



Standing Committee Report Summary

The Pesticide Management Bill, 2008

- The Standing Committee on Agriculture submitted its 46th report on the Pesticides Management Bill, 2008 on February 18, 2009. The chairperson of the committee is Shri Anant Gangaram Geete.
- The Bill seeks to regulate the manufacture, quality, import, export, and sale of pesticides, ensure availability of quality pesticides, and minimize contamination of agricultural commodities with pesticide residue. It repeals the Insecticides Act, 1968.
- The Committee recommended that the definition of 'pesticide' in the Bill be broadened to include pesticides used not only for agricultural purposes but also for health care.
- The Bill defines misbranded pesticides as those that are mislabelled, do not conform to prescribed standards, lack warning information to prevent risk to humans, or contain a different expiration date from its approved shelf-life. The Standing Committee recommends also adding pesticides that do not conform to any other tests specified by the Registration Committee to the definition.
- The Bill defines spurious pesticides to include those that are unregistered, imitations, expired, etc. The Committee recommends adding 'any pesticide sold under a name of another or infringes a trade mark of another manufacturer' to the definition.
- The Bill creates the Central Pesticides Board which shall consist of representatives from different ministries, departments, and government officials. The Committee feels that the Board should consist of only experts from the relevant government ministries and two farmers representatives.
- The central government shall establish a Registration Committee to register pesticides, specify infrastructure requirements, and outline protocols and manufacturing practices. The Registration Committee shall also allow, restrict or prohibit the use of pesticides. The Committee believes that the powers to prohibit the sale, distribution, or use of pesticides for a specific period is the responsibility of the central government. Any reference to the word "'prohibit' should be deleted from this clause.
- The Registration Committee shall specify guidelines for regulating advertising pesticides in the media. The Committee feels that this should be the function of the Central Pesticides Board.
- The Committee believes that the registration of pesticides should be a transparent and efficient process. It recommends that the registration certificate should be granted within one year of the application.
- Data submitted for registration of pesticide, cannot be used by any other person for registration of the same pesticide for a period of 3 years. The Committee recommends that this period be raised to five years.
- The central government shall decide any appeals against decisions of the Registration Committee. The Standing Committee recommends that the central government address appeals within a prescribed time frame.
- The state government may appoint licensing officers to grant licenses for the manufacture or sale of pesticides or commercial pest control operations. Appeals against decisions of the licensing authority shall be made by the appellate authority and decided within six months. The Committee recommends deciding appeals within 90 days.
- The central government may establish a Central Pesticides Laboratory and accredit private laboratories to carry out the same functions as the Central Pesticides Laboratory. The Committee suggests that the government should only recognize private laboratories that follow the Good Lab Practices and are accredited by the National Accreditation Board for Testing and Calibration Laboratories.
- The central or state governments may appoint pesticide analysts and pesticide inspectors. Pesticide inspectors have the power to enter and search premises and take records maintained by the manufacturer. The Committee believes that the power to seize documents should be done only with prior permission of the executive magistrate.
- The Committee recommends that the pesticide inspector send samples to the pesticide analyst within 24 hours instead of 48 hours. A report of the sample should be submitted in 30 days rather than 45 days and the delivery of the report within 10 days rather than 15 days.
- The Committee recommends that a pesticide user should have the right to get a sample analyzed at an accredited lab. If the pesticide is misbranded or spurious, the user shall be entitled to a refund of the fee for testing.

- The Committee suggests that pesticide inspectors who exercise their power without reasonable proof should be held liable for a fine between Rs 10,000 and Rs 25,000.

Similarly, pesticide analysts producing fictitious test results should be liable for a fine between Rs 25,000 and one lakh.

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