

## Status of ‘Highly Hazardous Pesticides’ (HHPs) amongst South African Agricultural Remedies

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*Before any agricultural remedy may be imported, manufactured, stored, marketed or sold in South Africa, the product must first be registered by the Department of Agriculture, Land Reform & Rural Development (DALRRD) in accordance with Act No. 36 of 1947 (the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act). This registration by DALRRD dictates that an agricultural remedy (pesticide) may only be sold in its original approved packaging, with a detailed product label securely affixed to the product container and may only be used strictly according to label directions in terms of use rate, pest targeted and manner of application.*

### Definition of a Highly Hazardous Pesticide

The FAO/WHO International Code of Conduct on Pesticide Management (2013) defines Highly Hazardous Pesticides (HHPs) as:

Pesticides that are acknowledged to present particularly high levels of acute or chronic hazards to health or environment according to internationally accepted classification systems such as the World Health Organization (WHO) or the Globally Harmonized System of Classification and Labelling of Chemicals (GHS) or their listing in relevant binding international agreements or conventions. In addition, pesticides that appear to cause severe or irreversible harm to health or the environment under conditions of use in a country may be considered to be, and be treated as, highly hazardous.

A relatively small proportion of all pesticides in use are HHPs. A survey of pesticide registers in African, Caribbean and Pacific countries found that between 6 and 10 per cent of registered pesticides were HHPs (FAO 2021). The rationale for action is therefore that the cessation of use of a relatively small number of pesticides could remove many of the most serious hazards to health and the environment.

Eight criteria define whether a pesticide is an HHP (FAO and WHO 2016). These criteria were set by the Joint Meeting on Pesticides Management, which is an international expert group that advises FAO and WHO. These criteria are:

- **Criterion 1: Pesticide formulations that meet the criteria of classes Ia or Ib of the WHO Recommended Classification of Pesticides by Hazard; or**
- **Criterion 2: Pesticide active ingredients and their formulations that meet the criteria of carcinogenicity Categories 1A and 1B of the Globally Harmonized System of Classification and Labelling of Chemicals (GHS); or**
- **Criterion 3: Pesticide active ingredients and their formulations that meet the criteria of mutagenicity Categories 1A and 1B of the Globally Harmonized System of Classification and Labelling of Chemicals (GHS); or**
- **Criterion 4: Pesticide active ingredients and their formulations that meet the criteria of reproductive toxicity Categories 1A and 1B of the Globally Harmonized System of Classification and Labelling of Chemicals (GHS); or**
- **Criterion 5: Pesticide active ingredients listed by the Stockholm Convention in its Annexes A and B, and those meeting all the criteria in paragraph 1 of Annex D of the Convention; or**
- **Criterion 6: Pesticide active ingredients and formulations listed by the Rotterdam Convention in its Annex III; or**
- **Criterion 7: Pesticides listed under the Montreal Protocol; or**
- **Criterion 8: Pesticide active ingredients and formulations that have shown a high incidence of severe or irreversible adverse effects on human health or the environment.**

### **South African situation**

The “*Regulations relating to agricultural remedies*” of 25 August 2023 published in Government Gazette Notice #49189, introduced “substances of concern” and “restricted agricultural remedies”, which collectively include all criteria listed under the definition of an HHP.

Agricultural remedies classified as “**substances of concern**” (criteria 2, 3, 4, 5 and 7 under the definition of an HHP) are currently being phased out. Only in exceptional circumstances, where there are no viable alternatives, may the Registrar (Act No. 36 of 1947) grant a registration of an implicated remedy for a specified period, after publication of a risk assessment report.

The legal authorisation for the sale or use of any agricultural remedy in South Africa classified as a ‘substance of concern’ lapses 30 May 2025, unless a temporary derogation for a specific crop-pest combination is authorized by DALRRD.

Agricultural remedies classified as “**restricted agricultural remedies**” (criteria 1, 6 and 8 under the definition of an HHP) will be restricted for sale and use by registered pest control operators only.

DALRRD issued a deadline of 31 October 2024 for registration holders to submit amended agricultural remedy labels containing restriction statements. Once approved, registration holders need to ensure future inventory is correctly labelled & inventory in the value chain must be over-labelled soonest. Restricted agricultural remedies may only be sold to, and used by, registered pest control operators sufficiently trained and qualified to handle these products responsibly.

### **Summary**

- DALRRD has already introduced local legislation for ‘substances of concern’ and ‘restricted use products’.
- This means that DALRRD and the plant protection solution industry are well advanced with their efforts to restrict the use of, and ultimately remove, when possible, agricultural remedies considered to be HHPs from the South African market.

**TABLE 1:** comparison of HHP definition criteria with current South African legislation

<b>Globally agreed definition of an HHP</b>	<b>South African legislation</b>	<b>South African situation</b>
Criterion 1: Pesticide formulations that meet the criteria of classes Ia or Ib of the WHO Recommended Classification of Pesticides by Hazard.	Restricted agricultural remedy	Restricted for use by registered pest control operators
Criterion 2: Pesticide active ingredients and their formulations that meet the criteria of carcinogenicity Categories 1A and 1B of Globally Harmonized System (GHS).	Substance of concern	Currently being phased out from use except in exceptional cases where a temporary derogation may be granted by DALRRD
Criterion 3: Pesticide active ingredients and their formulations that meet the criteria of mutagenicity Categories 1A and 1B of GHS.	Substance of concern	Currently being phased out from use except in exceptional cases where a temporary derogation may be granted by DALRRD
Criterion 4: Pesticide active ingredients and their formulations that meet the criteria of reproductive toxicity Categories 1A and 1B of GHS.	Substance of concern	Currently being phased out from use except in exceptional cases where a temporary derogation may be granted by DALRRD
Criterion 5: Pesticide active ingredients listed by the Stockholm Convention in its Annexes A and B, and those meeting all the criteria in paragraph 1 of Annex D.	Substance of concern	Currently being phased out from use except in exceptional cases where a temporary derogation may be granted by DALRRD
Criterion 6: Pesticide active ingredients and formulations listed by the Rotterdam Convention in its Annex III.	Restricted agricultural remedy	Restricted for use by registered pest control operators
Criterion 7: Pesticides listed under the Montreal Protocol	Substance of concern	Currently being phased out from use except in exceptional cases where a temporary derogation may be granted by DALRRD
Criterion 8: Pesticide active ingredients and formulations that have shown a high incidence of severe or irreversible adverse effects on human health or the environment.	Restricted agricultural remedy	Restricted for use by registered pest control operators

“Relevant Regulations” refer to:

- Act No 36 of 1947
- Subsequent supporting regulations, but particularly “*Regulations relating to agricultural remedies*” of 25 August 2023.