

# CropLife India voices concerns over India's proposed pesticide bill



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Agrochemical industry association CropLife India has criticised the country's proposed Pesticide Management Bill, 2020, which could replace the Insecticide Act, 1968, if it is cleared by the Lok Sabha (lower house of Parliament). The association has called the bill a "disillusionment" and dismisses "more than 80%" of its provisions as a repetition of the Act that it intends to replace. It claims that the provisions have merely been redrafted, along with the inclusion of a few new definitions.

Asitava Sen, CropLife India's chief executive officer, has called for "major refinements" in the new bill, observing that it omits factors such as accountability of pesticide inspectors and analysts, and legal provisions to support the registration of new products. Mr Sen points out that the bill has done away with timelines for the registration of pesticides and will "seriously discourage and delay" the availability of new products. He suggests that a maximum time of 15 months be provided for registrations, with consequences laid down for missing the deadline.

Furthermore, the association highlights that the proposed legislation extends the government's power to prohibit a pesticide for a period of up to one year in case of concerns over its safety, revising the earlier timeline of 90 days. CropLife India says that a year-long embargo on sales of a product without undertaking a review of the potential problems could "virtually destroy" the offering's future.

The association has also sought a revision of the punitive framework in case of violations. For minor/routine violations that do not involve any criminal intent and do not cause significant harm to public health or environment (such as minor labelling errors, minor deviations from approved quantity of active ingredient), it asks for only reasonable fines (and not imprisonment) to be imposed. CropLife says that only grave offences involving criminal intent and having significant impact on public health and safety should be tried before a criminal court; and punished with imprisonment. Such offences include manufacturing or selling counterfeit or spurious products, or manufacturing or selling products without registration or license. It points out that the government has already implemented this dual philosophy in modern regulatory statutes, such as Food Safety and Standards Act, 2006 and Companies Act, 2013.

## Bill's progression

The Pesticide Management Bill 2020 is largely regarded as a renewed effort towards updating the dated 1968 law, with a prior attempt (Pesticide Management Bill 2008) having been given up after delays and disagreements. Subsequent actions on the bill are to be decided by the Parliament Standing Committee on Agriculture. While consultations have been sought from various stakeholders, the suggestions are to be reviewed by the government, and the bill ultimately tabled in the lower house of Parliament, the Lok Sabha. CropLife India feels that there is "ample" scope for modifying the bill's provisions based on feedback from the Committee.

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