

# Actions against illegal wildlife poisoning in the natural environment in Spain

Life+ **VENENO**

LIFE08 NAT/E/000062

LAYMAN'S REPORT



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# I. CONTEXT

Use of poisoned bait in the countryside is one of the main threats to biodiversity in Spain. Poison is used to kill animals considered to be harmful to certain activities, mainly hunting, livestock farming and agriculture. It affects pets like dogs and cats and is also used for settling feuds between private individuals, as a way of exacting revenge.

The poisoned-bait method of hunting animals involves steeping a food item in a toxic substance, normally phytosanitary products like insecticides, rodenticides, fungicides, herbicides or molluscicides (snail and slug pellets). The prepared bait is left in a spot accessible to the target animals though it might well be eaten by any other, thereby potentially affecting many other animals beside the target species.

Poisoning is therefore a large-scale, non-selective and violent method that has a huge knock-on effect on non-target species, including threatened species and pets; it may even pose a risk to human health. Illegal poison use is one of the main causes of death in some of Europe's most threatened species, such as the Spanish Imperial Eagle, Bearded Vulture, Red Kite or Egyptian Vulture. It is defined as a crime against fauna in Spain's Penal Code (Código Penal) and is also an administrative infraction under regional legislation, though it still enjoys a high degree of impunity. With *Life+ VENENO* we hope to have helped change this situation.



The Red Kite is currently listed as In Danger of Extinction, partly because of the effect of poison. © Paco García.



Poisoning has been a method recognised by society until 1983. The photo shows a monument to Pepín el de Fresneda, gamekeeper and vermin catcher of Cantabria. © David de la Bodega.





## II. Life+ VENENO

The aim of the *Life+ VENENO* was to reduce illegal use of poison in Spain.

This has been achieved by taking effective action and groundbreaking initiatives in the fight against poison, all included within the “*National Strategy against the illegal use of poisoned bait in the countryside*” (*Estrategia nacional contra el uso ilegal de cebos envenenados en el medio natural*).

### Geographical Distribution

These actions were taken mainly in Spain, though their effects have inevitably spilled beyond national borders.

### Project Members

#### Beneficiaries

- SEO/BirdLife (Coordinating Beneficiary)
- Regional Authority of Castile-La Mancha (*Gobierno de Comunidades de Castilla-La Mancha*)
- Cinereous Vulture Conservation Fund (*Fondo para la Conservación del Buitre Negro: BVCF*)

#### Funding Bodies

- European Commission
- Ministry of Agriculture, Food and the Environment (*Ministerio de Agricultura, Alimentación y Medio Ambiente*)
- Biodiversity Foundation (*Fundación Biodiversidad*)
- Government of Cantabria (*Gobierno de Cantabria*)
- Regional Government of Andalusia (*Junta de Andalucía*)
- Island Council of Fuerteventura (*Cabildo de Fuerteventura*)

It has worked with a total budget of 1.6 million euros, with a 40% input from the European Commission and a 26% input from *Fundación Biodiversidad*.



Fig. 1. Territorial scope of the project *Life+ VENENO*. Part of their actions have been spread internationally.

## Collaborators

The project received special collaboration from Editorial América Ibérica.

The fact that two of the beneficiary partners of the project are founder members of the Antidote Programme<sup>1</sup> (*Programa Antídoto*) meant that very

close collaboration was kept up with the other members of this Programme, especially WWF/España and *Ecologistas en Acción*. The activity of this alliance has hence received a real boost, helping greatly in the fight against poison in Spain.

**The project has also involved collaboration with other authorities, institutions and groupings. Foremost among them are:**

- BirdLife International
- Secretariat of the Convention on the Conservation of Migratory Species of Wild Animals (CMS)
- Royal Society for the Protection of Birds (RSPB)
- Andalusian Strategy against Poison (*Estrategia Andaluza contra el Veneno*: EAV)
- Environment Officers of Catalonia (*Cuerpo de Agentes Rurales de Cataluña*)
- Coordinating Prosecutor's Office for Environmental and Urban Development Matters (*Fiscalía Coordinadora de Medio Ambiente y Urbanismo*)
- Hunting Resource Research Institute (*Instituto de Investigación en Recursos Cinegéticos*: IREC)
- Spanish Royal Hunting Federation (*Real Federación Española de Caza*: RFEC)
- Regional hunting federations of Andalusia, Aragon, Castile-La Mancha and Catalonia
- Canary Islands Network against Poison (*Red Canaria contra el Veneno*)
- Clinical and Analytical Toxicology Service of the University of Las Palmas de Gran Canaria (*Servicio de Toxicología Clínica y Analítica de la ULPGC*)
- Toxicology and Forensic Veterinary Service of Murcia University (*Servicio de Toxicología y Veterinaria Forense de la Universidad de Murcia*)
- Toxicology Area of Extremadura University (*Área de Toxicología de la Universidad de Extremadura*)
- Spanish Association of Environment and Forestry officers (*Asociación Española de Agentes Forestales y Medioambientales*: AEAFMA)
- Nature Protection Service of the Guardia Civil (*Servicio para la Protección de la Naturaleza de la Guardia Civil*: Seprona)
- *Ertzaintza* (Basque Police Force)
- Regional Police Force of Navarre (*Policía Foral de Navarra*)
- Canine Patrols of Asturias, Castile-La Mancha and of the Guardia Civil
- Environment Departments of Regional Authorities (*Comunidades autónomas*) and Central Government (*Administración del Estado*)
- Spanish National Research Council (CSIC)

1. The Antidote Program was created in 1997 to combat the use of poison. It consists of eight most representative Spanish conservation organizations.



## Duration

The project was carried out from 1 January 2010 to 31 March 2014.

## Objectives

The main objective of *Life+ VENENO* was to bring about a significant reduction in the illegal use of poison in Spain.

### Goals:

- Ensure that the powers-that-be have sufficient legal tools for preventing and prosecuting cases of poisoning.
- Ensure that example-setting fines are imposed in poisoning cases to deter any future perpetrators.
- Enhance surveillance and detection of poisoning cases.
- Show that there are other solutions to poisoning-provoking problems and bring these alternatives to wider notice.
- Bring the problem to much wider notice in the public at large and raise awareness, especially among all stakeholder sectors.

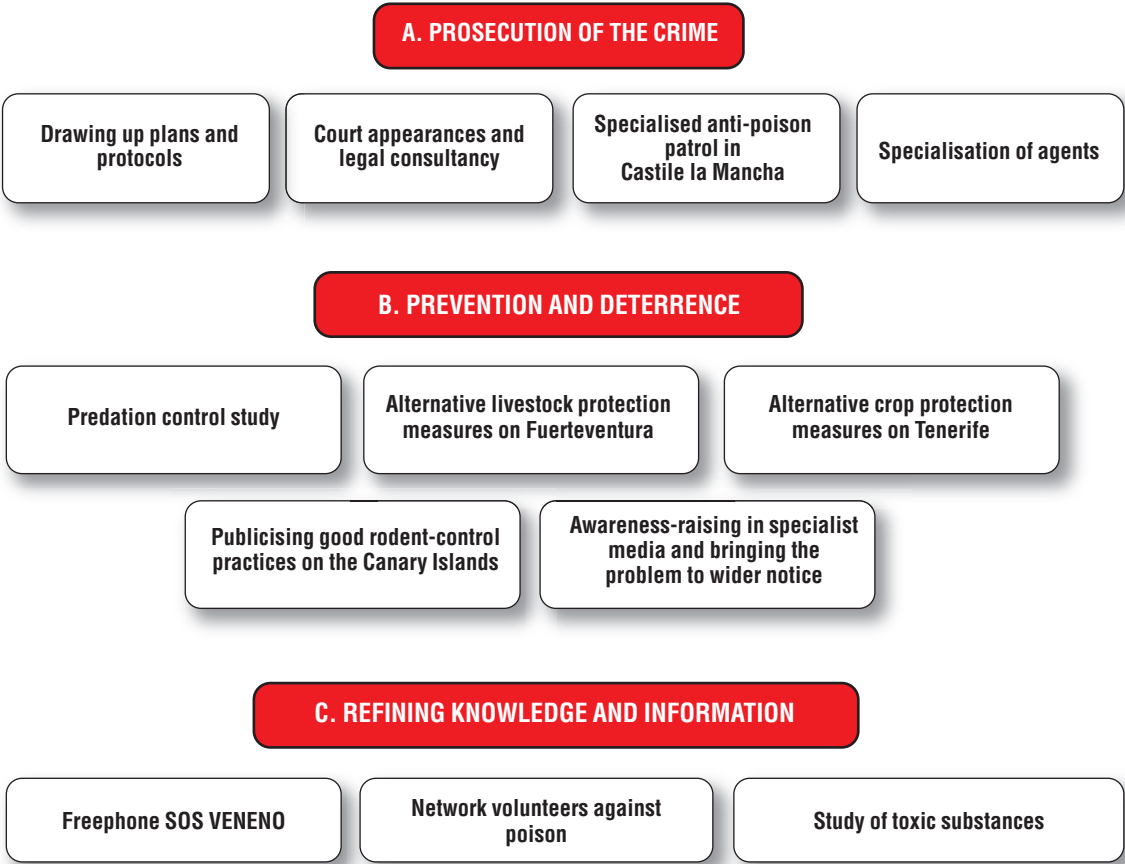


Releasing of a owl in Madridejos (Toledo). © Angel Cano.

# Actions Taken

All the actions taken by *Life+ VENENO* was based on the *Estrategia Nacional para la lucha contra el uso ilegal de cebos envenenados en el Medio Natural*.

The three mainstay pillars were: A. Prosecution of the crime; B. Prevention and deterrence; C. Refining knowledge and information.





# III. RESULTS

## A. Prosecution of the crime

### Reduction of impunity: legal action and specialised environment officers

#### *Legal Action*

Presence in courts has helped to bring home the seriousness of this biodiversity threat to judicial bodies and the public at large while also supporting the investigation work carried out by environment officers, the *Servicio de protección de la naturaleza de la Guardia Civil* (Seprona) and regional police forces. We have been party to a total of 24 criminal proceedings. These involved such serious cases as the poisoning of six Spanish Imperial Eagles in Ciudad Real or the 140+ raptors killed by poisoned bait in Tudela and Cintruénigo (Navarre). Some of these proceedings are still underway but seven have concluded with convictions. Some of these convictions have involved prison sentences of up to one year and four months, civil liability payments of over 33,000 euros or disqualification from hunting activities for over four years. The deterrent effect of these convictions is crucial in the fight against poison, poisoner impunity having been one of the main reasons why this crime has not yet been wiped out.



SEO/BirdLife has taken part in criminal proceedings involving harm to threatened species. © F.Saura.

NGOs were also encouraged to take part as interested parties in administrative proceedings dealing with poison use, eventually appearing in eight of these procedures in various *comunidades autónomas*.

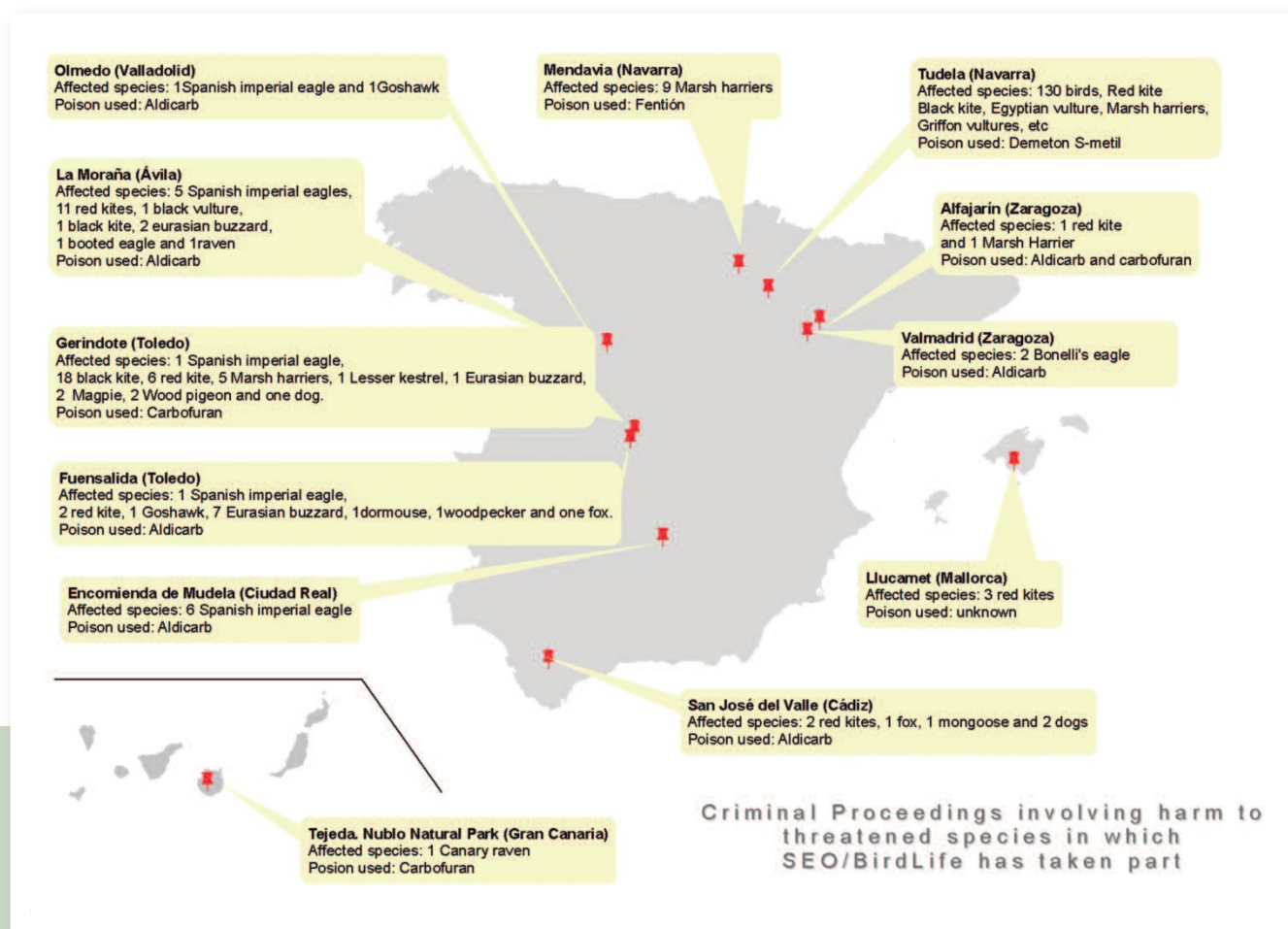


Fig. 2. Criminal proceedings involving harm to threatened species in which SEO/BirdLife has taken part.



## Officer Specialisation

The bringing of legal action was possible thanks to investigation work carried out by various state security forces and corps. This spadework is crucial in cases of fauna poisoning, so a huge effort has been made to train up environment officers in the investigation of crimes of this type as an essential step towards cutting down impunity. In 2011 and 2012 19 specialisation courses were organized and held on investigation of poisoning cases, involving a total of 503 environment officers from different *comunidades autónomas*.

The courses, in chronological order, were given in the *comunidades autónomas* of Aragon, Cantabria, Murcia, Canary Islands, Castile-La Mancha and Catalonia. Training courses were also arranged for police officers of the *Ertzaintza* and *guarderío* (forestry wardens) of the Basque Country. The results were highly satisfactory, with a very high rate of active participation by officers. This bodes well in terms of mid- and long-term results. The average score given by participating officers in post-course feedback was 7.83 out of 10. The best-valued aspects by participants were the level and usefulness of the contents.

Environment officers were issued with material for investigating the illegal use of poison, such as thermal (night vision) viewers, camera traps, shockproof and GPS digital cameras, plus sample-taking and -analysing material.



Poisoned bait ready to kill, found by officers of Catalonia. © ARurales\_Cataluña.

Attendants of an environment-officer training course in Catalonia. ©SEO/BirdLife.



## ***UNIVE, the specialist unit of Castile-La Mancha***

One of the most notable developments in terms of prosecution of the crime was the creation of a Poison Investigation Unit (*Unidad de Investigación contra el Veneno: UNIVE*) in Castile-La Mancha.

UNIVE, with a regional remit, is made up by two patrols, one based in Ciudad Real and the other in Toledo. Each patrol comprises three officers, and their work has raised the amount of legal action brought, both as criminal and as administrative proceedings. This necessarily implies a reduction in the impunity of the crime, thereby meeting the main goal of this unit's creation. UNIVE has also carried out stakeholder-cooperation and awareness-raising work, widening its responsibilities to supervision of the pesticide trade. The patrols have given a considerable impulse to investigation of the illegal use of poison in Castile La-Mancha, a region where the fight against this crime is a particularly tough challenge



UNIVE officer removing a supposedly poisoned carcass from the spot where it was found. © UNIVE.



The project coordinator has liaised permanently with UNIVE officers. © SEO/BirdLife.



## Adoption of plans and protocols

Specific plans and protocols for the fight against illegal use of poison, wherever they have been approved and adopted, have always proved to be a big step towards solving this problem.

The aim here was to spread to other *comunidades autónomas* the progress made in those regions that were already running strategic anti-poison plans or strategies before the project was launched, namely Andalusia, Aragon and Castile-La Mancha.

These legislative instruments comprise a series of minimum measures on the prevention, deterrence and prosecution of this crime; another aim is to shape and nurture a general public commitment against this threat to biodiversity. *Life+ VENENO* has drawn up a basic draft of the Action Plan for Eradication of the Illegal Use of Poison in the Countryside (*Plan de Acción para la erradicación del uso ilegal de veneno en el Medio Natural*) and four protocols:

- *Procedural protocol for dealing with cases of poisoning in wildlife rescue centres (centros de recuperación) and toxicology laboratories.*
- *Procedural protocol for law enforcement officials in charge of collecting presumably poisoned fauna or bait and the preliminary investigation.*
- *General legal protocol for administrative action and liaison with criminal proceedings deriving from the use of poisoned bait in the countryside.*
- *Procedural protocol for law enforcement officials in charge of surveillance and preventive action against use of poison in the countryside.*



Environment officer of Murcia removing poisoned bait for analysis.  
© SEO/BirdLife.



Photography equipment issued to environment officers of Aragon.  
© SEO/BirdLife.

These documents were duly brought into line with the actual situation in nine *comunidades autónomas*: Asturias, Balearic Islands, Canary Islands, Cantabria, Catalonia, Galicia, La Rioja, Murcia and Valencia.

Help was also given to ensure approval of other instruments such as the Regional Strategy of *Castilla y León* for the Integrated Fight against Illegal Use of Poisoned Bait in the Countryside and the Action Plans for the fight against Poison in Valencia (*Comunidad Valenciana*), Canary Islands and Catalonia. The latter take up practically all the draft measures proposed by *Life+ VENENO*.

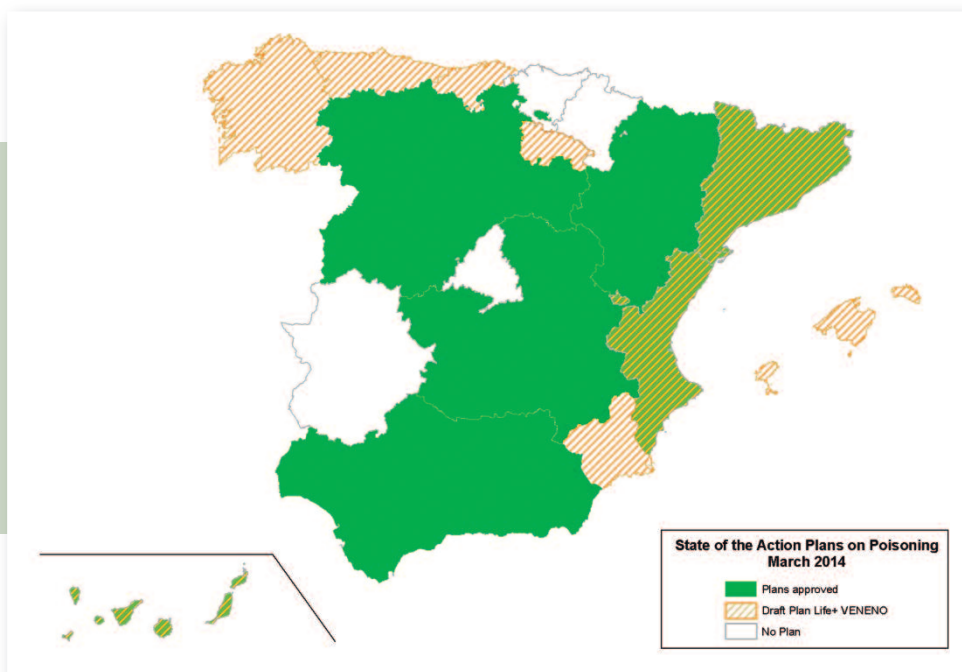


Fig. 3. State of approval of strategic anti-poison plans.

Swingeing public-spending cuts in Spain delayed approval of the proposed plans and protocols. Nonetheless all 17 regional governments have pledged themselves to the cause by signing agreements with *Life+ VENENO*, to enforce within their regions a progressive eradication of fauna poisoning. This represents the best guarantee of nationwide plans or strategies for fighting against poison, even exceeding the initial remit upon which the project was approved, involving at that time only eight regional governments.



## Without Borders: International fight against poison

Predator control by using poisoned bait is spreading at a global level, especially in areas with a history of conflicts with livestock farmers and hunting bodies. Poisoning is the most widely used predator-elimination method around the whole world. In the case of migratory birds, for example, piecemeal measures in single countries to fight against this threat would be largely pointless since migratory birds are constantly crossing national borders, flying from protected areas to unprotected areas and vice versa.



Members of the Working Group on Minimising the Risk of Poisoning to Migratory Birds of the Convention on the Conservation of Migratory Species of Wild Animals (CMS). © CMS.

For this reason, even though not originally envisaged, SEO/BirdLife saw fit to extend anti-poison actions beyond Spain's borders to ensure uniform action and a consistent regulatory framework worldwide. It has taken part in various international forums, such as the Working Group on Minimising the Risk of Poisoning to Migratory Birds of the Convention on the Conservation of Migratory Species of Wild Animals (CMS), contributing to the wording of the procedural guides that will serve as the basis of the first ever international regulation on the poisoning of fauna. It has also collaborated with the International Union for Conservation of Nature (IUCN), drawing up resolutions and promoting measures; reports have been sent to the European Conference on Illegal Killing of Birds, and *Life+ VENENO's* advances have been presented in the international Poison, Wildlife and Society congress.

Plan objectives have also been pursued further afield by drawing up base drafts in English and distributing them worldwide.







Supplementary water provision to prevent crop predation by lizards. © JC. Rando Reyes.

## B. Prevention and Deterrence

### Alternatives to poison

As key actors in the eradication of poisoned bait, the sectors most prone to use illegal poisoning have also been brought into this process, in an attempt to raise their awareness and give them other solutions to the problems that prompt this illegal practice. The Canary Islands was the chosen site for taking outlook-changing action with farmers. The reasons lying behind the use of poison in this *comunidad autónoma* tend to be idiosyncratic. As such they were considered to be easier to deal with clearly, in an example-setting way, for later replication in other regions.

#### *The poison problem in cropland of Tenerife*

Poisoning episodes have frequently been recorded in vineyards and tomato farms of the Island of Tenerife. Various species of lizards visit these farms to hydrate; some farmers use large amounts of poison to prevent crop damage, affecting and killing also many other vertebrates. With the collaboration of the Higher Spanish National Research Council (*Consejo Superior de Investigaciones Científicas*: CSIC) small drinking pools for lizards and birds were set up in two vineyards. This provision of alternative drinking water, or sugar water, did cut down the vertebrate crop damage but not in an easily foreseeable way. Along the way, however, this campaign did prove that vertebrates are not the cause of most economic losses on the farmland but rather fungi, diseases and some invertebrates. There are therefore no grounds for indiscriminate use of poison as vertebrate control.



### *Livestock predation in Fuerteventura*

Goat herders on the island of Fuerteventura claim that some birds like the Canary Island Raven, the Buzzard and the Canary Island Egyptian Vulture attack newborn kids; these farmers therefore put down poison to kill them. To weigh up the real incidence of this problem and come up with solutions, fieldwork was carried out on 106 livestock farms (involving 41.6% of the island's total livestock). This involved interviewing livestock farmers and keeping watches over livestock herds. Farmers were also issued with a telephone to report attacks quickly. Throughout the whole study period, no attacks were in fact recorded. Some farmers came up with simple solutions like guard dogs and stabling of livestock during the birthing period. These two methods were put forward as alternative ways of reducing bird damage to livestock without using poison. Furthermore, farms with stabled livestock are those that record the lowest loss rate since kid births can be controlled and monitored to reduce perinatal mortality.



Protection of livestock with dogs or their stabling in the birthing period cuts down the chances of predation. © Beneharo.

## Information and Awareness Raising

One of the stiffest challenges in this whole project was to bring the problem to the widest possible notice among the public at large and also raise stakeholder awareness. No effort has been spared to communicate the consequences of the illegal use of poison and project activities. Direct work was also carried out with farmers, hunters and the legal profession.

The website [www.venenono.org](http://www.venenono.org), set up in 2012, has become a benchmark poison information source. SEO/BirdLife's own website [www.seo.org](http://www.seo.org), with over 500,000 hits a year, is also a crucial project publicising outlet. Over 900 news items have also been published in the media to keep the poison problem in the limelight.

Contact with some stakeholders, like farmers in Canary Islands, was kept up in the form of information days to raise their awareness about the effects of poison. Liaison was also maintained with various hunting federations to act jointly in denouncing and rejecting the use of poisoned bait as predator control.



Warning about the use of poison in the Canary Islands.

A wide range of information-raising material has also been published to support specific campaigns and avoid the untoward consequences of using certain poisons. Witness our booklet on the correct use of rodenticides, which aims to reduce their environmental impact

## C. Refining knowledge and information

### Refining knowledge

One of the most important inputs of *Life+ VENENO* has been to boost and refine knowledge about illegal use of poison in Spain. One of the main problems at the start of the project was the dearth of updated, truthful and thoroughgoing information to work from. Information was therefore requested from the *comunidades autónomas*; all fauna poisoning episodes from 2005 to 2010 were recorded and analysed, thereby mapping the consequences of poison, its spatial breakdown and temporal breakdown.

### *Results of the study of the poisoning situation in Spain*

From 2005 to 2010 4.395 specimens of various species killed by poisoned bait were collected and analysed. Bearing in mind that only 7% to 10% of poisoned animals are ever found, this means we are talking about c. 45,000 animals killed by poison in a period of only five years.

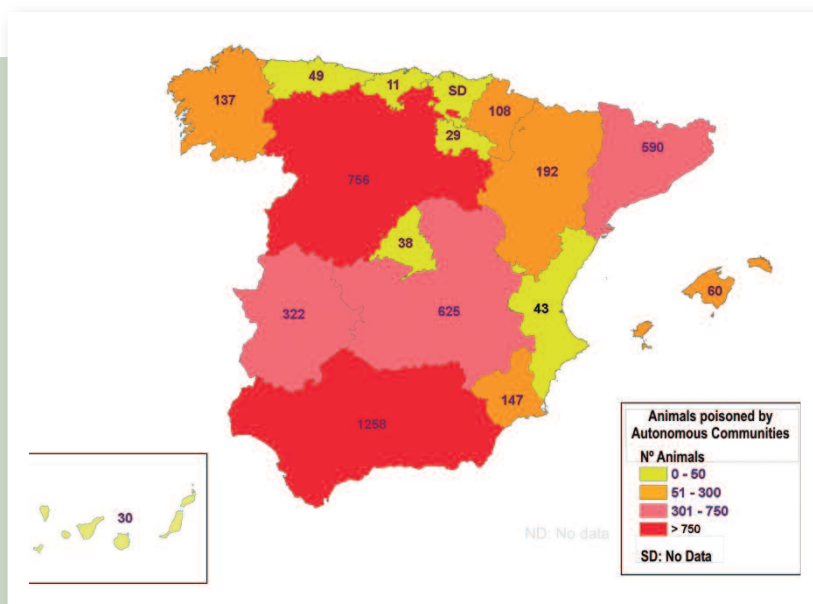


Fig. 4. Poisoned animals broken down by comunidad autónoma (2005-2010).



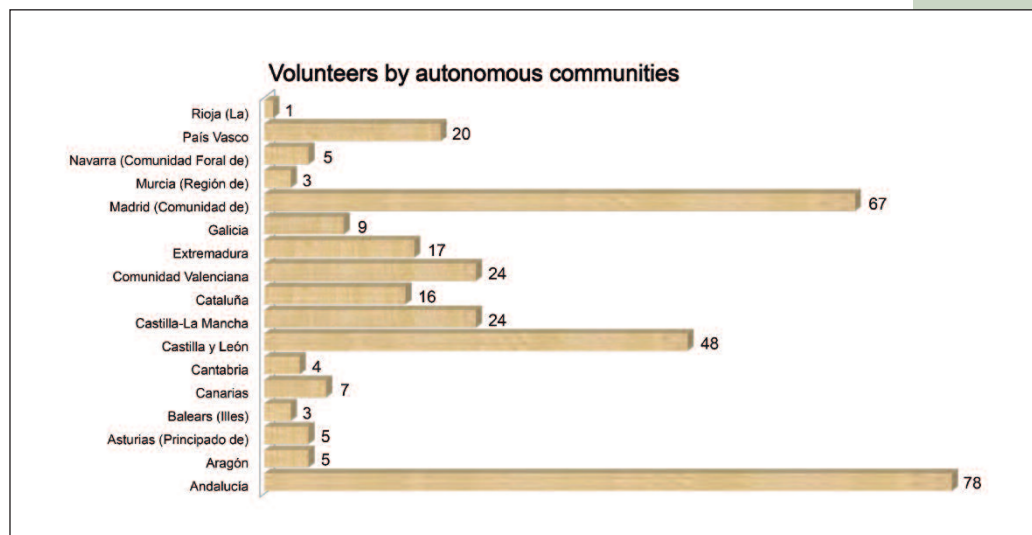
## Involvement of society: *Red de Voluntarios* and *Teléfono SOS Veneno*

One of the mainstay ideas of this project has been to boost and refine information on poison use. With this overarching end in mind, and with a clear and ongoing commitment to involve the public in this task, two far-reaching initiatives were launched: The Network of Volunteers against Poisoning (*Red de Voluntarios contra el Veneno*) and the Freephone SOS VENENO (*Teléfono SOS Veneno*). These are both crucial outlets for members of the public to report any cases of poisoning they might come across, not only in the countryside but also in built-up areas.

The *Red de Voluntarios contra el Veneno* is now 333 strong; all these members have been trained up in the effects of poison use, the existing laws against it, the most commonly used substances, the signs of poisoning in dead animals and the protocol to follow in the event of finding a poisoned animal. Various training courses and information days have been held in different provinces of Andalusia, Cantabria, Canary Islands, Catalonia, Castile and León, Castile-La Mancha, Extremadura, Madrid, Basque Country and Valencia.



The *Red de Voluntarios contra el Veneno* plays a crucial part in preventing poison and culling information. © SEO/BirdLife.



*Teléfono SOS Veneno* was set up under the *Programa Antídoto* to find out about and report cases of poisoning in the countryside. Integrated into *Life+ VENENO* and run by SEO/BirdLife, this SOS system has generated about 900 calls and also given rise to nearly 100 actions by environment officers, Seprona and regional and local police forces. The cases reported on this telephone line involve a total of over 200 animals affected by poison, such as the Spanish Imperial Eagle, Red Kite, Griffon Vulture, Cinereous Vulture, Eagle Owl, Bee-eater and Wolf. The bulk of calls, however, have come from the owners of dogs and cats poisoned in urban and suburban areas. A total of 55 dogs and 65 cats were affected. To provide assistance for these pet owners a model complaint form was drawn up for reporting the offence and claiming damages. The *Fiscalía Coordinadora de Medio Ambiente* was also informed of the importance of taking measures to deal with poisoning in built-up areas, which is now proving to be a real problem in Spain.



Citizen collaboration is vital in detecting poisoning episodes.  
© Beatriz Sánchez.

## Up to 70 different substances are used as poison

To shed some light on the main loopholes used by poisoners, a study was conducted of wildlife poisoning substances (*Estudio sobre sustancias que provocan el envenenamiento de la fauna Silvestre*). This has shown a need for stronger controls over the marketing and use of phytosanitary products and biocides to prevent their use for preparing poisoned bait; attempts have also been made to improve legislation. The study revealed the existence of black-market trading with these products, so an official complaint was lodged with the *Fiscalía Coordinadora de Medio Ambiente* urging measures against this clandestine activity..



Substances bought on internet without any type of hindrance and reported to the *Fiscalía Coordinadora de Medio*. © Niko Lopez.



Study results show that over 70 substances have been used to prepare poisoned bait, mostly phytosanitary products and biocides.

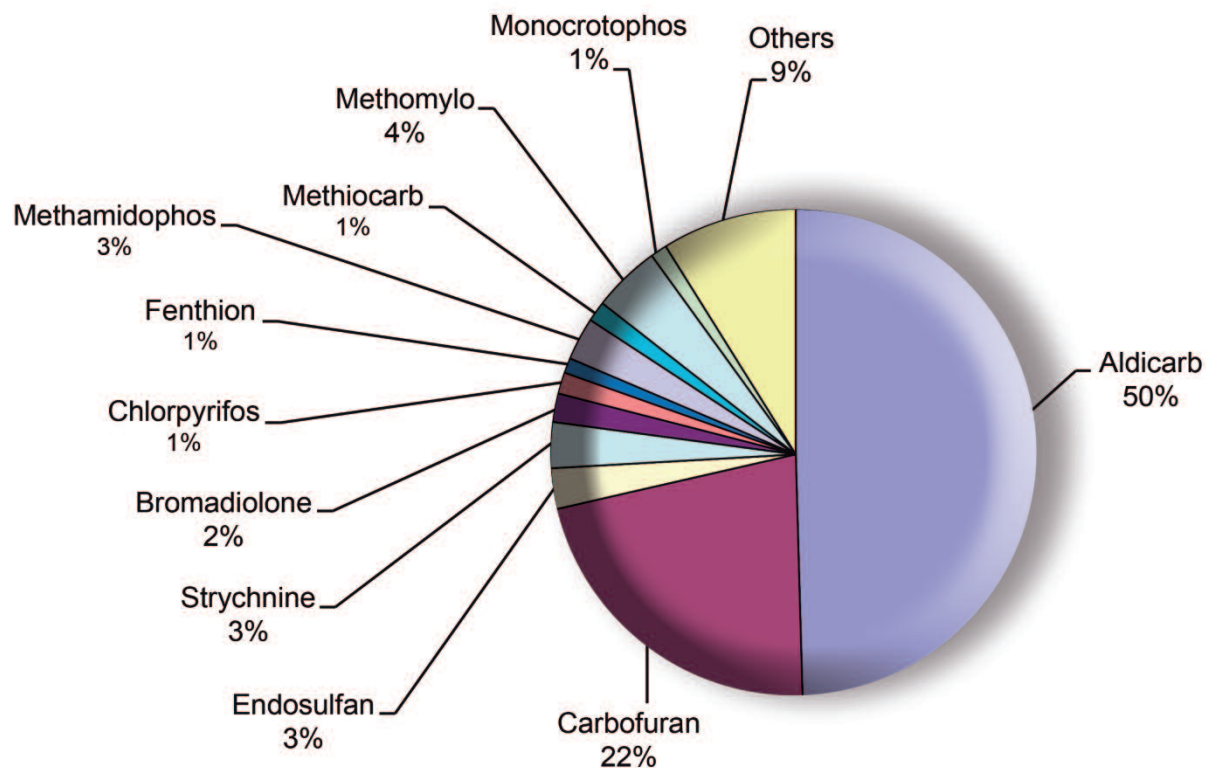
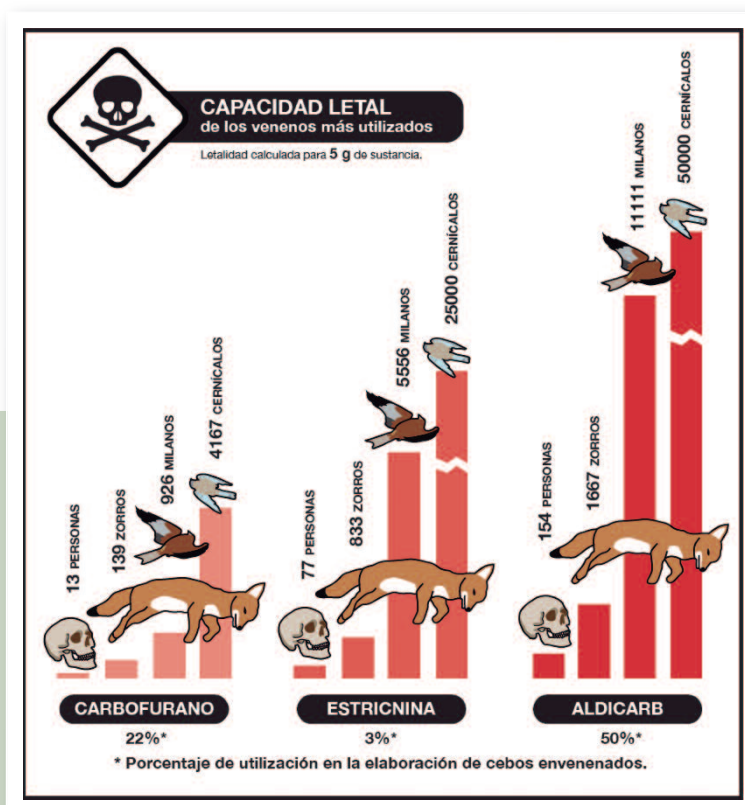


Fig. 5. Substances most commonly used as poison in Spain from 2005 to 2010.

## Involvement of the legal profession

A handbook targeted at the legal profession has been brought out, called “Illegal Use of Poisoned Bait. Investigation and Legal Analysis” (*Uso ilegal de cebos envenenados. Investigación y análisis jurídico*). This sets forth the cumulative experience of various parties that have taken part in investigations and legal action against fauna-poisoning cases, with the aim of serving as an aid to judges, public prosecutors, lawyers and forensic investigators in action taken to deal with this illegal practice and enforcing such liabilities as may be in order in each case.



Handbook “Illegal Use of Poisoned Bait. Investigation and Legal Analysis”.

## IV. BENEFITS

*Life+* **VENENO** has had very significant impacts. Without doubt the most important one is to bring the poisoning problem back onto the political agenda of government authorities. Witness the fact that all *comunidad autónomas* have pledged to approve or review plans to combat poisoning and that the *Ministerio de Agricultura, Alimentación y Medio Ambiente* has reconvened the Working Group on Ecotoxicology (*Grupo de Trabajo de Ecotoxicología*) and overhauled the National Strategy against Poison (*Estrategia Nacional contra el veneno*).

Moreover, more than 500 environment officers have been trained up in specific poison-use issues; this then impinges on their daily tasks of investigating crimes of this type. Course feedback interviews have then shown the high degree of satisfaction and motivation in the struggle against poison. Taken together with the acquired knowledge, this satisfaction and motivation necessarily feeds into their work and improves their investigation and prosecution rate, cutting down the impunity this crime has enjoyed hitherto.







The Canine Units are essential tools in the prevention and detection of poisoning cases. © Seprona.



Officer training, however, is only one side of the story. Increased court action has helped to bring in more convictions and thus, crucially, raise awareness of the scale of this problem among judges and public prosecutors. Witness the annual reports of the Public Prosecutor's Office (*Fiscalía General del Estado*), where the problem of poison is always dealt with in its own right. A sine qua non of this whole initiative is to bring home the seriousness of this problem to the legal profession so that they then act accordingly.

The project has also made a big media splash. This undoubtedly helps to raise society's awareness of the problem, another sine qua non of the fight against poison use.

The project has been carried out at a time of swingeing public-spending cuts. But for *Life+ VENENO* the fight against the use of poisoned bait would have taken a big backward step with a concomitant impact on wildlife.

All project results are transferrable to other scenarios and other countries. In fact this has been one of the leitmotifs since the very start. Actions carried out at international level help to build capacity in other parts of the world suffering from this threat.

Ongoing work with livestock farmers is essential in the fight against poison.  
© JF Orueta.

## V. THE NEXT STEPS

### Continuity of actions underway

*Teléfono SOS Veneno*, the *Red de Voluntarios contra el Veneno*, the website [www.venenono.org](http://www.venenono.org) and UNIVE will all continue as up-and-running instruments for fighting this threat. SEO/BirdLife itself will continue with the initiated legal action and keep up the necessary political pressure to ensure that plans and protocols are actually approved and enforced in those *comunidades autónomas* that have pledged to do so.

### Future goals

#### *Pet poisoning and poisoning cases in built-up areas*

Ignorance of this crime by some local police forces and town councils or confusion about which security forces have the remit for investigating it mean that many cases slip through the net. This leaves pet owners completely defenceless. There is therefore a need for training up competent police forces in the investigation of pet-poisoning episodes of this type in towns and villages and cities and clear up the responsibilities corresponding to each one of these forces in the fight against poisoning. SEO/BirdLife has informed the *Fiscalía Coordinadora de Medio Ambiente y Urbanismo* of this pressing need, and joint action has been taken with animal protection bodies.

#### *Fieldwork with hunters, livestock farmers and other sectors*

The project has revealed the need for a bigger effort to be made with all stakeholder sectors; there is indeed little chance of eradicating poison use without a change of mindset on their part. Enforcement of the law or restrictive policies against this crime are effective for deterring potential poisoners, but only a greater understanding of



The use of rodenticides against the Common Vole is a form of poisoning that imperils wildlife. © SEO/BirdLife.

the damage caused and the threat this poses to biodiversity can bring about lasting change.

### *Other sources of poisoning*

Lead-containing ammunition, the poor use or outright abuse of phytosanitary and zoosanitary products or rodenticides kill a large number of animals in the countryside. These alternative sources without doubt have to be tackled as part of the overall fauna poisoning-problem and prosecuted with just as much vigour as the illegal use of poisoned bait. Further scientific studies are now needed to look into this impact at greater depth and bring in new legal measures to reduce the risk involved.

Especially worrying is the use of rodenticides. Despite not falling within the project's remit, this problem has always featured prominently in the overall endeavour. Mass use of rodenticides in Castile and Leon to counter the plague of Common Voles in 2007 and 2008 generated a severe environmental impact. The same problem reared its head in Castile from 2010 to 2014, with government agencies planning to use tons of bromadiolone against this rodent. The effort made by SEO/BirdLife and other conservationist organisations has fended off the worst of this threat but there is still a patent need for new legal measures that ban use of legal phytosanitary products whenever they have devastating effects on the environment, with the right to stop application thereof whenever harm to fauna comes to light.



The Spanish imperial eagle is a species threatened by the use of poison. © Jesús Rguez-Osorio.



## ***Withdrawal of phytosanitary products no longer apt for use or sale***

One of the objectives of the Study into Wildlife Poisoning Substances (*Estudio sobre las sustancias que provocan el envenenamiento de fauna Silvestre*) was to ascertain the supply channels of these substances. Most were found to come from un-eliminated stocks. SEO/BirdLife took part in most of the processes of transposing European legislation on sustainable phytosanitary use into Spain's national body of law, asking for a system to be set up for withdrawal of these substances for subsequent elimination. Nonetheless, this point has not been included in pesticide legislation. There is now a need for a legal reform to bring in an integrated management system of pesticides no longer apt for use or sale, making similar collection arrangements to those already in place for the containers of these products (which arrangements do not currently include the contents) to prevent them falling into the hands of poisoners.

## ***Legal Reforms and Administrative Procedures***

Spain's current legal framework repudiates and condemns the use of poisoned bait; it is regarded as a crime and administrative infraction in all *comunidades autónomas*. The obligation of taking criminal action before administrative action means that adoption of most of the anti-poisoning legal measures has been left in the hands of the courts. There are, however, parallel arrangements to criminal action that could be driven by government authorities, such as the adoption of measures to restore the affected environment, suspension of the harmful activities on

reasonable grounds, the imposition of injunctions and enforcement of more stringent obligations of observance and liability regimes on certain groups carrying out activities on land where poisoning episodes have come to light. Some of these measures, taken up by the regional legislation of *comunidades autónomas* like Andalusia or Castile-La Mancha should now be extended further afield.

Moreover, the few administrative proceedings brought in some *comunidades autónomas* often fall foul of time limitations. When this happens due to lack of resources or lack of cognisance of the seriousness of the events, due measures should be taken to avoid repetition of this mistake in the future.

## ***Maintenance of measures and actions undertaken***

Public environment protection resources have been hit hard in recent years. After all the progress made it would now be a serious setback if any of the international benchmark measures already undertaken should now lose impetus and peter out, such as the canine patrols, specialist agents, bringing to term the administrative proceedings lodged or the carrying out of toxicological analyses.



The toxicological analysis are the main piece of evidence in legal proceedings. © BVCF.

## VI. GENERATED DOCUMENTS

- **Action Plan to Eradicate the Illegal Use of Poison in the Countryside** (in Spanish and English):  
[www.venenono.org/wp-content/uploads/2013/10/Action-Plan-to-eradicate-the-illegal-use-of-poison-in-the-countryside\\_SEO\\_BirdLife.pdf](http://www.venenono.org/wp-content/uploads/2013/10/Action-Plan-to-eradicate-the-illegal-use-of-poison-in-the-countryside_SEO_BirdLife.pdf)
- **Procedural protocol for law enforcement officials in charge of collecting presumably poisoned fauna or bait and the preliminary investigation:**  
[www.venenono.org/wp-content/uploads/2013/10/Procedural-protocol-for-law-enforcement-officials-in-charge-of-collecting-poisoned-fauna-or-bait\\_SEO\\_BirdLife.pdf](http://www.venenono.org/wp-content/uploads/2013/10/Procedural-protocol-for-law-enforcement-officials-in-charge-of-collecting-poisoned-fauna-or-bait_SEO_BirdLife.pdf)
- **General legal protocol for administrative action and liaison with criminal proceedings deriving from the use of poisoned bait in the countryside:**  
[www.venenono.org/wp-content/uploads/2013/10/General-legal-protocol.pdf](http://www.venenono.org/wp-content/uploads/2013/10/General-legal-protocol.pdf)
- **Procedural protocol for law enforcement officials in charge of surveillance and preventive action against use of poison in the countryside:**  
[www.venenono.org/wp-content/uploads/2013/10/Procedural-Protocol-for-Law-Enforcement-Officials-in-Charge-of-surveillance-and-preventive-action\\_SEO\\_BirdLife.pdf](http://www.venenono.org/wp-content/uploads/2013/10/Procedural-Protocol-for-Law-Enforcement-Officials-in-Charge-of-surveillance-and-preventive-action_SEO_BirdLife.pdf)
- **Procedural protocol for dealing with cases of poisoning in wildlife rescue centres and toxicology laboratories:**  
[www.venenono.org/wp-content/uploads/2013/10/Procedural-protocol-for-dealing-of-poisoning-in-wildlife-rescue-centres-and-toxicology-laboratories\\_SEO.pdf](http://www.venenono.org/wp-content/uploads/2013/10/Procedural-protocol-for-dealing-of-poisoning-in-wildlife-rescue-centres-and-toxicology-laboratories_SEO.pdf)
- **Handbook on the correct use of rodenticides in open spaces (*Manual sobre correcto uso de productos rodenticidas en espacios abiertos*):**  
[www.venenono.org/wp-content/uploads/2012/04/manual\\_manejo\\_raticidas.pdf](http://www.venenono.org/wp-content/uploads/2012/04/manual_manejo_raticidas.pdf)
- **Study of Wildlife Poisoning Substances (*Estudio sobre las sustancias que provocan el envenenamiento de fauna Silvestre*):**  
[www.venenono.org/wp-content/uploads/2012/12/Informe-VeneNO-OK.pdf](http://www.venenono.org/wp-content/uploads/2012/12/Informe-VeneNO-OK.pdf)
- **Deliberate poisoning in Spain. Situation, actions and progress (2000-2012):**  
[www.venenono.org/wp-content/uploads/2013/05/Deliberate-Poisoning-in-Spain-Situation-actions-and-progress.pdf](http://www.venenono.org/wp-content/uploads/2013/05/Deliberate-Poisoning-in-Spain-Situation-actions-and-progress.pdf)
- **Pet-poisoning report form (Modelo de denuncia en caso de envenenamiento de fauna doméstica):**  
[www.venenono.org/?page\\_id=2116](http://www.venenono.org/?page_id=2116)
- **Illegal Use of Poisoned Bait. Investigation and Legal Analysis:**  
[http://www.venenono.org/wp-content/uploads/2014/03/Uso-ilegal-de-cebos-envenenados.Investigaci%C3%B3n-y-an%C3%A1lisis-jurico\\_Life+VENENO.pdf](http://www.venenono.org/wp-content/uploads/2014/03/Uso-ilegal-de-cebos-envenenados.Investigaci%C3%B3n-y-an%C3%A1lisis-jurico_Life+VENENO.pdf)
- **Study on alternatives to the use of poison in crops of Tenerife:**  
<http://www.venenono.org/wp-content/uploads/2014/03/Informe-sobre-alternativas-al-uso-de-veneno-para-la-proteccion-de-cultivos-en-Tenerife.pdf>
- **Study on alternative measures for the protection of livestock on the island of Fuerteventura:**  
<http://www.venenono.org/wp-content/uploads/2014/03/Informe-sobre-medidas-alternativas-para-la-proteccion-del-ganado-en-la-isla-de-Fuerteventura.pdf>



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