

Session 1: Inspection at regular intervals – Inspection of new equipment

Introduction paper

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May I draw your attention to the fact, that an EU regulation (e.g. Regulation (EC) 1107/2009 – Placing of Plant Protection Products) takes direct effect, i. e. it is legally binding in all Member States. As a contrast an EU directive does not take direct effect, i. e. it has to be implemented in the Member States by national legislation first.

Round table	Art 8 128	Objects and benefits of the obligatory inspection in the EU	Further regulations acc. legal regulations	Principles of subsidiary technical specifications
1	§1&2	MS ensure PAE inspection Regular intervals Deadline New PAE	Conducting inspections Regular inspecting intervals Deadlines Brand new PAE	WS approval/monitoring/rejection Inspection regulation Quality assurance system How to deal with new PAE? How to deal with minor defects?
2	§3	Derogation & exemptions Different timetables & intervals	Exemptions inspection Diff. timetables & intervals Listing in the NAP Training of operators	Risk assessment Assessment of scale of use Training of operators
3	§4	Inspection acc. Annex II	Harmonized standards	How to inspect without EN standards
Even Progr.	-	Calibration, adjustment, DRT Poster Exhibition	-	Added values by - sprayer calibration - adjustment to the canopy structure - Drift reducing Techniques (DRT)?
-	§5	Regular calibration & checks	Binding user to conduct regular calibration & checks	SWG proposal available Implemented in Eurogap certification
4	§6	Designate Bodies, Certificate systems, Mutual recognition	Designate bodies... Establish certificate systems	Certificate systems consists of sticker and test report SWG proposal available
5	-	Training	Well trained inspectors Statistics reporting	Specification of theoretical+ practical training (content, basics, examination, documents, ppts) Maintenance & repairing
6	-	Miscellaneous	Prohibition of use, offences PAE without valid sticker must not be used	

Fig. 1. shows the relation between EU/CEN/Federal and States regulations on the official inspection of sprayers in Germany.

The directive 2009/128/EC does not take direct effect and is implemented by the German Plant Protection Act:

The Federal Ministry of Food , Agriculture and Forestry (BMELV) is empowered to issue ordinances.

The Federal States (FS) are empowered to requiring holders/owners to have plant protection equipment (PPE) already in use tested and lay down details of this procedure ...

They may also stipulate that testing shall be carried out by officially recognized inspection workshop and may lay down the requirements to met for approval, loss of approval, ...

The Federal states may delegate these powers to state authorities (PPS) ...

In the ordinance further aspects are specified:

Field crop sprayers and bush in tree crop sprayers have to be inspected by an official recognized inspection workshop at intervals of two calendar years.

PPE which can be carried by a person is not subject to obligatory inspections ...

For uniform enforcement of PPE inspection in the Federal States (FS) a workshop approval degree es recognized by the FS and regulates the

- approval,
- power of the inspection workshops,
- obligations of the inspection workshops and
- termination of approval/cancellation/withdrawing.

For carrying out the PPE-inspection according to the plant protection act an inspection regulation degree is recognized by the FS and regulates the

- procedure of inspection,
- inspection report,
- procurement of inspection stickers and
- training of inspection personnel.

The whole procedure of sprayer inspection in Germany is described in the information package on the following website: spise.jki.bund.de.

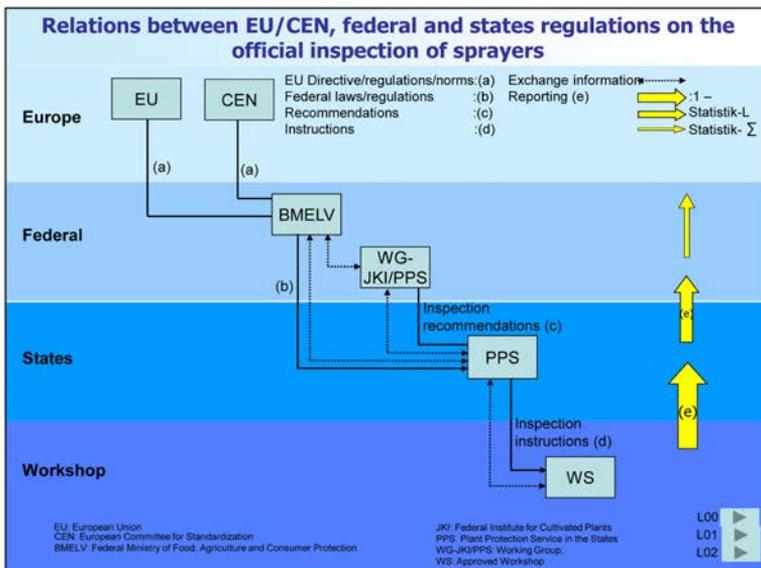
According to the principles of subsidiarity the following items have to be specified:

- workshop approval, monitoring, rejection – see spise.jki.bund.de,
- inspection regulation,
- quality assurance system,
- how to deal with new PPE,
- how to deal with minor defects.

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Structure of Session 1

- Opening the session 1
- Introduction paper of the chairman
- Presentations from the speakers
 - Gil, E.: Official procedure for mandatory inspection of sprayers in use
 - Polveche, V.: How to implement a mandatory inspection ...
 - van Bargaen, F.: Inspection of new sprayers before delivering
- Discussion of the
 - presentations
 - relevant experiences of MS &
 - implementation of TWG dealing with items acc. the principles of subsidiary
- Listing of subjects to be dealt with by SWG.



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Wording of Framework Directive – Article 8 Inspection of equipment in use

§1) Member States shall ensure that pesticide application equipment in professional use shall be subject to inspections at regular intervals. The interval between inspections shall not exceed five years until 2020 and shall not exceed three years thereafter.

- What kind of PAE are concerned
 - Conducting inspections
 - Intervals

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Wording of Framework Directive – Article 8 Inspection of equipment in use

§2(1) By 26 November 2016 Member States shall ensure that pesticide application equipment has been inspected at least once. After this date only pesticide application equipment having successfully passed inspection shall be in professional use.

Deadlines

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Wording of Framework Directive – Article 8 Inspection of equipment in use

§2(2) New equipment shall be inspected at least once within a period of 5 years after purchase.

Brand new PAE

Pesticide application equipment in professional use (acc. Art.8/ Dir.2009/128/EC)

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1) Pesticide Appl. Equipment (PAE)				
2) used for spraying incl. fogging				
3) & hand-operated PAE				
4) PAE not used for spraying pesticide				
5) PAE handheld & Exempt from Inspection /3(b)				
6) knapsack sprayers				
7) Additional PAE: (boom < 3m)				
8) Additional (train, aircr boom >3m)				

Different timetables, intervals, very low scale; acc.paragraph 3(a)

No low scale/3(a)



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How to deal with brand new PAE?

Inspection of each
brand new PAE
before its first use
EN 13 790 light ?
by dealer himself

Manufacturer
Dealer



The inspection of brand new PAE before they were taken into use is

- **very advantageous** because this guarantees that new PAE also fulfils the requirement of ISO/EN 13790 (ISO/EN 16119)
- **without tear & wear** and therefore a reduced content of requirements should be applied

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How to deal with brand new PAE?

Proposal: Inspection of brand new sprayers (see pp v. Barga)

- field sprayers -

For testing brand new equipment only the features related to

- pump
- pipe system
- nozzles

shall be applied.

The results of the test shall be described in a test report to be written according to the sample in EN 13790.

How to deal with minor defects?



Proposal: Definition of minor defects

- field sprayers -

- The CEN/TC144/WG3 will not define minor defects, but
- the EC/DG Sanco is very interested to keep the inspection procedure as practicable as possible
- DE and other MS have still some positive experiences
- a proposal is submitted and should be further developed by a new TechnicalWorkingGroup (TWG)

Prospects

- The Directive 2009/128/EC provides the frame for inspection of PAE in the MS, but
- further regulation acc. to the principles of subsidiary have to be developed by the MS amongst themselves
- this enables the MS to implement these stipulations taking their own experiences & situations into account
- the SPISE4 workshop should invite colleagues to participate in these TWG to consider all experiences and competences in their proposals

Discussion of the presentations/relevant experiences of Member States (MS)

- Member States (MS) are intensively engaged to implement a mandatory inspection.
- France considers a more central administration, whereas Spain delegates the responsibility to the regions. In both Member States the inspection is (or will be) conducted by approved inspection workshops, while the general government reserves for the control- and monitoring responsibilities.
- The boom sprayers and air assisted sprayers are in the central focus of inspection.
- How the exemptions (different timetables and inspection intervals) according article 8.3 will be applied by the MS, is currently inexplicit.
- The mutual recognition of the inspection between MS is to date not relevant.
- As a replacement for the missing harmonized norms, the EN 13790 is recommended for temporary use.
- Quality measurements (audits ...) have to be developed.
- The participation of farmer/grower should be guaranteed during the inspection process in order to increase the benefit of the action
- In the case of "minor defects" and "brand new pesticide application equipment (PAE)" a special coordination is needed.
- Mandatory training course for inspectors should be harmonized among the EU members.
- Differences on training system lead to differences on inspection procedure/level/exigencies, with great consequences for the user.
- Differences on inspection procedure, equipment, training,... should be avoided among different regions of EU members.

Implementation of a technical working group for developing a common proposal

- How to deal with minor defects? No clear position.
- How to deal with brand new PAE? No clear position.
- It is recommended to implement a technical working group (TWG) for developing common proposals (minor defects, brand new sprayers).