

THE MAGAZINE FOR THE PEST CONTROL INDUSTRY



Winging it!

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Pest Control News reports on the sudden revocation of bird control general licences GL04, GL05 and GL06, which sent shockwaves through the public health pest control, gamekeeping and agricultural pest control sectors.

FICAM[®] D label changes

The deadline for using old labelled product is fast approaching (25th July) and here is a detailed account of what the pest controller will need to adhere to for the future.

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Know Your Friend: 25 The Beaver

On the 1st May it was announced that beavers are a protected species in Scotland. This instalment of 'know your friend' reminds readers about the reintroduction of beavers into Scotland.



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Winging it! Bird Control Licences

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ted, J.			
com ws.com	Science – Sense 30	RSPH Hygeia Awards 35 are Now Open for Nominations	Mental Health in 38 The Workplace
	The Sky's the limit: how high do flies fly?	Nominations	According to the Health and
	~	Nominations for the awards close on 19th July, and awards will be presented at an event in London	According to the Health and Safety Executive ("HSE") one in four people in the UK will have a mental health problem at some

on the 11th September. Do you

have a nomination?

point.

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Free tests and new guide to tackle spread of resistant rats

All professionals involved in rodent control have a role in tackling the spread of rats that survive high potency rodenticides, according to Campaign for Responsible Rodenticide Use chairman Dr Alan Buckle.

In November last year, resistant rats were identified in new locations by a University of Reading study [ref 1]. To help pest control contractors, farmers, rural estate managers and gamekeepers address this, a new continuing professional development (CPD) guide has been published by CRRU, available to download at **bit.ly/21w0ig5**.

One of its recommendations, where people are unsure about resistance, is to submit a 2-3cm rat tail tip for resistance testing to the Vertebrate Pests Unit at Reading University. This service is free of charge, with detailed instructions at **bit.ly/2KYxWKs.** High priority areas where little is known about resistance include central England, Scotland and Northern Ireland, though tail samples are encouraged from all UK locations.

In parallel with testing, Dr Buckle says rodenticide users should be led by the CRRU Code of Best Practice, which includes monitoring the results of control treatments. "If this suggests rats are surviving well-implemented control programmes, it may indicate the presence of resistance," he suggests.

The 2018 study found for the first time the L120Q gene, responsible for the most severe form of resistance, in East Anglia and West Yorkshire. This gene renders first generation anticoagulant rodenticides and two of the second generation group virtually ineffective.

Rodenticide resistance is already widespread in central southern England and is also being found increasingly outside that area. The study identified three different types of resistant rats in West Yorkshire and along the Anglo-Welsh border.

Resistance-breaking second generation anticoagulant rodenticides are available, but they must be applied carefully, Dr Buckle urges. "This is because their effectiveness will be jeopardised by indiscriminate use, and they pose greater risk to the environment."



DR. Stuart Mitchell receives the Albert Nelson Marquis Lifetime Achievement Award

May 30, 2019, West Des Moines, IA – Dr. Stuart Mitchell, BCE, technical director for PestWest USA LLC, has received the Albert Nelson Marquis Lifetime Achievement Award. This award is bestowed upon less than 5% of Marquis Who's Who listed professionals. The award is based upon career longevity, philanthropic endeavors, and lasting contributions to society.



Meet NPTA's new CEO

The National Pest Technicians Association is very pleased to announce the appointment of Steve Hallam as their new Chief Operating Officer with effect from May 1st 2019. With the recent departure of the Office Manager and with long-time CEO John Davison looking to retire, it gave the Board the opportunity to look at the Association as a whole and to see what was needed for the next chapter in its development.



'Plague of insect pests' may arise following global decline in insects

New research records a global deterioration in numbers of some insect populations, with over 40% of species worldwide going through significant rates of decline. This decline in beneficial species could open up opportunities for a dramatic increase in pests such as houseflies and cockroaches.

The new research notes that bees, ants and beetles are vanishing at a rapid rate, up to 8 times faster, versus the disappearance of mammal, bird or reptile species. There are numerous factors at play in the decline of beneficial insects and a combination of intensive agricultural practices, pesticide use, invasive species and pathogens, loss of habitat due to urbanisation and climate change are highlighted.

The review paper is available in the journal Biological Conservation https://www.sciencedirect.com/science/article/abs/pii/S0006320718313636 It reviews 73 other scientific papers published worldwide over the last 13 years and is highly comprehensive.

It is a sobering thought that over 40% of insects could be extinct in the next few decades and a third of species are classed as endangered, as described by the lead author Dr Francisco Sánchez-Bayo, from the University of Sydney. This could allow pests such as houseflies and cockroaches, which are adaptable generalists, to thrive.

"Fast-breeding pest insects will probably thrive because of the warmer conditions, because many of their natural enemies, which breed more slowly, will disappear, " said Prof Dave Goulson from the University of Sussex who was not involved in the review. Interestingly, Goulson and colleagues developed predictive models to forecast fly populations, published in the Journal of Applied Ecology in 2005. Models were produced for the housefly, *Musca domestica*, and blowflies, *Calliphora spp*. The models predict that under likely scenarios of UK climate change, fly populations could increase substantially, with increases of up to 244 percent by 2080 compared with current levels. If these predictions hold true, it is possible increases in fly-borne diseases will occur.

Whatever happens, it appears that pest control will never go extinct!





FICAM[®] D label changes

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The word has spread quickly regarding label changes for Bayer's Ficam® D (Bendiocarb 1.289% w/w), especially the loss of powder application to outdoor nests. Bayer and a key distributor have certainly been working hard at industry workshops, events, posting on social media and producing press releases and articles to communicate messages regarding the label changes, while not losing sight of the fact that re-authorisation of the product is a success under current regulatory conditions.



ith the wasp season gathering momentum and the deadline for using 'old' labelled product (still allowing outdoor use) approaching on the 25th July it is only right that PCN goes through, in some detail, what the pest controller will need to adhere to for the next 10 years.

Insecticides typically gain authorisation for a 10-year period and with the industry having become so accustomed to using Ficam® D in a certain way, it is time to change for the decade ahead. The label changes have highlighted that, as well as a legal requirement to follow the label, there will be a cultural change involved in terms of using this product vs its more familiar everyday practices. Even more so, this has accentuated the need to read the label each and every time we use a product.

Label in detail

The product now has a new authorisation number (UK-2018-1136) so ensure this is concurrent with all COSHH (Control of Substances Hazardous to Health) documents accompanying its use. Specifics of PPE (personal protective equipment) have been added to the label too. You will see this happening more and more on labels for other products. Specifics are detailed: protective chemical resistant (nitrile) gloves, respiratory equipment with protection factor 20 (a P3 filter on a half facemask) and type 4 EN14605 suit (type 4,5,6 coveralls) are all specified. The specific protection factors would have been found previously in the material safety data sheet (MSDS).

The most significant label changes

Ficam[®] D is now only for use indoors. However, the operator (the person using the product and carrying out the treatment) could be outside, and dusting into an internal cavity, void, roof space or into a soffit.

Another significant change is the list of target species. Many species have been removed, streamlining the label, leaving the main target species which are ants, wasps and hornets (nests) including Asian Hornets. This is what many operators used the product for anyway. The specific areas for the treatment of ants are also given – 'as a spot application, specifically around electrical equipment, inside of voids, cavities and service vents.'

Another label phrase that has appeared is "Apply a maximum of 11 times per year per application site." This has caused some confusion but the simplest way to explain this is relating to a scenario. Say you have a large hospital site

and they have 40 wasps' nests. You could treat them all (providing that they are located in an authorised area as per the label) and return to treat those individual nests 10 further times each (theoretical scenario, remember!). However, you would not be able to re-treat the same nest any further times during that year after reaching 11 applications for each individual nest. This level of repeat treatments for each nest would highlight something else amiss anyway, such as operator error, application issues or maybe access problems. In any case, further inspection and a different action plan would be needed. This is a very unlikely situation and just an example to illustrate a point.

There are also instructions to avoid contamination of wet cleaned surfaces, by covering these areas as far as is practicable or wiping them in the event of powder contamination.

Specifically, use of the product includes using an 'impervious (impermeable) surface covering to all surfaces that could be contaminated during treatment.' Use of sheeting (e.g. plastic sheeting) may be necessary and clean up should also be considered. If you were to clean the sheets after (if you did spill some) then the cloths, paper towels or wipes would need to be disposed of properly.

The 24-hour emergency information contact number has also changed, it is now 00800 1020 333.

No changes to application methods have been noted. Dusting into the wasp nest entrance and the surrounding area is still recommended, along with punching a hole in the walls of the nest where possible. The dose rate is also similar, 20-60g per wasp nest (nest size dependent).

As always, when treating wasp nests proceed with caution:

- Correctly identify the species
- Wear correct PPE
- · Carry out your risk assessment
- Thoroughly inspect from a distance (if possible)
- Use a red-lensed torch (insects are less responsive to red light, so will not be alerted)
- Treat in the early morning or around dusk. This ensures maximum exposure of the nest to the insecticide.

The various label changes are absolutely necessary, in order to have successfully preserved the product for the next 10 years, while navigating the challenges of complex authorisation processes, for which Bayer deserve plenty of credit.

Whatever the drawbacks of the label limitations applied to Ficam® D at the point of re-authorisation, its use in the UK market remains, which is actually a 'good news story'. So...we need to get used to the new label as it is here to stay and it is likely that similar changes will be seen for other products.



Bird control licences: Winging it!

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PCN

Pest Control News reports on the sudden revocation of bird control general licences GL04, GL05 and GL06, which sent shockwaves through the public health pest control, gamekeeping and agricultural pest control sectors.

Please note that this article is correct at the time of writing (23rd May 2019) and that Natural England, DEFRA and industry advisors such as Bird Control Specialists should be consulted for further advice.

What happened?

Natural England revoked three general licences for controlling certain wild birds as of Thursday 25 April 2019.

These licences (GL 04/05/06) covered 16 species of birds including several members of the crow family, Canada goose, some gulls and pigeons. The licences covered: to kill or to take wild birds to prevent serious damage or disease; to preserve public health or public safety; and to conserve flora or fauna.

The announcement was made on the afternoon of 23 April, leaving little time for those involved in bird control to act.

Why did this come about?

The change followed a legal challenge to the way the licences have been issued, which could mean users who had relied on them were not acting lawfully. Wildlife Justice made this legal challenge and the details are explained separately in 'Bird Control Licences – the legal bit!'

What arrangements did Natural England then make?

Natural England began new licensing assessments to support lethal control of certain birds in defined situations, such as to prevent serious damage to livestock from carrion crow and to preserve public health and safety from the impacts of feral pigeons. It intended to start issuing these licences on gov.uk from the week commencing 29 April and this happened for certain licences.

If people needed to take action in the meantime they were advised to apply for an individual licence, using a simplified process which was made available on gov.uk from 25 April.

Anyone exercising lethal control of birds after Thursday 25 April 2019 without taking the above steps will not be covered by a general licence and could have been committing an offence.

What follows is extracts from the Natural England 'Frequently Asked Questions' guide to dealing with the bird control licensing changes.



Current Situation

1.1 What requirements will I have to meet as a result of general licences to use lethal control on wild birds being withdrawn?

From 23.59 on 25 April onwards the three general licences (GL04, GL05 & GL06) have ceased. Users currently have two options:

- Operate under one of the three new general licences issued recently by Natural England. These licences cover control of carrion crows to prevent serious damage to livestock; control of wood pigeons to prevent serious damage to crops; and control of Canada geese to protect public health and safety. Further details are available on gov.uk.
- If the circumstances in which you wish to act are not covered by a new licence, apply for an individual licence via the online application system. In certain circumstances, applicants are allowed to undertake urgent action while their application is being determined, where this meets the existing requirements of section 4(3) of the Wildlife and Countryside Act 1981 (see Q2.3 below for further info).

Anyone exercising lethal control of birds after 25 April without taking the above steps will not be covered by a general licence and could be acting outside the law.

1.2 What new General Licences are now available?

There are 3 which you can use now to save time before applying for an individual licence where possible:

GL26 – Carrion crows licence to kill or take them to prevent serious damage to livestock

GL28 – Canada geese licence to kill or take them for public health and safety

GL31 - Wood pigeon to prevent serious damage to crops

Link to licence page on gov.uk: <u>https://www.gov.uk/government/</u> collections/general-licences-for-wildlife-management#birds

1.3 Does it have any other requirements such as registering with NE?

Users do not need to apply or register to use this licence. Users of the licence are required to be able show that they are complying with the terms and conditions of the licence if asked by an officer of Natural England or the Police. Specifically users are required to be able to demonstrate:

(i) what type of livestock any action under this licence is protecting;

(ii) what lawful methods have been, and are being, taken to prevent predation of such livestock by carrion crow or why the lawful methods have they have not been taken;

(iii) what measures have been and are being taken to minimise losses to that livestock from other predators and causes; and

(iv) why the threat of predation from carrion crows is sufficiently serious to merit action under this licence

We are advising users they consider doing this by keeping a log of predation and the efforts taken by legal means to address problems. They do not need to submit records to NE.

1.4 When I can apply for an individual licence?

You can apply now. The online application system for individual licences became available on gov.uk on 25 April.

1.5 I need to take action now.

Check if your circumstances are covered by one of the four new general licences in existence on gov.uk.

If they are not and where urgent action is required to protect public health and safety, prevent the spread of disease, or prevent serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber, fisheries or inland waters, the user may be able to undertake lethal control in limited circumstances. There must be no other satisfactory alternative to lethal control and, as soon as it becomes apparent that action will be necessary where the purpose is preventing serious damage to livestock, foodstuff for livestock, crops, vegetables, fruit, growing timber, fisheries or inland waters, the user can only rely on this defence if he or she has applied for an individual licence and this has not already been determined.

The limited circumstances in which this defence [section 4 of the Wildlife and Countryside Act] applies do not include taking lethal action for the purposes of conserving flora and fauna.

1.6 Will I have to register with Natural England to be able to shoot pests on my land?

Not if there is a general licence available: look first at gov.uk to see if your circumstances are covered. If the action you want to take is not covered by an existing licence published on gov.uk you will need to apply for an individual licence.

1.7 Will all shooting to control 'pests' under the general licences have to stop in England whilst this is resolved?

Only the 16 species listed under the three general licences GL 04/05/06 are affected by this revocation. Other licences, including licences that cover any of these same species, are unaffected.

1.8 Have the three original GLs been reinstated as a result of Defra's action?

No they haven't. Natural England had unequivocal legal advice that the original GLs were unlawful and left users open to prosecution.

The Secretary of State has taken back the power to issue general licences in this specific area. The Secretary of State says he wants to proceed quickly and carefully and his first step is the call for evidence.

1.9 What about the individual licenses already issued? Are they still valid?

Yes

Compliance

2.1 Why do I need to keep a record of the problems and non-lethal methods used if NE doesn't want me to submit them? Isn't this an example of NE being overly bureaucratic and putting unnecessary burdens on landowners?

Licence users should be able to demonstrate, if required by NE or the Police, that they are complying with the terms and conditions of the licence. If they are not doing so, they may be committing an offence. We are advising users to keep a log of predation and the efforts taken to address problems by legal means so that they can demonstrate how they are using the licence within the law.

2.2 Does the licence cover the use of Larsen traps?

Yes, the use of Larsen traps and multi-catch cage traps are allowed, provided users also comply with GL33 Standard Licence conditions for trapping wild birds and using decoys. This is also available on gov.uk.

2.3 Can you explain what is meant by "last resort"?

Section 16(1A)(a) of the Wildlife and Countryside Act 1981 provides that no licence may be granted for any specified purpose (such as the prevention of serious damage) unless Natural England is satisfied that, as regards that purpose, there is no satisfactory solution other than the actions it permits.



- Where non-lethal methods would be insufficient to achieve the purpose for which the licence may be granted, lethal methods may be necessary (and thus used as a last resort). The licence conditions for carrion crow therefore say that "before using the licence reasonable endeavours must have been made to resolve the problem using the lawful methods identified in Table 1 (unless their use would be impractical, without effect or disproportionate in the circumstances) and any other lawful methods that may be appropriate in the circumstances".
- The reference to "last resort" enables Natural England to be satisfied that there is no satisfactory alternative other than the actions that the general licence permits to achieve the relevant purpose.

2.4 Am I required to try - and keep trying - all the alternatives methods of control listed in the licences before I can shoot?

No you are not. All wild birds are protected in England and, by law, lethal control can only be used where there is no other satisfactory solution. The licence sets out some of the alternative methods to lethal control that Natural England expects the licence user to consider before resorting to lethal control. You are required to use, and continue to use, alternative methods unless their use would be impractical, without effect or disproportionate in your circumstances. There is good evidence that using lethal control alongside other methods can be most effective. Users are advised to keep a record of problems and the use of non-lethal methods, but do not need to submit those records to Natural England.

2.5 If I am a user, who do I contact over the weekend if I have queries about my licence? NE or Defra?

Licence users should continue to contact Natural England's general enquiries line on 0300 060 3900 for questions on the three GLs now in place, and for any questions about individual applications.

Defra was interested in hearing the views of those affected as part of its call for evidence which will inform future decisions. Defra's call for evidence was made here - https://www.gov.uk/government/consultations/use-ofgeneral-licences-for-the-management-of-certain-wild-birds-a-call-forevidence

The deadline was 5pm on 13 May.

Consents

3.1 Why doesn't this licence allow me to shoot in SPAs and SSSIs and for 300 metres outside them? This is NE unnecessarily bringing in new restrictions.

People who have a consent underpinned by a Habitats Regulation Assessment (HRA) to control certain wild bird species on Sites of Special Scientific Interest (SSSIs) can still continue to do so. If people are unsure if their consent is supported by an HRA, or they need to take action in a SSSI which is not covered by their existing consent, they should talk to their usual contact in the local Natural England office. If you do not know who that is, please contact our customer enquiry service on 0300 060 3900. Details of Natural England's offices available here.

3.2 Members are expressing confusion about whether the licence is for the individual or the premises – is that the land owner or the tenant who needs the licence? This needs clarifying.

The individual licences allow people to work across all of England, and on any land, as long as they have that land owner's written permission. (Tech editor note – Natural England have recently advised that you don't need a new individual licence every time you start a job, as long as it's not for a different species or reason not covered in your existing licence. For example, a landowner could apply for an individual licence to cover their property. Alternatively a pest controller could apply for an individual licence that would cover their activities throughout a defined region for one species for one reason (e.g. feral pigeons for public health).



3.3 How do you demonstrate that you have landowner permission under an individual licence?

This permission would need to be in writing, which is laid out in the licensing conditions. "The licence may authorise other people to act on their behalf, but that must be in their writing."

3.4 Why have I only received a licence for some of the species on my application forms?

Individual licences are being processed in a priority order which starts with those that are unable to use the Sec4 defence. Therefore licences for killing to preserve flora and fauna will be determined first. Alongside this a timetable of new general licences is being developed which may enable actions, included in applications to be carried out.

3.5 Why do you need a licence to shoot these 'pests'?

All wild bird species in the UK are legally protected, even common species and those that some people consider to be 'pests'. Therefore, lethal control can only be carried out lawfully under a licence from the relevant statutory conservation agency (NE in England).

3.6 Can I still use the 3 new GLs for carrion crow, Canada goose and wood pigeon NE has recently issued?

Yes - these are still available for you to use.

Carrion crows – kill or take, or destroy their nests and eggs to prevent serious damage to vulnerable livestock.

Wood pigeons - kill or take, or damage or destroy their nests and eggs to prevent serious damage to crops.

Canada geese – kill or take during the close season to preserve public health and safety

3.7 So there will be no new GLs in the next week? Or longer? What am I meant to do in the meantime?

There are three new licences in place to cover carrion crow (prevent serious damage to vulnerable live stock), wood pigeon (prevent serious damage to crops) and Canada goose (to preserve public health and safety). If you need to control other species you can apply for an individual licence and if you need to act urgently you can do this under certain conditions <u>https://www.gov.uk/government/publications/wild-birds-licence-to-control-certain-species</u>

3.8 What now? Should people who need to shoot continue to apply for individual licences?

Where action is not covered by a General Licence, those in need are still able to apply to Natural England for an individual licence using a simplified process on gov.uk. In limited circumstances, applicants may be allowed to undertake urgent action in accordance with the existing requirements of section 4 of the WCA.

The Secretary of State has asked officials within Defra to initiate a swift but formal evidence gathering exercise in order to capture information from all concerned parties about the recent withdrawal of the three general licences (GL04, GL05 & GL06). Defra say that all relevant evidence gathered from that exercise, alongside information that Defra and Natural England have already received since 25 April, will inform his decisions and approach.

Considerations

4.1 What if my circumstances aren't covered by this licence?

You will need to apply for an individual licence (see next section for more info)

4.2 Gamekeepers have captive decoy birds such as crows and magpies for use in Larsen traps and larger crow traps. Should these have been killed before the licences were revoked? And can they lawfully be killed now?

• So long as a decoy bird has been obtained legally it is lawful to continue to keep it. Catching the bird under the terms and conditions of an appropriate general licence is a lawful means of obtaining a bird.

• Decoy birds remain a protected 'wild bird' and it is therefore unlawful to kill them except under the authority of licence. Now that general licences GL04, GL05 and GL06 are revoked the options are: to keep any decoy bird; to release it back into the wild or to either apply for a licence to kill it or dispatch it under a new general licence if a suitable one is available.

While the decoy bird remains in captivity it is also protected by the provisions of the Animal Welfare Act 2006

4.3 Are other general or class licences affected by this challenge?

We will review other licences as part of our planned review in the summer.

Confidentiality

5.1 How will personal data in my application be managed securely eg can it be FOI-ed?

The provisions of the GDPR will apply and personal data will not be released. In the event that a request is received under the Environmental Information Regulations 2004 all personal data and locations will be redacted. This is the approach NE takes to badger control licences. We have updated our website to make this clear.

Consultation

6.1 What's the timeline for a review?

This work in relation to the three general licences will form the first part of a wider review of general and class licensing by Natural England, due to be completed this year. We will be consulting stakeholders fully to ensure that the outcome of the review includes their feedback, expertise and evidence.

6.2 I've heard there is a 'call for evidence' and want to submit evidence for this, how do I do it?

Defra's call for evidence has now passed - https://www.gov.uk/ government/consultations/use-of-general-licences-for-themanagement-of-certain-wild-birds-a-call-for-evidence

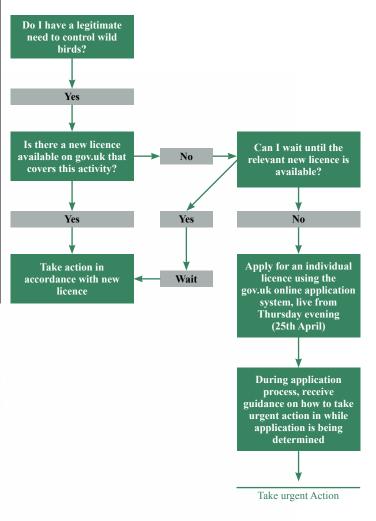
The deadline of 5pm on 13 May has passed.

6.3 How do I get updates and latest information on what is happening with future GLs? Can I register my email address to receive regular updates?

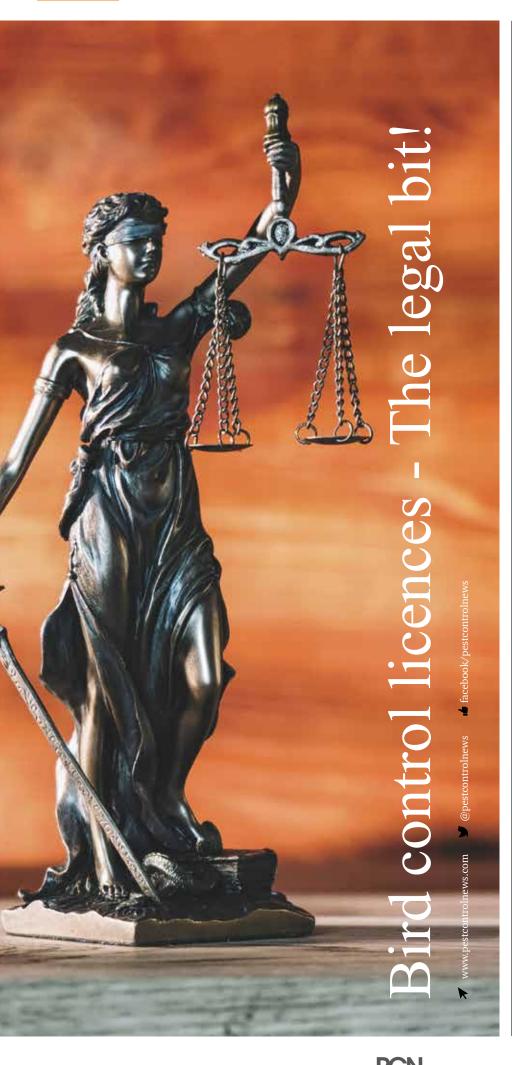
Defra's call for evidence has closed - https://www.gov.uk/government/ consultations/use-of-general-licences-for-the-management-ofcertain-wild-birds-a-call-for-evidence

Any further decisions and timeline will be a matter for Defra.

New Licences - decision 'flow diagram'



Natural England 26th April 2019 Natural England contact number: 02080 261 089



What exactly did Chris Packham and Wild Justice do?

Pest Control News share Natural England's report of the legal challenge, brought about by Chris Packham's Wild Justice, against them that led to the disruptive revocation of three general licences for bird control.

General Licences to kill or to take wild birds to prevent serious damage or disease; to preserve public health or public safety; and to conserve flora or fauna.

Following discussions with representatives of licence users, Natural England is providing some further background to the claim for judicial review brought by Wild Justice concerning three general licences (GL04, GL05 and GL06) and Natural England's response. This also responds to requests from user groups to be able to better understand the reasons for some differences in the new general licences that Natural England has issued.

Background

The three general licences revoked by Natural England have been in place for many years. They were introduced by the Ministry of Agriculture, Fisheries and Food (MAFF) in the 1990s to licence activities that it considered carried a low risk to the conservation or welfare of the listed protected species. In 2004, a condition was added by Defra to the general licences which required the authorised user of the licence to consider 'other satisfactory solutions' before relying on the licence. The introduction of this condition in 2004 therefore preceded the formation of Natural England. Natural England took on responsibility for General Licences in 2008 and continued to follow Defra's approach.

The three general licences covered 16 largely commonly-occurring bird species, including corvids (crows, rooks, jackdaws, magpies) and pigeons. They continued to include the requirement, introduced in 2004, that an Authorised Person could only rely on the licence when the Authorised Person was satisfied that appropriate legal methods of resolving the problem were either ineffective or impractical.

Relevant legislation

All wild birds have had legal protection since 1979 when the Wild Birds Directive was first introduced. In accordance with Article 1 of the Wild Birds Directive 2009/147EC such protection applies to "all species of naturally occurring birds in the wild state in the European territory of the Member States to which the Treaty applies" and to "their eggs, nests and habitats". Legal protection is given to all wild birds in England to give effect to the Directive under Part 1 of the Wildlife and Countryside Act1981. In accordance with Article 9 of the Wild Birds Directive, Member States may derogate from the legal protection given the wild birds, only when the competent authority is satisfied that there is no other satisfactory solution for achieving the specific purposes listed in the Directive. Under English law, licences can be given to kill or disturb wild birds if they are issued lawfully in accordance with section 16 of the Wildlife and Countryside Act 1981.

The legal challenge

Wild Justice argued that the three general licences (GL04, GL05, and GL06) had been granted unlawfully as Natural England had not complied with section 16(1A) of the 1981 Act. Section 16(1A) of the Wildlife and Countryside Act 1981 says:

(1A) The appropriate authority-

(a) shall not grant a licence for any purpose mentioned in subsection (1) unless it is satisfied that, as regards that purpose, there is no other satisfactory solution;...

The case was made that Natural England not only failed to make its own assessment whether there were no other satisfactory solutions but also that it unlawfully delegated responsibility for deciding that matter to Authorised Persons using the licences.

Natural England had urged Wild Justice not to launch legal proceedings but rather to raise its concerns as part of Natural England's wider review of its general licences in 2019. Wild Justice decided not to wait for a review, and instead launched legal proceedings. Natural England then had to respond to those legal proceedings stating whether it was to contest the claim and to do so by 25 April 2019. Natural England, therefore, had to reach a view on whether the general licences had been lawfully granted and what it proposed to do constrained by Court procedures.

What Natural England has done

Having taken legal advice, Natural England concluded that the three general licences were granted without Natural England being lawfully satisfied about the absence of other satisfactory solutions in all the cases to which the general licences applied, as required by section 16(1A)(a) of the Wildlife and Countryside Act 1981, and that it had unlawfully delegated that decision to Authorised Persons in the general licences.

Having concluded that the three general licences had not been lawfully granted and that Natural England was not then able to be satisfied that there were no satisfactory solutions other than the actions that the general licences permitted, Natural England had to act.

Natural England considered that, in the circumstances, it had no legal alternative under EU and domestic law other than to revoke the general licences. A decision not to have revoked the general licences in those circumstances would have been a decision effectively to permit activities thereafter that Natural England knew could not then be given a licence.

Once Natural England had concluded that the general licences were not granted lawfully and had said so in correspondence with Wild Justice and publicly (in the Acknowledgement of Service that it was required to file by 25 April 2019), any Authorised Persons who sought to rely on them would also have been potentially at risk of committing a criminal offence. Any period of legal uncertainty and risk should be kept to a minimum.

Natural England decided that the licences should be revoked at 11:59 on 25 April 2019.

When announcing its decision Natural England provided on-line application forms and drew attention to the provisions in the 1981 Act that describe the circumstances in which a person may use lethal control before any application for a licence to permit its use is determined where such control is necessary.

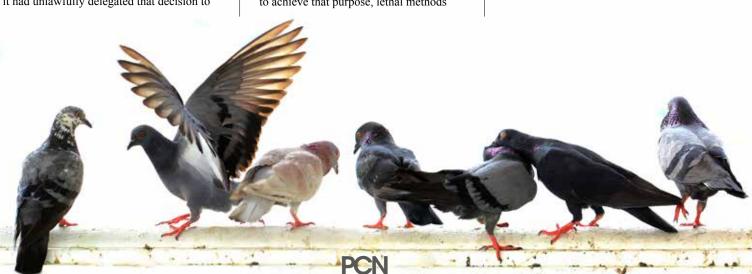
Natural England also worked to grant general licences to permit actions for the preventative purposes specified in section 16(1) of the 1981 Act in those cases where it could be satisfied that there was no satisfactory solution other than such actions.

The new general licences had to meet at least three requirements:

 The first was to ensure that Natural England was satisfied that the licences would only by used when there is no other satisfactory solution if the purpose for which a licence may be granted is to be achieved. Where non-lethal methods would be insufficient to achieve that purpose, lethal methods may be necessary (and thus used as a last resort). It is for this reason, for example, that the licence conditions for carrion crow say that *"before using the licence"* reasonable endeavours must have been made to resolve the problem using the lawful methods identified in Table 1 (unless their use would be impractical, without effect or disproportionate in the circumstances) and any other lawful methods that may be appropriate in the circumstances" and why any such appropriate methods must continue to be used. The requirement that reliance on the licence in such circumstances is a "last resort" enables Natural England to be satisfied that, in all cases in which that licence may be relied on, there is no satisfactory alternative other than the actions that the general licence permits to achieve the relevant purpose. It also reflects advice of the Advocate General (repeated in European Commission guidance) that a derogation from the protection afforded to wild birds under the Wild Birds Directive (which the 1981 seeks to implement) "can only be a last resort".

- 2. The second requirement was to ensure that the licences issued would not be detrimental for the conservation status of the species to which they applied. This is required by Article 13 of the Wild Birds Directive and Article 9 of the Bern Convention. This requirement applies to species of bird naturally occurring in a wild state in Europe.
- *3. The third requirement concerned the need* to respect the protection accorded to certain areas. To the extent that activities permitted under a licence may have an impact upon a European site (Special Areas of Conservation/Special Protection Areas and, as required by Government policy, Ramsar sites) an appropriate assessment is required under the Conservation of Habitats and Species Regulations 2017 which transposes the requirements of the Habitats Directive into English law. In the case of SPAs and many Ramsar sites designated for bird features, this assessment extends to the functionally linked land surrounding those sites.

Natural England - 10 May 2019



INTERVIEW Sakarat®D Liquid Bait

PCN

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Brian O'Donnell has over 15 years' experience in the pest control industry, working in all areas of pest control from Local Technician to Area Service Manager, to his current role of Company Field Biologist. Brian is currently working with Graham Pest Control, Scotland's largest independent pest control company. Here he gives us his views on the effectiveness of Sakarat® D Liquid Bait.

Is Sakarat® D Liquid Bait a good solution to your pest problems?

Yes, it's a very good product and easy to use. We used it to treat a rat infestation within a grain store after unsuccessful attempts using blocks and grain rodenticides alongside break-back traps. The rats were feeding on the available grain within the farm and showing no interest in the various forms of rodenticides and traps used. As rats require a regular intake of water, we decided to try a liquid bait.

Would you recommend Sakarat® D Liquid Bait?

Yes, definitely! It is very good and easy to use. It is another tool within the armory to help with the control of rodents in certain situations or environments where other rodenticides aren't getting on top of the infestation.

Was it effective?

It was successful once they had become familiar with the bait station and started drinking the liquid bait.

Why use Sakarat® D Liquid Bait here instead of bait blocks or wheat?

Where rats are feeding regularly on the available food sources in internal areas of farms, grain stores and chicken feed sheds, block, grain and pastabased rodenticide becomes unattractive. Liquid bait works well in these situations due to rats requiring a regular intake of water. It is particularly effective within the hot and dry environment of a grain store.

What other rodent control measures have you implemented alongside the use of Sakarat® D Liquid Bait?

Alongside securing the drinking 'hopper' of Sakarat® D Liquid Bait in AF and Multiguard external bait stations, we have also implemented trapping, proofing, hygiene and staff education to treat the problem and prevent further infestations.

What did you use before?

Before it was taken off the market we used Deadline Bromadilone liquid bait. Once that was no longer available we concentrated on the use of a soft paste rodenticide.

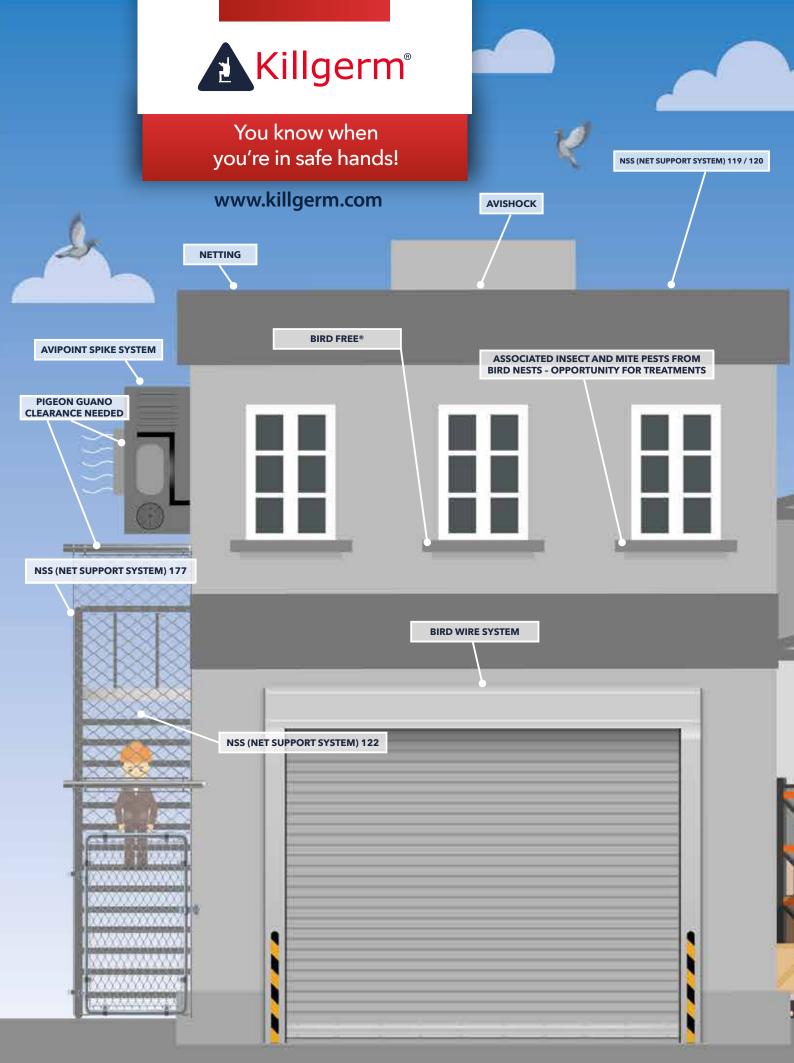
Is Sakarat® D Liquid Bait an easier product to use?

Yes, as it is a ready mixed product with no dilution required. It's easy to close off and re-use on other premises. This prevents any wastage of the product.

Why did you change or start using Sakarat® D Liquid Bait?

A liquid bait had been absent from the industry for many years and the previous liquid bait had been successful on several previous treatments I had carried out. I decided to give the Difenacoum based liquid bait a try to help control difficult rat issues where other forms of rodenticides and treatments had failed.



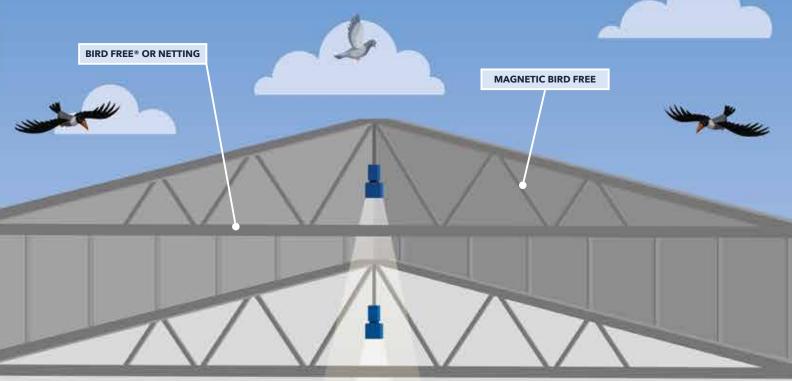


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Supporting a pest free environment.

RODENTS: 🦻 🛱 Sense and sensibility

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Rodents have very developed senses, perfectly adapted for survival in their environment. In this mini-series of articles, we will look in detail at each of the well-developed senses possessed by rodents and how we can manipulate them to aid control. Let's be nosey in this issue and start with the sense of smell.

he biology behind the way that rodents perceive 'scent' is somewhat different to our own. Interestingly, rodents don't just use one channel to perceive scent. Two main channels are utilised. Scents are used for survival, proliferation of their species, food location, territory marking and submitting colony as well as individual information. The first channel to consider is the main olfactory system as used and possessed by most mammals, including humans. In this primary system, chemoreceptors pick up the inhaled scent molecules, via the olfactory mucosa or mucus membranes. Airborne scent molecules are dissolved and transmitted to the first cranial nerve. This nerve carries the specific impulses triggered by the scent molecules to the brain where they are decoded and matched to either learnt / recognised scents or new unrecognized scents.

Rodents also possess a different and separate channel for scent perception, which is the vomeronasal system. Again, mucosa or mucous membranes are used to perceive the scents, but in this case a small patch of specialised cells picks up the scent, with this area referred to as Jacob's organ. Research has shown that pheromones are picked up and transmitted by this 'organ' as a series of electrical impulses to a very specific part of the brain. There is very little overlap between these two main channels, they operate somewhat independently of each other.

Pheromones

Chemical messages containing individual information about maturity, the colony status, territory boundaries, food locations. Rodents have various glands that produce scents or in this case pheromones - secreted in urine, preputial glands and coagulating glands (found in genital folds) and also plantar glands (found in the soles of the paws). So already we are building a picture of how pheromones are dispersed and used for marking areas and passing on essential information throughout their environment.

Recent and ongoing research

Research spearheaded by Prof Jane Hurst of Sheffield University has been focused on specific proteins and peptides present in male mouse urine. Most pheromones are volatile active chemicals. However, this research found a new pheromone, named darcin. Darcin is a MUP (major urinary protein) involving involatile proteins and peptides. This key research found that behavior is triggered by the presence of MUP's. This is not simply behavioral changes occurring (as is normal with pheromones) but a brain pattern change was detected. This means that MUP's have the power to bring about behavioral and physiological changes including imprinting.

Synthetic and other scents

Unfortunately, we are some time off producing a synthetic pheromone to attract rodents, this is not yet feasible. Creation and addition of a species-specific attraction pheromone would be a valuable inclusion for rodenticide and benefit the pest controller by adding species specificity. With regard to CRRU (Campaign for Responsible Rodenticide Use) and targeting treatments whilst protecting other non-target wildlife, this would be a theoretical ideal.

Other scent research has shown sudden clear aversion by rodents to cat urine due to behavioral triggers related to the proteins present in domestic cat urine (Felis catus). This is no real surprise and supports the hunting behaviour and

natural predation of rodents by cats which is widely known. The downside of this is that we as humans can also detect the cat urine scent (we cannot decode the pheromones!). The strong odour would also be a natural deterrent to us too. The same proteins which create the scent in cat urine are also present in fox urine, another rodent predator. But due to the somewhat offensive odour of fox and cat urine and from a species-specific perspective...a no-go avenue.

Evidence has shown that "....human odour appears to have little effect on the behaviour of wild brown rats..."* in theory this makes perfect sense, commensal rodents have proliferated with human existence for centuries, so any aversion to human activity would be a learnt response in answer to threatening stimuli and not an innate or imbedded behaviour.

What about attractive scent lures?

Lures are frequently used for attraction of rodents. Several varieties are available, liquid, block, solid and encapsulated. The scents vary too; vanilla, meat and fish all feature. The idea being to tailor the scent to the food that the rodents are consuming already. The scents used in the attraction lures are just that, a simple attractant that smells like food. The technology really doesn't progress much further, although such attracts are non-allergenic and therefore suitable for use in the food industry.

When looking at the rodenticide itself, the quality of the food material used for rodenticide and non-toxic preparations is paramount. All reputable and quality rodenticide manufactures use 'A' grade base food ingredients. The food grade materials used are an attraction in themselves and top quality grain has another even more important factor, it tastes the best. This really is the most important part, the taste. Although we can use different attractant

and lure the rodents in with a nice smell, if they don't like the taste it can create unwanted aversion behaviour.

Forward thinking

A synthetic pheromone attractant would be an ideal next step in attraction for rodenticide. Another research group has been looking at scent attraction from another angle, they used carbon disulfide to assess increased attraction. This was used at 10ppm alongside a rodenticide, in trials, bait uptake (by female rats) increased by 84%*. The reason why carbon disulfide was used? It is naturally present in rodent breath - encouraging feeding uptake by giving the impression that the food has been eaten by another rat beforehand.

Summary its essential that....

- we use reputable top-quality rodenticide
- it is used within 'use by date'
- rodenticide or non-toxic bait preparations do not become contaminated via poor storage (the rodents could detect this!)
- although smell is important, the palatability of the preparation is key
- * Details of all references, quotations, data and research can be obtained by contacting technical@pestcontrolnews. com

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Herring Gull Larus argentatus



Stock Dove
Columba oenas



Magpie
Pica pica



Blackbird Turdus merula



Lesser Black Back Gull Larus fuscus



Lapwing Vanellus vanellus

Carrion Crow

Corvus corone

Blue Tit 🔳

Cyanistes caeruleus



Great Black Backed Gull Larus marinus



Eurasian Curlew Numenius arquata



Common Gull Larus canus



Sacred Ibis ■ Threskiornis aethiopicus



Black Hea Chroico ridibu



Oysterca Haema ostra



Jackdaw
Corvus monedula



Great Tit Parus major



Rook ■ Corvus frugilegus



House Sparrow Passer domesticus



Jay Garrulus o



Dunn Prunella r

BIRD ID CHART



ded Gull cephalus undus



Canada Goose Branta canadensis



Egyptian Goose Alopochen aegyptiacus



Greylag Goose Anser anser



Mallard
Anas platyrhynchos



atcher atopus legus



Ruddy Duck Oxyura jamaicensis



Feral Pigeon Columba livia



Wood Pigeon Columba palumbus



Collared Dove Streptopelia decaocto



j 🗖 glandarius



ock ■ nodularis



Hooded Crow Corvus cornix



Pied Wagtail Motacilla alba



Indian House Crow Corvus splendens



Robin Erithacus rubecula



Monk Parakeet
Myiopsitta monachus



Song Thrush Turdus philomelos



Ring Necked Parakeet ■ Psittacula krameri



Starling Sturnus vulgaris

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House Mouse vs Field Mouse

With rodenticide label changes to keep an eye on, the Campaign for Responsible Rodenticide use (CRRU) guidance to follow and protection of non-target species to consider, it seems an opportune time to revisit some basics regarding identification of rodent droppings. It is with growing importance that we look at some of the key differences between house mouse (*Mus domesticus*) and field mouse (*Apodemus sylvaticus*) droppings.



roppings are one of the main signs of rodent activity, as accurately identifying that activity is vitally important for the correct treatment plan to be formulated. Even though field mice Apodemus sylvaticus (or 'wood mice' as an alternative common name) are not protected, they do not appear on any of the labels in the UK rodenticide market as a 'target species'. We should therefore avoid the treatment of field

mice with anticoagulant rodenticides, using proofing and traps instead, due to the fact that they are not listed on rodenticide labels. Furthermore, field mice that have consumed anticoagulant rodenticides may be scavenged or hunted by birds of prey or other scavenging mammals and contaminate them by passing on rodenticide residues. This is another good reason to differentiate between house mouse and field mouse droppings.

SGARs

Accumulation of second generation anticoagulants (SGARs) is well documented in barn owls, the sentinel species used by CRRU in one part of the monitoring of stewardship. In simple terms, the SGAR residues in barn owls need to be reduced to prove that we as an industry (and other user groups) can demonstrate that we can mitigate the risks from rodenticides sufficiently and limit the changes of them ending up somewhere where they should not be i.e. in predators. One way of demonstrating this is to avoid anticoagulant contamination of one of the known species which is readily predated on by barn owls – the field mouse.

The following table can be used to help identify mouse droppings. However, note that only public analyst laboratories can accurately determine identification with confidence and the information that follows should only be used as a 'field guide' **http://www.publicanalyst.com**/

Dropping identification table

Observation	House mouse <i>Mus domesticus</i>	Field Mouse / Wood mouse <i>Apodemus sylvaticus</i>	Comment
Crumble test	Don't crumble when squeezed	Don't crumble when squeezed	Both hard droppings when dry, as opposed to bat droppings that easily crumble
Colour	Dark brown (Can vary with food source)	Dark brown (Can vary with food source)	Texture can also vary with food source, colouration can also denote rodenticide or non-toxic preparation consumption
Size	Approx. 6 - 7mm long and $2 - 2.5$ mm across.	Approx. 3-5mm long	Size can vary slightly with the individual
Shape	Rod shaped with pointed ends	Cylindrical, often with a slight taper at the end	The field mouse dropping will appear much more rounded when compared to the house mouse dropping
Distribution	Scattered along foraging routes (e.g. wall-floor junctions) within home range and can number approximately 80 produced per night.	Randomly deposited within home range but sometimes found in groups near nests, feeding sites and cached food.	Remember that field 'cover over' food (and bait)
Images	House mouse droppings	Field mouse droppings	
		35	
Simple comparison images as 'aide memoir'		40	
	Basmati (long grain) rice	Arborio (short grain) rice	

Know your enemy

Carrion Crow

Corvus corone

ollowing the revocation of the GL04 general licence 'to kill or take certain species of wild birds to prevent serious damage or disease', and with lambing season in full swing in April and May, the Carrion Crow damage to livestock has been well publicised.

Natural England did release a new general licence, 'licence to kill or take carrion crows to prevent serious damage to livestock (GL26)', on 26th April to tackle this issue. In this issue of PCN we focus our 'know your enemy' article on the identification, biology & behaviour and impacts of the Carrion Crow, *Corvus corone*.

Identification (facts provided by RSPB and BTO)

Key features are a black feather colour, a black medium-length chunky and powerful beak. It can be confused with other corvids but is smaller than the Raven, yet a similar size to the Rook. However, it can be separated from rooks by the heavier black bill of the Carrion Crow the different head shape and lacks the shaggy thighs of the Rook.

The usual call of the Carrion Crow is a 'kraa' that resonates, sounding stronger than the flat-sounding call of the Rook.

Another identifying feature is that crows are usually seen singly or in small groups whereas rooks are more sociable birds.

Diet and impacts

Carrion crows take gamebird eggs and chicks and can impact on lambs in the lambing season. They are opportunistic feeders and will take Carrion, other scavenged food and grain. A significant part of their diet is invertebrates.

Measurements

Length: 45-47cm, Wingspan: 93-104cm, Weight: 370-650g

Habitat

Carrion crows can be found in city centres, upland moorland and from woodlands to seashore. They will visit gardens for food and even though they are wary at first, they soon figure out when it is safe, and will revisit the area to take advantage of the various available food sources.

What are the key points of the new general licence?

Details of the new licence are here https://www.gov.uk/government/ publications/carrion-crows-licence-to-kill-or-take-them-gl26 and an extract of key points is below.

This licence permits farmers and other keepers of vulnerable livestock, and people acting on their behalf to carry out activities that would otherwise be illegal against the following protected species of wild bird:

Carrion crow, Corvus corone

This licence may only be used:

1. for the purpose of preventing serious damage to certain specified livestock by this bird species,

2. if serious damage is occurring or is reasonably expected to occur in the absence of licensed action, and

3. where reasonable steps to prevent predation by lawful methods have been and continue to be taken.

Users of this licence must comply with all licence terms and conditions including those in 'Standard Licence Conditions for trapping wild birds and using decoys under a Natural England licence' (GL33).

If you need to take action to prevent serious damage to a type of livestock, or in circumstances, not covered by this licence you will need to apply for a licence to do so from Natural England.

Registration: Users do not need to register to use this licence.

Recording & reporting: Users are advised to keep a record of problems and the use of nonlethal methods, but do not need to submit records to Natural England. This licence can only be used to prevent serious damage to the following types of livestock: sheep (including lambs), piglets, domestic poultry and waterfowl and reared gamebirds and wildfowl (including released birds while they are kept).

This licence permits:

- · Killing or taking of the species listed above and
- Taking, damaging or destroying their nests while that nest is in use or being built, or taking or destroying their eggs

The methods of killing and taking permitted under this licence are:

- Shooting with any firearm, including semi-automatic firearms, shotguns or air guns
- · Pricking of eggs
- Oiling of eggs using paraffin oil (also known as Liquid Paraffin BP or light/white mineral oil)
- Destruction of eggs and nests
- A Larsen trap
- A multi-catch cage trap
- Falconry
- · Hand-held or hand-propelled nets
- By hand

Users must read and follow the full licence and, if in doubt, seek advice from industry bird control specialists, Natural England and DEFRA.



Know your friend

The Beaver Castor fiber

• ou won't find any beaver jokes in Pest Control News because we are too dam professional for that.

On the 1st May it was announced that beavers are a protected species in Scotland. This instalment of 'know your friend' reminds readers about the reintroduction of beavers into Scotland, the biology & behaviour and impacts of this non-target rodent species, including activities such as lethal control which require

Beavers and protection

a licence.

A knowledge of protection when dealing with beavers is essential. It has been reported that new legislation to make Scotland's beavers a European Protected Species has been welcomed by wildlife organisations. The protection now means that it is illegal to kill Eurasian beavers *Castor fiber* or destroy their established dams and lodges without a licence. The protection for beavers is an important legal step to allow them to expand their range, according to the Scottish Wildlife Trust.

Inevitably there is some opposition from farming leaders regarding the impacts of dam-building by beavers, which can result in damage to agricultural land. From being reintroduced to Scotland's waterways a decade ago, the current population has grown to approximately 450 beavers in Scotland (Tayside and mid-Argyll). Some local-scale negative impacts are that damming of watercourses can result in crops being destroyed. This is costing some farm businesses approximately £5,000 per year to counteract. The Scottish Wildlife Trust supports the view that land managers must have the ability to deal with localised negative impacts caused by beavers, although it is equally important to ensure lethal control is only used as a last resort.

Beavers – positive impacts

Reintroduced beavers can have a positive impact on the environment and biodiversity of an area. They can fell trees with their sharp, chisel-like teeth which they then drag into the water to construct dams and lodges.

- Dams create wetlands that result in habitats for wildlife
- Habitat creation benefits water voles, otters, dragonflies and amphibians
- They coppice waterside trees and shrubs, letting in light to help plants grow and allowing the scrub to grow back as dense cover for birds and other animals
- Beaver dams trap sediment, improve water quality, reduce the risk of flooding downstream, and increase cover for trout and salmon

Beaver habitat

Quite simple, the wetter the better when it comes to beavers. Their natural habitat is widely available in Scotland and includes broadleaved woodland next to standing waters or slow-moving streams.

Big beavers

The size of the Eurasian beaver is quite impressive. According to scottishbeavers.org.uk 'approximately the size of a tubby spaniel (25–30 kg), measuring 70–100 cm in length. Unusually for mammals, the female beaver is the same size or larger than males of the same age. They are uniquely adapted for a semi-aquatic lifestyle, with a sleek waterproof coat, large flattened muscular tail and webbed hind feet to provide propulsion underwater.'

English beavers

In England, there is a small population of beavers on the River Otter in Devon, from either an unlicensed or accidental release. RSPB supported the Devon Wildlife Trust's successful application to Natural England for this to become a licensed English trial reintroduction.

Beaver identification

If you've never seen a beaver before you can do your own research on the internet. Alternatively, PCN has collected some key facts to help recognise a beaver face-to-face.

- Beavers have dense, brown or even black fur
- They are stocky animals with small ears and eyes
- They have a characteristically flattened, broad and scaly tail

Beaver licence

To get your beaver licence, visit https://www.nature.scot/professionaladvice/safeguarding-protected-areas-and-species/protected-species/ protected-species-z-guide/protected-species-beaver/management

Scottish Natural Heritage state the following regarding beavers and licensing: "simple management techniques to prevent beaver damage – like protecting trees or woodland or removing newly built (less than two-week-old) dams, won't need to be licensed. However, other actions such as removal of more mature dams, manipulating dams or lethal control, can only be carried out under licence. Our guidance for land managers which forms part of the Management Framework describes what does and does not require a licence."



Insect Repellent in Pest Control?

1

26

June 19

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We all think of packing insect repellent for our holiday and the most diligent of us will think of it at home in summer. How many of us think of it as part of health and safety procedures in our working environment? This is particularly important as we encounter biting insects on a regular basis. Understandably, normal working attire might be long sleeves and trousers. However, what about exposed skin – head, face, hands and neck? At the forefront of the biting insect battle should we consider insect repellent as a part of our personal protection (PPE)?

Which insect do we need to repel?

In the UK, we remain relatively low risk with the incidence of biting insects and their limited potential as disease vectors. Mosquito 'bites' can give us a nasty reaction, with transmission of deadly pathogens taking place in other parts of the globe e.g. Zika, malaria, dengue fever, yellow fever – the list goes on. Essentially, in the UK, we would be protecting against the bites themselves and not necessarily the disease-causing pathogens. We can look at other biters too, bedbugs and fleas or horseflies. Although such insects are not known to directly transmit human diseases in the UK we could consider it as part of our PPE provision, the aim being to protect any exposed skin which is not already covered by clothing or overalls. Ticks on the other hand are on the increase and therefore Lyme disease too. The higher risk areas are presently southern England and the Scottish Highlands.

A tick surveillance scheme is running in the UK, information is available about this on the government website.*

• other symptoms: (developing

These more severe symptoms

• nerve problems – such as pain

• pain and swelling in joints

• trouble with memory or

may include:

or numbness

• heart problems

concentration

months or years after the bite)

Lyme disease symptoms:

- circular rash around the bite (although not always present) developing up to 3 months after the bite
- a high temperature, or feeling hot and shivery
- headaches
- muscle and joint pain
- tiredness and loss of energy

What's available?

There are several standard active ingredients in insect repellents, such as DEET (N,N-Diethyl-meta-Toluamide or Diethyl toluamide mixed with alcohol). Varying percentages are used, but as a rule the more risk of biting insects, the higher percentage you should go for. However, using higher percentage DEET, works brilliantly but has a down side – it is not very skin friendly. Concerns regarding use of DEET have been addressed in small trial research, although from the results more study is needed. The NHS website has a published concern regarding DEET and a research trial by a third party going back as far as 2009. The action of DEET inhibits cholinesterase in rats, effecting the nervous system. This effect is like that of a carbamate (such as bendiocarb). The study showed DEET and carbamate group chemicals to interact, adding to the toxicity of the carbamate and strengthening it. So, based on this, it would not be recommended to use an insect repellent which contains DEET whilst using a carbamate.

What's the good news?

Various formulations are available, including natural preparations, sprays, lotions, wrist bands, plug-ins, candles, wipes and roll-on.

Another active ingredient used is Geraniol, (or (2E)-3,7-Dimethyl-2,6octadien-1-ol; its chemical name). This is a substance found in several essential oils. A widely known product in the pest control industry is Prevent spray, many reviewers saying it does the job well. From a scientific perspective and chemically – it's a tried and tested all-rounder.

"THEY ALSO SHOWED THAT DEET INTERACTS AND STRENGTHENS THE TOXICITY OF CARBAMATES, A CLASS OF INSECTICIDES ALSO KNOWN TO BLOCK ACETYLCHOLINESTERASE."*

Name	Origin	Application
DEET	N,N-Diethyl-meta-toluamide Used as a farmland pesticide	Spray, pump spray, roll-on etc. including a microencapsulated for wrist bands and to extend life and slow evaporation rate
Geraniol	(2E)-3,7-Dimethyl-2,6- octadien-1-ol Found in many essential oils	Wrist band (recommended in conjunction with certain repellent lotions)
Prallethrin	Pyrethroid insecticide	Plug-in
d-Allethrin	Synthetic pyrethroid	Plug-in tablet
Citriodiol	p-Menthane-3,8-diol Derived from Eucalyptus citriodora tree (Corymbia citriodora)	Used in conjunction with other repellents
Citronella	Essential oil of the Cymbopogon spp. or commonly lemongrass. Other derivatives include citronellal, citronellol, and geraniol.	Widely used in perfumery and cosmetics, candles, oils. It's a known pesticide and also anti- fungal and antiseptic.
Prevent	Natural Pyrethrin (synergised with piperonyl butoxide)	Spray. Stated as an all-rounder for all biting insects. Has received good reviews from professional pest controllers.

Many of the insect repellents use known pesticide active ingredients. They are however used at very low levels, which means they fall outside of the Biocidal Products Regulation (BPR). Anecdotal evidence indicates reduced incidence of insect bites when using certain products vs using no products. Several essential oils crop up as insect repellents. Probably the most wildly known is Citronella. Certain products have been hailed as insect repellents although they are not labelled as such, such as Avon's 'Skin So Soft Original Dry Oil Spray'. Many forums, blogs and articles later and it seems that this product is well known for its insect repellent properties. All manner and a complete demographic cross section are apparently using the Avon product, ranging from the SAS to holiday makers and everyone in between.*

Is Skin So Soft a wonder product?

Avon were contacted for a response and kindly replied informing us that they are aware that their product reportedly works as an insect repellent however, they clearly state that the product is not sold directly/marketed as an insect repellent. Anecdotal reports from Avon representatives and their customers have informed them that it acts as an effective insect repellent.

Avon continued to say that the product contains Citronellol (clearly stated on the product label, but below a concentration that would trigger the requirement for authorisation as a biocide) and the quality team has confirmed that they believe it may be the aroma of the Citronellol that has the insect repellent effect. It is simply one of the fragrance components that has the insect repellent effect. It must be said it is mainly mosquitoes and biting midges that the chatter is all about and no other biters mentioned in detail.

Back to Health and Safety

Insect repellent is certainly worthy of consideration as an additional product that can be incorporated into our daily biting insect jobs and risk assessed. Particularly thinking around more sensitive individuals and the possible reactions to bites – you know who you are! We can't ignore the other potential issues of secondary bite infection, cellulitis being just one. During the initial visit or call out to an infested site we may simply be wearing work clothing and easily have exposed skin. In summary, as always with health and safety prevention is key. Insect repellent – whatever its form, may just fit the bill.

*Details of all references, quotations, data and research can be obtained by contacting technical@ pestcontrolnews.com

Health and Safety: Risk assessing a hot loft space

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Technica

With summer upon us and wasp season gathering momentum we are looking at health and safety in the loft or attic space.

Beginning with our health and safety risk assessment principles:

- Identify the hazards (anything that may cause harm)
- Decide who may be harmed and how
- Assess the risks and take action
- Make a record of your findings
- · Review the risk assessment

Loft space hazards

All the normal roof hazards apply, such as electrical wiring, access (crawl boards, fragile areas of ceiling, pipe work, low beams, lack of light, ventilation). You should also be asbestos aware, if you come across any suspicious materials that you do not know what they are or suspect that they are asbestos, stop work immediately. Contact your manager or supervisor, the property owner, occupier or site contact and seek advice before proceeding. Most importantly in warm weather as the season really gets going, the loft or attic can become a very hot space as the heat rises from the building.

This is key, as working in a hot area can impact breathing, heat loss, perspiration and all the other effects of heat on our bodies. Add in physical exertion and you could become very ill very quickly. This is compounded by the necessary use of personal protection to prevent injury from the chemicals we are using or the pests we are treating. This can intensify the heat effects, as wearing all the necessary PPE can inhibit heat loss potentially leading to overheating and in the worst-case scenario, fainting or loss of consciousness.

Who may be harmed?

This is fairly simple, as you (the key worker or operator) may be harmed. Also consider the property inhabitants (including pets) or the workplace operatives.

Assessing the risks

We know what we are dealing with – the hazards identified in our first section of the risk assessment. So, what are the risks posed by our hot roof-space scenario?

Starting with access – it must be safe and suitable, such as via a ladder, or steps to gain entry to the loft space in the first instance and the ability to make a fast exit if necessary.

Check the equipment for access is suitable and in good condition (also fit for purpose). Falling from height could do by far the worst damage to you.

Work area once in the loft – ensure the walking surface is suitable. If it isn't, then reconsider your options. Could you treat from outside? Could extra crawl boards help?

Another consideration is light. Depending on the pest you are treating, for example wasps – don't use your normal torch or loft light (it may attract the wasps) and a head torch is a definite no (think about it...the word 'beacon' springs to mind) A red lens torch can be used (insects do not respond as readily to red light) or place your light or torch away from you.

Whilst working in the loft space you may be wearing a respirator to protect you from the chemicals in use, a protective overall, a bee suit and veil, eye protection, head protection to protect you from the low beams and foot protection to help protect you in case of slips and trips. You will also have your work equipment with you. Furthermore, you will be wearing gloves, potentially affecting your dexterity. In combination, this adds to the impacts of the hot environment on you.

To help avoid problems you should plan your job meticulously, so you can carry out your work carefully, effectively and smoothly. To prevent overheating before starting your job, you should ensure you are well hydrated which helps balance heat in our bodies.

Keep the job to a short duration. The longer you are exposed to heat the worse the effects can be. Hence the planning of the job helps to limit the time you spend in that environment.

Remember to take regular breaks if the job takes longer. Breaks may even be needed as little as every few minutes if the environment is particularly warm, even if the break is simply out of the work area in a cooler environment. Also take regular full breaks, which may apply if clearing bird guano as an example. Taking regular breaks will allow you to work more effectively and safely for longer.

Continue to maintain hydration during full breaks, again essential for our physical operation but also mentally. Staying hydrated helps maintain concentration. Fully remove all PPE and wash hands thoroughly after the job.

Record your findings

Recording your risk assessment is a legal obligation under the Health and Safety at Work Act 1974.

Review

All risk assessments should be reviewed on an annual basis unless any other changes occur.

In summary, when in warm working conditions, look after yourself, stay hydrated, take regular breaks to cool down and stay safe this summer.



The Sky's the limit: how high do flies fly?

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CN is able to share a short communication article 'House Fly Trap Height Placement' to provide advice ahead of anticipated peaks in fly activity during the upcoming warmer months.

By: Joseph Diclaro, Phil Koehler, and Roberto Pereira. Entomology and Nematology Department, University of Florida.

A social benefit of being an Entomologist is that people always like to ask questions about insects. Most of the time these questions are simple and have straight forward answers, but every once in a while someone will ask a question that requires a bit more thought. A good example is when the subject of house fly infestation is mentioned. When someone says, "I just put a fly trap up" the next question usually is "How high should I hang it?" A general response is: "how high is it most commonly placed" On the surface it seems like a simple question but if you sit back and think for a moment you may wonder; what is the optimal height for a fly trap to hang? In some cases the trap design does not leave any choices in height placement. For instance a conical hoop trap made in the early 1900's was constructed so that it had an entry point 1 inch (2.54 cm) above the ground.

In the past, fly traps have been evaluated extensively for the perfect design. Usually these evaluations are done on farms and other rural areas where filth fly populations are very high. It has been shown that, in this type of environment, the best placement of several different baited traps is with the entry opening 24 inches (60 cm) from the ground. Traps at 24 inches high caught more flies than traps that were placed directly on the ground. This makes good sense because on a farm the house fly attractant is on the ground (manure) and 24 inches leaves enough space for flies to not only fly around a trap but under the trap as well. Depending on the trap type this may allow the bait used in the trap to exert greater attraction to house flies.

Outdoors, 24 inches may be the best height for a fly trap, but most questions these days about fly traps are coming from homeowners and business owners. So what about hanging a fly trap in a building - what is the optimal height? More flies were caught near the rafters in a structure, at 110 inches



(280 cm) from the floor, compared to traps at various other levels. However, the other levels tested showed no significant difference in the amount of flies caught between them, even the traps that were near the ground.

In order to get a clear answer on how high a fly trap should be hung inside a building, we needed more data, so we conducted a simple experiment. Pieces of white corrugated plastic with a piece of fly ribbon pinned across it (plastic target [3.94 x 3.94 inch;10x10 cm], Figure 1), were placed at different heights.



Figure 1: Plastic target with house flies stuck to it, hung from ceiling by fishing line. Then we released ~300 house flies in a room

15'6" x 20' (4.72 x 6.1 m), (Figure 2), with four plastic targets at 3 feet (.91 m). We repeated the procedure with targets at 6 feet (1.8 m) and 8 feet (2.44 m). After testing each height individually, all three heights were tested simultaneously. The flies were released in the center of the room on the existing counter and then left undisturbed for 24 hours with the lights left on.



Figure 2: Visible plastic targets hung near window and cabinet (arrows). Flies were released on center of counter (box). The targets at 3 ft and 8 ft high caught the most flies (Figure 3), but there was no statistical difference in the number of flies caught at the three heights when they were tested individually.

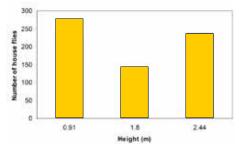


Figure 3: Average number of house flies caught at individual heights after 24 h. No significant differences were observed. When the plastic targets were hung at all three levels at the same time, the lower plastic target caught half the fly population (Figure 4) but there were no significant differences in the three heights, even when they were tested together. From these preliminary results we concluded that house flies in an indoor environment will travel to a trap no matter what height it is located, as long as it is attractive to the fly.

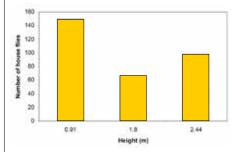


Figure 4: Average number of house flies caught at heights hung together after 24 h. No significant differences were observed. These results also tell us a couple of other things. First, that people who work in a room where this type of research is done do not appreciate when 300 flies are released. Second, in enclosed environments, such as a home, an office, or enclosed rearing facilities, the height of the fly trap may not matter much. On a farm, flies fly where the attractant (manure) is located, near the ground. In an enclosed environment house flies will go to the easiest accessible attractant no matter at what height.

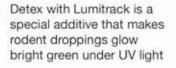
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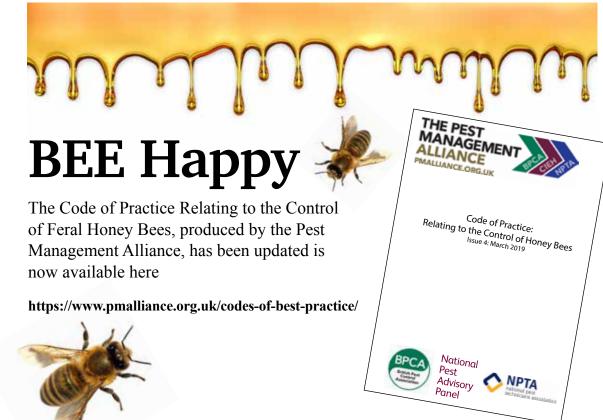
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Asian hornet - where to report sightings

If you think you have seen an Asian hornet, an invasive pest that presents a serious threat to honey bee health, please notify the Great British Non Native Species Secretariat (NNSS) immediately. In the first instance sightings should be reported through the free Asian Hornet Watch App, available for Android and iPhone.

Other methods of reporting the hornet also include using the NNSS online notification form. Finally, you can send any suspect sightings to the Non Native Species email address alertnonnative@ceh. ac.uk. Where possible, a photo, the location of the sighting and a description of the insect seen should be included.

If you would like to know more about the Asian hornet or any other Invasive Species, the NNSS website provides a great deal of information about the wide ranging work that is being done to

tackle invasive species and tools to facilitate those working in this area.





Date and venue announced for **ICUP 2020** conference

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Held once every three years, the dates and venue for the next International Conference on Urban Pests (ICUP) have been announced by the organisers.

> he conference is, once again, to be held in Europe and will take place from 29 June to 1 July 2020 at the prestigious Pompeu Fabra University, in Barcelona, Spain.

The 2020 organising team is chaired by Dr Rubén Bueno from Laboratorios Lokímica based in Alicante, Spain. Dr Rubén Bueno explains: "Since the close of the previous ICUP 2017 in Birmingham, our 2020 Organising Committee has been working hard laying the foundations for what promises to be another stimulating and productive event."

As at previous ICUP conferences, the programme will address the science and management of a wide variety of urban pests and vectors, including those of hygiene, structural and medical importance. Pests of rising significance, which have caused researchers to revaluate management practices and the future direction of urban pest control will be addressed. The impact of regulatory and stewardship challenges will also be included.

In addition to the main conference sessions, there will be break-out sessions and workshops, as well as the ever-popular conference dinner. Equally important are the informal networking times when views are freely exchanged between delegates and friendships formed.

This highly popular, non-profit, conference is the leading international forum for sharing information and ideas on the impact, biology and control of pests in the urban environment. It is attended by entomologists, pest management professionals, and academic and government scientists from around the world.



Dr Rubén Bueno, Laboratorios Lokímica

Uniquely, this event can boast a band of very loyal delegates, many of whom have attended either all, or virtually all, of the events since its formation in 1993.

Details regarding delegate registration and how to offer a paper for consideration by the organising committee will be announced in the near future when the ICUP 2020 website goes live.

Presentations from the previous conferences can be found on the central ICUP website at www.icup.org.uk.

This will be the tenth in the series of ICUP conferences. The previous conferences have been held in Cambridge, England (1993), Edinburgh, Scotland (1996) Prague, Czech Republic (1999), Charleston, USA (2002), Singapore (2005) Budapest, Hungary (2008), Ouro Preto, Brazil (2011), Zurich, Switzerland (2014) and Aston, Birmingham, UK in 2017.





PestEx(cellence) showcased at the UK's pest management show 2019

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PestEx 2019 saw an incredible **29% increase** in total visitors as over 100 pest management product and service suppliers descended on the London ExCeL in March.

housands of people committed to public health pest management explored the 2,860m² exhibitor hall of the British Pest Control Association's show on 20-21 March, meeting suppliers from around the world.

Phil Halpin, BPCA President, said: "It's important that everyone in our industry gets the opportunity to connect and learn from each other.

"Between the exhibitors, seminars and networking opportunities at the show, I think the pest management show managed to bring together a lot of passion under one roof.

"Thanks goes to all the exhibitors, speakers and the BPCA Staff team for making the show happen."

We've had incredible, record-breaking numbers that were helped, at least in part, by PestEx partnering with the Cleaning Show. Visitors from each show could move freely between exhibition halls, exploring exhibitors and talks from both complementary sectors.

Jo James, BPCA Events Manager, said: "BPCA has never done an exhibition on the same scale as PestEx without an exhibition and conference partner. It's been a massive learning curve, with many tough lessons learnt, however from the initial feedback we've heard, I think the show has been a real success. I'd like to thank the staff at the ExCeL, Index, Europa and all the volunteering board members who supported the show."

PestEx showcased loads of new products and services from exhibitors from around the world.

22 speakers from across the sector delivered pest management and better business talks. Several of these talks were standing room only, proving the visitors were committed to learning, improving and continuing professional development.

You'll see many of the speakers popping up in PPC issues this year. We'll also be releasing some of the seminars as podcasts with hand-outs, complete with CPD quizzes.

Ian Andrew, BPCA Chief Exec, said: "I've spoken to so many people over the last two days that I've almost completely lost my voice! PestEx gets all the people passionate about pest management in the UK under one roof and It's an opportunity for us to learn from each other and make meaningful connections. I hope everyone that attended and exhibited got something useful out of the show."

What next?

Registration is now open for the sister show, PPC Live.

PPC Live is BPCA's trade exhibition and conference designed for technicians, surveyors and company owners to help improve technical knowledge and to help with their continual professional development.

Similar to PestEx, PPC Live showcases products and services from across the sector.

This event will be held on Wednesday 11 March 2020 in Harrogate. Get the date firmly in your diary!

Interested in exhibiting at PPC Live 2020 or PestEx 2021?

Want to book your exhibition space at one of our events? Contact Beth, our sales executive, and she'll get you booked.beth@bpca.org.uk





RSPH Hygeia Awards are now open for nominations

RSPH has, for several years, made awards to candidates who achieved the highest marks in the written examinations in a subject area for that year.

These included awards in Food Safety, HACCP and, of course, Pest Management.

In 2018 they realised that their awards were not recognising achievement of candidates in several areas which were assessed by means other than an examination, such as Health Improvement qualifications and Young Health Champions.

They also realised they were also not recognising the good work carried out by the approved centres and the tutors who deliver the qualifications.

In 2018 they renamed their awards as the Hygeia Awards (after the Greek goddess of Health) and introduced a number of new categories.

They now have awards for:

- Food Safety
- HACCP
- Pest Management
- Anatomical Pathology (Anatomical pathologists are probably better known as mortuary technicians).
- Health Improvement
- Young Health Champions
- Centre of Excellence
- Excellence in Learner Support

The first Hygeia Award for Pest Management was won last year by Patrick Poore who works for Rokill and took his pest management exams with BPCA. In 2017 the award went to James McKenna of Rentokil.

The Pest Management award is given to the candidate who achieved the highest marks in the examination.

The winners of the Centre of Excellence and Excellence in Learner Support awards are decided by nominations sent in by learners, employers of learners, and the centres themselves.

The nomination criteria for the Centre Of Excellence include:

Innovation

• Constantly looking for and introducing new ways to improve teaching and ensure that their learners have the best chance of success e.g. new technology and/or teaching methods in the classroom

Supports learners and achieves high pass rates

- Shows commitment to their learners through their induction programme, support during course, mentoring and coaching
- Ensures that learners can access information and experience they need to obtain a job or progress their career eg. careers advice, work experience, job fairs, and local job market information

- Collaboration
 - Can demonstrate links and relationships with key stakeholders with an interest in vocational education in your area eg. employers, trade bodies, local government, schools, colleges, charities

The criteria for the Excellence in Learner Support include:

- Ability to engage and inspire learners
- Quality of results
- Creative resources
- Commitment and dedication to learners
- Subject matter expertise/public health expertise

The Centre of Excellence Award was awarded jointly in 2018 to Rentokil for their training in pest management and Le Cordon Bleu for their food safety training.

It would be wonderful for the industry if pest management can again be represented in either (or both) of these award categories. In order to make this possible, pest control technicians will need to ensure they nominate their favoured training centre or tutor. So, if you have recently been on a course at an RSPH-approved centre for an RSPH qualification you might like to nominate either a centre or a trainer from that centre.

Nominations can be made on forms available on the RSPH web-site at: https://www.rsph.org.uk/qualifications/hygeia-awards.html

Nominations for the awards close on 19th July, and the awards themselves will be presented at an event in London on 11th September by Natasha Kaplinsky, the broadcaster, who is a vice-president of RSPH.

"It's always nice to win an award, it's also nice to be told by your customers that you are doing a good job. That is why RSPH was so pleased with the results of our centre survey last year." (reported in the last issue of PCN).

Richard Burton, RSPH, said, "We always try to provide the best service that we can to our centres, so it was very pleasing to receive the following email the other day from a centre:

Dear Richard,

On Friday 17th May I called the office to pay for a replacement certificate for a learner. I spoke with Anna and she suggested I email her the necessary form and she will arrange finance to send me an invoice.

I sent the form on Friday at 16.37 via email.

On Saturday 18th at 11.00 I received the certificate.

This has to go down as service above and beyond. I have already expressed my thanks for the speedy service regarding results and certificates but this is extreme.

As a Sole Trader and very small operator it is a great boost to me personally and to my business.

A big thank you to all in the team and please pass this on to all."

• Can demonstrate high pass rates





The Importance of Training

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By John Hope

Training has always been important, however the need to keep updated has never been more important than it is today.

e all now work in an industry that has seen rapid changes over recent years, from the introduction of the CRRU stewardship scheme and the need for environmental risk assessments to the constant changes in labelling conditions. Just look at Ficam

D, which is likely the precursor to many more changes to insecticide labelling!

My first experience of the pest control industry was not exactly positive with regard to training. I so nearly walked away in the early days from a profession I now love. With that in mind, hopefully gone are the days where you got a quick demo of the van and equipment, two days out on the road with whoever drew the shortest straw to 'babysit' the newbie and then off you go with all this 'stuff' to do your worst!

After all, how bad can this blue stuff in the back of the van be, if that's all the training deemed necessary.

As Technical Manager of the NPTA, let me declare my interest (as some may see it).

Maybe you see all of this training requirement; the need for CPD etc. as a bit of cash cow for the organisations involved, BUT ask yourself this question: if you were given a choice of two pilots to fly you to your holiday destination, one qualified who has ongoing training and works within guidelines, or one who got his pilot's license years ago and who apparently "knows it all" which one would you choose? The answer is seemingly obvious, so why would we expect our customers to think differently?

Yes, admittedly there is a cost to training, both in terms of lost productivity time and actual cost, but what are the underlying costs to not training?

I ask you to consider this; you have a site with a significant rodent problem; you send in a 'adequately' trained technician, i.e. one who has their RSPH 2, after all this is all you need right? Then consider that that person, may not be sufficiently competent to be able to cope with a large infestation, so does what they think they need to, but is it enough?

Upshot = unhappy employee and unhappy customer! So, what are the biggest barriers to training?

- · Too busy to attend training
- The cost is too high

So, turn that scenario round. You take said technician, train them to be the best they can be and teach them how to logically and methodically approach the problem. The likelihood is that you have a technician who feels better armed to do the work you are asking them to do; the customer goes from cynicism and apathy (after all successive companies have never got on top of the problem either) and you save money in terms of decreased call outs and reduced time on site and potentially referrals - in short, everyone's a winner!

Not training your employees comes at a cost!

Customers are also demanding higher levels of competence and knowledge. You only have to look at the changing food specification requirements of major retailers. After all, they face prosecution under food safety law if things go wrong.

Then there is of course the Government Bodies. At no time in living memory have rodenticides been under more scrutiny than they are at present. It is a sad fact that I receive far too many complaints regarding misuse of rodenticide and more often than not it is a training issue rather than deliberate misuse or disregard for the product being used.



Association News

With the 2020 deadline for rodenticide review fast approaching, do you really want to be sitting there thinking 'if only we had taken things more seriously and used rodenticide more responsibly, we might not just be using traps and glue boards (assuming we've still got those!) as glue boards in particular are under scrutiny too.

There are two key benefits to having well-trained staff, these are:

- Consistency you can rest assured knowing that the product or service remains consistent and your staff are fully competent in the standards they are delivering on your behalf
- Employee Satisfaction nothing makes someone feel more unsettled than doing a job they do not feel capable of doing. However, it is an unfortunate fact of life that people 'carry on regardless' and don't like to show what they perceive as 'weakness'. By way of an example;

A technician (who shall remain nameless) early into his pest control career is told to go and treat a medical records department in a major NHS hospital for, you'll love this, 'paper mites'. He is given a fogging machine and some insecticide (see where this is going?) and told just fill it, flick that switch and it will do the rest. What wasn't he told/taught;

- How to check for the presence of mites or lack of (like I said early on)
- Wasn't trained to do a risk assessment (if he had been (a) he would probably never have done the job; (b) he would certainly have had the smoke detectors turned off!!)
- What the effect of the insecticide might be
- · How long he should operate the machine for

PEST

• How to calculate the amount of insecticide needed or time the machine would need to run for

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None of this was considered, he just turned up late at night and was let loose. Guess what happened...... The technician happily spraying away, loads of fog, great. He hears a 'tinkling' and thinks 'the machines loud its probably just that' then turns around to see two burly firemen in full breathing apparatus. Imagine! Now, when the alarms go off in a hospital, the fire department send every available engine. The rest I will leave to your imagination, but as I'm sure you can guess it wasn't pretty.

Now who is to blame? The technician for not asking for adequate training or the employer for not providing it? Probably both, but would you really want this happening to your business, I suspect not. So how do you prevent this type or similar incidents?

Train your staff!

So, to reiterate, the industry is seeing increasing numbers of complaints and expressions of concern relating to misuse of rodenticide, some have even been referred to the HSE. Many of these are clearly down to poor knowledge and competence rather than deliberate acts, but the potential outcomes are effectively the same.

Therefore, I go right back to my original point, if you want to protect your business and stay on the right side of the law.

So, I'll leave you with one final question, ask yourself this – "Can you afford not to train"?

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Mental Health in the workplace

ccording to the Health and Safety Executive ("HSE") one in four people in the UK will have a mental health problem at some point and a recent study by the Chartered Institute of Personnel and

Development highlighted the impact that mental ill health can have within the workplace. In particular, the study revealed that:

- 85% of sufferers find it difficult to concentrate;
- 64% take longer to do tasks;
- 48% find it harder to juggle multiple tasks;
- 48% may be less patient with customers or clients;
- 42% are put off challenging work; and
- 37% are more likely to get into conflict with other colleagues.

The study also found that poor mental health was the most common cause of long-term sickness absence in the UK.

What is mental health?

Whilst mental health is not legally defined, it is a wide-ranging term which covers emotional, psychological and social well-being. As with physical health, mental health varies from one person to another and everyone's experience of mental health is different.

What can employers do?

Over the course of a lifetime, an individual spends most of their time at work and whether work is causing one to suffer work-related stress and/or other health issues or aggravating it, employers have a legal responsibility to ensure the health, safety and welfare of their employees. Accordingly, there are practical steps that employers can take to promote mental well-being within the workplace including but not limited to:

 Promoting a good work/life balance by encouraging staff to work sensible hours and take full lunch breaks;

- Ensuring there are strict policies on equality, diversity, inclusion, bullying and harassment and that such policies make reference to mental health;
- Encouraging and supporting a culture of teamwork and positive behaviour to avoid conflict and ensure fairness;
- Promoting and implementing a culture of support and openness so that those needing help feel reassured to seek help without any stigma being attached to them;
- Offer staff training on mental health issues including mental health first aid to be able to spot signs of mental health;
- Reducing work-related stress which in turn will reduce absence levels and improving overall performance;
- Offer regular one-to-ones and conduct staff surveys;
- Encouraging exercise and regular social events to boost staff morale;
- Support and monitor members of staff experiencing stress and considering whether any changes can be implemented to assist them; and
- Seeking advice and resources from mental health charities or similar organisations.
 Whilst this is by no means an exhaustive list, following the steps highlighted above will help to promote staff wellbeing and an organisation will perform better when staff are healthy and focused.

Employment Law

If an employee is being treated unfairly by their employer on the basis of their mental health, the Equality Act 2010 ("the Act") gives employees the right to challenge this behaviour on the grounds of discrimination.

Essentially, the Act protects people from being discriminated against because of certain protected characteristics such as disability and mental health falls under the scope of disability.

In order for such protection to apply, an employee must show that their mental health condition fits the definition of disability as contained in the Act, namely that the condition is:

- 1. Substantial;
- 2. Adverse; and
- Has a long term effect on an employee's normal day-to-day activities.

The protection is extensive as it covers an individual during the recruitment process, throughout their employment and if an employee is being dismissed. In particular, the Act places an obligation on employers to make reasonable adjustments in the workplace as well as provide other aids and adaptations for disabled employees, in so far that it is reasonable.

If an employee suffers from a mental health condition which falls under the category of disability as set out in the Act, it is good practice for an employee to inform their employer in order to qualify for the protection under the Act. It is important to note that generally an employer cannot ask an employee questions about their mental health prior to making an offer of employment. However, there are some exceptions to this general rule, for example an employer may need to ask questions regarding an applicant's health to establish whether s/ he requires any reasonable adjustments during the application process and/or to assess their suitability for a particular role.

Should you have any questions or concerns regarding the workplace and/or your business, please do not hesitate to contact either Giles Ward on 07789 401 411 or Lazuna Ullah on 0113 245 0852 or email us at hello@milnerslaw



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