



TORBAY COUNCIL
COMMUNITY SERVICES DIRECTORATE
SAFETY AND LICENSING SECTION

UPOISONS ACT 1972

NOTES FOR THE GUIDANCE OF PERSONS ENGAGED IN THE STORAGE AND SALE OF PART II POISONS

Detailed Information may be obtained from:
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GENERAL REQUIREMENTS

- (1) The name of the seller and address of the premises at which the poison is sold must be on the list maintained by Torbay Council.

Poisons must be sold only from these premises and cannot be sold from a vehicle, stall or vending machine.
- (2) Bottles containing not more than 1.14 litres of liquid poison must be fluted vertically.
- (3) Poisons can be sold by shopkeepers only in closed containers as supplied by the manufacturers.

EXEMPTIONS

Nothing in the Act applies to:-

Adhesives	Fireworks	Paints
Anti-fouling compositions	Fluorescent lamps	Photographic Paper
Builders' materials	Glazes	Pigments
Ceramics	Glue	Plastics
Cosmetic products	Ink	Propellants
Distemper	Lacquer Solvents	Rubber
Electric Valves	Loading material	Varnishes
Enamels	Matches	Vascular plants & their seeds
Explosives	Medicated animal feeding stuffs	
	Motor fuels and lubricants plastics	

**If you require an explanation or advice regarding this,
please contact the Licensing Team on 01803 208126
or at Licensing@torbay.gov.uk**

THE CHEMICAL (HAZARD INFORMATION AND PACKAGING FOR SUPPLY) REGULATIONS 1994

These Regulations require the container of a poison to be clearly labelled with the following information:

- a) name, address and telephone number of the manufacturer, importer or distributor,
- b) the name of the poison and any other substance included which is also classified as dangerous for supply,
- c) where necessary:
 - i) the indication of danger and corresponding symbol,
 - ii) the risk phrases,
 - iii) the safety phrases
 - iv) the EEC number of for certain substances, the words 'EEC label'.

The packaging and labelling of approved pesticides is covered by the Control of Pesticides Regulations 1986. However, sellers of pesticides which contain poisons must comply with the requirements of the Poisons Act 1972 and the Poisons Rules 1982.

**LIST OF PART II POISONS WHICH YOU ARE PERMITTED
TO SELL AS A LISTED SELLER**

**For the explanation of the CODE LETTERS opposite the names of the poisons
see the CODE LETTER KEY in the NOTES FOR GUIDANCE**

A B H	#	Aldicarb
A F		Alpha-chloralose
	#	Ammonia
	#	Arsenic, compounds of, the following:-
A C H		Calcium arsenites
A C		Copper acetoarsenite
A C H		Copper arsenates
A C H		Copper arsenites
A C		Lead arsenates
	#	Barium, sales of the following:-
F		Barium carbonate
A		Barium silicofluoride
A B H	#	Carbofuran
A B H	#	Cycloheximide
	#	Dinitrocresols (DNOC); their compounds with a metal or a base (*except winter washes containing not more than the equivalent of 5% dinitrocresols)
A* B H		
A B H	#	Dinoseb; its compounds with a metal or a base
A B H	#	Dinoterb
A B H	#	Drazoxolon; its salts
A B H	#	Endosulfan
A B H	#	Endothal; its salts
A B H	#	Endrin
A B H	#	Fentin, compounds of
		Formaldehyde
		Formic Acid
		Hydrochloric acid
		Hydrofluoric acid
		# Alkali metal bifluorides
		# Ammonium bifluoride
		# Alkali metal fluorides
		# Ammonium fluoride
		Sodium silicofluoride
A		Magnesium phosphide
A* D H	#	Mercuric chloride (*except substances containing less than 1% of mercuric chloride)
A* D H	#	Mercuric iodide (*except substances containing less than 25% of mercuric iodide)
A* E H	#	Organic compounds of mercury (except compounds which contain a methyl (CH ³) group directly linked to the mercury atom – PART I POISONS) (*except in substances, not being aerosols, containing less than the equivalent of 0.2%, weight in weight, of mercury)
G	#	Metallic Oxalates

A B H	#	Methomyl
A*	#	Nicotine: its salts Its quaternary Compounds
		(*identification of purchaser and poisons book entry not required for agricultural and horticultural dust insecticides containing not more than 4% in weight in weight, of nicotine)
C	#	Nitric Acid
A B H	#	Nitrobenzene
A B H	#	Oxamyl
	#	Paraquat; salts of
		Phenols (as defined in Part I of the Poisons List) in substances containing less than sixty per cent, weight in weight, of phenols; compounds of phenol with a metal in substance containing less than the equivalent of sixty per cent, weight in weight, of phenols.
		Phosphoric acid
	#	Phosphorus compounds, the following:- Arinphos-methyl, chlorenvinphos, demephion, demeton-a-methyl, demeton-a-methyl suphone, dialifos, dichlorvos, dixoathion, digufoton, fonofos, mephosfolan, methidathion, mevinphos omethoate, oxydemeton-methyl, parathion, phenkapton, phorate, phosphamidon, pirimiphos-ethyl, quinalphos, thiometon, thionazin, triazophos, vimdothion.
		Potassium hydroxide
		Sodium hydroxide
		Sodium nitrite
		Sulphuric acid
A B H	#	Thiofanox
A F H		Zinc phosphide

(# May be sold only to persons carrying on a trade or business, for the purpose of that trade or business).

THE POISONS RULES 1982

Special Exemptions

<u>Poisons</u>	<u>Substance or article in which exempted</u>
Ammonia	Substances not being solutions of ammonia or preparations containing solutions of ammonia, substances containing less than 10% 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 decides, supplied for medical or veterinary purposes, substances containing less than 0.1% weight in weight, or Arsanilic acid.
Barium, salts of	Witherite, other than finely ground witherite, barium carbonate bonded to charcoal for case hardening, fire extinguishes containing barium chloride; sealed smoke generators containing not more than 25% weight in weight, of barium carbonate.
Bromomethane	Fire extinguishers.
Carbofuran	Granular preparations.
Drazoxolon; its salts	Treatment on seeds.
Formaldehyde	Substances containing less than 5% weight in weight, of formaldehyde (H.CHO); photographic glazing or hardening solutions.
Formic acid	Substances containing less than 25% weight in weight, of formic acid (H.COOH).
Hydrochloric Acid	Substances containing less than 10%, weight in weight, of hydrochloric acid (HC1)
Hydrogen cyanide	Preparations of wild cherry; in reagent kits supplied for medical or veterinary purposes, substances containing less than the equivalent of 0.1% weight in weight, of hydrogen cyanide (HCN).
Lead acetates	Substances containing less than the equivalent of 2.5% weight in weight, of elemental lead (Pb)
Mercuric chloride	Batteries; treatments on seeds or bulbs
Mercuric iodide)	
Organic compounds)	Treatments on seeds or bulbs
Of Mercury)	
Mercury, oxide of	Canker and wound paints (for trees) containing not more than 3%, weight in weight, of yellow mercuric oxide.
Methomyl	Solid substances containing not more than 1%, weight in weight of methomyl.
Nicotine; its salts; Its quaternary compounds	Tobacco; in cigarettes, the paper of a cigarette (excluding any part of that paper forming part of or surrounding a filter), where that paper in each cigarette does not have more than the equivalent of 10 milligrams of nicotine, weight in weight, other liquid preparations, and solid preparations with a soap base, containing not more than 7.5% of nicotine, weight in weight.

<u>Poisons</u>	<u>Substance or article in which exempted</u>
Nitric acid	Substances containing less than 20% weight in weight, of nitric acid (HNO ₃).
Nitrobenzene	Substances containing less than 0.1% of nitrobenzene; polishes.
Oxalic acid; metallic Oxalates	Laundry blue; polishes, cleaning powders or scouring products containing the equivalent of not more than 10% oxalic acid dehydrate
Oxamyl	Granular preparations
Paraquat, salts of	Preparations in pellet form containing not more than 5% of salts of paraquat calculated as a paraquat ion.
Phenols	Butylated hydroxytoluene; carvacrol; creosote from coal tar, essential oils in which phenols occur naturally; liquid disinfectants or antiseptics not containing phenol and containing less than 2.5% of other phenols; thymol; solid substances containing less than 60% phenols; in reagent kits supplied for medical or veterinary purposes; tar (coal or wood) crude or refined; in tar oil distillation fractions containing not more than 5% of phenols; motor fuel treatments not containing phenol and containing less than 2.5% of other phenols; tert-butylcresol; p-tert-butylphenol; p-tert-pentylphenol; p-(1, 1,3,3-tetramethylbutyl) phenol.
Phenylmercuric Salts	Antiseptic dressings on toothbrushes; in textiles containing not more than 0.01% of phenylmercuric salts as a bacteriostat and fungicide.
Phosphoric acid	Substances containing phosphoric acid, not being descaling preparations containing more than 50% weight in weight, of orthophosphoric acid.
Chlofenvinphos	Treatments on seeds; granular preparations.
Dichlorvos	Preparations on aerosol dispensers containing not more than 1% weight in weight, of Dichlorvos, materials impregnated with dichlorvos for slow release, granular preparations.
Disulfoton	Granular preparations.
Fonofos	Granular preparations.
Oxydemeton-methyl	Aerosol dispensers containing not more than 0.25% weight in weight, of oxydemeton-methyl.
Parathion	Granular preparations.
Phorate	Granular preparations.
Pirimiphos ethyl	Treatment on seeds.
Thionarin	Granular preparations.
Triaxophos	Granular preparations.
Potassium Hydroxide	Substances containing the equivalent of less than 17% of total caustic alkalinity expressed as potassium hydroxide; accumulators; batteries.
Sodium fluoride	Substances containing less than 3% of sodium fluoride as a preservative.
Sodium Hydroxide	Substances containing the equivalent of less than 12% of total caustic alkalinity sodium hydroxide.
Sodium nitrite	Substances other than preparations containing more than 0.1% sodium nitrite for the destructions of rats and mice.

Poisons

Substance or article in which exempted

Sodium
Silicofluoride
Sulphuric acid

Substances containing less than 3% of sodium silicofluoride as a preservative.
Substances containing less than 15% 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.
Granular preparations.

Thiofanox

CODE LETTER KEY

A

Must be sold only by you, the listed seller, or your named deputy. May only be sold in preparations.

Particulars of all sales must be entered in the Poisons Book, which must be of the approved form, and kept for two years.

Must be kept on retail shop or associated premises only if:

- (a) they are in a cupboard or drawer reserved solely for poisons; or
- (b) in a partitioned section where customers do not have access; or
- (c) on a shelf kept solely for poisons, where no food is directly underneath and the poison containers are distinguishable by touch from other containers.

Agricultural, horticultural and forestry poisons must be stored away from food.

Must be sold only to a person who is known to you as one to whom the poison may be properly sold, or who produces a valid certificate either signed by a householder known to you or countersigned by a Police Officer. A 'signed order' containing all statutory particulars may be acceptable if a poison is required for the trade or business or purchaser and you are satisfied as to its authenticity.

B

May be sold only as preparations for use in agriculture, horticulture or forestry. Containers must be marked with these restrictions on use.

C

Must be sold only as agricultural, horticultural or forestry insecticides or fungicides. Containers must be marked with these restrictions on use.

D

Must be sold only as agricultural, horticultural or forestry fungicides, treatments on seeds or bulbs or insecticides.

E

Must be sold only as agricultural, horticultural or forestry fungicides, treatments for sees or bulbs, solutions containing not more than 5% weight in volume of phenyl mercuric acetate for use in swimming baths. Containers must be marked with these restrictions on use.

F

Must be sold only as preparation for destruction of rats or mice. Containers must be marked with the restrictions on use.

When Alpha-chlorolose is present in a preparation for indoor use it may not exceed 4% weight in weight unless preparation contains not more than 8.5% weight in weight 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 3gm of the preparation.

G

With the exception of potassium quadroxalate, must be sold only as photographic solutions or materials. Containers must be marked with this restriction on use.

H

Must be sold only for use in agricultural, horticultural or forestry, to a person in that trade or business. Cycloheximide must only be sold to persons engaged in forestry for use for that purpose.

Solutions containing not more than 5% in weight in volume of phenyl mercuric acetate for use in swimming baths are also permitted.