister to administer the pesticide legislation
registration	means the process whereby the responsible national government authority approves the sale and use of a pesticide following the evaluation of comprehensive scientific data demonstrating that the product is effective for the intended purposes and does not poses unacceptable risk to human or animal health or the environment.
residue	means any specified substances in food, agricultural commodities, animal feed resulting from the use of a pesticide. The term includes any derivatives of a pesticide, such as conversion products, metabolites, reaction products, and impurities considered to be of toxicological significance. The "term pesticide residue" includes residues from unknown or unavoidable sources (e.g. environmental) as well as known used of the chemical.
risk	is a function of the probability of an adverse health or environmental effect, and the severity of that effect, following exposure.

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severely restricted	means a pesticide for which virtually all registered uses have been prohibited by final government regulatory action in order to protect human health or the environment, but certain specific registered use or uses remain are allowed. It includes a pesticides that has, for virtually all uses, been refused for approval or been withdrawn by industry either from domestic market or from further consideration in the domestic approval process, and where there is clear evidence that such action has been taken in order to protect human health or the environment.
toxicity	means a physiological or biological property which determines the capacity of a chemical to do harm or produce injury to a living organism by other than mechanical means.

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B. ANNEXURE 2

Acronyms

DAFF	Department of Agriculture, Forestry and Fisheries
DDT	Dichlorodiphenyltrichloroethane
EDP	Endocrine Disrupting Properties
FAO	Food and Agriculture Organisation
MOU	Inter-Departmental Memoranda of Understanding
MRLs	Maximum Residue Limits
POPs	Persistent Organic Pollutants
PIC	Prior Informed Consent
WHO	World Health Organisation
WTO	World Trade Organisation