STATUTORY INSTRUMENTS

1978 No. 1

POISONS

The Poisons Rules 1978

Made - - - 1*st January* 1978

Laid before Parliament 11*th January* 1978

Coming into operation in accordance with Rule 1

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In pursuance of section 7 of the Poisons Act 1972(**a**) and on the recommendation of the Poisons Board I hereby make the following Rules:—

Citation and commencement

1. These Rules may be cited as the Poisons Rules 1978 and shall come into operation immediately after the coming into operation of the Poisons Act 1972.

(**a**) 1972 c. 66.

Interpretation

2.—(1) In these Rules, unless the context otherwise requires—

"the Act" means the Poisons Act 1972;

"food" includes a beverage;

"listed seller of Part II poisons" means a person whose name is for the time being entered in a local authority's list;

"medicated animal feeding stuff" means an animal feeding stuff in which a medicinal product has been incorporated or in which a substance other than a medicinal product has been incorporated for a medicinal purpose;

"poison" means a non-medicinal poison;

"sale exempted by section 4 of the Act" means a sale within any of paragraphs (*a*) to (*e*) of section 4 of the Act.

(2) In paragraph (1) "animal" has the meaning assigned to it by section 132 of the Medicines Act 1968(**a**) and "medicinal product" and "medicinal purpose" have the meanings respectively assigned to them by section 130 of that Act.

(3) These Rules shall not have effect in relation to any poison other than a non-medicinal poison.

(4) In these Rules any reference to a Rule or Schedule shall be construed as a reference to a Rule contained in these Rules, or, as the case may be, to a Schedule thereto; and any reference in a Rule to a paragraph shall be construed as a reference to a paragraph of that Rule.

(5) Any reference in the Schedules to the percentage of poison contained in any substance or preparation shall, unless otherwise expressly provided, be construed in the following manner, that is to say, a reference to a substance or preparation containing one per cent. of any poison means—

(*a*) in the case of a solid, that one gram of the poison is contained in every hundred grams of the substance or preparation;

(*b*) in the case of a liquid, that one millilitre of the poison, or, if the poison itself is a solid, one gram of the poison, is contained in every hundred millilitres of the substance or preparation;

and so in proportion for any greater or lesser percentage.

(6) References in these Rules to the provisions of any enactment shall be construed as references to those provisions as amended, re-enacted or modified by or under any subsequent enactment.

(7) The Interpretation Act 1889(**b**) shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament, and as if these Rules and the Rules revoked by these Rules were Acts of Parliament.

Application and Relaxation of the Act

Restriction of sales by shopkeepers

3. It shall not be lawful for any shopkeeper to sell poisons on any premises used for or in connection with his retail business, notwithstanding that the sale is exempted by section 4 of the Act, unless he complies with the provisions of paragraph (*a*) or paragraph (*b*), as the case may be, of section 3(1) of the Act.

(a) 1968 c. 67 (b) 1889 c. 63.

Extension of labelling provisions and relaxation with respect to poisons in Schedule 2 and consignments to Northern Ireland

4.—(1) Subject as hereinafter provided, the provisions of section 3(1)(*c*) of the Act and of Rules 15 to 20 (which provisions relate to the labelling of poisons) shall apply to sales exempted by section 4 of the Act, other than sales of poisons to be exported to purchasers outside the United Kingdom; and shall also apply to the supply of poisons (otherwise than on sale) in like manner as if references in the said provisions to the sale and the seller of poisons included references to the supply and the supplier of poisons respectively.

(2) The said provisions, except the provisions of Rule 19 and of section 3(1)(*c*)(iv) of the Act as modified by Rule 20, shall not apply to the sale or supply of any of the poisons included in Schedule 2 to a person who—

(*a*) carries on a business in the course of which poisons are regularly sold by way of wholesale dealing or are regularly used in the manufacture of other articles, and

(*b*) requires the poison for the purpose of that business,

if the outside of the package in which the poison is sold or supplied is labelled conspicuously with words indicating the dangerous properties of the poison.

(3) The said provisions shall not apply to the sale or supply of poisons to be consigned to purchasers in Northern Ireland if the poisons are labelled in accordance with the corresponding provisions of the law in force in Northern Ireland relating to the labelling of poisons.

Application of section 3(2) of the Act

5. The provisions of section 3(2) of the Act (which makes provision as to persons to whom poisons may be sold and to the keeping of records of sales) shall apply with respect to all poisons included in Schedule 1, whether or not the poison sold is a poison included in Part I of the Poisons List, and shall not apply with respect to any other poison:

Provided that—

(i) paragraph (*a*) of the said section 3(2) shall, in its application to sales by listed sellers of Part II poisons, be deemed to be satisfied if the person to whom the poison is sold is known by the person in charge of the premises on which the poison is sold or of the department of the business in which the sale is effected to be a person to whom the poison may properly be sold, and

(ii) the provisions of the said section 3(2) shall not apply, so far as any poison specified in the first column of Schedule 13 is concerned, to sales of substances specified in the second column of that Schedule.

Extension of section 3(2) to sales wholesale, etc., and relaxation of the said subsection

6.—(1) The provisions of section 3(2) of the Act as modified by Rule 5 shall apply to sales exempted by section 4 of the Act, other than sales of poisons to be exported to purchasers outside the United Kingdom; and shall also apply to the supply in the form of commercial sample, otherwise than on sale, of any poison included in Schedule 1 in like manner as if references in the said provisions to the sale and seller of poisons respectively included references to the supply and the supplier of poisons in the form of commercial samples:

Provided that the said provisions shall not apply to the sale or supply of any article by the manufacturer thereof or by a person carrying on a business in the course of which poisons are regularly sold by way of wholesale dealing, if—

(*a*) the article is sold or supplied to a person carrying on a business in the course of which poisons are regularly sold or are regularly used in the manufacture of other articles, and

(*b*) the seller or supplier is reasonably satisfied that the purchaser requires the article for the purpose of that business.

(2) Paragraph (*a*) of the said section 3(2) shall, in its application to sales exempted by section 4 of the Act and to the supply in the form of commercial samples of poisons included in Schedule 1, be deemed to be satisfied if the person to whom the poison or sample is sold or supplied is known by the person in charge of the department of the business through which the sale or supply is effected to be a person to whom the poison or sample may properly be sold or supplied.

(3) So much of paragraph (*b*) of the said section 3(2) as requires an entry in a book to be signed by the purchaser of a poison shall not, as respects the sale of a poison to a person for the purposes of his trade, business or profession, apply if the following requirements are satisfied:—

(*a*) the seller must obtain before the completion of the sale an order in writing signed by the purchaser stating his name and address, trade, business or profession, and the following particulars in regard to the article to be purchased, that is to say, the purpose for which it is required and the total quantity to be purchased;

(*b*) the seller must be reasonably satisfied that the signature is that of the person purporting to have signed the order, and that that person carries on the trade, business or profession stated in the order, being one in which the poison to be purchased is used;

(*c*) the seller must insert in the entry prescribed by Rule 27 the words "signed order" and a reference number by which the order can be identified:

Provided that where a person represents that he urgently requires a poison for the purpose of his trade, business or profession, the seller may, if he is reasonably satisfied that the person so requires the poison and is, by reason of some emergency, unable before delivery either to furnish to the seller an order in writing duly signed or to attend and sign the entry in the book, deliver the poison to the purchaser on an undertaking by the purchaser to furnish such an order within the twenty-four hours next following.

If any purchaser by whom any such undertaking has been given fails to deliver to the seller a signed order in accordance with the undertaking, or if any person for the purpose of obtaining delivery of any poison under the foregoing proviso makes a statement which is to his knowledge false, he shall be deemed to have contravened the provisions of this Rule.

Exemption from the provisions applying solely to Schedule 1

7. Such of the provisions of these Rules and of the Act as modified by these Rules, as apply solely with respect to the poisons included in Schedule 1, shall not apply with respect to articles containing barium carbonate or zinc phosphide and prepared for the destruction of rats or mice.

Complete exemption for articles and substances in Schedule 3

8. Nothing in the Act or in these Rules shall apply—

(*a*) with respect to any article included in Group I of Schedule 3; or

(*b*) so far as any poison specified in the first column of Group II of that Schedule is concerned, with respect to any of the articles or substances specified in the second column opposite the description of the poison.

ADDITIONAL RESTRICTIONS ON THE SALE OF POISONS

Additional restriction of sales by persons lawfully conducting a retail pharmacy business

9. It shall not be lawful for any person lawfully conducting a retail pharmacy business to sell any poison included in Schedule 1, notwithstanding that it is a poison included in Part II of the Poisons List, unless the sale is effected by, or under the supervision of, a pharmacist.

Restriction of sales by listed sellers of Part II poisons

10.—(1) No shopkeeper shall be entitled by virtue of being a listed seller of Part II poisons to sell—

(*a*) any poison other than ammonia, hydrochloric acid, nitric acid, potassium quadroxalate and sulphuric acid, except in a closed container as closed by the manufacturer or other person from whom the poison was obtained;

(*b*) any poison included in Schedule 1 unless the sale is effected by himself or by a responsible deputy.

In this paragraph the expression "responsible deputy" means a person nominated as a deputy on the seller's form of application, as hereinafter prescribed, for entry as a listed seller of Part II poisons, or any person substituted, by notice in writing to the local authority, for a person so nominated, and not more than two deputies shall be nominated at the same time in respect of one set of premises.

(2) No person shall be entitled by virtue of being a listed seller of Part II poisons to sell—

(*a*) any poison included in the first column of Part A of Schedule 4 unless the article or substance sold is one of the articles or substances specified against the description of the poison in the second column of that Part, and the container of the substance is, in addition to any other direction of the Act or of these Rules with respect to labelling, labelled clearly with a notice of the special purpose for which the article or substance is intended, and a warning that it is only to be used for that purpose;

(*b*) any poison included in Part B of Schedule 4, unless the purchaser thereof is engaged in the trade or business of agriculture, horticulture or forestry and requires the poison for the purpose of that trade or business;

(*c*) cycloheximide, unless the purchaser thereof is engaged in the trade or business of forestry and requires the poison for the purpose of that trade or business.

Requirement as to colouring in certain cases

11. It shall not be lawful to sell any poison included in Schedule 14 which is intended for use as a weed killer or in the prevention or treatment of infestation by animals, plants or other living organisms unless there has been added to the

poison a dye or other substance which, in the case of a poison included in that Schedule as a poison in solution, renders it of a distinctive colour or, in the case of any other poison, renders it of a distinctive colour whether dry or wet or in solution:

Provided that this Rule shall not apply in the case of—

(*a*) poisons which are themselves of a distinctive colour, or

(*b*) articles to be exported to purchasers outside the United Kingdom.

Restriction of sales of Part I poisons to shopkeepers

12. It shall not be lawful to sell by way of wholesale dealing any poison included in Part I of the Poisons List to a person carrying on a business of shopkeeping unless the seller—

(*a*) has reasonable grounds for believing that the purchaser is a person lawfully conducting a retail pharmacy business; or

(*b*) has received a statement signed by the purchaser or by a person authorised by him on his behalf to the effect that the purchaser does not intend to sell the poison on any premises used for or in connection with his retail business.

Restriction of sale and supply of strychnine and certain other poisons

13.—(1) Except in the cases mentioned in paragraphs 1, 2, 3, 4 and 5 of Part I of Schedule 12 it shall not be lawful to sell or supply strychnine, its salts or its quaternary compounds.

(2) Except in the cases mentioned in paragraphs 1, 2, 3 and 6 of the said Part I, it shall not be lawful to sell or supply fluoroacetic acid, any salt thereof or fluoroacetamide.

(3) Except in the cases mentioned in paragraphs 1, 2, 3 and 7 of the said Part I, it shall not be lawful to sell or supply salts of thallium.

(4) Except in the cases mentioned in paragraphs 1, 2, 3 and 8 of the said Part I, it shall not be lawful to sell or supply zinc phosphide.

(5) Except in the cases mentioned in paragraphs 1, 2 and 3 of the said Part I, it shall not be lawful to sell or supply sodium arsenites or potassium arsenites.

(6) Any authority or certificate issued for the purposes of paragraph 4, 5, 6 or 7 of the said Part I shall be retained by the seller of the poison to which the authority or certificate relates.

Restriction of sale and supply of cyanides

14. Except in the case of a sale exempted by section 4 of the Act, it shall not be lawful to sell or supply calcium cyanide, potassium cyanide or sodium cyanide.

SUPPLEMENTARY PROVISIONS WITH RESPECT TO LABELLING AND CONTAINERS

Manner of labelling containers

15.—(1) Subject to the provisions of these Rules, the particulars with which the container of a poison is required to be labelled under section 3(1)(*c*) of the Act and under these Rules must appear in a conspicuous position on the container in which the poison is sold and on every box or other covering of whatever nature enclosing the container, and the particulars must be clearly and distinctly set out and not in any way obscured or obliterated.

(2) Nothing in section 3(1)(*c*) of the Act or in Rules 15 to 20 shall require the labelling of any transparent cover or any wrapper, hamper, packing case, crate or other covering used solely for the purposes of transport or delivery.

Labelling of name of poison

16.—(1) Subject as hereinafter provided, for the purposes of section 3(1)(*c*)(i) of the Act the name of a poison shall be—

(*a*) where the term under which a poison is included in the Poisons List describes the poison specifically, the said term;

(*b*) where the said term describes a group of poisons and not the poison specifically, the accepted scientific name or the name descriptive of the true nature and origin of the poison.

(2) For the purposes aforesaid it shall, in the case of a preparation containing a poison specified in the first column of Schedule 5, be sufficient, notwithstanding anything in paragraph (1), to state the name of the poison or substance mentioned in the second column of that Schedule in respect of which the proportion of the poison to the total ingredients of the preparation is in accordance with the provisions of Rule 17(2) expressed.

Labelling of particulars as to proportion of the poison

17.—(1) For the purposes of section 3(1)(*c*)(ii) of the Act (which requires preparations containing poisons to be labelled with the prescribed particulars as to the proportion of poison therein) the label of the container of any preparation containing a poison as one of its ingredients shall, subject as hereinafter provided, include a statement of the proportion which the poison bears to the total ingredients of the preparation.

(2) In the case of a preparation containing a poison specified in the first column of Schedule 5, it shall be sufficient to state on the label the particulars specified in the second column of that Schedule against the description of the poison.

(3) Where any proportion is stated as a percentage, the statement shall indicate whether the percentage is calculated on the basis of weight in weight, weight in volume, or volume in volume.

Indication of character of the poison

18.—(1) In pursuance of section 3(1)(*c*)(iii) of the Act (which requires the containers of poisons to be labelled with the word "Poison" or other prescribed indication of character), the container of any article specified in Schedule 6 shall, instead of being labelled with the word "Poison", be labelled with the words specified in that Schedule as applicable to that article.

(2) The said words specified as aforesaid or the word "Poison", as the case may be, must not be modified in meaning by the addition of any other words or marks, and—

(*a*) in the case of a poison included in Schedule 1, must either be in red lettering or be set against a red background; and

(*b*) in all cases must either be on a separate label or be surrounded by a line within which there must be no other words except words with which the container of the poison is required to be labelled under the Act or these Rules.

Special precautions in the case of certain articles

19.—(1) It shall not be lawful to sell or supply any poison, being a liquid contained in a bottle of a capacity of not more than 3 litres, unless the bottle is labelled with the words "Not to be taken".

(2) It shall not be lawful to sell or supply any compressed hydrogen cyanide unless the container is labelled with the words "Warning. This container holds poisonous gas and should only be opened and used by persons having expert knowledge of the precautions to be taken in its use".

(3) This Rule shall be in addition to the other requirements of the Act and of these Rules with respect to labelling, but shall not apply to the sale or supply of poisons to be exported to purchasers outside the United Kingdom.

Name of seller and address of premises

20.—(1) The provisions of section 3(1)(*c*)(iv) of the Act (which requires the container of a poison to be labelled with the name of the seller and the address of the premises on which it was sold) shall not apply in the case of an article sold for the purpose of being sold again in the same container.

(2) The requirements of section 3(1)(*c*)(iv) of the Act shall be deemed to be satisfied, in the case of a poison supplied from a warehouse or depot, if the container of the poison is labelled with the address of the supplier's principal place of business or, in the case of a limited company, of the registered office of the company.

(3) Where any poison is sold in a container and outer covering, being the container and covering in which it was obtained by the seller, it shall be sufficient if the name of the seller and the address of the premises on which it was sold appear only on the outer covering.

(4) Where the names of more than one person or more than one address appear on any label, there must also be words on the label indicating clearly which person is the seller and at which of the addresses the poison was sold.

Form of containers

21.—(1) It shall not be lawful to sell, whether wholesale or retail, or supply any poison unless—

(*a*) it is contained in a container impervious to the poison and sufficiently stout to prevent leakage arising from the ordinary risks of handling and transport; and

(*b*) in the case of a liquid contained in a bottle of a capacity of not more than 1·14 litres, the outer surface of the bottle is fluted vertically with ribs or grooves recognisable by touch.

(2) Sub-paragraph (*b*) of paragraph (1) shall not apply to the sale or supply of poisons to be exported to purchasers outside the United Kingdom or the sale or supply of poisons to a person or institution concerned with scientific education or research or chemical analysis, for the purposes of that education or research or analysis.

STORAGE AND TRANSPORT

Storage of poisons

22.—(1) It shall not be lawful to store any poison except in a container impervious to the poison and sufficiently stout to prevent leakage from the container arising from the ordinary risks of handling.

(2) It shall not be lawful to store any poison included in Schedule 1 in any retail shop or premises used in connection therewith unless it is stored—

(*a*) in a cupboard or drawer reserved solely for the storage of poisons; or

(*b*) in a part of the premises which is partitioned off or otherwise separated from the remainder of the premises and to which customers are not permitted to have access; or

(*c*) on a shelf reserved solely for the storage of poisons and—

(i) no food is kept directly under the shelf, and

(ii) the container of the substance is distinguishable by touch from the containers of articles and substances other than poisons stored upon the same premises:

Provided that, in the case of any such poison to be used in agriculture, horticulture or forestry, it shall not be lawful to store it on any shelf, or in any such part of the premises as aforesaid if food is kept in that part, or in any cupboard or drawer unless the cupboard or drawer is reserved solely for the storage of poisons to be used as aforesaid.

Transport of poisons

23. It shall not be lawful to consign any poison for transport unless it is sufficiently stoutly packed to avoid leakage arising from the ordinary risks of handling and transport.

Special provisions with respect to the transport of poisons specified in Schedule 7

24.—(1) It shall not be lawful to consign for transport by carrier any poison included in Schedule 7 unless the outside of the package containing the article is labelled conspicuously with the name or description of the poison as set forth in that Schedule and a notice indicating that it is to be kept separate from food and from empty containers in which food has been contained.

(2) It shall not be lawful for any person knowingly to transport any such poison as aforesaid, either on his own behalf or for another person, in any vehicle in which food is being transported, unless the food is carried in a part of the vehicle effectively separated from that containing the poison, or is otherwise adequately protected from the risk of contamination.

MISCELLANEOUS

Form of application to a local authority, fees to be paid by listed sellers of Part II poisons and form of local authority's list

25.—(1) Every application made to a local authority for the entry of a name on the list kept by the authority in pursuance of section 5(1) of the Act, being a list of persons entitled, subject to the provisions of the Act and of these Rules, to sell poisons included in Part II of the Poisons List, shall be made in the form set out in Schedule 8 and there shall be attached to the form of application a statement of the poisons included in Part II of the Poisons List, a summary of the requirements of section 3 of the Act and of these Rules so

far as they relate to the storage, sale and consignment for transport of poisons by or on behalf of persons entitled as aforesaid and a statement of the fees payable under this Rule.

(2) The following fees shall be paid to a local authority by every person whose name is entered in the list kept by that authority—

(*a*) in respect of the entry of his name in the list, a fee of £3·00;

(*b*) in respect of the making of any alteration in the list in relation to the premises on which he is entitled to sell, a fee of £0·60;

(*c*) in respect of the retention of his name on the list in any year subsequent to the year in which his name is first entered therein, a fee of £1·80:

Provided that, in the case of a person whose name is entered in or retained on the list as a person entitled to sell on more than one set of premises, the fees payable shall be increased—

(i) in the case of the entry of his name, by the sum of £3·00 for each additional set of premises on which he is entitled to sell;

(ii) in the case of the retention of his name, by the sum of £1·80 for each additional set of premises.

(3) The said list shall be kept in the form set out in Schedule 9.

Certificates of persons to whom poisons may be sold

26.—(1) A certificate given for the purposes of section 3(2)(*a*) of the Act, being a certificate certifying a person to be a person to whom a poison may properly be sold, shall be in the form, and shall contain the particulars, set out in Schedule 10.

(2) All householders are hereby authorised to give such certificates as aforesaid:

Provided that a certificate given by a householder who is not known to the seller of the poison to be a responsible person of good character shall not be a sufficient certificate for the said purposes unless it is endorsed in the manner specified in Schedule 10 by a police officer in charge of a police station.

(3) On any sale of a poison upon such a certificate as aforesaid, the certificate shall be retained by the seller.

Form of record of sales

27. The particulars of sales of poisons which are required by section 3(2)(*b*) of the Act to be entered in a book shall be entered in the form set out in Schedule 11.

Preservation of records

28. All books kept for the purposes of the Act shall be preserved for a period of two years from the date on which the last entry was made therein.

Revocations

29.—(1) The instruments specified in Schedule 15, to the extent that they have effect by virtue of section 13(3) of the Act, are hereby revoked.

(2) Notwithstanding anything in paragraph (1)—

(*a*) any authority or certificate issued for the purposes of Rule 18 of the Poisons Rules 1972(**a**) and Schedule 13 thereto and still in force shall

(a) S.I. 1972/1939.

continue in force for the same time as if these Rules had not been made and shall be deemed to have been issued for the purposes of the corresponding provision of Rule 13 of these Rules and Schedule 12 thereto;

(*b*) any book required under Rule 38 of the Poisons Rules 1972 to be preserved in accordance therewith shall be preserved in the same manner and for the same period as if these Rules had not been made.

Merlyn Rees,

One of Her Majesty's Principal Secretaries of State.

Home Office.
1st January 1978.

SCHEDULE 1 Rules 5, 6, 7, 9, 10 (1), 18 (2) and 22 (2)

Poisons included in the Poisons List to which special restrictions apply unless exempted by Rule 7

Aldicarb

Aluminium phosphide

Arsenic; its compounds, except substances containing less than the equivalent of 0·0075 per cent. of arsenic (As)

Barium, salts of (other than barium sulphate)

Bromomethane

Carbofuran

Chloropicrin

Cycloheximide

Dinitrocresols (DNOC); their compounds with a metal or a base; except winter washes containing not more than the equivalent of five per cent. of dinitrocresols

Dinosam; its compounds with a metal or a base

Dinoseb; its compounds with a metal or a base

Drazoxolon; its salts

Endosulfan

Endothal; its salts

Endrin

Fenaminosulf

Fenazaflor

Fentin, compounds of

Fluoroacetic acid; its salts; fluoroacetamide

Formetanate

Hydrogen cyanide except substances containing less than 0·15 per cent., weight in weight, of hydrogen cyanide (HCN); cyanides, other than ferrocyanides and ferricyanides, except substances containing less than the equivalent of 0·1 per cent., weight in weight, of hydrogen cyanide (HCN)

Lead, compounds of, with acids from fixed oils

Mercuric chloride except substances containing less than one per cent. of mercuric chloride; mercuric iodide except substances containing less than two per cent. of mercuric iodide; nitrates of mercury except substances containing less than the equivalent of three per cent., weight in weight, of mercury (Hg); potassio-mercuric iodides except substances containing less than the equivalent of one per cent. of mercuric iodide; organic compounds of mercury except substances, not being aerosols, containing less than the equivalent of 0·2 per cent., weight in weight, of mercury (Hg)

Methomyl

Nicotine; its salts; its quaternary compounds

Oxamyl

Paraquat, salts of

Phosphorus compounds, the following:—

Amiton
Azinphos-ethyl
Azinphos-methyl
Chlorfenvinphos
Demephion
Demeton-methyl
Demeton-O
Demeton-S

Demeton-O-methyl
Demeton-S-methyl
Demeton-S-methyl sulphone
Dichlorvos
Diethyl 4-methyl-7-coumarinyl phosphorothionate
Diethyl *p*-nitrophenyl phosphate
Dimefox
Dioxathion
Disulfoton
Ethion
Ethyl *p*-nitrophenyl phenylphosphonothionate
Fonofos
Mazidox
Mecarbam
Mephosfolan
Methidathion
Mevinphos
Mipafox
Omethoate
Oxydemeton-methyl
Parathion
Phenkapton
Phorate
Phosphamidon
Pirimiphos-ethy
Schradan
Sulfotep
TEPP (HETP)
Thiometon
Thionazin
Triazophos
Triphosphoric pentadimethylamide
Vamidothion

Strychnine; its salts; its quaternary compounds; except substances containing less than 0·2 per cent. of strychnine

Thallium, salts of

Zinc phosphide

Rule 4(2)

SCHEDULE 2

Poisons exempted from labelling provisions when sold or supplied in certain circumstances

Ammonia

Dinitrocresols (DNOC)

Formaldehyde

Formic acid

Hydrochloric acid

Hydrofluoric acid; alkali metal bifluorides; ammonium bifluoride; alkali metal fluorides; ammonium fluoride; sodium silicofluoride

Lead acetates; compounds of lead with acids from fixed oils

Mercuric chloride; mercuric iodide; organic compounds of mercury

Mercury, oxides of; nitrates of mercury

Nitric acid

Nitrobenzene

Oxalic acid; metallic oxalates

Phenols; compounds of phenol with a metal

Phosphorus, yellow
Potassium hydroxide
Sodium hydroxide
Sulphuric acid

SCHEDULE 3 Rule 8

Articles exempted from the provisions of the Act and of these Rules

GROUP I

GENERAL EXEMPTIONS

Adhesives; anti-fouling compositions; builders' materials; ceramics; distempers; electrical valves; enamels; explosives; fillers; fireworks; fluorescent lamps; glazes; glue; inks; lacquer solvents; loading materials; matches; medicated animal feeding stuffs; motor fuels and lubricants; paints other than pharmaceutical paints; photographic paper; pigments; plastics; propellants; rubber; varnishes; vascular plants and their seeds.

GROUP II

SPECIAL EXEMPTIONS

Poison	*Substance or article in which exempted*
Ammonia	Substances not being solutions of ammonia or preparations containing solutions of ammonia; substances containing less than five per cent., weight in weight, of ammonia (NH_3); refrigerators
Arsenic; its compounds	Pyrites ores or sulphuric acid containing arsenic or compounds of arsenic as natural impurities; in reagent kits or reagent devices, supplied for medical or veterinary purposes, substances containing less than 0·1 per cent., weight in weight, of arsanilic acid
Barium, salts of	Witherite other than finely ground witherite; barium carbonate bonded to charcoal for case hardening; fire extinguishers containing barium chloride; sealed smoke generators containing not more than 25 per cent., weight in weight, of barium carbonate
Bromomethane	Fire extinguishers
Carbofuran	Granular preparations
Diamines, the following; their salts:—	Substances other than preparations for the dyeing of hair
phenylene diamines; tolylene diamines; other alkylated-benzene diamines	
Drazoxolon; its salts	Dressings on seeds
Fenaminosulf	Granular preparations
Formaldehyde	Substances containing less than five per cent., weight in weight, of formaldehyde (H.CHO); photographic glazing or hardening solutions
Formic acid	Substances containing less than five per cent., weight in weight, of formic acid (H.COOH)
Hydrochloric acid	Substances containing less than nine per cent., weight in weight, of hydrochloric acid (HCl)

Hydrogen cyanide	Preparations of wild cherry; in reagent kits supplied for medical or veterinary purposes, substances containing less than the equivalent of 0·1 per cent., weight in weight, of hydrogen cyanide (HCN)
Lead acetate	Substances containing less than four per cent. of lead acetate
Mercuric chloride	Batteries
Mercuric chloride; mercuric iodide; organic compounds of mercury	Dressings on seeds or bulbs
Mercury, oxides of	Canker and wound paints (for trees) containing not more than three per cent., weight in weight, of yellow mercuric oxide
Nicotine; its salts; its quaternary compounds	Tobacco; preparations in aerosol dispensers containing not more than 0·2 per cent. of nicotine, weight in weight; other liquid preparations, and solid preparations with a soap base, containing not more than 7·5 per cent. of nicotine, weight in weight
Nitric acid	Substances containing less than nine per cent., weight in weight, of nitric acid (HNO_3)
Nitrobenzene	Substances containing less than 0·1 per cent. of nitrobenzene; soaps containing less than one per cent. of nitrobenzene; polishes
p-Nitrobenzyl cyanide	Photographic solutions containing less than the equivalent of 0·1 per cent., weight in weight, of hydrogen cyanide (HCN)
Oxalic acid; metallic oxalates ...	Laundry blue; polishes; cleaning powders or scouring products, containing the equivalent of not more than ten per cent. of oxalic acid dihydrate
Oxamyl	Granular preparations
Paraquat, salts of	Preparations in pellet form containing not more than five per cent. of salts of paraquat calculated as paraquat ion
Phenols	Butylated hydroxytoluene; carvacrol; creosote obtained from coal tar; essential oils in which phenols occur naturally; liquid disinfectants or antiseptics not containing phenol and containing less than 2·5 per cent. of other phenols; motor fuel treatments not containing phenol and containing less than 2·5 per cent. of other phenols; in reagent kits supplied for medical or veterinary purposes; soaps for washing; solid substances containing less than sixty per cent. of phenols; tar (coal or wood), crude or refined; in tar oil distillation fractions containing not more than five per cent. of phenols; *tert*-butylcresol; *p-tert*-butylphenol; *p-tert*-pentylphenol; *p*-(1,1,3,3-tetramethylbutyl)phenol; thymol

Phenylmercuric salts	Toilet and cosmetic preparations containing not more than 0·01 per cent. of phenylmercuric salts as a preservative; antiseptic dressings on toothbrushes; in textiles containing not more than 0·01 per cent. of phenylmercuric salts as a bacteriostat and fungicide
Phosphoric acid	Substances containing phosphoric acid, not being descaling preparations containing more than fifty per cent., weight in weight, of ortho-phosphoric acid
Phosphorus compounds, the following:—	
Chlorfenvinphos	Granular preparations
Dichlorvos	Preparations in aerosol dispensers containing not more than one per cent., weight in weight, of dichlorvos; materials impregnated with dichlorvos for slow release; granular preparations
Disulfoton	Granular preparations
Fonofos	
Oxydemeton-methyl	Aerosol dispensers containing not more than 0·25 per cent., weight in weight, of oxydemeton-methyl
Parathion	Granular preparations
Phorate	
Thionazin	
Triazophos	
Potassium hydroxide	Substances containing the equivalent of less than seventeen per cent. of total caustic alkalinity expressed as potassium hydroxide; accumulators; batteries
Sodium fluoride	Substances containing less than three per cent. of sodium fluoride as a preservative
Sodium hydroxide	Substances containing the equivalent of less than twelve per cent. of total caustic alkalinity expressed as sodium hydroxide
Sodium nitrite	Substances other than preparations containing more than 0·1 per cent. of sodium nitrite for the destruction of rats or mice
Sodium silicofluoride	Substances containing less than three per cent. of sodium silicofluoride as a preservative
Sulphuric acid	Substances containing less than nine per cent., weight in weight, of sulphuric acid (H_2SO_4); accumulators; batteries and sealed containers in which sulphuric acid is packed together with car batteries for use in those batteries; fire extinguishers

In Group II in this Schedule the expression "granular preparation" in relation to a poison means a preparation—

(*a*) which consists of absorbent mineral or synthetic solid particles impregnated with the poison, the size of the particles being such that not more than four per cent., weight in weight, of the preparation is capable of passing a sieve with a mesh of 250 microns, and not more than one per cent., weight in weight, a sieve with a mesh of 150 microns;

(*b*) which has an apparent density of not less than 0·4 grams per millilitre if compacted without pressure; and

(*c*) not more than 12 per cent. of which, weight in weight, consists of one or more poisons in respect of which an exemption is conferred by this Schedule in relation to granular preparations.

Rule 10(2)

SCHEDULE 4

PART A

Form to which the poisons specified are restricted when sold by listed sellers of Part II poisons

Poison	*Form to which sale is restricted*
Aldicarb	Preparations for use in agriculture, horticulture or forestry
Alpha-chloralose	Preparations intended for indoor use in the destruction of rats or mice and containing not more than four per cent., weight in weight, of alpha-chloralose; preparations intended for indoor use in the destruction of rats or mice and containing not more than 8·5 per cent., weight in weight, of alpha-chloralose, where the preparation is contained in a bag or sachet which is itself attached to the inside of a device in which the preparation is intended to be so used and the device contains not more than 3 grams of the preparation
Arsenic, compounds of—	
Calcium arsenites	Agricultural, horticultural and forestal insecticides or fungicides
Copper acetoarsenite	Agricultural, horticultural and forestal insecticides or fungicides
Copper arsenates	Agricultural, horticultural and forestal insecticides or fungicides
Copper arsenites	Agricultural, horticultural and forestal insecticides or fungicides
Lead arsenates	Agricultural, horticultural and forestal insecticides or fungicides
Barium carbonate	Preparations for the destruction of rats or mice
Carbofuran	Preparations for use in agriculture, horticulture or forestry
Cycloheximide	Preparations for use in forestry
Dinitrocresols (DNOC); their compounds with a metal or a base ...	Preparations for use in agriculture, horticulture or forestry
Dinosam; its compounds with a metal or a base	Preparations for use in agriculture, horticulture or forestry
Dinoseb; its compounds with a metal or a base	Preparations for use in agriculture, horticulture or forestry
Drazoxolon; its salts	Preparations for use in agriculture, horticulture or forestry
Endosulfan	Preparations for use in agriculture, horticulture or forestry
Endothal; its salts	Preparations for use in agriculture, horticulture or forestry
Endrin	Preparations for use in agriculture, horticulture or forestry
Fenaminosulf	Preparations for use in agriculture, horticulture or forestry

Fenazaflor	Preparations for use in agriculture, horticulture or forestry
Fentin, compounds of	Preparations for use in agriculture, horticulture or forestry
Formetanate	Preparations for use in agriculture, horticulture or forestry
Mercuric chloride	Agricultural, horticultural and forestal fungicides, seed and bulb dressings, insecticides
Mercuric iodide	Agricultural, horticultural and forestal fungicides, seed and bulb dressings
Mercury, organic compounds of ...	Agricultural, horticultural and forestal fungicides, seed and bulb dressings, solutions containing not more than five per cent., weight in volume, of phenyl mercuric acetate for use in swimming baths
Metallic oxalates other than potassium quadroxalate	Photographic solutions or materials
Methomyl	Preparations for use in agriculture, horticulture or forestry
Nitrobenzene	Agricultural, horticultural and forestal insecticides
Oxamyl	Preparations for use in agriculture, horticulture or forestry
Paraquat, salts of	Preparations for use in agriculture, horticulture or forestry
Phosphorus compounds, the following:— Amiton Azinphos-ethyl Azinphos-methyl Chlorfenvinphos Demephion Demeton-methyl Demeton-O Demeton-S Demeton-O-methyl Demeton-S-methyl Demeton-S-methyl sulphone Dichlorvos Diethyl 4-methyl-7-coumarinyl phosphorothionate Diethyl *p*-nitrophenyl phosphate Dimefox Dioxathion Disulfoton Ethion Ethyl *p*-nitrophenyl phenylphosphonothionate Fonofos Mazidox Mecarbam Mephosfolan Methidathion Mevinphos Mipafox Omethoate Oxydemeton-methyl Parathion Phenkapton Phorate	Preparations for use in agriculture, horticulture or forestry

Phosphamidon
Pirimiphos-ethyl
Schradan
Sulfotep
TEPP (HETP)
Thiometon
Thionazin
Triazophos
Triphosphoric pentadimethyl-amide
Vamidothion

Zinc phosphide ... ... Preparations for the destruction of rats or mice

PART B

Poisons which may be sold by listed sellers of Part II poisons only to persons engaged in the trade or business of agriculture, horticulture or forestry and for the purpose of that trade or business

Aldicarb

Arsenic, compounds of—

Calcium arsenites
Copper arsenates
Copper arsenites

Carbofuran

Dinitrocresols (DNOC); their compounds with a metal or a base; except winter washes containing not more than the equivalent of five per cent. of dinitrocresols

Dinosam; its compounds with a metal or a base

Dinoseb; its compounds with a metal or a base

Drazoxolon; its salts

Fenaminosulf

Fenazaflor

Fentin, compounds of

Formetanate

Mercuric chloride; mercuric iodide; organic compounds of mercury, except solutions containing not more than five per cent., weight in volume, of phenyl mercuric acetate for use in swimming baths

Methomyl

Oxamyl

Paraquat, salts of

Phosphorus compounds, the following:—

Amiton
Azinphos-ethyl
Azinphos-methyl
Chlorfenvinphos
Demephion
Demeton-methyl
Demeton-O
Demeton-S
Demeton-O-methyl
Demeton-S-methyl
Demeton-S-methyl sulphone
Dichlorvos
Diethyl 4-methyl-7-coumarinyl phosphorothionate
Diethyl *p*-nitrophenyl phosphate
Dimefox
Dioxathion
Disulfoton

Ethion
Ethyl *p*-nitrophenyl phenylphosphonothionate
Fonofos
Mazidox
Mecarbam
Mephosfolan
Methidathion
Mevinphos
Mipafox, except in the form of a cap on a stick or wire
Omethoate
Oxydemeton-methyl
Parathion
Phenkapton
Phorate
Phosphamidon
Pirimiphos-ethyl
Schradan
Sulfotep
Thiometon
Thionazin
Triazophos
Triphosphoric pentadimethylamide
Vamidothion

SCHEDULE 5 Rules 16(2) and 17(2)

Statement of particulars permitted in certain cases as to proportion of poison

Name of poison	*Particulars*
Arsenic, compounds of	The proportion of arsenic trioxide (As_2O_3) or arsenic pentoxide (As_2O_5) that the preparation would be calculated to contain on the assumption that the arsenic (As) in the poison had been wholly converted into arsenic trioxide or arsenic pentoxide as the case may be
Barium, salts of	The proportion of one particular barium salt which the preparation would be calculated to contain on the assumption that the barium (Ba) in the poison had been wholly converted into that salt
Hydrogen cyanide; cyanides, other than ferrocyanides and ferricyanides	The proportion of hydrogen cyanide (HCN) that the preparation would be calculated to contain on the assumption that the cyanides in the poison had been wholly converted into hydrogen cyanide
Lead, compounds of, with acids from fixed oils	The proportion of lead oxide (PbO) that the preparation would be calculated to contain on the assumption that the lead in the poison had been wholly converted into lead oxide
Mercury, organic compounds of ...	The proportion of organically-combined mercury (Hg) contained in the preparation
Phenols	The proportion of phenols (added together) contained in the preparation
Compounds of a phenol with a metal	The proportion of phenols (added together) that the preparation would be calculated to contain on the assumption that the compounds of phenols with a metal had been wholly converted into the corresponding phenols

Potassium hydroxide	... ...	The proportion of potassium monoxide (K_2O) which the preparation would be calculated to contain on the assumption that the potassium hydroxide in the preparation had been wholly converted into potassium monoxide
Sodium hydroxide	... ...	The proportion of sodium monoxide (Na_2O) which the preparation would be calculated to contain on the assumption that the sodium hydroxide in the preparation had been wholly converted into sodium monoxide

Rule 18(1) SCHEDULE 6

Indication of character of article prescribed for the purposes of section 3(1)(*c*)(iii) *of the Act*

1. To be labelled with the words "Caution. This preparation may cause serious inflammation of the skin in certain persons and should be used only in accordance with expert advice.":—

Preparations for the dyeing of hair containing phenylene diamines, tolylene diamines or other alkylated-benzene diamines or their salts

2. To be labelled with the words "Caution. This substance is caustic.":—

Potassium hydroxide, sodium hydroxide, and articles containing either of those substances

3. To be labelled with the words "Caution. This substance is poisonous. The inhalation of its vapour, mist, spray or dust may have harmful consequences. It may also be dangerous to let it come into contact with the skin or clothing.":—

Aldicarb

Carbofuran

Cycloheximide

Dinitrocresols (DNOC); their compounds with a metal or a base; except winter washes containing not more than the equivalent of five per cent. of dinitrocresols

Dinosam, its compounds with a metal or a base

Dinoseb, its compounds with a metal or a base

Drazoxolon; its salts

Endosulfan

Endothal; its salts

Endrin

Fenaminosulf

Fenazaflor

Fentin, compounds of

Fluoroacetamide

Formetanate

Methomyl

Organic compounds of mercury in aerosols

Oxamyl

Phosphorus compounds, the following:—

Amiton
Azinphos-ethyl
Azinphos-methyl
Chlorfenvinphos
Demephion

Demeton-methyl
Demeton-O
Demeton-S
Demeton-O-methyl
Demeton-S-methyl
Demeton-S-methyl sulphone
Dichlorvos
Diethyl 4-methyl-7-coumarinyl phosphorothionate
Diethyl *p*-nitrophenyl phosphate
Dimefox
Dioxathion
Disulfoton
Ethion
Ethyl *p*-nitrophenyl phenylphosphonothionate
Fonofos
Mazidox
Mecarbam
Mephosfolan
Methidathion
Mevinphos
Mipafox
Omethoate
Oxydemeton-methyl
Parathion
Phenkapton
Phorate
Phosphamidon
Pirimiphos-ethyl
Schradan
Sulfotep
TEPP (HETP)
Thiometon
Thionazin
Triazophos
Triphosphoric pentadimethylamide
Vamidothion

4. To be labelled with the words "Caution. This substance is poisonous. Inhalation of the powder is dangerous. It is also dangerous to let the substance come into contact with the skin or clothing.":—

Fluoroacetic acid; its salts

5. To be labelled with the words "Caution. Do not inhale vapour or allow contact with skin, eyes or clothing.":—

Bromomethane
Chloropicrin

6. To be labelled with the words "Caution. This preparation is poisonous and gives off a poisonous vapour on exposure to air. Do not swallow, inhale the vapour or allow contact with the skin.":—

Preparations containing aluminium phosphide

SCHEDULE 7

Rule 24

Poisons required to be specially labelled for transport

Aldicarb

Aluminium phosphide

Arsenic; its compounds

Barium, salts of (other than barium sulphate)

Bromomethane

Carbofuran

Chloropicrin

Cycloheximide

Dinitrocresols (DNOC) and their compounds with a metal or a base, when contained in preparations for use in agriculture, horticulture or forestry, except winter washes containing not more than the equivalent of five per cent. of dinitrocresols

Dinosam, its compounds with a metal or a base, when contained in preparations for use in agriculture, horticulture or forestry

Dinoseb, its compounds with a metal or a base, when contained in preparations for use in agriculture, horticulture or forestry

Drazoxolon; its salts

Endosulfan

Endothal; its salts

Endrin

Fenaminosulf

Fenazaflor

Fentin, compounds of

Fluoroacetic acid; its salts; fluoroacetamide

Formetanate

Hydrogen cyanide; cyanides, other than ferrocyanides and ferricyanides, except preparations containing less than the equivalent of 0·1 per cent., weight in weight , of hydrogen cyanide (HCN)

Methomyl

Nicotine; its salts; its quaternary compounds; except in solid preparations containing less than four per cent. of nicotine

Oxamyl

Phosphorus compounds, the following:—

- Amiton
- Azinphos-ethyl
- Azinphos-methyl
- Chlorfenvinphos
- Demephion
- Demeton-methyl
- Demeton-O
- Demeton-S
- Demeton-O-methyl
- Demeton-S-methyl
- Demeton-S-methyl sulphone
- Dichlorvos
- Diethyl 4-methyl-7-coumarinyl phosphorothionate
- Diethyl *p*-nitrophenyl phosphate
- Dimefox
- Dioxathion
- Disulfoton
- Ethion
- Ethyl *p*-nitrophenyl phenylphosphonothionate
- Fonofos
- Mazidox
- Mecarbam
- Mephosfolan
- Methidathion
- Mevinphos
- Mipafox
- Omethoate
- Oxydemeton-methyl

Parathion
Phenkapton
Phorate
Phosphamidon
Pirimiphos-ethyl
Schradan
Sulfotep
TEPP (HETP)
Thiometon
Thionazin
Triazophos
Triphosphoric pentadimethylamide
Vamidothion

Strychnine; its salts; its quaternary compounds

Thallium, salts of

SCHEDULE 8

Rule 25(1)

Form of application for entry in the list kept by a local authority under section 5 of the Act

POISONS ACT 1972

(1972 c. 66)

Form of application by a person to have his name entered in a local authority's list of persons entitled to sell non-medicinal poisons included in Part II of the Poisons List

To the Chief Executive of.....

I, ...

being engaged in the business of.....

hereby apply to have my name entered in the list kept in pursuance of section 5 of the above Act in respect of the following premises, namely, ...

.....

.....

.....

.....

as a person entitled to sell from those premises non-medicinal poisons included in Part II of the Poisons List.

I hereby nominate.....

.....

to act as my deputy (deputies) for the sale of non-medicinal poisons in accordance with Rule 10(1) of the Poisons Rules 1978.

Signature of applicant.....

Date.....

This space is for the use of the local authority.

.....

.....

.....

.....

.....

Rule 25(3) SCHEDULE 9

Form of the list to be kept by a local authority in pursuance of section 5(1) *of the Act*

POISONS ACT 1972
(1972 c. 66)

List of persons entitled to sell non-medicinal poisons in Part II of the Poisons List

Full name	Address of premises	Description of business carried on at the premises	Name of deputy (or deputies) permitted to sell

Rule 26 SCHEDULE 10

Certificate for the purchase of a non-medicinal poison

For the purposes of section 3(2)(*a*)(i) of the Poisons Act 1972 I, the undersigned, a householder occupying (*a*).....
hereby certify from my knowledge of (*b*)..... of (*a*).....
that he is a person to whom (*c*)..... may properly be supplied.
I further certify that (*d*)..... is the signature of the said (*b*).....

.....
Signature of householder giving certificate.

Date .....

(*a*) Insert full postal address.
(*b*) Insert full name of intending purchaser.
(*c*) Insert name of poison.
(*d*) Intending purchaser to sign his name here.

Endorsement required by Rule 26 *of the Poisons Rules* 1978 *to be made by a police officer in charge of a police station when, but only when, the householder giving the certificate is not known to the seller of the poison to be a responsible person of good character.*

I hereby certify that in so far as is known to the police of the district in which *..... resides he is a responsible person of good character.

Signature of Police Officer.....
Rank.....
In charge of Police Station at.....
Date .....

Office Stamp of Police Station.

*Insert full name of householder giving the certificate.

SCHEDULE 11

Rule 27

Form of entry to be made in the book to be kept by sellers of poisons in accordance with section 3(2)(*b*) *of the Act*

Date of Sale	Name and quantity of poison supplied	Purchaser's			Purpose for which stated to be required	Date of certificate (if any)	Name and address of person giving certificate (if any)	Signature of purchaser or, where a signed order is permitted by the Poisons Rules 1978, the date of the signed order
		Name	Address	Business, trade or occupation				

Rule 13

SCHEDULE 12

Restriction of sale and supply of strychnine and certain other poisons

PART I

Cases of sale or supply to which provisions of Rule 13 do not apply

1. The provisions of Rule 13 shall not apply in the case of the sale of a substance to be exported to purchasers outside the United Kingdom.

2. The provisions of Rule 13 shall not apply in the case of the sale of a substance to a person or institution concerned with scientific education or research or chemical analysis, for the purposes of that education or research or analysis.

3. The provisions of Rule 13 shall not apply in the case of the sale of a substance by way of wholesale dealing.

4. The following provision of Rule 13, namely, paragraph (1) (strychnine, etc.), shall not apply in the case of the sale of a substance to a person producing a written authority in the form set out in Part II of this Schedule issued, in England or Wales, by a person duly authorised by the Minister of Agriculture, Fisheries and Food, or, in Scotland, by a person duly authorised by the Secretary of State, authorising the purchase of the substance for the purpose of killing moles; so, however, that the authority in question has been issued within the preceding three months and the quantity sold does not exceed the quantity, not being more than 100 grams, specified therein.

5. The following provision of Rule 13, namely, paragraph (1) (strychnine, etc.), shall not apply in the case of the sale of a substance to—

(*a*) an officer of the Ministry of Agriculture, Fisheries and Food who produces a written authority in the form set out in Part III of this Schedule issued by a person duly authorised by the Minister of Agriculture, Fisheries and Food; or

(*b*) an officer of the Department of Agriculture and Fisheries for Scotland who produces a written authority in the form set out in Part III of this Schedule issued by a person duly authorised by the Secretary of State,

authorising the purchase by that officer of the substance for the purpose of killing foxes (other than foxes held in captivity) in an infected area within the meaning of the Rabies (Control) Order 1974(**a**); so, however, that the authority in question has been issued within the preceding four weeks and the quantity sold does not exceed the quantity specified therein.

6.—(1) The following provision of Rule 13, namely, paragraph (2) (fluoroacetic acid, etc.), shall not apply in the case of the sale of a substance—

(*a*) to a person producing a certificate in form "A" of the forms set out in Part IV of this Schedule issued by the proper officer of a local authority or port health authority certifying that the substance is required for use as a rodenticide by employees of that local authority or port health authority being such use—

(i) in ships or sewers in such places as are identified in the certificate; or

(ii) in such drains as are identified in the certificate, being drains which are situated in restricted areas and wholly enclosed and to which all means of access are, when not in actual use, kept closed; or

(iii) in such warehouses as are identified in the certificate, being warehouses which are situated in restricted dock areas and to which all means of access are, when not in actual use, kept securely locked or barred, or

(*b*) to a person producing a certificate in form "B" of the said forms issued by the proper officer of a local authority or port health authority certifying that the substance is required for use as a rodenticide by such person or by the employees of such body of persons, carrying on a business of pest control, as is named in the certificate, being such use as is mentioned in sub-paragraph (1)(*a*)(i) or (ii) of this paragraph, or

(a) S.I. 1974/2212.

(*c*) to a person producing a certificate in form "B" of the said forms issued, in England or Wales, by a person duly authorised by the Minister of Agriculture, Fisheries and Food or, in Scotland, by a person duly authorised by the Secretary of State certifying that the substance is required for use as a rodenticide by officers of the Ministry of Agriculture, Fisheries and Food or of the Department of Agriculture and Fisheries for Scotland, being such use as is mentioned in sub-paragraph (1)(*a*)(i) or (ii) of this paragraph;

so, however, that the certificate in question has been issued within the preceding three months and the quantity sold does not exceed the quantity specified therein.

(2) In this paragraph the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"dock area" means an area in the vicinity of a dock as defined in section 57(1) of the Harbours Act 1964(**a**);

"drain" and "sewer" have the meanings respectively assigned to them by section 343(1) of the Public Health Act 1936(**b**);

"local authority" in Greater London means the Common Council of the City of London or the council of a London borough, elsewhere in England or Wales means the council of a county or a district and, in Scotland, means an islands or district council;

"port health authority" means, in England or Wales, the port health authority of the Port of London or a port health authority for the purposes of the Public Health Act 1936 and, in Scotland, a port health authority as constituted in terms of section 172 of the Public Health (Scotland) Act 1897(**c**);

"restricted", in relation to any area, means controlled in such manner that access to the area by unauthorised persons is in normal circumstances prevented.

7.—(1) The following provision of Rule 13, namely, paragraph (3) (salts of thallium), shall not apply in the case of the sale of a substance—

(*a*) to a local authority or a port health authority for the purpose of the exercise of its statutory powers, or

(*b*) to a government department or an officer of the Crown, for the purposes of the public service, or

(*c*) to a person producing a written authority in the form set out in Part V of this Schedule issued, in England or Wales, by a person duly authorised by the Minister of Agriculture, Fisheries and Food, or, in Scotland, by a person duly authorised by the Secretary of State, authorising the purchase of salts of thallium for use by him or by the employees of such body of persons as is named in the authority for the purpose of killing rats, mice or moles in the course of a business of pest control; so, however, that the authority in question has been issued within the preceding twelve months, or

(*d*) other than thallium sulphate, to a person, or body of persons, carrying on a business in the course of which salts of thallium are regularly used in the manufacture of other articles, for the purposes of that business, or

(*e*) other than thallium sulphate, as an ingredient in any article, not being an article intended for internal consumption by any person or animal.

(2) In this paragraph the expressions "local authority" and "port health authority" have the meanings assigned to them by paragraph 6(2) of this Part of this Schedule.

8.—(1) The following provision of Rule 13, namely, paragraph (4) (zinc phosphide) shall not apply in the case of the sale of a substance—

(*a*) to a local authority for the purpose of the exercise of its statutory powers, or

(*b*) to a government department or an officer of the Crown, for the purposes of the public service, or

(*c*) to a person, or body of persons, carrying on a trade or business, for the purposes of that trade or business.

(**a**) 1964 c. 40. (**b**) 1936 c. 49. (**c**) 1897c. 38.

(2) In this paragraph the expression "local authority" has the meaning assigned to it by paragraph 6(2) of this Part of the Schedule.

PART II

Form of authority for the purchase of strychnine or a salt or quaternary compound thereof for killing moles

For the purposes of Rule 13(1) of the Poisons Rules 1978 and of paragraph 4 of Part I of Schedule 12 thereto I hereby authorise.....
.....to purchase within three months from the date hereof
.....of.....for the purpose of killing moles.

.....
A person authorised by [the Minister of Agriculture, Fisheries and Food] [the Secretary of State for Scotland]

Date.....

PART III

Form of authority for the purchase of strychnine or a salt or quaternary compound thereof for killing foxes

For the purposes of Rule 13(1) of the Poisons Rules 1978 and of paragraph 5 of Part I of Schedule 13 thereto I hereby authorise.....
(an officer of [the Ministry of Agriculture, Fisheries and Food] [the Department of Agriculture and Fisheries for Scotland]) to purchase within four weeks of the date hereof.....of..... for the purpose of killing foxes (other than foxes held in captivity) in the following infected area (within the meaning of the Rabies (Control) Order 1974), namely the infected area in.....
.....(*locality*).

.....
A person authorised by [the Minister of Agriculture, Fisheries and Food] [the Secretary of State for Scotland]

Date.....

PART IV

Forms of certificate authorising the purchase of fluoroacetic acid, a salt thereof or fluoroacetamide as a rodenticide

FORM A

Certificate authorising the purchase of fluoroacetic acid, a salt thereof or fluoroacetamide as a rodenticide for use by employees of a local authority or a port health authority (in Scotland, a port local authority)

For the purposes of Rule 13(2) of the Poisons Rules 1978 and of paragraph 6 of Part I of Schedule 12 thereto, I hereby certify that.....
of.....is required for use by employees
of.....as a rodenticide in [ships] [sewers]
situated at.....
[the following warehouses] viz.....
situated in the restricted dock area at.....
being warehouses to which all means of access are, when not in actual use, kept securely locked or barred
[the following drains] viz.....
situated in the restricted area at.....
being drains which are wholly enclosed and to which all means of access are, when not in actual use, kept closed.

.....
The officer appointed for this purpose by

Date..... .....

FORM B

Certificate authorising the purchase of fluoroacetic acid, a salt thereof or fluoroacetamide as a rodenticide for use by a person, or the employees of a body of persons, carrying on a business of pest control or for use by officers of the Ministry of Agriculture, Fisheries and Food or of the Department of Agriculture and Fisheries for Scotland

For the purposes of Rule 13(2) of the Poisons Rules 1978 and of paragraph 6 of Part I of Schedule 12 thereto, I hereby certify that.....
of.....is required for use by [.....
.....] [employees of.....]
[officers of the Ministry of Agriculture, Fisheries and Food/Department of Agriculture and Fisheries for Scotland] as a rodenticide in—

[ships] [sewers] situated at.....
[the following drains] viz.....
situated in the restricted areas at.....
being drains which are wholly enclosed and to which all means of access are, when not in actual use, kept closed.

.....
[The officer appointed for this purpose by .....]
[A person authorised by the Minister of Agriculture, Fisheries and Food]
[A person authorised by the Secretary of State for Scotland]

Date.....

PART V

Form of authority for the purchase of salts of thallium for killing rats, mice or moles

For the purposes of Rule 13(3) of the Poisons Rules 1978 and of paragraph 7 of Part I of Schedule 12 thereto I hereby authorise.....
.....to purchase salts of thallium within twelve months from the date hereof for the purpose of killing rats, mice or moles.

.....
A person authorised by [the Minister of Agriculture, Fisheries and Food] [the Secretary of State for Scotland]

Date.....

SCHEDULE 13 Rule 5

Substances in which the poisons specified are exempted by Rule 5 from section 3(2) of the Act

Poisons	*Substances in which exempted*
Nicotine; its salts; its quaternary compounds	Agricultural and horticultural insecticides consisting of nicotine dusts containing not more than four per cent., weight in weight, of nicotine.

SCHEDULE 14 Rule 11

Poisons required to be coloured in certain cases

Aldicarb
Arsenic; its compounds
Drazoxolon; its salts
Fentin, compounds of
Fluoroacetic acid; its salts; fluoroacetamide
Formetanate
Methomyl

Phosphorus compounds, the following:—
Azinphos-ethyl
Azinphos-methyl
Chlorfenvinphos
Demeton-methyl
Demeton-S-methyl sulphone
Dichlorvos
Dioxathion
Disulfoton in solution
Ethion
Mecarbam
Methidathion
Mevinphos
Omethoate
Oxydemeton-methyl
Phenkapton
Phorate in solution
Phosphamidon
Pirimiphos-ethyl
Thiometon
Thionazin
Vamidothion

Rule 29(1)

SCHEDULE 15

Instruments revoked

Number	Title
S.I. 1972/1939	The Poisons Rules 1972
S.I. 1974/81	The Poisons (Amendment) Rules 1974
S.I. 1974/1557	The Poisons (Amendment) (No. 2) Rules 1974
S.I. 1975/1073	The Poisons (Amendment) Rules 1975
S.I. 1976/978	The Poisons (Amendment) Rules 1976
S.I. 1977/1519	The Poisons (Amendment) Rules 1977

EXPLANATORY NOTE

(*This Note is not part of the Rules.*)

These Rules are made under the Poisons Act 1972 and replace the Poisons Rules 1972. Unlike the 1972 Rules, they will have effect only in relation to non-medicinal poisons. The Rules will take effect immediately after the coming into force of the Poisons Act 1972, which is itself dependent upon the coming into force of certain provisions of the Medicines Act 1968.

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