

**GENERAL AGREEMENT
ON TARIFFS AND TRADE**

RESTRICTED
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17 January 1994
Special Distribution

(94-0075)

Committee on Technical Barriers to Trade

NOTIFICATION

The following notification is being circulated in accordance with Article 10.4.

1.	Party to Agreement notifying: <u>NETHERLANDS</u>
2.	Agency responsible: Ministry of Housing, Physical Planning and Environment
3.	Notified under Article 2.5.2 [X], 2.6.1 [], 7.3.2 [], 7.4.1 [], other:
4.	Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):
5.	Title and number of pages of the notified document: Order Governing Environmental Conformance Requirements on Pesticides in Accordance with Article 3a of the Pesticides Act 1962 (total 19 pages - available in Dutch).
6.	Description of content: The regulation relates to the environmental conformance requirements on crop protection products. The Order implements Article 3a of the Pesticides Act 1962. With Article 3a, the Act has been extended and now includes the option to refuse conformance if the general rules pursuant to this article, which prevent deterioration of the quality of the soil, including ground water, water and air, are not met. This Order ensures the compliance therewith. Standards are prescribed for: (a) soil persistence; (b) leaching into ground water; and (c) risk for water organisms.

7. Objective and rationale: The aim of all standards is to protect the environment and, to some extent, public health:

- (a) The persistence standard: the half life (DT 50) of a product and its conversion products shall be less than 180 days under laboratory circumstances, or DT 50 shall be greater or equal to 60 days but less than 180 if the maximum permitted risk for soil organisms is not exceeded. This Standard aims to prevent the impermissible accumulation of a certain substance in the soil so as to reduce any future risk for soil organisms.
- (b) The leaching standard into ground water: basic rule in the ground water policy is that the standard envisaged at the EC drinking water directive (80/778/EC) of 0.1 microgrammes per litre per substance and of 0.5 microgrammes per litre for all pesticides shall apply. This implies that ground water intended for the preparation of drinking water must meet the drinking water standard without any structural additional purification. Based on the multi-purpose principle, all parts of Dutch soil where the extraction of drinking water forms part of the possible soil functions in principle warrant the abovementioned protection. The aforementioned criteria must be met in any case if the upper ground water fulfils this standard.
- (c) To protect the water eco systems, the following standards have been laid down: any pesticide and each of its conversion products shall show a concentration level in surface water less than:
 - (a) 0.1 of the LC50 for fish;
 - (b) 0.1 of the LC50 or EC50 for crustaceans;
 - (c) 0.1 of the EC50 for algae.

8. Relevant documents:

- (a) Pesticides Act 1962
- (b) Amendment to the Pesticides Act 1962, Law Gazette 1993, 484
- (c) Note on the environmental criteria on substances to protect the soil and ground water, parliamentary documents II 1988-1989, 21 012, nos. 1-2
- (d) Crop protection long-range plan, parliamentary documents 1990/91, 21 677, nos. 3-4

9. Proposed date of adoption and entry into force: 1 January 1995

10. Final date for comments: 5 March 1994

11. Texts available from: National enquiry point [X] or address and telefax number of other body: