

## Poisons to Which Part II of the Poisons List Applies

The following poisons are listed in Part II of the Poisons List:

Aldicarb; alpha-chloralose; ammonia; the following arsenic compounds- calcium arsenites, copper acetoarsenite, copper arsenates, copper arsenites, lead arsenates; the following salts of barium- barium carbonate, barium silicofluoride; carbofuran; cycloheximide; dinitrocresols (DNOC), their compounds with a metal or a base; dinoseb, its compounds with a metal or a base; dinoterb; drazoxolon and its salts; endosulfan; endothal and its salts; endrin; compounds of fentin; formaldehyde; formic acid; hydrochloric acid; hydrofluoric acid, alkali metal bifluorides, ammonium bifluoride, alkali metal fluorides, ammonium fluoride, sodium silicofluoride; mercuric chloride, mercuric iodide, organic compounds of mercury except compounds which contain a methyl (CH<sub>3</sub>) group directly linked to the mercury atom; metallic oxalates; methomyl; nicotine and its salts and quaternary compounds; nitric acid; nitrobenzene; oxamyl; paraquat and its salts; phenols (as defined in part I of the poisons list) in substances containing less than 60% weight in weight, of phenols and compound of phenols with a metal in substances containing less than the equivalent of 60% weight in weight, of phenols; phosphoric acid; the following phosphorus compounds- azinphos-methyl, chlorfenvinphos, demphion, demeton-S-methyl sulphone, dialifos, dichlorvos, dioxathion, disulfoton, fonofos, mecarbam, mephosfolan, methidathion, mevinphos, omethoate, oxydemeton-methyl, parathion, phenkapton, phorate, phosphamidon, pirimiphos-ethyl, quinalphos, thiometon, thionazin, triazophos, vamidothion; potassium hydroxide; sodium hydroxide; sodium nitrite; sulphuric acid; thiofanox; zinc phosphide.

## Requirements Relating to the Sale of Part II Poisons

The poisons may only be sold from premises named on the Council's list.

The container of the poison must be labelled with:

- i) the name of the poison, and
- ii) in the case of a preparation which contains a poison as one of its ingredients, with particulars as to the proportion of the poison to the total ingredients, and
- iii) with the word 'poison' or other prescribed indication of the character of the article, and
- iv) with the name of the seller and the address of the premises on which it is sold.

No liquid poison may be sold in a bottle with a capacity of less than 1.14 litres unless the outer surface of the bottle is fluted vertically with ribs or grooves recognisable by touch.

In the case of aldicarb, any arsenical or mercurial substance (unless it contains no more than the small proportions of arsenic or mercury specified

in Schedule 1 to the rules), and in the case of barium carbonate (except in the case of articles prepared for the destruction of rats or mice) and barium silicofluoride, carbofuran, cycloheximide, dinitrocresols (except winter washes containing not more than 5% thereof), dinoseb, drazoxolon, endosulfan, endothal, endrin, compounds of fentin, methomyl, nicotine (except agricultural and horticultural insecticides consisting of nicotine dusts containing not more than 4% of nicotine), oxamyl, paraquat, the phosphorus compounds, and in the case of zinc phosphide, (except in the case of articles prepared for the destruction of mice and rats) the purchaser must either (a) be known to the seller, or to the person in charge of the premises on which the substance is sold or of the department in which the sale is made, to be a person to whom the poison may properly be sold, or (b) produce a valid certificate in the form prescribed in Schedule 10 to the Rules. In addition, in the case of such poisons, the required particulars of the sale must be entered, before delivery, in the poisons book to be kept in the form prescribed in Schedule 11 to the Rules and (subject to the exception next mentioned) the entry must be signed by the purchaser. In the case of a sale to a person for the purpose of his trade or business (farmer, horticulturist etc.), the signature of the entry in the poisons book may be dispensed with upon certain conditions, one of which is that an order signed by the purchaser has previously been obtained.

Aldicarb, alpha-chloralose arsenical and mercurial substances, barium carbonate, carbofuran, cycloheximide, dinitrocresols, dinoseb, drazoxolon, endosulfan, endothal, endrin, compounds of fentin, metallic oxalates other than potassium quadroxolate, methomyl, nitrobenzene, oxamyl, paraquat, the phosphorus compounds and zinc phosphide may be sold only in particular types of preparation as specified in Part A of Schedule 4 to the Rules (e.g. calcium arsenates in agricultural, horticultural and forestal insecticides or fungicides), and in containers labelled clearly with a notice of the special purpose for which they are to be used and with a warning that they are to be used for that purpose only.

The following poisons may be sold only to persons engaged in the trade and business of agriculture, horticulture or forestry, and for the purpose of that trade or business:- aldicarb, compounds of arsenic (other than lead arsenates and copper acetoarsenite), carbofuran, dinitrocresols, (other than winter washes containing not more than the equivalent of 5% dinitrocresols), dinoseb, drazoxolon, compounds of fentin, any mercuric chloride, mercuric iodide or any organic compound of mercury (other than solutions containing not more than 5%, weight in volume, of phenol mercuric acetate for use in swimming baths), methomyl, oxamyl, paraquat, the phosphorus compounds (other than mipofox in the form of a cap on a stick or wire). Cycloheximide may only be sold to persons engaged in the trade or business of forestry and who require it for the purpose of that trade or business.

Any poison consigned for transport must be sufficiently stoutly packed to avoid leakage arising from the ordinary risks of handling and transport. In the case of the following poisons, the outside of the package must also be labelled conspicuously with the name of the poison and a notice that it is to be kept separate from food and empty food containers:-

aldicarb, compounds of arsenic, salts of barium, carbofuran, cycloheximide, drazoxolon, endosulfan, endothal, endrin, compounds of fentin, methomyl, nicotine (except in solid preparations containing less than 4% of nicotine), oxamyl, any of the phosphorus compounds and also (when contained in preparations for use in agriculture, horticulture or forestry), dinoseb and dinitrocresols (other than winter washes containing not more than the equivalent of 5% of dinitrocresols). These poisons may not be carried in any vehicle in which food is being transported unless the food is in a part effectively separated from that carrying the poison or is otherwise adequately protected from the risk of contamination.

No poison other than ammonia, hydrochloric acid, (spirit of salt), nitric acid, and sulphuric acid, may be sold by a listed shop keeper except in closed containers as closed by the manufacturer or other person from whom the poison was obtained.

Aldicarb, arsenical or mercurial substances (unless they contain no more than the small proportions of arsenic or mercury specified in Schedule 1 to the Rules), barium carbonate, (unless contained in an article prepared for the destruction of rats and mice), barium silicoflouride, carbofuran, cycloheximide, dinitrocresols (other than winter washes containing not more than the equivalent of 5% of dinitrocresols), dinoseb, drazoxolon, endosulfan, endothal, endrin, compounds of fentin, methomyl, nicotine, oxamyl, paraquat, the phosphorus compounds and zinc phosphide (unless contained in an article prepared for the destruction of rats or mice) may be sold except the listed shop keeper in person or by responsible deputy nominated to the Council. These poisons must be stored either in a cupboard or drawer reserved solely for poisons or in a part of the premises which is partitioned off or otherwise separate from the rest of the premises and to which customers are not allowed to have access, or upon a shelf reserved solely for poisons, provided that no food is kept under the shelf and the container of the poison is distinguishable by touch from that of non-poisonous substances stored nearby; but if contained in substances for use in agriculture, horticulture or forestry, they must be stored in a cupboard or drawer reserved solely for poisons intended for such use or in a separate part of the premises where no food is kept.

## Offences and Penalties

If a person is convicted before any Court of any offence, which in the opinion of the Court, renders them unfit to have their name on the list of persons entitled to sell non-medicinal poisons, the Court may order their name to be removed from the list and be disqualified from having their name on any local authority list for such period as they may specify.

No person on the list may use any title, emblem or description that suggests they are entitled to sell any poison which they are not entitled to sell, and if convicted shall be liable to a fine not exceeding £500 and a further fine not exceeding £5 for each day that the contravention continues.

A person convicted of contravening or failing to comply with the provisions of the Poisons Act 1972, or the Poisons Rules shall be liable to a fine not

exceeding £2,500 and a further fine not exceeding £10 for each day the offence continues.

If a person:

- a) wilfully delays or obstructs an Inspector from the Council, or
- b) refuses to allow samples to be taken, or
- c) fails to give information which they are required to give, they shall be liable on conviction to a fine not exceeding £500.

## Further Information

Copies of the Poisons Act 1972 and other legislation mentioned above can be purchased from Her Majesty's Stationery Office.

A copy of the Poisons Act 1972 can be inspected at the Council Offices, where you may also obtain an application form and further help or advice.

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