



South African Wood Preservers Association

UPDATE ON REGULATIONS

Prior Informed Consent Regulations: At the recent regional meetings, it was reported that the commencement date for the *Regulations to domesticate the requirements of the Rotterdam Convention on the prior informed consent procedure for certain hazardous chemicals and pesticides in international trade*, was once again extended to the end of December 2024. Members will recall that SAWPA was preparing to take DFFE to the North Gauteng High Court, when they acknowledged wrongdoing and published the proposed amended PIC regulations in October last year. The delayed commencement of the regulations was because of inputs received from other affected stakeholders.

Following discussion at recent Chemical Forum and SAWPA Executive Committee meetings we requested DFFE to keep us informed of any possible changes that may give rise to our previous concerns, to which DFFE responded that none were forthcoming and that the amended regulations, as published in October last year, were set to be approved and published soon. We are pleased to inform members that the Amended PIC Regulations were published on the 7th of October 2024, and that the List B, which we originally objected to, has been removed and that only chemicals as per the Rotterdam Convention are listed.

Agricultural Remedies Regulations: As reported at the regional meetings in August/September the proposed amendments to the Agricultural Remedies Regulation as published in August 2023 were still outstanding. The amendments were necessitated because of the ambiguous and contradicting wording contained in the August 2023 version that need to be corrected to allow for the derogation process (application for exemption) on substances of concern where it can be proven by risk assessments that the risk involved in the use of a product was negligible. With most industrial wood preservatives classified as substances of concern under the GHS classification system, this clarification and allowance is critical for our industry as the preservatives are used in controlled conditions where all required environmental, health and safety precautions are required to be in place to ensure low risk.

We are pleased to inform members that the proposed amended Agricultural Remedies Regulations were published on the 11th of October and following an initial perusal of the proposed amendments we believe that our concerns have been addressed. A 30-day comment period applies, and we will be scrutinising the proposed amendments to confirm our initial view. As soon as the amended regulations are approved and published as proposed, the process of publishing the risk assessments for public comments will begin followed by the applications for derogation to allow the continued use of all affected preservatives by the primary industrial wood preservation industry. The current deadline for completing the derogation process is 31 May 2025 and we trust that this should be more than sufficient time. We will however deliberate with the Department of Agriculture on possible extension of the deadline. Members interested in receiving a copy of the proposed amended regulations can contact Nellie at admin@sawpa.co.za

Pest Control Operator Registration: The registration of timber treatment plants as pest control operators in accordance with the PCO Regulations of 2011 was reported on at the recent regional meetings. This requirement and the implementation aren't something new and has been on the horizon since 2010 when SAWPA was instrumental in changing the qualifying criteria for primary wood preservation as currently contained in the PCO Regulations published in 2011. Engagements with the Department of Agriculture to

provide for procedures and forms in line with the criteria as stipulated for our industry has however not been completed despite numerous efforts from SAWPA. The recent emergence and urgent need for PCO registration was triggered by the implementation of new label requirements for restricted use chemicals i.e. CCA as specified in the criteria listed in the Agricultural Remedies Regulations, which specifically states that restricted use chemicals may not be sold to or used by anyone unless they are registered as a PCO and approved to apply the applicable restricted product. Members were requested to hold back on the PCO applications until after a PCO registration workshop held on the 30th of September. We can now report that acknowledgment was given at the workshop by the department that wood preservation PCO registration criteria was indeed dissimilar of all other PCO fields, and that further engagement was required for clarification. SAWPA has already requested a meeting with the Department and are at present still waiting for them to confirm a date. We are also pleased to inform members that the SAWPA Executive Committee recently approved a proposal that the initial PCO application fees will be reimbursed by SAWPA to current members once this initial application process commences and are completed.

NEWSLETTER OFFCUTS

- The reports of the study done by Emeritus Professor Tim Rypsta to determine the optimal retention levels for small diameter fast growing eucalyptus poles often used in high-risk exposure conditions, e.g. commercial vineyards, is available for members interested in the details of the study and its conclusions and recommendations. Kindly contact Nellie at admin@sawpa.co.za if you would like to receive the reports.
- We have received notice from Gavin Smith that his dad Roy Smith, who was at the helm of Mintroad Sawmills for more than 40 years and a longstanding member of SAWPA, has decided to step away from the business. SAWPA would like to wish Roy all the best and a well-deserved rest in his retirement. We believe that he will remain in touch and remain available to share in his invaluable knowledge and experience.
- Members who could not attend the regional meetings in September must keep an eye out for their 2025 calendars which has been posted and will hopefully be arriving at your postal addresses soon. Members who informed SAWPA that they no longer have a postal delivery service or postal box, but would still like to receive the SAWPA calendars, can contact Nellie at admin@sawpa.co.za to arrange for alternative delivery.
- We regret to advise of an error made on the 2025 Calendar. The month of July only reflects 30 days instead of 31 days. We ask that you indicate Thursday the 31st of July on your copy/ies, and that you accept our sincere apology for the error.

Regards

BRUCE BREEDT

SAWPA accepts no responsibility for any third-party statement or claim made in this newsletter.