**COMMUNICATION FROM THE JOINT DOA AND GROWERS' ASSOCIATION LIAISON FORUM**

Dear Members of the Joint DoA and Growers' Association Liaison Forum,

On the 26th of January 2026, the High Court handed down judgment regarding the restriction of 'restricted agricultural remedies' to pest control operators (PCOs). The court declared that the class 'restricted agricultural remedies' listed in Annexure A of the 'Regulations relating to agricultural remedies' published under Government Notice 3812 on 25 August 2023 is not included in the class of 'restricted-use agricultural remedies' referred to in the Pest Control Operator regulations published under Government Gazette Notice 98 on 18 February 2011. The court further confirmed that 'restricted agricultural remedies' as defined in Annexure A are therefore not subject to regulatory control under the PCO regulations.

Although restricted remedies are not subject to the PCO regulations, all stakeholders agree that the restriction of these remedies to sufficiently trained and informed persons is essential. A long-term proposal for the restriction of affected remedies is currently under development. Whilst the long-term proposal is being finalised, industry stakeholders have agreed with the Registrar of the Fertiliser, Farm Feeds, Agricultural Remedies and Stock Remedies Act (Act No 36 of 1947) to comply with interim restriction measures for highly hazardous pesticides in South Africa, as outlined below.

The Registrar has given stakeholders 6 months to comply with these interim measures and will organise an information session to provide more details on compliance with these measures and will communicate it to all affected stakeholders in the coming weeks.

**Interim restriction measures for highly hazardous pesticides (HHPs) in South Africa**

**1 Highly hazardous pesticides**

- The United Nations Global Framework on Chemicals (GFC), to which South Africa is a voluntary signatory, requires that stakeholders take effective measures to phase out highly hazardous pesticides (HHPs) in agriculture where risks have not been managed and where safer and affordable alternatives are available, and to promote transition to and make available those alternatives, by 2035.
- Although the requirement to register as a PCO was only necessary for persons using restricted agricultural remedies (acutely toxic remedies), restrictions will also apply to substances of concern (remedies posing chronic toxicity – carcinogens, mutagens and reproductive toxins), thus imposing restrictions on all HHPs.
- Substances of concern have mostly been phased out in South Africa. The Registrar may only approve a derogation for a substance of concern in exceptional circumstances. At the time of writing, no substances of concern were registered for use in agriculture in South Africa.
- Imposing restrictions on all HHPs contributes to risk mitigation to allow access to impacted remedies where no safer affordable alternatives are currently available.

## 2 Training and traceability

- All persons wanting to buy and use HHPs from 1 April 2027 (end-user, not distributor) must complete a training course that is accepted by the Registrar in support of PCO registration. Proof that such a course was completed successfully will have to be presented to the distributor upon purchase of the remedy and will be kept on record by the distributor.
- Persons who are already registered as a PCO (or persons who have completed an accepted course) will not be required to complete any additional courses; a PCO registration certificate will suffice as proof to continue purchasing and using HHPs. It will, however, be critical for persons registered as PCOs who have not completed a course to keep their PCO registration certificate current until the final restriction measures are communicated.
- Although completion of a PCO course will be required (or PCO registration where already completed), the restrictions are no longer subject to the PCO regulations (as ruled by the High Court). Thus, it will be sufficient to have one person per farm meeting these requirements; direct supervision will not be required. However, the person purchasing these remedies will still be the responsible and accountable person to ensure safe use, storage and disposal of these remedies across farm operations.
- Practical experience under the supervision of a registered PCO will not be required to use HHPs on farm.

## 3 Conditions of registration

These restrictions will be enforced by the Registrar by placing conditions upon the registration of all registered HHPs in accordance with section 3(3) of Act 36 of 1947. Registration holders will have to ensure compliance of distributors selling HHPs and report to the Registrar quarterly.

Sincerely,



**Corné Louw**

Chairperson of the Joint DoA and Growers' Association Liaison Forum

corne@grainsa.co.za / 012 816 8047