

**Mandate of the special Rapporteur on the right to food Questionnaire for governments to inform her report to the 34<sup>th</sup> session of the Human rights Council**

1. Please list any laws (both domestic and international) that are being enforced by your Government to regulate the use of pesticides.

In Brunei Darussalam, Poisons Act Chapter 114 (2015 Rev.Ed.) under the Ministry of Health is used to regulate the importation, possession, manufacture, compounding, storage, transport and sale of poisons. Pesticides are listed in Part II of the Poisons List under this Act. At the moment, this Act is only for the administration and control of importation, storage and sale of pesticides. Please note that as of now, there are no local manufacturers for pesticides either for local demand or export market. Hence the country only rely on imported pesticide products.

*Link for the Act: [http://aqc.gov.bn/AGC%20Images/LAWS/ACT\\_PDF/cap114.pdf](http://aqc.gov.bn/AGC%20Images/LAWS/ACT_PDF/cap114.pdf)*

2. The use of pesticides has had detrimental effects not only on the environment but also on human health, both from direct and indirect exposure. What are the successful and unsuccessful measures taken by your Government to prohibit, ban, restrict and phase out pesticides that are harmful to human health?

For Brunei Darussalam, the Government through the Department of Agriculture and Agrifood (DoAA) has compiled a list of approved, restricted and banned pesticides which are reviewed and updated from time to time. Under the Poisons Act, all importers of pesticide to the country have to apply for Poison License at first and its validity is based on annual cycle (January to December) which is subject to renewal every year and applicant could request to update its approved list during the validity period. It is during the application of the Poison License that (1) approved pesticides are allowed to be imported; (2) restricted pesticides might be considered to be imported depending on the terms/conditions set by the Government and (3) banned pesticides will not even be considered for importation.

Other than the control of pesticide import mentioned above, food safety monitoring programme is routinely carried out through random sampling of fresh agricultural commodities (mainly fruits and vegetables) either from domestic farms or from importation (both done by DoAA) are sent to the local government laboratory under the Agrifood Safety Division to test for pesticide residue. Analytical results are reported based on International/National Guidelines which include 1) ASEAN Harmonized Maximum Residue Limits (MRLs), 2) CODEX MRLs and 3) the National MRLs found under the Public Health (Food) Regulations Chapter 182 (14<sup>th</sup> Schedule- Food With

Maximum Amounts of Pesticides). If certain sample(s) is found to be contaminated with pesticide residue beyond the maximum residue limits, then advisory or enforcement action will be taken by the relevant authority.

*Link for the Regulation:*

<http://aqc.gov.bn/AGC%20Images/LOB/PDF/Cap182subRq1.pdf>

3. Some particularly exposed or vulnerable groups such as children, pregnant women, farmers, farm workers, indigenous peoples and migrant workers, are at greater risk to the effects of pesticides due to higher exposure or increased sensitivity. Please explain the efforts undertaken by your Government to prevent and mitigate detrimental impacts of pesticides on the health of these vulnerable groups.

The Government has initiated on-going awareness programmes to the farmers and the general public including school children on the proper and safe use of pesticides and also encouraging non-chemical alternatives for pest control. The BruneiGAP (Brunei Good Agriculture Practice) initiatives also help to encourage the local farms to be certified and to implement the best practice for the proper applications of pesticides (which also include record keeping on pesticide being applied). For farms to be certified with BruneiGAP, among the requirements is that samples from the farm will be tested for pesticide residue to ensure safe level for human consumption based on the corresponding MRLs values. Continuous surveillance will be carried out throughout the certification period to check for compliance.

4. Have any studies been conducted, with support of your Government, using disaggregated data to differentiate and detect impacts on above-mentioned vulnerable groups?

None

5. Considering that States have an obligation to implement the right information on hazardous substances, please give examples of how your Government has ensured that pesticide users and consumers are informed of the hazards and risks of pesticides used in food production?

Similar to answer for number 3, one example is the continuous awareness programmes by conducting roadshows to schools and when there are agricultural expositions/exhibitions, by emphasizing on the importance of knowing the hazardous

effects of pesticides and on the importance to wear proper Personal Protective Equipment (PPE) including mask, goggles and gloves when using/applying pesticides. Another example is by the implementation of BruneiGAP (Brunei Good Agricultural Practice) to local farms which emphasizes on food safety and on systematic farming which also prioritizes safe food production.

6. Please provide any good practices that your Government has initiated to assess, monitor, prevent and mitigate the risks of exposure to hazardous pesticides, and what further efforts could be undertaken.

One of the practices are by doing routine analysis of pesticide residue on randomly collected samples from registered farmers and import consignments to monitor the residue level and check the type of pesticides being applied. Followed by the continuous food safety monitoring programme or surveillance because safe pesticide residue level is one of the vital criteria for BruneiGAP where it should not exceed the maximum residue limits (MRLs) for that particular commodity and active ingredient.

7. Gaps and weaknesses in international and national regulatory systems allow the use of pesticides that are unsafe, even when used legally and per instruction, on the market. Please provide examples of good practices initiated by your Government in building effective protection frameworks governing the production and use of pesticides.

Smuggling of banned pesticides into the country still occur and no mitigation have been properly placed yet. Although one of the control mechanism is by restricting importation of pesticide products only for commercial use (not for the general public) and only open for registered companies who holds valid Poison License. Once they meet these requirements, then they can apply for import permit using the local online application system of the Government. This online system will help the government to monitor the importation of pesticides to the country and to collect data for statistical purposes.

8. Please provide examples of efforts supported by your Government to reduce the use of pesticides in agricultural food production, including by incentivizing ecological methods of pest control and agro-ecology (including training programmes, provision of financial support, etc). Please indicate how successful and how widely implemented such efforts have been to date.

The success and wide implementation of alternatives to using conventional pesticides in pest control has not been studied and therefore no data is available but awareness to the public and farmers especially on the danger/hazards of pesticide in food production are increasing in addition to the Government's efforts to encourage the reduction of chemical pesticide usage.

9. Please share any information regarding court decisions or on-going litigation in relation to the detrimental effects of pesticides, in particular in relation to the right to food.

No information available.

10. Please provide any additional information you believe would be useful to understand the challenges confronting your Government in its efforts to prevent and mitigate adverse impacts of pesticides on human health, the right to food, and the environment.

No information available.