

Better Cotton Highly Hazardous Pesticides Exceptional Use Process v.1.1

To be used with the Better Cotton Principles and Criteria v.3.0

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Contact	Ownership of this document is with the Better Cotton Standards and Assurance Team. For any enquiries, please contact: standards@bettercotton.org .

Background and Context

Aligned with the Better Cotton Principles and Criteria (P&C) v.3.0, Better Cotton Farmers are expected to commit to phasing out Highly Hazardous Pesticides (HHPs) in the context of an Integrated Pest Management (IPM) strategy. However, in some cases, viable alternatives may not yet exist for specific HHPs targeted for phase out. In these circumstances, phasing out HHPs without better alternatives can lead to adverse impacts, such as greater use of broad-spectrum insecticides, pesticide resistance and/or negative impacts on yields and livelihoods. To address this challenge, Better Cotton has set up a specific exceptional use process for HHPs.

The aim is to have a clear, transparent, and rigorous process to make informed decisions on the exceptional use of HHPs that are otherwise prohibited or targeted for phase out under the P&C. The process aims to ensure a thorough and impartial consideration of the impacts of continued use of the respective HHP vs. the impacts of phasing out (including evaluating the trade-offs of available alternatives). It also ensures that any granted exemptions are subject to specific monitoring and reporting requirements and include longer-term commitments to phasing out and finding better alternatives.

Exceptional Use Approvals

Applications for exceptional use are reviewed by members of the dedicated Better Cotton Pesticides Committee. Exceptional use is granted for specific active ingredients at a country or regional level and are subject to a defined period (a maximum of two seasons; any further extension would require an updated review). Exceptional use is subject to specific, defined conditions, including regular monitoring and reporting, use of mitigation measures, and others.

Process Overview

1. Initiate a request for exceptional use

- a) Programme Partners (PPs) or individual Large Farms (LFs) can initiate the process by communicating the need for exceptional use to their local Better Cotton Country Team.
- b) Producers located in the same country or region are encouraged to reach out jointly if they have similar needs and challenges. Better Cotton Country Teams will support Producers or Programme Partners in gathering the necessary elements to submit an application for exceptional use. The final application must come from the Better Cotton Country team¹.
- c) Partners or Producers should initiate this process at least four months before the start of sowing, as in some cases, further information or external input may be required for the application.

2. Submit an application

- a) Completed applications for exceptional use must be submitted at least 60 calendar days prior to the start of sowing, using the application form provided by Better Cotton.
- b) The application will require:
 - General information: the name and contact details of the applicants, the active ingredient concerned, the specific pest(s) that are targeted, method of application, application equipment, intended quantities and geographical scope of use.
 - Background context and current use: a description of the Integrated Pest Management approach in place, plus description of the historic extent and nature of use of the HHP
 - This should include volumes used, type and nature of application (number of farmers and/or land area) and associated Toxic Load Indicator (TLI). This information may be provided by the Better Cotton Country Teams or via external data sources where required.
 - Evaluation of alternatives: description of alternative options (both chemical and non-chemical), including results of any previous use, trials, or research studies carried out.
 - This will include an overview of the advantages/ disadvantages or trade-offs associated with these alternatives and an initial recommendation as to their viability.
 - Where possible, opinions from IPM experts should be incorporated in this section .
 - Risk assessment and mitigation: Assessment of risks to human health and the environment associated with the specific HHP, plus an overview of specific measures to mitigate each risk.
 - This should include measures already in place and those planned, and how mitigation measures will be checked and monitored.

¹¹ Or strategic partner, in countries where Better Cotton works through local strategic partners

- A detailed plan on how a long-term commitment to phase-out will be pursued (i.e., through efforts to identify, investigate and test alternatives to the HHP, collaboration with local stakeholders, etc).

3. Application review

Applications are reviewed by Better Cotton Country Teams for eligibility, accuracy, and completeness before being submitted to the Better Cotton Pesticides Committee, typically composed of Better Cotton technical experts, country staff, Producer representatives and external experts.²

4. Decision-making

The Better Cotton Pesticides Committee will evaluate the application and supporting evidence, make a decision on exceptional use, and document the decision and any specific required conditions in a written findings report. When a decision is made, the Committee will inform the Country Team and affected Programme Partners/ Producers in writing.

If further information is required before the Committee can decide, they will document this in writing and the applicant will have a defined time period (usually 30 days) to provide further information as required.

The report shall include at least:

- A summary of the Committee discussion and key points raised
- The final decision (approval or rejection) and rationale
- In case of an approval, specific conditions for exceptional use, including, at minimum:
 - Mandatory mitigation measures
 - Reporting requirements
 - The period for which exceptional use is granted

Exceptional use can be granted for a maximum of two seasons. After that, an updated application is required to enable any further extension.

5. Monitoring and review process

- For any HHP approved for exceptional use, the Programme Partner or Large Farm using the HHP in question is responsible for complying with all required conditions (including monitoring and reporting) required for exceptional use.
- If these conditions are not met, the exceptional use approval can be revoked (subject to review by the Better Cotton Director of Standards & Assurance and Senior Director of Programmes); and/ or specific Producers' licenses may be affected by non-compliance under Principle 3 of the P&C v.3.0.

² The composition, roles and responsibilities and decision-making modalities of the Better Cotton Pesticides Committee are laid out in a separate Terms Of Reference attached in Annex .

- At any point, Better Cotton may request further information or an update on how the conditions of exceptional use are met.

Better Cotton staff will be responsible for reviewing the monitoring information submitted by Partners/Large Farms who have been granted exceptional use of HHPs. If exceptional use is granted for a large number of Producers or a large geographical area, the review may be based on a sample of Producers

Annex 1: Better Cotton Pesticide Committee Terms of Reference v.1.0

To be used with the **Better Cotton Principles and Criteria v.3.0**

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Contact	Ownership of this document is with the Better Cotton Standards and Assurance Team. For any enquiries, please contact: standards@bettercotton.org .

1. Background and Purpose:

Aligned with the [Better Cotton Principles and Criteria \(P&C\) v.3.0](#), Better Cotton farmers are expected to commit to phasing out Highly Hazardous Pesticides (HHPs) in the context of an Integrated Pest Management (IPM) strategy. However, in some cases, viable alternatives may not yet exist for **specific HHPs** targeted for phase out. In these circumstances, phasing out HHPs without better alternatives can lead to adverse impacts, such as greater use of broad-spectrum insecticides, pesticide resistance and/or negative impacts on yields and livelihoods. To address this challenge, Better Cotton has set up a specific exceptional use process for HHPs.

The Better Cotton Pesticides Committee ('the Committee') will review applications on behalf of Better Cotton Producers or Programme Partners to request exceptional use of Highly Hazardous Pesticides (HHPs). The process will consist in carefully evaluating each application, taking into consideration the consequences of continued HHP use, impacts on farmers (e.g., livelihoods as well as health and safety), and the technical and/or financial tradeoffs of alternatives.

The Committee will assess each application based on specific, defined conditions as

outlined in the application process, including consideration of the monitoring and reporting process, use of mitigation measures, and other factors.

2. Composition of the Committee

The Committee will comprise 5-8 members selected by the Director of Standards & Assurance and Senior Director of Programmes, based on an application and interview process. The Committee will include representation from technical experts (with expertise in IPM) as well as Producer/ Programme Partner representatives. Terms on the Committee will be set for two years with option to extend. Additional ad-hoc Committee members or Better Cotton staff may be asked to join on a temporary basis to evaluate specific exceptional use applications – for example if specific country or pest expertise is required for a thorough evaluation.

For each specific application received, a minimum of 3 core Committee members (excluding any ad-hoc members) will be appointed to review and decide on the application.

3. Responsibilities of the Committee

The Pesticide Committee will assume the following responsibilities:

- **Review and Evaluate Applications:** Committee members shall do an independent review of the application and submit initial comments/any request for further information. The Committee should then gather, facilitated by Better Cotton or a neutral facilitator to review the application and discuss the considerations around permitting exceptional use. If additional information is required to evaluate the application, this will be documented in writing and requested from the applicant.
- **Assess Risk and Trade-offs:** The Committee will assess the risks associated with the use of the specific HHP and evaluate the trade-offs between the impact of continued use and any alternatives available. They will consider social, economic, and environmental factors, including impacts on farmer yields and livelihoods.
- **Mitigation measures and ongoing monitoring:** Where relevant, the Committee will identify reasonable mitigation measures that reduce the risks associated with the exceptional use of HHPs. They will consider the feasibility, practicality, and potential impacts of these measures. They will also advise on the nature of ongoing monitoring and reporting (where applicable, e.g., if exceptional use is to be granted)
- **Decision-making:** The appointed Committee members will make a final decision (approval or rejection) for the application. The Committee will make informed decisions based on collective expertise, scientific knowledge, and regional considerations. They will document their decisions, justifications, and any recommended conditions for approval.

The Committee shall strive to reach agreements by consensus on granting exceptional use of HHPs. Consensus is defined here as general agreement in favour of an application, plus the absence of a sustained objection to the proposal. If the Committee is unable to reach a decision, it will outline its opposing views and submit the options for a final decision by the Director of S&A and Sr Director of Programmes.

If the application is approved, the Better Cotton Pesticides Committee will detail conditions in the evaluation report that shall include at least:

- Mandatory mitigation measures
- Reporting requirements
- The period for which exceptional use is granted (maximum two seasons)

4. Engagement modalities

- Pesticide committee members should commit **sufficient time and resource to the work of the Committee to ensure thorough and timely decisions on each application**. This includes keeping Better Cotton informed of any significant periods of leave (or other non-availability). Eligible Committee members will first be contacted with a request to handle a specific application and will be able to confirm their availability.
- **Time commitment for each Committee member** is estimated to be approximately 4-5 hours for each application. For each application accepted by a Committee member, the process will typically include 1-2 hours to review the application (including consulting with relevant Better Cotton staff) and sharing notes ahead of the Committee meeting; 1.5 hours to attend the meeting, and 1 hour to assist with or review the write-up of the final decision. This can vary as it is difficult to predict the back and forth resulting from requested additional information.
- **Any conflicts of interest must be transparently declared** to Better Cotton ahead of joining the Committee, and any new conflicts of interest declared promptly in writing.
- **Follow agreed timelines to review each application, including preparation work, participation in scheduled meetings, and finalization of the decision**. Each application must be decided within 35 calendar days of receipt, and the schedules of multiple Committee members must be coordinated during this process. Therefore, it is critical that all members of the Committee deliver on their agreed responsibilities and deadlines (barring exceptional circumstances).
- **Maintain full confidentiality for all information related to an application**. All information and evidence provided by Producers, experts, Better Cotton, or Programme Partners to support an application or decision must be considered confidential and shall not be shared outside of the Better Cotton team and members of the Committee.

Better Cotton is a not-for-profit membership organization with limited funding. However, if partial reimbursement is required, Better Cotton may be able to offer Pesticides Committee members a reimbursement for their time depending on the budget available. Standard and Assurance will have to approve the request at an agreed flat rate.

Should an in-person meeting be scheduled, Better Cotton will seek to sponsor reasonable travel costs for those unable to cover these expenses, upon request.

5. Appointment of Committee Members

Members will be appointed to the Committee in line with the following process:

- **Request for proposal:** Better Cotton will issue a request for proposal for the Pesticide Committee, inviting interested individuals with relevant expertise and experience to apply.
- **Nomination review:** Nominations will be reviewed and candidates will be shortlisted based on their relevant qualifications, experience, and expertise, as well as geographic representation. Interviews with shortlisted candidates may be conducted to assess their suitability for the role.
- **Appointment of committee members:** Better Cotton will appoint Pesticide Committee members based on the shortlist and any additional criteria specified.
- **Committee members induction:** Better Cotton shall provide induction for the members, covering the relevant policies, procedures, and guidelines for reviewing applications for exceptional use of highly hazardous pesticides.