

Committee on Technical Barriers to Trade

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

1. Member to Agreement notifying: <u>THE NETHERLANDS</u> If applicable, name of local government involved (Articles 3.2 and 7.2):
2. Agency responsible: Ministry of Transport, Public Works and Water Management Agency or authority designated to handle comments regarding the notification shall be indicated if different from above: National Enquiry Point
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Control facilities, facilities for blocking insoluble components, facilities for the individual treatment of waste water, equipment and the components forming part thereof, including edge nozzles, low-drift nozzles, spray guns, spraying aeroplanes, intended for spraying and spreading crop protection products and fertiliser near surface water.
5. Title, number of pages and language(s) of the notified document: Discharging Decree on Open Cultivation and Cattle Farming.
6. Description of content: The purport of the Discharging Decree is to prevent and limit the pollution of surface water by emissions, in particular, of crop protection products and fertiliser, as a result of agricultural activities in open cultivation and cattle farming. The decree contains various technical regulations with the above in mind. It prescribes, inter alia, that waste water shall not be discharged into surface water unless use is made of control facilities and facilities for blocking undissolved components. Industrial waste water of a household nature shall not be discharged into surface water unless it is passed via a facility for the individual treatment of waste water. This requirement is met in any case if a septic tank is used which is designed in accordance with the WVO ministerial regulation on septic tanks, as based on the WVO Discharging Decree on household waste. The decree also contains provisions for preventing the surface runoff and drifting of crop protection products and fertiliser to surface water. For example, for the spreading of certain fertiliser adjacent to surface water, the use of an edge-spreading device is prescribed. Also, within a 14 meter distance to the surface water, aeroplane spraying, the use of a spray gun and the use of certain field-sprayers not equipped with edge nozzles and other low-drift nozzles shall be banned. No restrictions on the use of equipment shall apply to the remainder of the plot. There is no cross-reference to other regulations which are pending notification.

7.	Objective and rationale, including the nature of urgent problems where applicable: The various regulations with regard to the equipment are necessary in view of the high standard regarding excessive levels of pesticides and fertiliser in surface water. Insofar as the draft contains quantitative import restrictions or measures of equal effect within the meaning of Article 30EC, these measures are justified to protect the interest of surface water.
8.	Relevant documents: Surface Waters Pollution Act (WVO), Articles 1, and 2a, 2b, 2c, second para. (Bulletin of Acts and Decrees 1969, 536) - WVO Ministerial regulation on septic tanks - Pesticides Act 1962, article 13, (Bulletin of Acts and Decrees 1962, 288)
9.	Proposed date of adoption: 1 November 1999 Proposed date of entry into force: 1 January 2000
10.	Final date for comments: 18 October 1999
11.	Texts available from: National enquiry point <input checked="" type="checkbox"/> or address, e-mail and telefax number of the other body: