



Applications Sift,  
Chemicals Regulation Division,  
Room 1A, Mallard House, Kings Pool,  
3 Peasholme Green,  
YORK,  
YO1 7PX, UK

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Email: [applications@hse.gov.uk](mailto:applications@hse.gov.uk)

Dear Sirs,

***Application for an Emergency Authorisation in 2020  
Asulam for Bracken Control***

**Introduction**

This application is submitted on behalf of the Bracken Control Group (BCG) for a 120-day Emergency Authorisation (EA) for the use of Asulam to control bracken in rough grazing, moorland, amenity grassland, forestry and the historic environment, in 2020.

The BCG is an unincorporated association of organisations that exists to represent the full range of interests in bracken control. Additional details about the BCG are contained in Annexes A & B to this letter and on the website: [www.brackencontrol.co.uk](http://www.brackencontrol.co.uk)

The BCG seeks to coordinate bracken control activity throughout the UK and to promote the control of bracken by any means.

This application follows earlier, successful applications that have maintained the supply of Asulam for the bracken control seasons since December 2012.

**Highlights**

- The registration process for Asulam under Regulation (EC) 1107/2009 is continuing. UPL Europe has provided a Position Paper that sets out the current position (Enclosure 2).
- The direct threats from bracken remain to: habitat diversity, landscape, and recreation and access. A secondary, increasing threat to human and animal health is from the tick-borne diseases spread by the ticks that thrive in a bracken habitat. (Enclosure 1, Section 5)

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**c/o The Heather Trust, PO Box 7749, Lochmaben, Lockerbie DG11 9AE**

Coordinator: S P R Thorp BSc(Hons) CEnv MRICS

**Email: [info@brackencontrol.co.uk](mailto:info@brackencontrol.co.uk)**

**Tel: 07850 789189**

**Web: [www.brackencontrol.co.uk](http://www.brackencontrol.co.uk)**

- An analysis of the areas of bracken treated, and other associated information, is provided. This shows that although the area of bracken treated each year is decreasing there is still considerable interest from end users in controlling bracken. (Annex 3, Sections 10-15)
- In 2019, there is evidence that the rate of encroachment of bracken into other habitats, and the rate of increase in density of bracken in established bracken stands, has reached record levels. It is significant, that encroachment into areas of dry peat are very high. (Enclosure 1, Sections 2-3)
- A comparison between estimates of the area of bracken treated and the annual increment from encroachment shows that no more than 30% of the annual increment is being treated. It is likely that the true figure is much more in favour of bracken. (Annex C, Section 16)
- The BCG is supportive of new approaches to bracken control, such as the use of: alternative chemicals; drones for mapping, and possibly treating bracken; harvested bracken as a raw material for garden compost, a source of bioethanol, and as fuel for wood-burning stoves.
- The trial to establish the relative effectiveness of alternative chemical control products was reported on in the BCG's EA Application for the 2019 season. A further discussion of the findings from this work is included. (Enclosure 1, Section 6)
- The BCG has started a review process to establish how the approach to bracken control should respond to the assessed increasing threat from bracken. Although not yet completed, a draft of the review is enclosed to demonstrate how it is proposed to focus the knowledge and experience within the BCG on developing and promoting an integrated approach to bracken control. (Enclosure 5)

## **Background**

Bracken is an invasive species that affects the whole of the UK. Unless controlled, it can rapidly expand its range to dominate sensitive habitats and land that would otherwise be productive.

It is difficult to assess the area of bracken, as it exists in hedgerows and under woodland, and it is often interspersed with other species. However, in the UK, bracken is thought to cover at least 1.5 million hectares, and there is a generally accepted view that the area is expanding.

Contributory factors in the apparent expansion of bracken are thought to be:

- climate change, as warmer, wetter conditions appear to favour the plant, and
- the reduction of livestock numbers on unenclosed land, as a result of the revised support mechanisms under the Common Agricultural Policy.

A wide range of techniques can be employed to control bracken, from simply pulling individual plants by hand, to the use of helicopters to apply Asulam. The range of techniques includes many different forms of cutting and bruising the bracken plants using different sizes of machinery. Asulam can also be applied by ground-based spray equipment and direct application of chemical (e.g. glyphosate) by weedwiper can be a valid technique. A more complete summary of the different techniques is included in the attached draft of the Bracken Control Review.

The BCG supports and promotes all the different techniques. Bracken control is very much a case of ‘horses for courses’ and a major factor in the selection of a particular technique can be the aspirations of the landowner or manager. There is no such thing as a wrong technique; all are effective to a lesser or greater extent.

### **The Importance of Asulam**

Asulam offers two properties that make it unique: its relative selectivity and authorisation for aerial application. The ability to target bracken, with very little impact on non-target species, allows Asulam to be applied as an overall spray.

The use of a helicopter to apply Asulam opens up the opportunity to apply it efficiently to large areas of steep or difficult terrain in remote areas, which it is not possible to reach by other means. Many such areas are designated sites with sensitive habitats; without aerial application of Asulam, bracken in these areas can out-compete the more sensitive species, which frequently are the subject of the designation.

It is significant that currently there is no alternative product available for bracken control that offers comparable levels of efficiency and safety to Asulam.

Bracken tends to occupy the edges of open land, where it is likely to be less exposed and have better soil conditions. In pastures and meadows, it can often be controlled using livestock and physical techniques, but this form of control is usually not possible on unenclosed land.

Increasingly, areas of open land are being recognised for their vital importance in the provision of ecosystem services, such as carbon storage, the supply of clean water, flood prevention and vegetation diversity.

In addition, the unenclosed land in lowland, moorland and upland areas is important for livestock production; this industry provides a source of income for what are often remote, rural communities, and this income is further boosted by sporting land use in these areas. If these areas are lost to invading bracken, there will be a considerable impact on farming and sporting incomes that in turn would have a negative impact on the fragile economy of remote, rural areas.

Increasing numbers of walkers are crossing areas of unenclosed land, to gain access to upland areas. However, bracken litter is an ideal habitat for sheep ticks, and in addition to the impact on livestock and birds, ticks can carry diseases that infect humans, and can prove fatal. Bracken control is important to minimise the threat to walkers. (Enclosure 1, Section 5)

## **ECP Framework for the Consideration of Applications**

The issues identified for consideration by the ECP when assessing EA applications are addressed below:

- **Alternative chemical or non-chemical treatment**
  - The BCG promotes the use of non-chemical methods wherever possible.
  - Non-chemical control methods tend to be cheaper and require less bureaucracy, which provides encouragement for their use.
  - The conservation agencies favour the use of non-chemical wherever possible.
  - However, it is recognised that the use of aerially applied Asulam is the only effective treatment for large areas of bracken in remote areas and/or where access is difficult.
- **Human and environmental safety**
  - Asulam has been in use since the 1960s and has a good safety record.
  - See the comments below about the availability of Consumer Exposure, and specifically residues data for Asulam on grassland.
  - Current application restrictions, included in the recent Emergency Authorisations, have reduced any risks to very low level.
- **Limited Scale**
  - The data provided in the Supporting Information at Annex C show that asulam was applied to a total area of 6,580ha in 2018, by ground-based and aerial contractors.
  - The evidence is that under the current Emergency Authorisation regime, the area treated is reducing each year. It is not expected that the 2018 area will be exceeded in 2019 or 2020.
- **Control of the Proposed Use**
  - The Emergency Authorisation procedure is well established and it has been accepted by the industry. Recent EA approvals have imposed conditions to control the application process.
  - The use of Raindrop nozzles and buffer strips has been effective in protecting watercourses.
- **Long-term economic and environmental benefits**
  - A supply of Asulam is essential for maintaining some control of bracken; the rate of encroachment appears to be increasing and therefore bracken is having a greater impact on sensitive species & habitats.
  - In the long-term, if Asulam is available, it will be possible to continue bracken control programmes and achieve a return on the investment that has been made in these programmes.
  - The aerial spraying capacity in the UK relies on a very few helicopter companies. If Asulam is no longer available, it is likely that these companies will not be able to continue to offer this service. This could be a significant problem in the future. Maintaining helicopter assets could be important for control of other diseases, for example in forestry, and in support of wildfire suppression.
  - In view of the safety record of Asulam, it is suggested that there is no downside to granting a further EA.

- **Development of a Permanent solution to the problem being developed**

- The Registration process for Asulam under Regulation (EC) 1107/2009 is continuing.
- UPL Europe Ltd has provided a Position Paper and this is at Enclosure 2.
- The application process is taking longer than expected originally. In part, this is the result of changing procedures within the EU. The latest change has been the introduction of the requirement for an Endocrine Disruptor (ED) Assessment to be carried out, following the application of new ED criteria in 2018.
- The latest estimate of the timing of a decision about the application is 2022.

## **Consumer Exposure**

This application relates to the use of Asulam on bracken only; it is not proposed to use Asulam on edible crops and therefore no consumer exposure assessment has been prepared to support this, or previous applications for an Emergency Authorisation.

CRD has advised that it would be useful to include any available residues data for Asulam on grassland, with this latest application. This information is not available to the BCG, but the authorisation holder (UPL Europe Ltd), has confirmed that residues decline data are available for grassland. The report detailing the data is not yet finalised but is available as an audited draft. The final report will be made available to CRD on request to support this submission and, as an interim measure, the audited draft can be provided, if required.

## **Emergency Authorisation - Proposed Dates**

Asulam is applied to bracken in the period between full frond extension and the onset of senescence, and therefore the control season normally runs from 1<sup>st</sup> July until late August or early September.

If the application is successful, to allow time for Asulam to be distributed to end users before the start of the season, it is requested that the 120-day EA period starts on Monday, 18<sup>th</sup> May 2020, and it would therefore end on Monday, 14<sup>th</sup> September 2020.

To allow time for the disposal of surplus stocks, or their return to the supplier, and removal from the UK market, it is requested that a use-up period continues until 31<sup>st</sup> October 2020.

## **Conclusions**

The risks associated with the use of Asulam are well known, and long-term use has allowed robust operating procedures to be developed to mitigate the risk of using this product to very low levels.

The controls contained in the current pesticide label are precautionary, which further reduces the risks associated with the use of asulam.

In summary, the BCG believes that the threat from bracken to human and animal health and to important and sensitive habitats is increasing. A wide range of techniques can be used to control

bracken, but Asulam applied from a helicopter is often the only cost-effective control method for bracken that is capable of being used in remote, rural areas with difficult access, or on steep or difficult terrain.

The granting of an Emergency Authorisation will allow land managers to continue to control the extent of bracken on their land. The Bracken Control Group asks that this application be looked on favourably.

Yours faithfully,



**S P R Thorp**  
Coordinator

**Annexes:**

- A. The Bracken Control Group
- B. Sector Representatives
- C. Supporting Information

**Enclosures:**

- 1. Human and Animal Health and Habitat Conservation Information (Prof Roy Brown)
- 2. Registration Position Paper (UPL Europe Ltd.)
- 3. Completed form CRD9.
- 4. Letter of Access dated 18<sup>th</sup> June 2019 (UPL Europe Ltd)
- 5. Outline Bracken Control Review (Bracken Control Group)

**Acknowledgements:**

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