

Better Cotton Initiative Highly Hazardous Pesticides Exceptional Use Process v.3.1

To be used with the Better Cotton Initiative Principles and Criteria v.3.2

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Background and Context

Highly Hazardous Pesticides (HHPs) are pesticides that are associated with significant health and environmental risks. Reducing the total toxicity of pesticides applied to crops and ultimately eliminating the use of HHPs is integral to protecting the health of farmers, workers and farming communities, while also conserving the environment. One method to achieve this is to prohibit or restrict access to certain types of pesticides in the context of an Integrated Pest Management (IPM) strategy. However, in some cases, viable alternatives may not yet exist for specific HHPs. 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, BCI in its P&C 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 (or equivalent recognised standard). 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.

Summary

- Applications for exceptional use are reviewed by members of the dedicated BCI Initiative Pesticides Committee¹.
- Recommendation for Exceptional use is made for specific active ingredients at individual Large Farms (LFs), country or Partner level.
- Exceptional use is applicable for a defined period of maximum five seasons. Any further extension would only be granted in exceptional cases and require a new application process
- Exceptional use is subject to specific, defined conditions as outlined in this document
- Where an active ingredient is newly added to the BCI Initiative HHP list, Programme Partners, Strategic Partners or Large Farms have a one-season grace period to submit an exceptional use application.

Process Overview

1. Initiate a request for exceptional use

- Programme Partners (PPs), Strategic Partner (SP) or individual Large Farms (LFs) can initiate the process by communicating the need for exceptional use to their local BCI Country Team.
- Producers located in the same country or region are encouraged to reach out jointly if they have similar needs and challenges. BCI Country Teams support Producers, Programme Partners and Strategic Partners in gathering the necessary elements to submit an application for exceptional use. The final application must come from the BCI Country team.
- Partners or Producers should initiate this process at least 3 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

- All applications must be submitted in full, with clear and complete information in all sections of the application form, unless irrelevant. Incomplete or poorly substantiated applications may be returned without review.
To support applicants in submitting high-quality applications, the following resources can support applicants in filing the application form:
- An annotated version of the application form, with guidance notes and explanations for each question.
- Examples of well-prepared past applications, demonstrating the expected level of detail and evidence can be accessed [here](#).

¹The composition, roles and responsibilities and decision-making modalities of the BCI Pesticides Committee are laid out in a separate Terms Of Reference attached in Annexe 1.

- A Frequently Asked Questions (FAQ) document addressing common issues and misunderstandings can be accessed [here](#).
- Direct support from BCI Global Standard System Integrity team is provided during application preparation, including feedback on draft applications (if submitted at least 30 days before the final deadline).

a) Application Submission

Completed applications for exceptional use must be submitted at least 90 calendar days prior to the start of sowing, using the application form provided by BCI. Any late submission will not be considered by the Pesticides committee. The application requires:

- 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
- Evaluation of alternatives: description of alternative options (both chemical and non-chemical), including results of any previous use, trials, or research studies carried out.
- 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.
- Long-Term Commitment to Phase-Out: Proposed phase-out plan over a period of 5 years maximum outlined, including key milestones (e.g. trials of alternatives, support needed, expected reduction of use over time).

b) Application finalisation

- Applications are reviewed by BCI Country Teams/Benchmarking Team for eligibility, accuracy, and completeness. Applications should then be submitted to BCI Crop Protection global team.
- The BCI Crop Protection global team will complete the applications with available result Indicators data, and check again applications for eligibility, accuracy and completeness. They will also clarify open questions or missing information with Country Teams and subsequently submit application to country specific pesticides sub-committees for review and recommendation for decision.

c) Application Review and Decision Making

- Pesticides sub-committee review the application and prepare key questions that they want to follow-up on in the country teams/Strategic Partners interviews. These questions are shared at least 1 week before the scheduled interview call, so that the Country Teams/Benchmarking team can prepare and come up with the right information to the interviews.

- The pesticides sub-committee have a call with the country representative/Strategic Partners to discuss open questions and get more context. Either directly after the call, or in a separate one, in the absence of the country team representatives, recommendations for the decision are prepared, facilitated by BCI global and following the predefined reporting structure. If further information is required before the Committee can decide, they document this in writing, and the applicant have a defined time period (usually 15 days) to provide further information as required.

d) Report Preparation and Review Process

Based on the discussions of the sub-committee, BCI global will draft a report, that is shared with the sub-committee for review, before it will be sent to the full pesticides committee for agreement on recommendations.

The report shall include at least a summary of the Committee discussion and key points raised

- The final recommendation for a decision (approval or rejection) and rationale (if decided following interview debrief)
- Available Result Indicators data checked for accuracy
- In case of a recommendations for approval, specific conditions for exceptional use, including, at minimum:
 - The period for which exceptional use should be granted
 - Mandatory mitigation measures Compliance with all P&C v3.2 Crop Protection indicators and label requirements
 - Inclusion as priority in Continuous Improvement Plans
 - Specific training on risks and mitigation measures
 - Focus on steps to improve appropriate PPE Use
 - Focus on environmental risk mitigation
 - RIR Reporting on Pesticide Data
 - Recommended mitigation measures that include specific ad-hoc management practices

Exceptional use can be granted for a **maximum of five seasons**. The Committee may recommend a shorter period (e.g. one or two seasons) depending on the availability of alternatives, progress with trials, or specific risk considerations. If granted for less than five seasons, the applicant may submit a new application within the overall five-season limit, which will be subject to full review. No renewal or further exemption will be possible once the cumulative five-season maximum has been reached, except in extraordinary circumstances requiring a new justification and review.

e) Final Decision and Approval Process

The draft report will then be submitted to the BCI Senior Director of Standard System Integrity who holds the final decision-making authority. The Committee's role is to provide a technical assessment of the application and the viability of alternatives. The Director's decision will take this assessment into account, along with any additional contextual, strategic or organisational factors and will be based on the following criteria:

- Alignment with BCI Principles and Criteria Crop Protection Principle (Principle 3) and its requirements on HHP phase-out and IPM.
- Strength and objectivity of the Committee's rationale including consideration of health, environmental, agronomic, and socio-economic factors
- Clarity and sufficiency of supporting evidence including completeness of the application, quality of the alternatives assessment, and feasibility of mitigation measures
- consistency with previous decisions to ensure a fair and coherent standard is applied across geographies and farming systems
- Risk management implications including reputational, compliance, or sustainability risks for BCI
- Alignment with BCI's long-term strategies on pesticide reduction and continuous improvement.

The Senior Director issue the final decision, which may include validation of the Committee's assessment, adjustment of conditions or other determinations as required. Where the final decision diverges from the Committee's recommendation, it is escalated to the BCI Executive Group for validation.

If Executive Group decision divergence from Committee's recommendation is confirmed, justification is documented and shared with the Committee and applicant. It is also shared publicly on the BCI website.

f) Communication of Decision

After the director decision, the report is shared in written form with country teams and programme partners / strategic partners / Large Farms, as well as the assurance team for implementation. The overall results as well as the conditions is made publicly available.

g) Monitoring and Review Process

- For any HHP approved for exceptional use, the Programme Partner, Strategic 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 BCI 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.3.2.
- At any point, BCI may request further information or an update on how the conditions of exceptional use are met.

BCI staff is 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.

Emergency Case

Definition of “Emergency”

An “emergency” is defined as a relevant and urgent pest outbreak that could not have been reasonably anticipated and poses a significant threat to crop health and productivity. It requires immediate action to prevent severe economic loss or irreversible damage to cotton fields. An emergency arises when, despite proactive monitoring and sound Pest management practices, an outbreak occurs that could not have been predicted accurately enough to allow effective preventive measures.

Producers are expected to remain vigilant, monitor pest risks, and act proactively when warning signs appear—for example, recognising that continuous rainfall may increase the likelihood of a whitefly outbreak. However, if an outbreak escalates rapidly beyond what could be reasonably foreseen, or if preventive actions were taken but still failed to avert a serious threat, the situation may qualify as an emergency.

Such emergencies may include but are not limited to sudden pest or disease outbreaks, invasive species incursions, or environmental events (e.g., flooding, drought, fire) that directly endanger crop viability.

Geographical scope of emergency derogation

Emergency derogations for the use of HHPs should be considered at the Producer Unit (PU) or farmer level for Large Farms (LF) rather than at the national or regional level, to ensure that the response is proportionate to the specific conditions faced by the producer. However, in exceptional cases where multiple PUs within the same country face a similar emergency, a country-level derogation may be considered, similarly for Large Farms where several Large Farms in a given region are impacted, provided that sufficient evidence supports the widespread nature of the threat.

Conditions and stepwise approach to follow in an emergency case

To apply for an emergency derogation for the use of HHPs, the following stepwise approach must be followed:

1. Assessment and initial notification

- Producers facing a sudden pest outbreak may apply emergency measures immediately if thresholds are exceeded and alternatives are not viable.
- Producers must document the situation at the time of the outbreak (e.g. photos, pest counts, weather reports, expert advice, notes of thresholds).

- Producers should notify their Programme Partner, Certification Body and/or BCI Country /benchmarking team as soon as reasonably possible after the outbreak is identified and treated.
- Notification should include a short description and evidence of the problem.
- The Programme Partner plays a supporting role, but the producer (or PU) may also send the notification directly to the Country/Benchmarking Team to avoid unnecessary delays.

2. Submission of derogation request

If no feasible alternatives exist, the Producer must submit a formal derogation request to the Programme/Strategic Partner within a reasonable timeframe after the pesticide application, normally by the end of the same season, after an audit or after a systemic non-conformity is issued.

The request must be completed using a standardized questionnaire to ensure clarity and consistency that includes:

- A description of the emergency situation and its potential impact on crop health and productivity.
- Evidence supporting the emergency status (e.g., pest infestation data, expert assessments, weather reports).
- Justification for the use of HHPs, including an explanation of why alternative measures were not viable.
- Mitigation measures applied

3. Review and decision by Programme Partner

- The Country Team forwards the request to the BCI global team for review and decision (with optional Programme Partner /Strategic Partner input).
- Decision timelines remain fast-tracked, but flexibility is recognised for cases where producers notify late due to urgency of pest control.
- The decision may include conditions for mitigation, reporting, and prevention of recurrence.

Approval, conditional approval, or rejection:

- BCI team panel² may approve or reject the derogation request possibly after consulting the Pesticides committee if needed. Conditions may include specific restrictions on the type and amount of HHPs used, requirements for monitoring and reporting, and follow-up actions to prevent future emergencies.
- The HHP in question is added to the published list of approved exceptional use
 - In case of rejection, the Producer will no longer be able to use the HHP in question in the future during the ongoing year

² Panel includes Director of Std, Cert and MEL, Director of Programmes, country director, and global Crop Protection manager

Post-application monitoring and reporting:

Producers must submit a brief post-emergency application monitoring report by the end of the season, documenting impacts and steps to reduce future reliance on HHPs. This template must be completed and submitted at the end of the ongoing season. The report should include detailed observations on environmental and human health impacts, mitigation measures taken, and any follow-up actions planned. The collected data is analysed to assess the broader implications of HHP use, and compliance is verified during field visits.

The Producer must also reflect any measures to prevent future reliance on the HHP in question in its IPM plan, including measures to strengthen IPM practices and explore alternative methods.

The Partner should share the monitoring outcomes and the plan with BCI team at the end of the season (or at the beginning of the following season if the derogation is needed late in the ongoing season).

Failure to comply with the requirements of the emergency derogation process (e.g. timely notification, submission of request, provision of documentation, or monitoring report) is treated as non-conformity under Principle 3 of the P&C v3.2. In such cases:

- The derogation may be revoked.
- The Certification Body /Strategic Partner is notified and required to treat the case as a systemic non-conformity
- BCI may request an additional audit or targeted verification to assess the scale of non-compliance.
- Repeated or serious breaches may lead to suspension or withdrawal of Producer licenses.

Where emergency HHP use is observed during an audit before derogation approval is complete:

- The Producer should immediately inform and share the application with the CB
- The Certification Body must check whether an emergency request has been submitted.
- If yes, the CB will hold finalisation of the audit report and suspend decision on certification until BCI confirms the derogation outcome.
- If the derogation is approved, the CB records compliance under emergency conditions.
- If the derogation is denied, the CB treats the HHP use as a systemic non-conformity.

BCI must ensure CBs are promptly informed whenever an emergency request is under review.

Annexe 1: BCI Pesticide Committee Terms of Reference v.2.0

To be used with the Better Cotton Initiative Principles and Criteria v.3.2

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1. Background and Purpose

Aligned with the BCI Principles and Criteria (P&C) v3.2, BCI 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, BCI has set up a specific exceptional use process for HHPs.

The BCI Pesticides Committee ('the Committee') reviews applications on behalf of BCI Producers, Programme Partners or Strategic Partners to request exceptional use of Highly Hazardous Pesticides (HHPs). The process consists 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 assesses 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. As a result the committee provides recommendations to approve or reject applications.

2. Composition of the Committee

The Committee comprises 5–8 members selected by the Director of Standards & Assurance and Senior Director of Programmes based on an application and interview process. The composition must ensure a balance of expertise, perspectives, and geographical representation, including:

- At least one representative from a Large Farm (LF) context
- at least one representative with Smallholder (SH) production experience
- a mix of members with both academic/scientific expertise (e.g. entomology, toxicology, environmental health) and practical field experience (e.g. extension agents, producer representatives, national experts)
- geographic diversity aligned with regions where HHP use is most relevant in BCI
- A BCI Standard System Integrity Standard function representative to ensure strategic alignment or operational input (interview process not applying for this member).

Terms on the Committee is set for two years with option to extend. Additional ad-hoc participants such as country representatives, program partners or BCI 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 (called subcommittee), excluding any ad-hoc members is appointed to review and decide on the application.

3. Responsibilities of the Committee

The Pesticide Committee assumes 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 BCI 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 is documented in writing and requested from the applicant.

- **Assess Risk and Trade-offs:**

The Committee assesses 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 consider social, economic, and environmental factors, including impacts on farmer yields and livelihoods.

- **Mitigation measures and ongoing monitoring:**

Where relevant, the Committee identifies reasonable mitigation measures that reduce the risks associated with the exceptional use of HHPs. They consider the feasibility, practicality, and potential impacts of these measures. They also advise on the nature of ongoing monitoring and reporting (where applicable, e.g., if exceptional use is to be granted)

- **Recommendation:**

The appointed Committee members make a final recommendation (approval or rejection) for the application to BCI directors of Standard System Integrity, Programmes and Impact and Development. The Committee make informed recommendations based on collective expertise, scientific knowledge, and regional considerations. They document their recommendations, justifications, and any recommended conditions for approval.

The Committee shall strive to reach agreements by consensus on granting exceptional use of HHPs with the objective of recommending a decision to BCI. 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 agree on a recommendation, it outlines its opposing views and submit the options for a final decision by the Director of S&A and Sr Director of Programmes.

If there is an agreement to recommend an approval, the BCI Pesticides Committee lists conditions in the evaluation report that shall include at least:

- Mandatory mitigation measures
- Reporting requirements
- The period for which exceptional use should be granted (maximum five 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 BCI informed of any significant periods of leave (or other non-availability). Eligible Committee members are first contacted with a request to handle a specific application and are 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 typically includes 1-2 hours to review the application (including consulting with relevant BCI 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 addition information.
- **Any conflicts of interest must be transparently declared** to BCI 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, BCI, or Programme/Strategic Partners to support an application or decision must be considered confidential and shall not be shared outside of the BCI team and members of the Committee.

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

Should an in-person meeting be scheduled, BCI seeks to sponsor reasonable travel costs for those unable to cover these expenses, upon request.

5. Appointment of Committee Members

Members are appointed to the Committee in line with the following process:

- **Request for proposal:** BCI issues a request for proposal for the Pesticide Committee, inviting interested individuals with relevant expertise and experience to apply.
- **Nomination review:** Nominations are reviewed and candidates are 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:** BCI appoints Pesticide Committee members based on the shortlist and any additional criteria specified.
- **Committee members induction:** BCI shall provide induction for the members, covering the relevant policies, procedures, and guidelines for reviewing applications for exceptional use of highly hazardous pesticides.