

Licence No: 62758aP:OTH:WCA:2015

Valid From: - 3 MAR 2015

Expiry: 28th February 2020

WILDLIFE AND COUNTRYSIDE ACT 1981 (AMENDED BY THE ENVIRONMENTAL PROTECTION ACT 1990)

LICENCE TO RELEASE NON-NATIVE SPECIES (BIO-CONTROL AGENTS)

The Natural Resource Body for Wales otherwise known as Natural Resources Wales (NRW), grants this grower's licence under Section 16(4) (c) and (5) of the Wildlife and Countryside Act 1981 (amended by the Environmental Protection Act 1990).

1. This Licence applies in respect of *Heterorhabditis bacteriophora* (Heterorhabditidae, Rhabditida, Nematoda) used in a combination with *Steinernema carpocapsae* (Steinernematidae, Rhabditida, Nematoda) and *Steinernema feltiae* (Steinernematidae, Rhabditida, Nematoda) (product called **Supernemos 2**, referred to as **Supernemos 2 in this licence**), supplied by Nemos Horticultural Ltd. 37 Woodlands Rise, Aricklow, Co. Wicklow, Ireland (the Company), FML Limited or any retail sales agent ("a Distributor").
2. Subject to the conditions in paragraphs below, section 14(1) of the 1981 Act does not apply to any person ("the Grower") who, as a consequence of applying **Supernemos 2** (supplied as mentioned in paragraph 1 above) for the biological control of vine weevil (*Otiorhynchus sulcatus*), wireworms (*Agriotes lineatus*), strawberry root weevil (*Otiorhynchus ovatus*), carrot fly maggots (*Psila rosae*), leatherjackets (*Tipula paludosa*), cutworms (larvae of the turnip moth, *Agrotis segetum*), flies of the family Sciaridae, cabbage worm (larvae of *Pieris rapae*) and chafer grub (*Melolontha melolontha*), ("the Pests") in private gardens, public gardens and parks, sports turf, nurseries and soft fruit farms, releases or allows the escape of **Supernemos 2** to the wild.

This licence applies in Wales and is valid for the period **as stated above**; and is granted subject to compliance with the conditions as specified. Anything done otherwise than in accordance with the terms of the licence may constitute an offence. If the Grower wishes to use the **Supernemos 2** for the purposes outlined in paragraph 2 after this date he/she must approach the Company for an updated licence.



Signed for and on behalf of
Natural Resources Wales

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Croesewir gohebiaeth yn y Gymraeg a'r Saesneg

Correspondence welcomed in Welsh and English

CONDITIONS

Definitions

'NRW' is an abbreviation of the Natural Resources Body for Wales otherwise known as Natural Resources Wales

'EPS' is an abbreviation of European protected species

'Licence application' refers to the application form, method statement and any other supporting documents (where applicable).

This licence is granted subject to the following conditions:

- a) the instructions provided by the Company for the application of **Supernemos 2** shall be complied with and the application rate for the time being recommended by the Company for the control of the pests on the crops shall not be exceeded;
 - b) the grower guidelines and monitoring protocols outlined by the Company to minimise the escape of **Supernemos 2** must be followed;
 - c) any management procedure required by the Company to control or eradicate **Supernemos 2** shall be complied with, including permitting the use of pesticides within the release site;
 - d) if there is evidence that of **Supernemos 2** has become established in the environment in which **Supernemos 2** has been applied, Natural Resources Wales shall be notified immediately (and any notification not in writing shall be confirmed in writing within 30 days).
3. The licensee must consult with NRW Wales before using or supporting the use of **Supernemos 2** on any protected site, or within 3 kilometres of such a site if it is designated for Chough (*Pyrrhocorax pyrrhocorax*) and/or Greater Horseshoe Bats (*Rhinolophus ferrumequinem*), and must only proceed with treatment with the consent of NRW.
209. Nothing shall be carried out under this licence on a National Nature Reserve or Site of Special Scientific Interest (SSSI) except with the prior written permission from NRW's Regional Office in which the National Nature Reserve or SSSI is situated.
210. Possession of this licence confers no rights of entry onto land. Permission to enter land or premises must be obtained from the owner or occupier. NRW will not accept responsibility for failure or omission by Licensees to fulfil this obligation and will consider immediate revocation of licences if complaints from owners or occupiers on these grounds are received.
211. The licensee shall advise NRW if there are any changes in their circumstances where such changes could invalidate this licence.
212. If any European protected species (EPS) are incidentally captured or killed as a result of exercising this licence then NRW should be immediately advised.

NOTES

- N2. The Licensee is reminded that, in relation to conditions relating to Nationally Protected Species, anything done that is not under and in accordance with the terms of this licence may result in a criminal offence being committed under sections 1, 5, 6 (3), 7, 8, 9 (1 – 2), 9 (4 – 4A), 11 (1 – 2) and 13 (1) of the Wildlife and Countryside Act 1981.
- N3. This licence may be modified or revoked at any time by NRW.
- N4. Nothing in this licence confers any exemption from any legal provision contained in any Act, other than the Act(s) under which this licence is issued. Where appropriate licences should be obtained from the Home Office to fulfil the requirements of the Animals (Scientific Procedures) Act 1986.

- N5. The Licensee may be accompanied by the owner or occupier of the land on which this licence is exercised. In such circumstances, it will be the responsibility of the Licensee to ensure that no additional disturbance is caused.
- N6. The personal information on this licence will be kept and used by us in accordance with the Data Protection Act 1998. The licence will be permanently retained, as it is a legal document. We may discuss licence content with selected third parties. Other than stated above, we will not make the personal data on this licence available to third parties unless there is an overriding public interest. The Data Protection Act 1998 gives you the right to know what data we hold about you, how we use it, to which third parties it is disclosed, and that it is accurate. To exercise this right please contact the Data Protection Officer at NRW.
- N7. You agree to complete a licence report with details of required biodiversity records collected in association with this licence. We have your permission to store, copy, use, and release or publish any biodiversity records associated with the issue of this licence. Where our policy on public access to data states that the information is sensitive, publication and access will be restricted in accordance with both the Environmental Information Regulations (2004) and our guidance on access to data on sensitive biodiversity features. We may share the biodiversity records supplied with conservation organisations selected by us. Where our policy on public access to data states that the information is sensitive any such release will be under restrictive licence conditions in accordance with our guidance on access to data on sensitive biodiversity features. Please note that an inadequate return will prejudice future licence applications
- N8. Biodiversity records associated with the issue of this licence must be as reliable and accurate possible and collected with all necessary permissions.
- N9. We acknowledge that biological records collected in relation to this licence, unless collected under a contract (with alternate provisions relating to Intellectual Property Rights) for us or a Third Party, remain the intellectual property of the licence holder. In all cases we will seek to acknowledge intellectual property and not use any biological records collected under licence beyond the purposes stated above.