

Pesticide Management Bill, 2017

Problems, Concerns and Challenges

S. No	Problems	Clause details	Implications	Recommended
1.	Name of the Act	Pesticide Management Bill	This title does not explain the objective of restriction and regulation	It should be Pesticide (Production, Distribution and Use) Management Bill, 2017
2.	Objectives		Five objectives do not reflect the required purpose The objectives cannot include the purpose of the pesticide, namely 'control of pests'. This Bill should not be burdened with the mandate to control pests.	Revisit the objectives. It is recommended to remove the first objective.
3.	Addition to the core objective	Short title (page 1)	Price regulation is very essential	Change first line: <i>“to regulate the import, manufacture, export, sale, transport, distribution, retail prices, quality and use of pesticides with a view to...”</i>
4.	Definition of living species	Section 3	Impact of pesticides would be on all types of living species.	<ul style="list-style-type: none"> i. Add a definition on 'living species', ii. replace everywhere 'animals' with living species
5.	Definition of 'animals'	Section 3	'useful' and notification restrict the definition	Remove this
6.	Definition of 'deemed registered pesticides'	Section 3	This compound legal word has not been used anywhere in the Bill 2017.	Remove this definition. Every pesticide, registered and unregistered, prior to this Act, should go through a similar process of

			There should not be any “deemed registered pesticide” as scientific research is coming up with new evidences on pesticides registered earlier.	registration.
7.	Definition of ‘pesticides’	Section 3 (t) "pesticide" means any substance or mixture of substances of chemical or biological origin intended for preventing, destroying, attracting, repelling, mitigating or controlling any pest in agriculture, in households or for public health including unwanted species of plants or animals during the production, storage, transport and distribution of agricultural	<p>This a very broad definition giving scope for misuse and misinterpretation. ‘unwanted’ species of plants or animals can include elephants, peacocks, wildlife, which are protected under Wild life Act. By such broad scope, wild species can be endangered.</p> <p>Clarification is needed on why this definition includes biological origin. This puts chemical and biological origin on the same pedestal. Biopesticides that are acceptable to natural farming would come under the ambit of this law. Secondly, toxin-related gene modification can also become pesticide.</p>	<p>Revisit this definition.</p> <p>Suggested: "pesticide" means any substance or mixture of substances of chemical origin, intended for preventing, destroying, attracting, repelling, mitigating or controlling any insect, fungus including species of plants or animals in agriculture, in households or for public health during the production, storage, transport and distribution of agricultural commodities or animal feeds including substances intended for use as plant growth regulator, defoliant, desiccant, fruit thinning agents, or sprouting inhibitor and substances applied to crops either before or after harvest to protect them from deterioration during storage and transport;</p> <p>or, define a pest like in (suggested) an insect, plant or animal detrimental to humans or human concerns (such as agriculture or livestock production), but not included under Wildlife Act.</p> <p>Or a negative definition might be helpful Pesticide cannot be used for killing humans or used for ripening agents or on species that enable food production such as bees.</p>

		commodities or animal feeds including substances intended for use as plant growth regulator, defoliant, desiccant, fruit thinning agents, or sprouting inhibitor and substances applied to crops either before or after harvest to protect them from deterioration during storage and transport;		
8.	Definition of 'stockist'	(zd) "stockist" in relation to any household pesticide means, any person who purchases such packages for distribution or re-sale from any manufacturer	Stockist is a misnomer, going by the definition	Stockist word should be replaced by 'retail seller'

		of such pesticide;		
9.	Central Pesticide Board	Chapt 2, 4 (1)... Central Pesticides Board to advise the Central Government and the State Governments on scientific and technical matters arising out of administration of this Act and to carry out the functions assigned to it by or under this Act.	CPB is a regulatory body, hence its advisory role should include regulatory function	Amend to: ...Central Pesticides Board to advise the Central Government and the State Governments on regulatory, scientific and technical matters arising out of administration of this Act and to carry out the functions assigned to it by or under this Act.
10.	Composition of Central Pesticide Board	Chapt 2, 4 (2)	Officials only Board does not help. Ultimate efficiency and safety concerns come from the usage, hence non-inclusion of users/ practitioner representatives would restrict the scope of the Board to reach out to wider information. Representatives of users of pesticides also need to be included, especially farmers	Include representatives from medical Doctors, Toxicologists and consumer organizations in the Board, as well. Include Director , CSIR-Indian Institute of Toxicology Research, Lucknow, as member of CPB Include representative of Central Pollution Control Board, as member of CPB

			and household consumers	
11.	Number of Members in the Board	Chap 2 (4)	It deals with a wide knowledge base and usage of a range of pesticides. Relying on officials alone would not help.	The Board should have atleast 5 to 9 members belonging to government and non-governmental organizations, with suitable qualifications
12.	Revisiting the functions of the Board	Chapt 2 (7)	<ol style="list-style-type: none"> 1. Functions of the Board are grossly under-developed. 2. Pesticides are increasingly becoming complex and hazardous to farmers, farming, consumers and environment. 3. New data on impacts are continuously updated. At the same time, pressure to increase food production and rise in pest populations due to climate change is also a factor. In this background, the Board has to play a vital role. 4. India is a party to various conventions by consent and participation. This Bill should include commitment to such Conventions such as Stockholm Convention. 	<p><i>Following additions are proposed:</i></p> <p>(1) It shall be the function of the Board <i>to regulate the import, manufacture, export, sale, transport, distribution, retail prices, quality and use of pesticides</i> so as to ensure the safety to human health, health of all living species and the environment through a notified public consultation procedure.</p> <p>(2) Without prejudice to the provisions of sub-section (7), the Board may specify measures to regulate,—</p> <ol style="list-style-type: none"> (a) the import of pesticides; (b) the transport of pesticides; (c) the containment of pesticides; (d) the research including field trials of pesticides; (e) the research including clinical trials of pesticides; (f) the manufacture, retail prices, sale and distribution of pesticides; (g) the environmental release of pesticides; (h) the procedures and standards to be followed by the laboratories or research institutions notified or by other laboratories or research institutions for undertaking research of pesticides; (i) all processes and other new pesticides; (j) the amounts of fees and other charges to be levied under this Act; <p>and</p>

			<p>Central Pesticide Board should be responsible for implementation of all the International Conventions, wherein the government of India has become a signatory.</p>	<p>(k) any other measures necessary for the purpose of giving effect to this Act.</p> <p>(3) Without prejudice to the provisions contained in sub-sections above, the Board shall,—</p> <p>(a) provide regulatory, scientific advice and technical support to the Central Government and State governments in matters of framing the policy and rules in areas which have a direct or indirect bearing on the safety of products and processes regulated under this Act;</p> <p>(b) provide technical support to the agencies in India which deal with international activities related to establishing and implementing policies which have impact on the regulation of pesticides;</p> <p>(c) monitor, review and analyse national and international policies which may affect priorities in relation to pesticides;</p> <p>(d) develop and implement guidelines for safety assessment methodologies for products and processes regulated under this Act;</p> <p>(e) monitor and forward information relating to the safety of pesticides and processes regulated under this Act to the Central Government and State governments</p> <p>(f) provide regulatory, scientific and technical advice and assistance to the Central Government and State governments regarding risk management procedures with regard to the safety of pesticides and processes regulated under this Act;</p> <p>(g) establish a network of organisations to facilitate scientific co-operation, the exchange of information,</p>
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				<p>the development and implementation of projects, the exchange of expertise and best practices followed in areas relating to pesticides under this Act;</p> <p>(h) ensure that the process and criteria for safety assessment and decision making in relation to pesticides become accessible and understandable;</p> <p>(i) inform the public of all applications for field trials and clinical trials and regulatory decisions made by the Board;</p> <p>(j) organise workshops, conferences and such other programmes to inform the public about the mandate, programmes and policies of the Board;</p> <p>(k) commit to a process of continual quality improvement and professional development in all programmes, policies and activities of the Board to ensure that the scientific and management capacity within the Board remain upto date and consistent with best practices adopted internationally;</p> <p>(l) provide training opportunities to state-level personnel and other stakeholders, who are entrusted with responsibilities related to the regulation of pesticides;</p> <p>(m) serve as the nodal agency for co-ordination for work on standards and guidance related to regulation of pesticides, with the international, governmental and non-governmental organisations;</p> <p>(n) promote consistency between international technical standards and technical standards in India related to regulation of pesticides while ensuring that the level of protection adopted in India is not reduced;</p> <p>(o) discharge in case, it considers so necessary, any</p>
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				other functions in relation to pesticides.
13.	Composition of Registration Committee	Chapt 3, 11 (1)	Officials only Committee does not help, as the knowledge base of pesticides is increasing. Independent Scientists need to be included.	Inclusion of scientists and researchers on pesticides from government and non-governmental organizations in the Committee
14.	Database	Chapt. 3, 11(2),	Board should have information to improve its regulatory performance	the Committee should also include in its functions: “ maintain a database of scientific and other research on the efficacy and inimical effects of various pesticides across the world”.
	Strengthening the Registration Process	Chapt 3, 12 (1) Any person desiring to import or manufacture or export any pesticide shall apply to the Registration Committee for the registration of such pesticide and there shall be separate application for each pesticide:	Since pesticides are hazardous substances, they should go through EIA process, similar to what is prescribed under Environment Protection Act, 1986.	Amend as such: “Any person desiring to import or manufacture or export any pesticide shall apply to the Registration Committee for the registration of such pesticide and there shall be separate application for each pesticide, upon which Registration Committee shall initiate a Environment Impact Assessment (EIA) process, inclusive of a public consultation procedure”
15.	Strengthening the Registration process	Chapt 3, 12 (1), second para “Provided that the	Since the CPB is committed to periodical review, it would be prudent to start all registration afresh.	Remove this second para. Add the following: “Any person desiring to import or manufacture or export any Insecticide registered under the provisions

		insecticides registered under the provisions of the Insecticides Act, 1968, immediately before the commencement of this Act, shall be deemed to be the registered pesticides under the corresponding provisions of this Act.”	There is also zero information on many registrations under Insecticides Act, 1968.	of the Insecticides Act, 1968, immediately before the commencement of this Act, shall be also apply for registration with fresh data.”
16.	Strengthening the registration process	Chapt. 3, 12 (2),	Registration process needs to be fortified, based on the public research process as well	Add a separate provision between clauses 12 (2) and 12 (3) “It shall be mandatory for any pesticides to be registered (imports/exports) should be evaluated for establishing Efficacy and Efficiency of pesticides on target crop/pest need through All India Coordinated Research process of ICAR and state Agricultural Universities, and permission or licensing to the company for Import or Manufacturing of such pesticides should be based on the results of these evaluation tests”.
17.	Perpetual regulation: the Bill calls for applicants to furnish	Chapt 3 (12)(3)	One time information would not help, as impact data keeps coming, with the usage of the particular pesticide	This should be changed to “on all the inimical effects of the pesticide, on the date of application, and periodically, later on, as the knowledge of science grows”.

	information “on all the known inimical effects of the pesticide”			
18.	Wording to be changed	Chapt. 3, 12 (4)	More definitive wording is required	Replace “May” with “Shall”
19.	Minimum fee	Chapt 3, 12(4)	This would ensure financial stability for the registration and monitoring processes	Add: Board would prescribe a minimum fee in terms of percentage of the turnover or economic value of production
	Tolerance limits	Chapt 3, 12(5) second para: Provided that insecticides registered under the provisions of the Insecticides Act, 1968, for which such tolerance limits have not been so notified, shall not be imported, manufactured, sold, distributed, stored or used after two years of the commencement of this Act.	There should be no relaxation on the tolerance limits, as the Board feels that this is an important criteria for registration.	Remove this para
20.	Emergency	Chapt. 3, 12 (5)	Risk management and risk	Insert this:

	management information	and 12 (6)	minimization is an important task, especially in the cases of poisoning by pesticides	“No pesticide shall be registered for import or manufacture unless an antidote is specified and a Standard Medical Protocol has been notified under Indian Clinical Establishments Act, 2010”
21.	Perpetual Regulation	Chapt. 3, 12(6)	All registrations, and related provision for submission of information by the applicant, should have a period.	<p>Add: Any registration can be reviewed, if fresh evidence through proper research data is provided by a body of persons, or individuals, in public interest, by the Registrations Committee”.</p> <p>Every two years, these registrations should be reviewed by an independent scientific body, with due consultations</p>
22.	Registration without data	Chapt. 3, 12(7)	This provision gives scope for registration without any proper data. Hazardous substances without evidence cannot be permitted for sale and distribution as it would create scope for misuse.	This provision should be removed.
23.	Power to refuse registration	Chapt. 3, 12(9)	Pesticides are hazardous substances and can have long term impacts.	<p>Reinsert this:</p> <p>If the Committee is of the opinion that the precautions claimed by the applicant as being sufficient to ensure safety to human beings or animals are not such as can be easily observed or that notwithstanding the observance of such precautions the use of the pesticide involves serious risk to human beings or animals or environment, or that infrastructure to manufacture or stock that pesticide is inadequate, it may refuse to register the pesticide.</p>
24.	Banned Pesticides	Chapt 3, 13 (8)	Many banned pesticides	Insert this:

			across the world are being used in India	<p>“If, on the ground of efficacy and safety, any of the pesticides are banned in other countries, or under international protocols and agreements, wherein India is a signatory, certificate of registration of such pesticides shall stand cancelled, pending review through public consultation.”</p> <p>Or, “Every pesticide that has been banned in any other country, that was registered in India, has to be reviewed with the available evidence, and the license for its production and distribution has to be decided upon accordingly”</p>
25.	Relationship between Board and Registration Committee	Chapt 3 and 4	The relationship between the Board and the Registration Committee needs to be specified. Presently only Central government is mentioned	Board should have the mandate to review the decisions of the Registration Committee, and also in defining the functions of the Registration Committee and also its constitution of members.
26.	Perpetual Regulation	Chapt 3 and 4	Prescriptions by agricultural officers should also be brought under the ambit of regulation.	All crop protection advises by various officers and bodies have to be recorded and adequately monitored for any misuse.
27.	Burden on the individual for Grant of Licences	Chapt. 4	This provision for a single Licensing Officer is fraught with pitfalls, as the individual would be overburdened and might not be in a position to arrive at suitable decisions.	At the State level, a Board has to be constituted with similar functions as the Registration Committee, for licensing
28.	Licensing	Chapt 4	Licensing should not be only for the manufacturer, but also others.	Licensing has to be made compulsory for all the links in entire supply chain of pesticides from

				manufacturers to the retailers.
	Strengthening license process	<p>Chapt. 4 (17) (1) second para</p> <p>Provided that the person except a manufacturer, holding the licence on the date of coming into force of this Act shall be exempted from the condition of himself possessing, or employing a person possessing prescribed qualification, for a period of two years.</p>	All licenses should begin afresh	Remove this para
29.	Strengthening license process	<p>Chapt. 4 (17) (7) (a) maintain a register of persons engaged in manufacture, distribution, stocking and sale</p>	Amendment needed	<p>Amendment to be made:</p> <p>(a) maintain a register of persons engaged in manufacture, distribution, stocking and sale of pesticides and of persons engaged in commercial pest control operations with the use of any pesticide in such form as may be prescribed, including Aadhar</p>

		of pesticides and of persons engaged in commercial pest control operations with the use of any pesticide in such form as may be prescribed;		card, GST registration and other details thereof;
30.	Prohibition of Import, Export and Manufacture of certain pesticides	Chapt. 5	This entire section refers to a person	Replace a 'person' with 'person, or company or enterprise'
31.	Prohibition of Import, Export and Manufacture of certain pesticides	Chapt. 5 (22) (a) to (d)	Reciprocation principle has to be adopted. There should be a ban on importing pesticide from the country of origin, wherein that pesticide has been banned from production, distribution or usage	Add the following: (e) import any pesticide originating from a country that has banned it
32.	Analysis of Pesticides	Chapt. 6, 24 The Central Government or a State Government may, by notification in the Official Gazette, appoint such persons as it	There is huge neglect in such appointments, even as State governments promote pesticides and get huge economic benefit from taxation.	Amend this: "The Central Government or a State Government may, by notification in the Official Gazette, appoint such persons as it deems fit, possessing such technical and other qualifications as may be prescribed, to be Pesticide Analysts in every District as may be specified in the notification"

		deems fit, possessing such technical and other qualifications as may be prescribed, to be pesticide Analysts for such areas and in respect of such pesticides or class of pesticides as may be specified in the notification		
33.	Analysis of Pesticides	Chapt. 6, 24	Functions of Pesticide Analyst have to be specified	Function of Pesticide Analyst: “Collect samples (air, water, soil and crop samples) scientifically, through a prescribed procedures, periodically, as may be specified by an appropriate authority, have them analysed at a specified laboratory and send them to Registrations Committee”
34.	Analysis of Pesticides	Chapt. 6 25. The Central Government or a State Government may, by notification in the Official Gazette, appoint such persons as it deems fit,	There is huge neglect in such appointments, even as State governments promote pesticides and get huge economic benefit from taxation	Amend this: “ 25. The Central Government or a State Government may, by notification in the Official Gazette, appoint such persons as it deems fit, possessing such technical and other qualifications as may be prescribed, to be Pesticide Inspectors in every District as may be specified in the notification”

		possessing such technical and other qualifications as may be prescribed, to be Pesticide Inspectors for such areas as may be specified in the notification		
35.	Analysis of Pesticides	Chapt. 6, 26 (1) (e) to make samples of any pesticide and send such samples within forty-eight hours for test and analysis to the Pesticide Analyst in such manner as they may be prescribed; and	Inspection should include all kinds of means	Amend this: (e) to collect all kinds of evidence, collect samples of any pesticide with Pesticide Analyst in such manner as they may be prescribed, prepare a periodical District report on all Registered Pesticides; and
36.	Analysis of Pesticides	Chapt. 6, 26 (3) It shall be lawful for the Police Officer in-charge of a police station within whose jurisdiction	Collect data from Police Stations	Add second para to 26 (3): “Pesticide Inspector shall collect information on pesticide poisoning cases, registered under Criminal Procedure Code or as Medico-legal Case, or otherwise, and send a periodical District Report to the Registration Committee”

		search is being, or intended to be made under this section, to provide all assistance to the Pesticide Inspector for carrying out the purpose of the act or the rules made there under.		
37.	Offences and Punishment	Chapt. 7, 39 (2) Whoever contravenes any other provisions of this Act or rule made thereunder or any condition of a certificate of registration or licence granted thereunder or fails to perform as per the claims of efficacy and safety, made under sub-section (2) of section 12 at the time of	This is too low in comparison with other punishments for other offences mentioned in 37 and 38	Amend this: “(2) Whoever contravenes any other provisions of this Act or rule made thereunder or any condition of a certificate of registration or licence granted thereunder or fails to perform as per the claims of efficacy and safety, made under sub-section (2) of section 12 at the time of registration, shall be punishable with fine which shall not be less than Five lakh rupees but which may extend to Ten lakh rupees or with imprisonment for a term which may extend to two years, or with both.”

		<p>registration, shall be punishable with fine which shall not be less than fifty thousand rupees but which may extend to two lakh rupees or with imprisonment for a term which may extend to one year, or with both.</p>		
38.	Penalties for offences	<p>Chapt. 7 (35) (37) (38) and (39)</p>	<p>Penalties are very low, which would not help in deterrence or compliance. There has to be different rates at different levels. Probably, Five lakh rupees at the retail level should be sufficient, but the amount has to increase as the geographical area of offence increases. At the manufacturers level it has to be a percentage of the total turnover, say 10 percent. Same is the case with imprisonment.</p>	<p><u>Penalties should be linked with turnover or sales in percentage terms</u> (for example, 1 percent of regional or local or annual turnover for offences) Add: “Any company that indulges in any offence that may cause crop damage, farmers health, environmental hazards etc. should be made liable to the stringent punishments such as penalty of minimum of Rs.25 lakhs and 3 years imprisonment or both, permanent cancellation of license if the company continues 3 offences or a penalty of 5% of the annual turnover of the company.</p>
39.	Publication	<p>Chapt. 6 (40)</p>	<p>Publication of offence should not be controlled and should be mandatory, freely and not</p>	<p>Removal of ‘as the court may direct’</p>

			on direction.	
40.	Liability not mentioned, including product liability.	Chapt 7 (41)	<p>Liability of the untoward incidents, violations and long term effects of research, transports, manufacture or use on pesticide manufacturers and businesses is not mentioned. Pesticide licensee should be liable for the following:</p> <ol style="list-style-type: none"> 1. Damage to ecology and environment during production 2. Accidental release during transportation from place of manufacture to place of usage 3. Safe and efficient disposal of expired pesticides and 'packaging' used for the pesticide 4. Excessive usage of such pesticide and its impact on ecology and environment, including human health 	<p>Criminal liability has to be built in for both manufacturers, distributors and marketers as many instances have been recorded, wherein pesticides have been used to for other than crop protection purposes such as poisoning of lakes, and other water bodies and suicides.</p> <p>A specific provision has to be included, which fixes the liability and awards appropriate punishment should be included.</p>
41.	Compensation for users (farmers and consumers)	Chapt. 8 (51)	<p>The usage of any pesticides manufactured by any company causes crop damage or farmer health. Compensation payment mechanism to the farmers has</p>	<ol style="list-style-type: none"> 1. A district-level compensation Committee should be mentioned in the Pesticide Management Bill, with declaration of its composition and powers 2. Settle it within 30 days from the receipt of the complaint

			to be made easy and State Government should be given power to determine compensation amount.	<ol style="list-style-type: none"> Penalty and punitive provisions have to be clearly specified on the pesticide vendors/suppliers and producers. The compensation should cover crop losses and health expenditures of the farmers.
42.	Inclusion of Powers to call for information, conduct investigations	Not mentioned	Since the regulation starts with research to usage, Board should powers to access related materials, equipment, premises, research documents, etc	Inclusion of power to call for research material (including all kinds of information repositories such as computer hard disks, samples) and wide ranging documents and not merely books of accounts
43.	Procedure for risk assessment and subsequent decision not included	Not mentioned	Risk assessment has always been a bone of contention. There is a need for perpetual transparent procedure of risk assessment and subsequent decision-making	Inclusion of a provision: Risk Assessment Units have to be established, and a procedure of risk assessment has to be incorporated.
44.	Establishment of Scientific Advisory Panels and Roster of Experts	Not mentioned	These Panels and the Roster should help in flow of independent information for the Board, in order to increase efficacy of its decisions	Inclusion of a provision <ol style="list-style-type: none"> Establishment of Scientific Advisory Panels and a Roster of Experts Scientists and experts who become members of these Panels and Rosters should declare any conflict of interest, and should avoid taking up related employment or assignments
45.	Provision on trials	Not mentioned	Lab or field trials have always been done under secrecy even to the participants	Additional provisions: <ol style="list-style-type: none"> Prior informed consent of participants in the trials is a must and Any violation would invite banishing the particular organization for atleast five years from undertaking any pesticide related activity Risk assessment of trials has to be made mandatory

				4. Conditions have to be imposed on trials depending on specific conditions
46.	State Pesticide Registration Committee	Not mentioned	Need to establish these Committees to avoid centralization of powers and scope for large-scale corruption and abuse of powers. It is also important to mention how these Committees would function	Provisions to include 1. Establishment of State Pesticide Registration Committees 2. Transparent and public participatory process needs to be enunciated 3. Advise of these Committees should be binding on the Board 4. State Committees should include representatives of users/practitioners of pesticides
47.	Packaging	Not mentioned	Packaging in the same type of container, colour and form has led to deaths and permanent disabilities	<u>Packaging should be distinct and should not be similar to food and consumption products.</u>
48.	Labelling	Not mentioned	Labelling violations continue	Labelling should have details of the products, its contents and possible use, in local languages and graphics
49.	Contamination	Not mentioned	Pesticides have contaminated water and other natural resources	Inclusion of provision which protects the rights of the people and environment
50.	Pesticide licensing process	Not included	This would help in tracking the entire chain of supply and usage	Any pesticide registration should include the following: 1. Owner of the product patent/rights 2. Manufacturer of the pesticide 3. Transporter of the pesticide 4. Distributors and sellers of the pesticide
51.	Ambiguity in the Role of State governments	Chapt 4, 16, 17 (7, 8), Chapt 6 (24, 25, 28, 32) Chapt 8 (45) (49)	State governments should have independent regulatory approach, within the framework of this Act	State governments should have powers of enforcement, ban, stop, or regulate research, transport, manufacture or use of pesticides
52.	Quality control	Nil	1. Without a transparent	1. Standards have to be developed for pesticides at

	mechanisms are not specified		<p>process of certification and related standards, quality control of pesticides cannot be improved.</p> <p>2. There are no proposed mechanisms are grossly inadequate</p> <p>3. Development of standards for pesticides is an ongoing process, as information on many impacts is continuously being assessed</p>	<p>various stages</p> <p>2. Certification process can be based only on such standards</p> <p>3. Quality control mechanisms have to be specified at each stage of production, transportation, storage and distribution</p> <p>4. A review procedure of these QC mechanisms, standards and lab procedures have to be mentioned in the Act</p>
53.	Emergencies	Not included	Emergency management clauses have to be built in, for situations fire accidents in the pesticide factories, spillovers on land and water, pesticide tanker collisions, etc.	Local authorities such as Panchayats, municipal bodies, fire services, emergency medical services, etc. should also be included in this Bill. Provision of prior information and preparation of emergency management plans are required.
54.	Personal Protection Equipment	Not mentioned	PPE is a must for chemical pesticide sprays, as FAO mandates it.	Every retail outlet should mandatorily stock PPE and the responsibility to supply such PPE should on the pesticide manufacturing and distribution companies.
55.	Professional Pesticide Spraying	Not mentioned	Pesticide spraying is increasingly becoming a profession, and mechanization has also set in spraying using tractors, long nozzles, power sprayers, including aerial spraying using small aircraft or drones	<p>Pesticide spraying procedures have to be specified under this Act.</p> <p>Professional Pesticide Sprayers, especially, rural poor should be monitored. PPE should be specified for these professional spraying.</p> <p>Mechanised or automatised spraying should be notified in the specified area of operation to warn or</p>

				caution people in the vicinity. Prior permission has to be obtained from local Panchayats and/or Pesticide Inspectors for large area, mechanized spraying.
56.	Protecting Children	Not mentioned	Pesticide spraying near schools and residential areas has become hazardous	A buffer zone around schools has to be declared and/or time of spray should be specified. Children have to be protected under all circumstances.
57.	Deaths of humans being or other living species	Not mentioned	Pesticide ingestion, accidentally or deliberately, is causing deaths, with no authority responding to such deaths and destruction	All damages, including death, of human beings, plants, animals and all other living species, have to be recorded by the local Police and Revenue authorities, with District Collector or District Magistrate being the authority to investigate and fix responsibility in all such cases.
58.	Sale against Prescription	Not mentioned	Pesticide sales should made regulated	Pesticide sale procedure should be specified under this Act. Agro-chemical sales should be against prescription by any of the Agricultural scientists. Over the Counter sales should not be allowed. Household pesticide sales have to be done through specified outlets and not through kirana shops.
59.	Public Health Programmes	Not mentioned	Pesticide spraying in public places is often done without people being knowledgeable about it. Asthmatic and other chronic patients, old, women and children are susceptible.	Pesticides used in public places for mosquito fogging, or any other purpose, should be regulated. Prior warning procedures have to be specified under the Act.