

## **Agrovista UK Ltd, trading as Plantsystems Terms & Conditions**

### **Introduction**

This document is an essential part of your contract with Agrovista UK Ltd, trading as Plantsystems (PSL). The second part of your contract is your Letter of Agreement, which sets out the services and charges that you have agreed. In addition, if you have a contract with PSL, which encompasses the use of a Decision Support System (DSS) and/or weather data alarms and event warnings, attention is drawn to the section “Decision support systems (DSS’s), weather data alarms and event warnings.”

### **General Liability**

Agrovista UK Ltd, trading as Plantsystems limits its financial liability to the client to the level of annual fees charged to the client for the service(s) provided.

### **Crop Protection & General Agronomic Advice**

1. All consultants involved in crop protection are BASIS accredited. Those involved in crop nutrition advice are FACTS qualified. These qualifications together with appropriate training and experience enable consultants to provide sound and safe advice. In addition Agrovista UK Ltd, trading as Plantsystems aims always to provide advice which is environmentally sound. The decision however, to implement any crop protection or other advice rests with the client.
2. Apart from matters relating to the crop which the consultant can reasonably learn from his own observation, advice is reliant on information supplied by the client which is presumed to be correct at the relevant time. No liability is accepted for any advice given where the information supplied by the client was not correct at the relevant time.
3. Normally, advice will be confirmed in writing. If the advice provided is subsequently amended in writing or orally for whatever reason, such later advice will automatically replace any prior advice.

### **Agrochemical Recommendations & Usage**

1. It is an offence to use a product which has not been statutorily approved or in a way which has not been statutorily approved. Only uses which are approved will be recommended by PSL consultants.
2. Whenever possible on-label recommendations will be given which are fully supported by the manufacturer. All recommendations will be recorded in writing.
3. Where an on-label recommendation is not available or is inappropriate, Off-Label recommendations may be given. All Off-Label recommendations will be recorded in writing and the client will be informed that the treatment has Off-Label Approval.

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4. The client must read the Off-Label Approval document, abide by its conditions and accept the commercial risk of the recommended treatment. PSL will provide the customer with a copy of the current Extension of Authorisation for minor use in the UK document(s) (formerly known as SOLA) appropriate to their crop(s).
5. All Off-Label uses of agrochemicals are at the risk of the user.
6. PSL will endeavour to keep the client briefed about changes in approval status of products which may be used but PSL is unable to accept responsibility for the accuracy or timeliness of such information. This must be checked and verified with the Chemicals Regulation Directorate (CRD) which is an agency of Health and Safety Executive (HSE) or equivalent body and/or the manufacturer of the agrochemical.
7. Every care is taken to ensure that recommendations are correct at the time they are given. However, field, crop and weather conditions may change and the precautions stated on the treatment recommendation should be checked before application.
8. Before spraying: -
  - a) Check and observe the recommendation and the precautions.
  - b) ALWAYS READ THE LABEL AND THE EXTENSION OF AUTHORISATION IF APPROPRIATE BEFORE USE
  - c) Observe all operator and environmental safety advice.
  - d) Ensure there are no harmful residues in the equipment before use.
  - e) Ensure the application equipment is calibrated and is applying chemical in an even fashion.
  - f) Ensure treatment overlaps are avoided as crop damage can occur due to overdosing.

Chemical treatments must be applied in accordance with DEFRA and HSC guidelines, in particular refer to DEFRA/HSC - Pesticides: Code of practice for using plant protection products.

- I. If application is delayed, for any reason, beyond the latest time/growth stage for which the recommendation has been made, the client should contact the consultant or this office before starting application. No spraying should be carried out until this is advised.
- II. If an unexpected reaction should occur, contact this office immediately so that the cause of the problem can be investigated at once and appropriate remedial action taken. Carefully preserve any unused chemical or other evidence.

**Decision support systems (DSS's), weather data alarms and event warnings**

Plantsystems supply a number of DSS's, weather data alarms and event warnings which are designed to aid clients manage and protect their crops.

The generation of timely information and alerts is dependent on factors including the performance of the data capture and processing systems and the data transmission services. Users are advised

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that Plantsystems do not accept liability for the quality or timeliness of information generated and they must be aware that the information or alert could be faulty or inappropriate and may be of poor quality or may be delayed.

Users are advised not to put their crops at risk by relying entirely upon the output of DSS or event warning systems supplied by Plantsystems. All liability for the health and performance of their crops rest with them and it is a condition of supply that the user accepts responsibility for the consequences of any decisions made or actions taken on the basis of advice or information generated from such systems.

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