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Policy paper

The Official Controls (Plant Protection Products) Regulations 2020: policy statement

Updated 26 May 2022

Applies to England, Scotland and Wales

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The EU Official Controls Regulation (OCR) [\[footnote 1\]](#) was established to provide an integrated and uniform approach to official controls across all aspects of the agri-food supply chain. This includes food and feed safety, animal health and welfare and plant health. It also covers animals and goods entering the UK.

The majority of the regulations applied within the European Union from 14 December 2019 and have been retained in UK law under the European Union (Withdrawal) Act 2018.

Plant protection products (PPPs) are now covered by this new approach. [The Official Controls \(Plant Protection Products\) Regulations 2020 \(the 2020 Regulations\)](#) (<https://www.legislation.gov.uk/ukSI/2020/552/contents/made>) apply to the whole of Great Britain and supplement existing regulations that govern the sale and use of PPPs [\[footnote 2\]](#). The Northern Ireland Executive has put in place its own legislation implementing and enforcing official controls for PPPs in Northern Ireland.

1. Smarter Rules for Safer Food

OCR is part of a larger package of measures called [Smarter Rules for Safer Food \(SRSF\)](#) (<https://www.gov.uk/government/publications/smarter-rules-for-safer-food-what-we-are-doing/smarter-rules-for-safer-food#about-the-smarter-rules-for-safer-food-package>). SRSF was established to modernise, simplify and bolster the agri-food chain in Europe. The strengthening of health and safety standards is essential to ensure consumers' confidence and sustainability of food production.

2. The Official Controls (Plant Protection Products) Regulations 2020

The 2020 Official Controls (Plant Protection Products) Regulations 2020, or the 2020 Regulations, are in place to enable regulatory authorities to support compliance and enforce legal requirements that apply to the placing on the market and use of PPPs throughout the supply chain.

The 2020 Regulations apply to PPPs and their components, which may include active substances, safeners, synergists or co-formulants that could form a component part of a PPP. They also apply to adjuvants [\[footnote 3\]](#).

Under the 2020 Regulations, the competent authorities are the Secretary of State for England, the Scottish Ministers for Scotland and the Welsh Ministers for Wales. The main regulatory authority for the competent authorities is currently the Health and Safety Executive (HSE).

3. Purpose of the 2020 Regulations

PPPs play a vital role in supporting plant health and crop production. Safe supply and use of PPPs protect our crops and natural landscapes from native and invasive non-native species, support domestic food production, and help to maintain our recreational, transport and amenity areas.

The 2020 Regulations supplement the [Plant Protection Products Regulations 2011](#) (<https://www.legislation.gov.uk/ukSI/2011/2131/contents>) and the [Plant Protection Products \(Sustainable Use\) Regulations 2012](#) (<https://www.legislation.gov.uk/ukSI/2011/2131/contents>).

Implementation of the 2020 Regulations will bring several benefits to Great Britain. They will enable Defra, the Scottish Government and the Welsh Government, working with the regulatory authorities, to understand how PPPs are being sold and used in Great Britain, to support businesses and organisations to be compliant with their legal obligations and to ensure PPPs are used sustainably and in accordance with the conditions of use.

4. Plant Protection Products

PPPs are used to control pests, weeds and diseases. Examples include:

- insecticides
- fungicides
- herbicides
- molluscicides
- plant growth regulators

PPPs can exist in many forms, such as solid granules, powders or liquids. PPPs consist of one or more active substances that may be co-formulated with safeners, synergists or co-formulants. PPPs can be used with adjuvants. An adjuvant is a substance that enhances or is intended to enhance a PPP's effectiveness.

5. Who needs to comply with the 2020 Regulations

1. Businesses that produce, manufacture, process, import, store, distribute and sell PPPs, their components and adjuvants to be used with PPPs are subject to the 2020 regulations.
2. Any person or business that uses PPPs and any adjuvants in a professional capacity in Great Britain (England, Scotland and Wales) are also subject to the 2020 Regulations, and therefore have a legal obligation to register.
3. Sellers of amateur PPPs are also subject to the 2020 Regulations and need to register by 22 June 2022. Amateur PPPs are not intended for professional use and amateur users do not need professional certification to apply them.

A "professional user" is any person or business who uses PPPs in the course of their work activities, both in farming and other sectors. For example, you would be considered to be a professional user if you work in agriculture and horticulture, amenity or forestry in Great Britain and do any of the following:

- use professional PPPs and any adjuvants as part of your work, including if you are hired to spray PPPs on someone else's land
- have professional PPPs and any adjuvants applied by a third party as part of your work in agriculture or horticulture, amenity or forestry
- use PPPs when working in agriculture or horticulture, for example, when farming or maintaining arable crops, forage crops or livestock, or when treating seeds

Amenity users are those who do professional work in gardening, landscaping or grounds maintenance or another role in an amenity setting such as in:

- schools
- parks
- sports grounds, including golf courses
- public or private property
- infrastructure, such as roads, railways and waterways
- utilities, such as transport and water companies

Forestry users are those who work in forests or woodlands, such as in:

- tree management
- tree planting
- use of forests or woodland

Where businesses sell professional PPPs separate to their use of PPPs, these businesses should register as both a business that uses PPPs and one that sells PPPs. The forms are different.

You do not need to register if you solely use PPPs in a non-professional capacity, such as in your garden.

6. How to comply with the 2020 Regulations

Businesses and others subject to the 2020 Regulations are required to notify the relevant competent authority (see below for timing) of their organisation name, activities and location of premises.

The competent authorities are the Secretary of State for England, the Scottish Ministers for Scotland and the Welsh Ministers for Wales. It has been agreed that Defra will collect information on behalf of Scottish and Welsh Governments.

Users of professional PPPs must register [using the relevant form](https://www.gov.uk/government/publications/professional-plant-protection-products-ppps-register-as-a-user) (<https://www.gov.uk/government/publications/professional-plant-protection-products-ppps-register-as-a-user>) by 22 June 2022.

Importers, manufacturers, processors, distributors or sellers of either PPPs, adjuvants or PPP ingredients for professional use in Great Britain must also register but [use a different form](https://www.gov.uk/government/publications/professional-plant-protection-products-ppps-register-as-a-business-that-places-them-on-the-market). (<https://www.gov.uk/government/publications/professional-plant-protection-products-ppps-register-as-a-business-that-places-them-on-the-market>)

Sellers of amateur PPPs in Great Britain must register [using the relevant form](https://www.gov.uk/government/publications/amateur-plant-protection-products-ppps-register-as-a-seller) (<https://www.gov.uk/government/publications/amateur-plant-protection-products-ppps-register-as-a-seller>). If your business sells both professional and amateur PPPs, you only need to register once using the [registration form for sellers of professional PPPs](https://www.gov.uk/government/publications/professional-plant-protection-products-ppps-register-as-a-business-that-places-them-on-the-market) (<https://www.gov.uk/government/publications/professional-plant-protection-products-ppps-register-as-a-business-that-places-them-on-the-market>).

If you begin using professional PPPs and any adjuvants for the first time after 22 June 2022, or begin selling amateur PPPs, you must register within 3 months of the time you begin.

Users and sellers in Northern Ireland, the Channel Islands and the Isle of Man do not need to register with these forms. If you are based in Northern Ireland, you will need to register with the [Northern Irish Government](https://www.daera-ni.gov.uk/articles/official-controls-plant-protection-products-regulations-northern-ireland-2020-list-operators) (<https://www.daera-ni.gov.uk/articles/official-controls-plant-protection-products-regulations-northern-ireland-2020-list-operators>).

These are statutory deadlines and failure to comply with these requirements without a reasonable excuse is an offence. If you miss any of these deadlines, it is important that you send in your form as soon as possible.

7. Inspection visits

Inspection visits will take place under the powers given by the 2020 Regulations to ensure compliance with existing pesticides regulations, including The Plant Protection Products Regulations 2011 and The Plant Protection Products (Sustainable Use) Regulations 2012. Businesses and others subject to the 2020 Regulations will be required to cooperate with such inspections. The Health and Safety Executive (HSE) will conduct visits.

The purpose of an inspection is to check how well you're complying with your duties under plant protection product law. These controls are not just on formulated products but extend to active substances and safeners, synergists, co-formulants and adjuvants.

Inspections have been taking place as part of the 2020 Regulations since December 2021.

The HSE may arrive to perform an inspection without notice and may enter any premises (except one that is used wholly or mainly as a private dwelling) if they have reason to believe that it is necessary to enforce the relevant regulations. This is not unusual and the law permits a visit at any reasonable time. The HSE's job is to keep people safe and healthy at work, to protect consumers and to protect the environment.

To help you prepare for what will happen during an inspection, the HSE has developed [this guidance \(https://www.hse.gov.uk/pesticides/enforcement/peo-visit.htm\)](https://www.hse.gov.uk/pesticides/enforcement/peo-visit.htm).

8. Proactive risk-based approach to inspection visits

Businesses and others subject to the 2020 Regulations will be selected for inspection based on the risk profile of their organisation. This is called taking a risk-based approach. Taking a risk-based approach means that, when planning the approach to inspection visits, factors that contribute to the risks associated with PPPs throughout the supply chain will be considered. This will include looking at the nature and scale of businesses, the amount of PPPs used, past records of compliance, the activities under their control and results of previous inspections.

HSE has developed [this guidance on inspections \(https://www.hse.gov.uk/pesticides/enforcement/peo-visit.htm\)](https://www.hse.gov.uk/pesticides/enforcement/peo-visit.htm).

9. Data

Defra is collecting your organisation or business name, addresses related to the selling or using of PPPs, your telephone number, organisation email address and data on how you sell or work with PPPs and any adjuvants.

The information you provide will be passed onto the Health and Safety Executive (HSE) and to the Welsh and Scottish Government if you operate in these areas. The information will be used to enforce the 2020 Regulations and the Official Controls Regulations, including to conduct inspections of some businesses and organisations. If you want to know more about how we will be using this data, please [read the Defra GDPR privacy notice \(https://www.gov.uk/government/publications/professional-plant-protection-products-ppps-register-as-a-user/the-official-controls-regulation-2020-privacy-notice\)](https://www.gov.uk/government/publications/professional-plant-protection-products-ppps-register-as-a-user/the-official-controls-regulation-2020-privacy-notice).

10. More information

Further information on the [Smarter Rules for Safer Food package \(/government/publications/smarter-rules-for-safer-food-what-we-are-doing/smarter-rules-for-safer-food\)](/government/publications/smarter-rules-for-safer-food-what-we-are-doing/smarter-rules-for-safer-food), this includes general information on the [Official Controls Regulation \(/government/publications/smarter-rules-for-safer-food-what-we-are-doing/smarter-rules-for-safer-food#eu-official-controls-regulation-2017625\)](/government/publications/smarter-rules-for-safer-food-what-we-are-doing/smarter-rules-for-safer-food#eu-official-controls-regulation-2017625).

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1. [Regulation \(EU\) No 2017/625 \(https://www.legislation.gov.uk/eur/2017/625/contents\)](https://www.legislation.gov.uk/eur/2017/625/contents)
 2. [The Plant Protection Products Regulations 2011 \(https://www.legislation.gov.uk/ukxi/2011/2131/contents/made\)](https://www.legislation.gov.uk/ukxi/2011/2131/contents/made) and [The Plant Protection Products \(Sustainable Use\) Regulations 2012 \(https://www.legislation.gov.uk/ukxi/2012/1657/contents/made\)](https://www.legislation.gov.uk/ukxi/2012/1657/contents/made)
 3. [Description of active substance, safeners, synergists, co-formulants and adjuvants \(https://www.hse.gov.uk/pesticides/about-pesticides.htm#about-pesticides\)](https://www.hse.gov.uk/pesticides/about-pesticides.htm#about-pesticides)
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