

PRESS RELEASE – FOR IMMEDIATE RELEASE

Significant victory for campaigner as the Government is to finally change the policy approach for assessing the risk to public health from pesticides

Award winning campaigner, Georgina Downs, who runs the UK Pesticides Campaign www.pesticidescampaign.co.uk, has **won** her 12 year battle to change the Government's policy approach to assessing the risk to public health from pesticides used in crop spraying.

In March 2009, as a direct result of the legal challenge taken against the Government by Georgina Downs, DEFRA Ministers requested a policy review of the current UK exposure and risk assessment approach for people exposed to agricultural pesticides sprayed on crops.¹

As part of that policy review the Government's main advisors on pesticides, the Advisory Committee on Pesticides (ACP) set up a joint working group² with the Committee on Toxicity (COT) entitled the "*Bystander Risk Assessment Working Group (BRAWG)*." BRAWG was supposed to be only "short-life" of a matter of months, but eventually reported to DEFRA Ministers nearly 4 years later, in December 2012. It included recommendations for changes to the approach for assessing the risks to people from agricultural pesticides.

Nearly *another year on* and the Government has now announced that it has accepted all the BRAWG report's recommendations.³

Georgina Downs states, "*Until now the Government and its main advisors, the ACP, have continued to deny the inadequacies of the existing approach in the UK. So much so, that I was left with no choice but to challenge the Government's policy in the courts. As a direct result of that legal case DEFRA Ministers requested a review of the policy in March 2009.*"

"By accepting all the ACP/COT's BRAWG report recommendations the Government is now finally acknowledging that the risk assessment approach relied upon to date has been inadequate. This is what I have always argued since the outset of my campaign, as there has been no risk assessment to cover the exposure of residents living near sprayed fields."

To date, the official method in the UK of assessing the risks to people from crop spraying and under which pesticides are approved, is based on the model of a "*bystander*" which assumes that there will only be occasional short-term exposure of just a few minutes. It is also based on the assumption that exposure will only be to one individual pesticide at any time.

Yet, as Ms. Downs has continued to correctly argue since the outset of her campaign, this "*bystander*" model clearly does not address the exposure of people who are actually living in these sprayed areas, as exposure for rural residents is long-term, chronic, cumulative, and is to innumerable mixtures ("*cocktails*") of pesticides used on crops. (There are approx. 2,000 products currently approved for use in the UK in agriculture according to the regulators⁴).

The report sent to Ministers by the ACP and COT's BRAWG Working Group had agreed with a number of Ms. Downs' long standing critical campaign arguments including that, *there needs to be separate exposure and risk assessments for residents and bystanders; *both

acute (short-term) and longer-term exposure assessments are required for residents; *estimates of exposure through each pathway and route should be aggregated (combined); and *separate risk assessments should be considered for children and adults exposed as residents and bystanders.

The BRAWG report had also considered inadequate the assumption in the existing *bystander* risk assessment that an individual would not be any closer than 8 metres from a crop sprayer. Thus BRAWG had recommended to Ministers that a 2 metre distance between the sprayer and a resident or bystander should be assumed in all the acute and chronic risk assessments.

Ms. Downs states, “*This is again a critical inadequacy that I have been highlighting for over 12 years and which was previously and repeatedly met with Government denials that any individual would be closer to a sprayer than 8 metres. Yet, in reality many residents live within a metre or less away from a field. Thus if it is now based on 2 metres then any people closer than that would again not be accounted for in the revised risk assessment approach.*”

Ms. Downs points out that not only are the various changes that are now going to be made to the Government’s approach for assessing the risk to public health from crop spraying *finally* an acknowledgement by the Government, and the ACP/COT, that the existing approach has been inadequate, but it also raises questions as to what happens to all the pesticides that have been approved under that inadequate approach? Will all those pesticides now be reassessed?

However, despite vindicating the crux of Ms. Downs’ campaign arguments (in that residents are *not* covered by the existing “*bystander*” model), she points out that the ACP and COT’s BRAWG recommendations, now agreed by the Government, were still woefully inadequate as the BRAWG report *still* did not acknowledge *the extent* of the *very serious flaws* in the existing policy and approach and so did not recommend all the changes that are necessary.

As a result of this Ms. Downs states, “*The Government has yet again failed to take the necessary and very long overdue action to protect people in the countryside from pesticides by prohibiting crop spraying and the use of pesticides in the locality of residents’ homes, as well as schools, children’s playgrounds, nurseries etc. Yet the fact that there has never been any assessment in the UK to date of the risks to health for residents and others exposed over the long term means that under European legislation pesticides should never have been approved for use in the first place for spraying in the locality of such areas.”*⁵

Ms. Downs goes on to state, “*There has never been any evidence to support the Government position of safety to residents, or children attending schools in the locality of sprayed fields, just the Government’s own continued assertions. The existing UK policy has put rural citizens in a guinea pig-style experiment, and for which many of us residents have had to suffer the serious and devastating, and even fatal, consequences of.*”

Throughout her 12 year high profile campaign Ms. Downs has continued to receive reports of both acute adverse health effects, as well as chronic long-term effects, illnesses and diseases, in rural communities across the UK. The reports cover all different age groups from the very young (including babies and children) to the elderly.⁶

The acute effects reported are the same types of acute effects recorded in the Government’s own monitoring system and include, sore throats, chemical burns to eyes and skin, blisters,

burnt vocal chords, respiratory irritation, breathing problems and asthma attacks, difficulty swallowing, headaches, dizziness, vomiting, stomach pains, and flu-type illnesses.

The most common chronic long-term illnesses and diseases reported to the campaign include neurological conditions, (including neurological damage, Parkinson's disease, Multiple Sclerosis), as well as various cancers, (especially breast cancer among rural women, and cancers of the prostate, stomach, brain), leukaemia, non-Hodgkins lymphoma, amongst numerous other medical conditions.

It is now beyond dispute that pesticides can cause a wide range of both acute, and chronic, adverse effects on human health. The European Commission has previously clearly acknowledged that *“Long term exposure to pesticides can lead to serious disturbances to the immune system, sexual disorders, cancers, sterility, birth defects, damage to the nervous system and genetic damage.”*⁷ As a direct result of Ms. Downs' campaigning, EU pesticides legislation now specifically recognises residents as a *“vulnerable group”* as residents living in the locality of sprayed fields are *“subject to high pesticide exposure over the long term”*.⁸

Ms. Downs states, *“Such recognition of the chronic adverse health impacts of pesticides adds further support and vindication to the many rural residents who have continued to raise concerns over the association of pesticides and such chronic health impacts. The economic costs of the health conditions that pesticides can cause are massive. Obviously it goes without saying that the personal and human costs to those suffering chronic diseases and damage, and the impacts on all those around them, cannot be calculated in financial terms.”*

Ms. Downs also points out that, *“Further, a number of residents have tragically lost their lives as a result of such illnesses and diseases”*⁹ and many more will inevitably do so if the Government continues to fail to act on this issue.” (Examples of cases are in ref 9 below).

Ms. Downs goes on to state, *“It is now 12 years since I first identified the serious failings of the UK Government's policy to protect public health. It is scandalous that neither the previous Government, nor the coalition, have to date done anything to protect the many millions of innocent residents living near fields sprayed with these poisons. Rural residents suffering devastating impacts on their health and lives have effectively been hung out to dry. This absolutely has to now change. The Government must now as a matter of urgency secure the protection of people in the countryside by prohibiting the use of pesticides in substantial distances¹⁰ in the locality of residents' homes, schools, playgrounds, etc.*

Ms. Downs adds that, *“Considering the massive health and environmental costs of using pesticides it makes clear economic sense to switch to non-chemical farming methods. It is a complete paradigm shift that is needed, as no toxic chemicals that have related risks and adverse impacts for any species (whether humans or other) should be used to grow food.”*

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References

1. In Nov. 2008 Georgina Downs won a landmark High Court victory against the Government over its failure to protect people in the countryside from pesticides. Ms. Downs' case was the first known legal case of its kind to reach the High Court to directly challenge the Government's policy regarding crop-spraying in rural areas.

The Government appealed and in July 2009 the Court of Appeal overturned the High Court Judgment. However, the majority of the contents of Ms. Downs' critical evidence contained in six Witness Statements (available at: http://www.pesticidescampaign.co.uk/witnessStatement_1.htm) were completely ignored by the Court of Appeal Judges, as they bizarrely *substituted* Ms. Downs' case, arguments and evidence with the conclusions of a Government requested and funded report 4 years earlier in 2005. Therefore the Court of Appeal's judgment was **not** based on the same case, evidence and arguments that led to the High Court ruling in Ms. Downs' favour.

Prior to the aforementioned Court of Appeal ruling in July 2009, **in March 2009 at a separate Court of Appeal hearing** the Court of Appeal judge refused the Government's third application for a "stay" of the High Court Judgment and Order in Ms. Downs favour and ordered that the Government should get on with its review of the policy and approach as had been ordered by the High Court ruling in November 2008. **This immediately led to DEFRA Ministers requesting a review of the Government's policy and approach to assessing the risk from pesticides for residents and bystanders** (source: pages 7 and 8 at: <http://cot.food.gov.uk/pdfs/tox200909.pdf>), **and DEFRA Ministers then publicly committed to continuing with this review of the policy and approach irrespective of the subsequent Court of Appeal judgment in July 2009** (source: <http://cot.food.gov.uk/pdfs/tox200928addendum.pdf>).

2. As part of the policy review the ACP set up a joint working group of the ACP and the Committee on Toxicity (COT), entitled "*Bystander Risk Assessment Working Group (BRAWG)*." The BRAWG report that was sent to Ministers in December 2012 included a number of recommendations for changes to the approach for assessing the risks to people from agricultural pesticides. The BRAWG report can be seen at: <http://www.pesticides.gov.uk/guidance/industries/pesticides/advisory-groups/acp/ACP-News/BRAWG-Report-DEC-2012>

3. The Government's response to the recommendations in the ACP and COT's BRAWG report have been published on the ACP website at:- <http://www.pesticides.gov.uk/guidance/industries/pesticides/advisory-groups/acp/ACP-News/BRAWG-Rep-Gov-resp> **and can also be seen on the Gov.uk website at:-** <https://www.gov.uk/government/publications/brawg-report-risk-assessment-to-pesticide-exposure-government-response>

The Government response has accepted all the ACP and COT BRAWG's report recommendations, including all those recommending changes to the approach for assessing the risks to people from pesticides. The Government response also states that the recommendations should also be taken forward to Europe and the European Food Safety Authority (EFSA) to be used in developing a harmonised EU approach. In relation to this it should be noted that, as a result of representations to various European institutions since 2002, the campaign run by Ms. Downs had already been successful in ensuring that new exposure and risk assessment specifications for residents and bystanders are included in, most importantly, Commission Regulation (EU) No 284/2013 of 1st March 2013 at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:093:0085:0152:EN:PDF> that sets out the new data requirements for pesticide products, as well as in an EFSA Guidance Document on pesticide exposure assessment for operators, workers, residents and bystanders, due to be finalised next year. Both of which further reinforce the long standing requirements on Member States, under EU law, regarding the risk assessments that must be undertaken for all the necessary exposure groups (ie. operators, workers, residents,

bystanders) *before* any pesticide products can be authorised for use, in order to establish that there will be *no harmful effect* on human health, (as required in Article 4 of the Plant Protection Products (PPP) Regulations 1107/2009 at:- <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:309:0001:01:EN:HTML>).

4. According to the regulators, the Chemicals Regulation Directorate (CRD), in pers comm in November 2012, there are approximately 2,000 products currently approved for use in the UK in agriculture.

5. To date, there has been **no** exposure and risk assessment in the UK for the specific exposure scenario of **residents** who live in the locality of sprayed fields. Yet EU law regarding the authorisation of pesticides (formerly EC Directive 91/414 and now the Plant Protection Products (PPP) Regulations 1107/2009 which can be seen at:- <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:309:0001:01:EN:HTML>) **requires** that *before* pesticides can be authorised for use, risk assessments **must** be undertaken **to establish** that there will be *no immediate or delayed harmful effect* on human health. **The fact that, to date, there has never been any assessment in the UK of the risks to health for residents and others exposed over the long term means that under EU law pesticides should never have been approved for use in the first place for spraying in the locality of residents' homes, schools, children's playgrounds, etc.**

6. Throughout her 12 year campaign Ms. Downs has continued to receive reports of both acute adverse health effects, as well as chronic long-term effects, illnesses and diseases, from individuals and families from across the UK who are living in the locality of pesticide sprayed crop fields. The reports cover all different age groups from the very young (including babies and children) to the elderly. A few examples, of the many such reports that Ms. Downs' campaign has received, include the following:-

- **Jason Bunn and family** (which includes 10 month old baby twin girls, and in total there are 6 children under the age of 13). The whole family have suffered repeated ill-health following the spraying of crop fields surrounding where they live (they are within 3 metres away from the nearest field). For example, they have all suffered from repeated nose bleeds (which is known to be an acute adverse effect of pesticide exposure) and the twins have had chesty coughs, raspy breathing and cold/flu like symptoms for over a month. Jason informed Ms. Downs that their local GP has confirmed that pesticide spraying is the most likely cause of their symptoms. Jason himself has also suffered from neurological symptoms which he describes as being similar to those of Multiple Sclerosis (MS). Jason also pointed out to Ms. Downs that a few years ago his dog developed Lymphoma;
- **Tamzin Pinkerton** contacted Georgina Downs' campaign in 2008 to report what had happened to her young daughter, Meli, as when Meli was just 8 years old (which was in 2008) she was diagnosed with leukaemia. Not only did they used to live in the locality of fields, but Meli's school was also in the locality of fields as well. There have been a considerable number of studies over the years regarding the association between pesticide exposure and childhood leukaemia.*

*See for example the review recently published in *Toxicology and Applied Pharmacology*, Volume 268, Issue 2, 15 April 2013, pages 157–177 regarding the chronic health impacts of pesticides entitled "*Pesticides and Human Chronic Diseases; Evidences, Mechanisms, and Perspectives*" available at:- <http://www.sciencedirect.com/science/article/pii/S0041008X13000549> . There are a vast number of references contained within this review to studies that found associations of exposure to pesticides with a wide range of chronic diseases, **(and this includes numerous studies relating to residents living in the locality of pesticide sprayed fields)**. These chronic diseases include, cancers of the breast, prostate, lung, brain (including childhood brain cancer), kidney, testicles, pancreas, oesophagus, stomach, bladder, bone, as well as non-Hodgkin's lymphoma, multiple myeloma, soft tissue sarcoma, leukaemia, **(including childhood leukaemia)**, and other chronic health impacts include, birth defects, reproductive disorders, neuro degenerative diseases (including Parkinson's, Alzheimer's, Amyotrophic lateral sclerosis (ALS)), cardio-vascular diseases, respiratory diseases, diabetes (Type 1, 2 and gestational), chronic renal diseases, and autoimmune diseases (such as rheumatoid arthritis, and systemic lupus erythematosus). The review concludes that, taken together, the chronic diseases discussed within the review are considered as the major disorders affecting public health in the 21st century, and concludes that it is time to find a **preventive approach** and find efficient alternatives to using pesticides. Such

findings again add further support and vindication to the many residents who have continued to raise concerns over the association of pesticides and such chronic conditions.

7. Source: [http://europa.eu/rapid/press-release MEMO-06-278_en.htm?locale=en](http://europa.eu/rapid/press-release_MEMO-06-278_en.htm?locale=en)

8. Article 3, para 14, of the EU PPP Regulation regarding the authorisation of pesticides at:- <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:309:0001:01:EN:HTML> includes a new definition for “vulnerable groups” as meaning “persons needing specific consideration when assessing the acute and chronic health effects of plant protection products. These include pregnant and nursing women, the unborn, infants and children, the elderly and workers and residents subject to high pesticide exposure over the long term.”

9. In a recent meeting with DEFRA Minister Lord De Mauley on 25th July 2013 and in a subsequent letter sent for the Minister’s consideration on 29th July 2013, Ms. Downs gave a few examples (of the many that that the campaign she runs has received) of rural residents that lived in the locality of pesticide sprayed fields and who tragically lost their lives, and/or the lives of members of their family, as a result of the illnesses and diseases they suffered and two of the examples that Ms. Downs included were:-

- **Douglas Lee** and family lived in the locality of pesticide sprayed fields. Douglas had many years ago lost his son to leukaemia. Douglas had also previously recorded three other cases of leukaemia, seven cases of cancer and six neurological diseases from just 50 properties in his area. In addition he reported that several dogs which walked through fields shortly after crop spraying had died from cancer, and that entire ponds of fish had also died following spraying. Douglas himself subsequently succumbed to cancer a couple of years ago. Georgina Downs spoke to Douglas Lee 2 weeks before he died and he asked her to use his name and to carry on campaigning on behalf of all those affected. Mrs Lee lost both her husband and her son, and there have been a considerable number of studies over the years that found an association between pesticide exposure and leukaemia, as well as various other cancers;*
- There is also the tragic case of **Keren Robbins** who after years of being subjected to pesticide spraying in the locality to where she lived and suffering from both a neurological condition, and Multiple Chemical Sensitivity (MCS), was left feeling so powerless to stop the chemical onslaught that after a spraying application in 2009 in which her health was made worse, she took her own life by jumping in front of a train. Her husband was left devastated at the loss of his wife.

10. Scientific studies have found pesticides **miles** away from where they were originally applied. For example, the reputable study in California (Lee *et al*, “Community Exposures to Airborne Agricultural Pesticides in California: Ranking of Inhalation Risks” (2002)) that found pesticides located up to **3 miles away** from the treated areas, and calculated health risks for residents and communities living within those distances. Also the March 2009 study entitled, “Parkinson’s Disease and Residential Exposure to Maneb and Paraquat From Agricultural Applications in the Central Valley of California,” by Sadie Costello, Myles Cockburn, Jeff Bronstein, Xinbo Zhang, Beate Ritz, **that found that exposure to just two pesticides within 500 metres of residents’ homes increased the risk of Parkinson’s Disease by 75%**. Another study involving nearly 700 Californian women showed that living within a mile of farms where certain pesticides are sprayed, during critical weeks in pregnancy, increased by up to 120% the chance of losing the baby through birth defects. (Bell *et al*). Another study published in the Journal of the American Medical Association (JAMA) in 2005 (Alarcon *et al*, entitled, “Acute Illnesses Associated with Pesticide Exposure at Schools”) that confirmed acute illnesses in children and employees from pesticides sprayed on farmland in the locality of schools, and that pointed out that at the time the study was prepared, that a number of US states require the prohibition of spraying in the locality of schools in an attempt to protect children from exposure, including one state where the distance of the area where the use of pesticides is prohibited in the locality of schools is **2.5 miles**. Therefore it is clear that separation distances of **miles, not metres**, would be needed in order to protect residents from the risk of harm. The areas where the use of pesticides is prohibited can of course still be farmed using non-chemical methods.

Notes to Editors:-

- Georgina Downs runs the multi award winning UK Pesticides Campaign (www.pesticidescampaign.co.uk), which is the only campaign that specifically exists to highlight the risks, and adverse health and environmental impacts of pesticides on rural residents and communities, as well as on other members of the public exposed. The UK Pesticides Campaign was founded in 2001 after Ms. Downs identified serious flaws in the Government's so-called "*bystander risk assessment*".
- The '*bystander*' model assumes that there will only be occasional short-term exposure equal to 5 minutes' exposure (or even less, as a previous paper by the regulators in fact shows calculations based on just 1 minute exposure), to the spray cloud at the time of the application only, from a single pass of a sprayer, based on a person standing 8 metres from the spray boom. It is also based on exposure to only one individual pesticide at any time. Ms. Downs' campaign has always argued that this bystander model is inadequate to assess even the exposure of such bystanders, and fails entirely to address the exposure of **residents**, as residents' exposure is long-term, chronic, cumulative, and to innumerable pesticide mixtures.
- Over the last 12 years Ms. Downs has produced extensive written and visual materials to highlight the UK Government's inherent failure to protect public health, in particular rural residents and communities, from exposure to agricultural pesticides sprayed in the locality of residents' homes, schools, children's playgrounds, amongst other areas. As the Founder and Director of the UK Pesticides Campaign, Ms. Downs has lived next to regularly sprayed fields for over 29 years, and therefore has the direct experience of living in this situation.
- Ms. Downs met with DEFRA Minister Lord De Mauley on 25th July 2013 and sent a subsequent letter and documentation for the Minister's consideration on 29th July 2013. On behalf of the UK Pesticides Campaign Ms. Downs has met with numerous DEFRA Ministers since 2002, including the former DEFRA Secretary of State, Hilary Benn, as well as a key policy advisor to the then Prime Minister, Gordon Brown, at Number 10, in January 2009.
- The work of the UK Pesticides Campaign is widely recognised both nationally and internationally, and has led to a considerable number of prestigious environmental awards and nominations. These include Georgina Downs winning the 2008 Daily Mail Inspirational Eco Woman of the Year Award, the 2006 Cosmopolitan magazine's Heroine Award, and the Andrew Lees Memorial Award in the 2006 British Environment and Media Awards. Ms. Downs was also the Winner of the 2008 most inspiring pioneer in The Observer's Secret Pioneer poll, and named a 2008 "*Woman of the Year*" and invited to the Women of the Year Lunch in recognition of the campaign. Ms. Downs was also listed in the Guardian Newspapers *25 People of the Year 2008*, and Farmers Weekly listed Ms. Downs at number 9 in its 2011 list of influential campaigners involved with British agriculture.
- As a result of the UK Pesticides Campaign's work and achievements Georgina Downs was elected a Fellow of the Royal Society for the encouragement of Arts, Manufactures and Commerce (RSA) on 16th September 2008.
- Georgina Downs is also a registered journalist under both the British Guild of Agricultural Journalists (BGAJ) as well as the International Federation of Agricultural Journalists (IFAJ).