

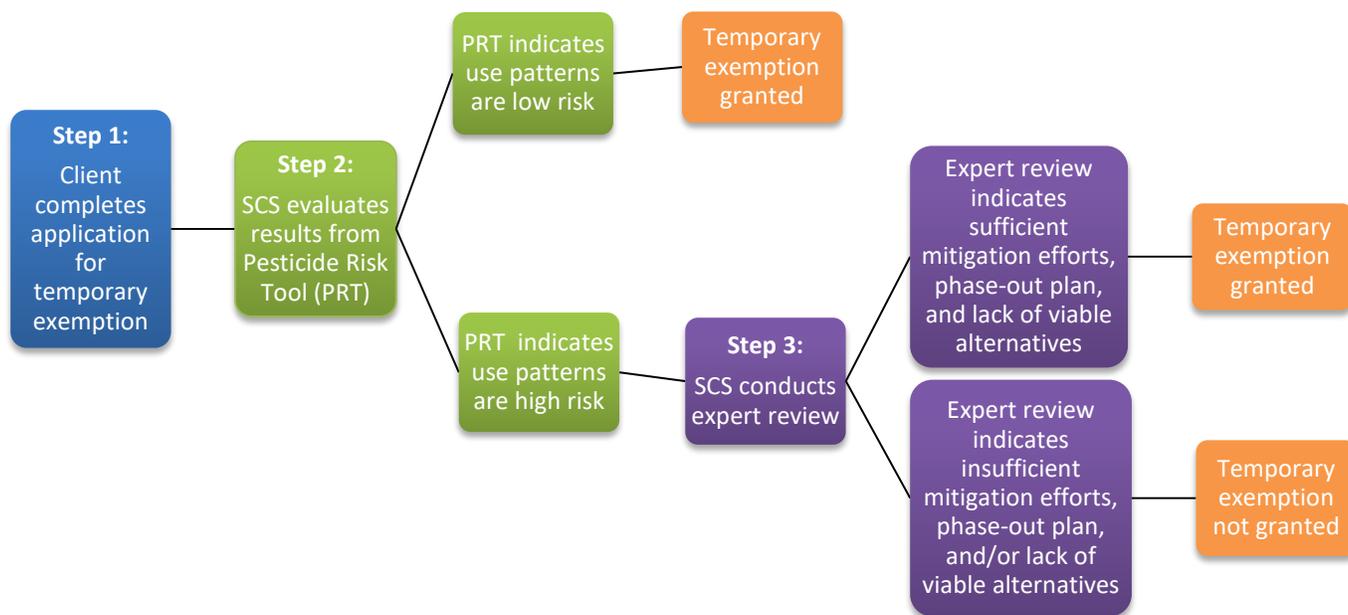
## Temporary Exemption Procedure for Prohibited Pesticides

### Sustainably Grown

#### Background

The aim of Sustainably Grown policies related to pesticide use is to minimize negative environmental and human health impacts while promoting economically viable crop production. SCS Global Services (SCS) acknowledges that pest pressures can be severe and/or unexpected, with limited management options, and provides for temporary exemptions for pesticides containing the active ingredients listed in the *Sustainably Grown – Pesticide Policy and Prohibited Pesticide Reference List*. The *Temporary Exemption Procedure for Prohibited Pesticides* outlines the specific steps to be followed by clients seeking a temporary exemption. The Exemption Procedure is summarized in Figure 1, below.

Figure 1: Summary of Temporary Exemption Procedure for Prohibited Pesticides



#### Temporary Exemption Request Process

Temporary exemption requests may be granted by SCS for a specific active ingredient, crop, and country/region. If granted, exemptions are typically valid for a two-year period. Application for a temporary exemption does not guarantee that an exemption will be granted. The temporary exemption request process includes a formal assessment of risk based on actual or intended use of the pesticide; the availability of viable alternatives; plans for mitigation, if an exemption were to be granted; and the process for evaluation of alternatives to the prohibited pesticide.

For existing clients, temporary exemption requests must be submitted a minimum of 60 calendar days *before* planned or anticipated use of the prohibited pesticide. New clients must submit the request at least 60 calendar days prior to their first audit.<sup>1</sup> In some extenuating circumstances (e.g., unanticipated/sudden pest outbreak), SCS may also consider applications that are submitted *after* use of the prohibited pesticide, although late fees may apply (see Table 1).

The Producer must complete the Temporary Exemption Request Application Form for each respective active ingredient and formulation type, crop and country/region. As part of the request process, applicants evaluate specific risks for pesticide use by means of the Pesticide Risk Tool (PRT).<sup>2</sup> In order to be considered by SCS, the Application Form must include the PRT results, demonstrating level of risk for each risk index in each of the four risk categories.<sup>3</sup> SCS will also evaluate potential risks that are not currently evaluated in the PRT, such as risks to groundwater as well as reproductive and developmental toxicity.<sup>4</sup>

The Producer must also provide:

- Justification for the temporary use of the pesticide as the only feasible method of controlling the pest based on currently available alternatives.
- Controls that are in place to mitigate negative impacts to the environment and human health associated with the use of the prohibited pesticide.
- Description of the program in place to phase-out and establish alternatives.

For requests in which there is already an exemption in place (i.e., same pesticide, country/region and crop), the client has the option of joining this existing exemption. In this case, the client is required to submit a full application with results from the PRT, but some costs may not apply (e.g., costs associated with the expert review).

## **Pesticide Risk Tool**

SCS uses the PRT as the starting point to formally evaluate potential risks associated with the pesticide, evaluate alternatives, and determine the authorization of temporary exemption requests. The tool applies best available science to assess level of risk to environmental and human health hazards, and allows for the comparison of different pest management scenarios for specific agricultural crops. The client must submit results of the analysis conducted with the PRT as part of the application process. The client is also

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<sup>1</sup> Submission at least 60 days prior to the audit also applies to clients transitioning from V1.3 to V2.1 of the Sustainably Grown Standard.

<sup>2</sup> [www.pesticiderisk.org](http://www.pesticiderisk.org)

<sup>3</sup> The four PRT risk groups include Environmental, Human Bystander, Consumer Dietary Risk, and Pollinator, with a total of 13 indices. The PRT risk rating scale is divided into three categories: low, moderate and high risk. Risk scores fall into different categories based on the index category.

<sup>4</sup> Resources for evaluating these risks may include the NRCS Win-Pesticide Screening Tool (PST; <http://go.usa.gov/Kok>), Pesticide Action Network Pesticide Database (<http://www.pesticideinfo.org/>) and/or label and MSDS information.

required to submit additional supporting documentation, as specified in the Temporary Exemption Request Application Form. Further details on use of the PRT are available online.<sup>5</sup>

### SCS Decision Process, Outcome, and Implementation

SCS will use the completed Application Form, any supporting documentation, and agricultural/pest-control experts to inform the decision-making process related to exemption requests. SCS will inform the client of the decision, along with any specific temporary exemption conditions, generally within 30 calendar days from receipt of the application. Conditions of the exemption may include specifications for minimizing risk. If a temporary exemption is granted, the exemption will typically be valid for a two year period. During all subsequent audits, the auditor will verify client adherence to the requirements and conditions established in the temporary exemption.

SCS is committed to a transparent process and will make all exemptions publically available on the SCS website.<sup>6</sup>

### Fees for Requesting a Temporary Exemption

Table 1 outlines the fees for requesting a temporary exemption. The fees include an application review fee, plus an expert review fee depending on the review required to make an exemption decision. The cost for use of the PRT is income-based on a sliding scale. Clients also have the opportunity to sign up for a free-of-charge, 10-day trial if the pesticide in question is an EPA registered product.<sup>7</sup> SCS will issue an invoice once the completed Temporary Exemption Request Application Form is received. Payment must be received before the review process can proceed.

**Table 1: SCS Temporary Exemption Fee Schedule**

Activity	Fee (\$USD)
<b>Application Review</b>	\$150/Application
<b>Use of Pesticide Risk Tool (PRT)</b>	Annual fee is income-based on a sliding scale <sup>8</sup>
<b>Expert Review, for pesticides deemed by PRT as “high risk”</b>	\$500 – \$1,000/Review
<b>Late Fee</b>	\$100

<sup>5</sup> <https://pesticiderisk.org/help/guided-tour>

<sup>6</sup> <https://www.scsglobalservices.com/sustainably-grown-certification>

<sup>7</sup> Trial users can explore the PRT workspace, upload and save pesticide records and get risk scores for each of the 13 risk indices. The Pesticide Risk Tool excel uploader, a feature that expedites the process of importing pesticide spray records, is disabled during the trial and reactivated for paid users.

<sup>8</sup> For more information, visit: <https://pesticiderisk.org/help/faq>

## **Renewal of Exemptions**

The application for renewal of temporary exemptions must follow the same process as described above for initial applications. In order to qualify for a renewal, the client must demonstrate conformance with the conditions set in the previous temporary exemption.

## **Failure to Comply with Temporary Exemption Procedure**

The unauthorized use of pesticides listed in the *Sustainably Grown— Pesticide Policy and Prohibited Pesticide Reference List* will result in a non-conformity during the audit process, and could potentially lead to suspension or certification denial.