

LESSONS LEARNT FROM BANNING BIOCIDES IN NL

- Many environmental & health problems of biocides already identified in the 80-es
- No national policy before 90-es
- EU-harmonization blockade for progress phasing-out harmful biocides
- Ban on use most harmful biocides in NL only through legal action NGO's & (independent) authorization body

BIOCIDES IN THE NETHERLANDS

- Use in 1994 20-25 million kg/year (compare agri-use was 16 million kg/yr)
- >50% use of chlorine-compounds for disinfections
- Another main use is wood preservation
- But also antifouling, storage protection, and many types of in-house use

BATTLE FIELD 1990-2005.

- Government from steering to self-regulation
- Industry always present to lobby & go to court
- NGO's active in starting court cases & campaigning, but sometimes lacking time
- EU on the background

LEGAL SYSTEM

- Biocides Directive (98/8) & national biocides laws (common principles)
- Directive 76/464, now Water Framework Directive & national water protection laws
- Directive 76/769 & national dangerous substances laws

(FIRST) MOVERS IN NL

- NGO's started legal case against pesticides in water courses based on 76/464, 1992,
- NGO's challenged authorization of several biocides (CCA, creosotes, etc.)
- Government plan for applying environmental standards for biocides, 1994
- Regional water authorities ban creosotes as wood preservative based on 76/464, 1995
- National biocides body trying to phase-out most harmful biocides (1996-now)

EX.1. CREOSOTE AS WOOD PRESERVATIVE

- Large emission of carcinogenic PAC's like benzopyrene
- Banned by regional authorities in water (76/464 & requirement for a permit)
- Total ban (production & use) imposed by biocides authorization body (76/769 & 98/8); dozens of court cases
- Not on the market presently, but.....
- Recent verdict of EU-court: ban is not justified

EX.2. CCA as wood preservative

- Emission of chromium, arsenic (both carcinogenic) and copper in the environment
- Fierce resistant of industry against ban of national authorization body; NGO's pressurize retailers
- Dozens of court cases; national body under pressure
- Alternatives are hardwood (Robinia), PLATO-wood, non-wood solutions, etc.
- Presently some uses of CCA still allowed; same recent EU-verdict on CCA

EX.3. ANTI-FOULING

- Tributyltinoxide (TBTO) banned in 1990 on ships <25 m because of endocrine disrupting properties; still enforcing problems
- TBTO banned by IMO in 2003 for ships on seas
- Now copper-based anti-fouling on target in NL (evidence harmful effects in Port of Rotterdam)
- Alternatives problematic like Diuron; physical methods expensive

EX.4. METHYLBROMIDE

- Banned late 80-es in agri in NL; alternative used in glasshouses is steaming
- Phase-out in UNEP/Montreal protocol by end 2004
- Court cases on biocide-use and enforcement in NL (distance in use to houses); alternatives mainly low-oxygen and HF
- Essential uses allowed (phytosanitary uses)

EX.5. VAPORIZATION IN HOME

- National authorization body tries to ban in home use of biocides; need of (scientific) prove of harm
- Successful in electric vaporizers with pyrethroids
- For other use lack of evidence (no registration of harmful effects etc.)

CONCLUSIONS

- No real policy on biocides in NL
- Still dedicated policy officers can do a lot
- Resistance in government (compare agri ministry & pesticides) is low
- Industry is lobbying but always goes to court too
- Biocides directive not very useful up to now
- NGO's should make court cases an important campaigning tool
- Field players need to have a long-term strategy.