

DEPARTMENT FOR ENVIRONMENT, FOOD AND RURAL AFFAIRS

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LICENCE UNDER SECTION 16 OF THE WILDLIFE AND COUNTRYSIDE ACT 1981 FOR  
THE RELEASE OF *HETERORHABDITIS DOWNESI*

NN-BCA/13/04 G GROWER'S LICENCE

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The Secretary of State, in exercise of the powers conferred on him by section 16(4)(C) and section 16(5) of the Wildlife and Countryside Act 1981 ("the 1981 Act") and of all other powers enabling him in that behalf, hereby grants the following licence –

1. This licence applies in respect of the animal species known as *Heterorhabditis downesi* (Family Heterorhabditidae; Order Rhabditida; Class Nematoda) in this licence referred to as "*H. downesi*", supplied by Nemos Horticultural Ltd., whose registered office is at 37 Woodlands Rise, Aricklow, County Wicklow, Ireland ("the Company").
2. Subject to the conditions in paragraph 3 below, section 14(1) of the Act does not apply to any person who, as a consequence of applying *H. downesi* (supplied as mentioned in paragraph 1 above) to nursery crops, soft fruit crops, home gardens, golf courses and sports fields for the control of black vine weevil larvae (*Otiorhynchus sulcatus*), chafer grubs (*Phyllopertha horticola*, *Hoplia philanthus* and *Melolontha melolontha*), and garden ants (*Lasius niger*, *Lasius flavus*, and *Myrmica* species) ("the pests") accidentally releases *H. downesi* or allows *H. downesi* to escape into the wild.
3. This licence is granted subject to the following conditions –
  - (a) The instructions provided by the Company for the application of *H. downesi* shall be complied with, and the application rate recommended by the Company for the control of the pests on nursery crops, soft fruit crops, home gardens, golf courses and sports fields shall not be exceeded;
  - (b) If there is evidence that *H. downesi* has become established in the environment in the vicinity of any nursery crops, soft fruit crops, home gardens, golf courses and sports fields in which *H. downesi* has been released, the Company and the Secretary of State shall be notified immediately (and any notification not in writing shall be confirmed in writing as soon as possible); and
  - (c) Any management procedure required by the Company to control or eradicate *H. downesi* shall be complied with, including permitting the use of pesticides within the release site.

4. This licence shall be valid until 31<sup>st</sup> May 2015 subject to prior modification or revocation at any time.

Signed.....*Sarah Hugo*.....

**Sarah Hugo**

(Authorised by the Secretary of State for Environment, Food and Rural Affairs to sign in that behalf)

Date.....*18th May 2013*.....

**Licence reference number NN-BCA/13/04 G**