Statement and summary under rule 24
Poisons Rules 1982

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The entry of a person’s name in a local authority’s list does not entitle that person to retail poisons in Part 1 of the Poisons List which, by the provisions of the Poisons Act 1972, may only be retailed by authorised sellers of poisons (i.e. registered pharmacists).

A person whose name is entered in a local authority’s list (a listed seller of Part II Poisons) is permitted, subject to certain conditions (see below), to sell the poisons in Part II of the Poisons List, namely:

The Poisons List Order 1982 (Part II)

Aldicarb
Alpha-chloralose
Ammonia
Arsenic, compounds of, the following:-
  Calcium arsenites, Copper acetoxarsenate, Copper arsenates,
  Copper arsenites, Lead arsenites
Barium, salts of, the following:-
  Barium carbonate, Barium silicofluoride
Carbofuran
Cycloheximide
Dinitroresols (DNOC); their compounds with a metal or base
Dinoseb; its compounds with a metal or a base
Dinoterb

Drazoxolon; its salts
Endosulfan
Endothal; its salts
Endrin
Fentin, compounds of
Formaldehyde
Formic acid
Hydrochloric acid
Hydroflouric acid;

Alkali metal biflourides; ammonium biflouride; alkali metal flourides;
ammonium flouride; sodium silicofluoride
Mercuric chloride; mercuric iodide;
organic compounds of mercury except compounds which contain a methyl (CH₃) group directly linked
to the mercury atom
Metallic oxalates
Methomyl
Nicotine; its salts, its quarternary compounds
Nitric acid
Nitrobenzene
Oxamyl
Paraquat, salts of
Phenols (as defined in Part I of this list)
in substances containing less than sixty per cent, weight in weight, of phenols; compounds of phenols 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:

Azinphos-methyl, chlorfenvinphos, demephion, demeton-S-methyl, 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, triaophos, vamidothion
Potassium hydroxide
Sodium hydroxide
Sodium nitrite
Sulphuric acid
Thiofanox
Zinc phosphide

The requirements which apply to the sale of poisons by a listed seller of Part II poisons are laid down in section 3 of the Poisons Act, 1972 and in the Poisons Rules, 1982.

Articles exempted from the provisions of the Act and of the Rules are specified in Schedule 4 to the Rules.

The following is a summary of the requirements of Section 3 and those Rules relating to the storage and sale of poisons.

**The Poisons Act 1972 - Section 3**

**Regulation of sale of poisons**

(1) Subject to the provisions of this Act, it shall not be lawful –

(b) for a person to sell any non-medicinal poison which is a substance included in Part II of the Poisons List, unless-

(ii) his name is entered in a local authority’s list in respect of the premises on which the poison is sold;

(2) Subject to the provisions of this Act - it shall not be lawful for a non-medicinal poison to be exposed for sale in, or to be offered for sale by means of, an automatic machine.

**The Poisons Rules 1982**
Restriction of sales by shopkeepers (Rule 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.

Application of section 3(2) of the Act (Rule 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 nicotine, its salts or its quaternary compounds are concerned, to sales of agricultural and horticultural insecticides consisting of nicotine dusts containing not more than four per cent, weight in weight, of nicotine.

Exemption from the provisions applying solely to Schedule 1 (Rule 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 or alpha-chloralose where the article is one of the articles to which sale of poison is restricted by rule 10(2)(a).

Restriction of sales by listed sellers of Part II poisons (Rule 10)

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

(a) any poison which has, since being obtained by him, been subject to any form of manipulation, treatment or processing as a result of which the poison has been exposed;

(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 5 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;

(b) any poison included in Part B of Schedule 5 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.

Restriction of sale and supply of strychnine and certain other poisons (Rule 12)

(1) Except as mentioned in paragraphs 1, 2, 3, 4 and 5 of Part I of Schedule 12 it shall not be lawful to sell strychnine, its salts or its quarternary 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 fluoroacetetamide.

(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 paragraphs 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 (Rule 13)

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.

Storage of poisons (Rule 21)

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 no food is kept directly under the shelf:

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.
Schedule 1

Poisons included in the poisons list to which special restrictions apply unless exempted by rule 7. (Rules 5, 6, 7, 9, 10(1), 17(2) and 21(c)).

- Aldicarb
- Alpha-Chloralose
- Aluminium phosphide
- Arsenic; its compounds, except substances containing less than the equivalent of 0.0075% of arsenic (As)
- Barium, salts of (other than barium sulphate)
- Bromomethane
- Carbofuran
- Chloropicrin
- Cycloheximide
- Dinitroresols (DNOC); their compounds with a metal or base, except winter washes containing not more than the equivalent of 5%, of dinitroresols
- Dinoseb; its compounds either a metal or a base
- Dinoterb
- Drazoxolon; its salts
- Endosulfan
- Endothal; its salts
- Endrin
- Fentin, compounds of Fluoroacetic acid; its salts; fluoroacetamide
- Hydrogen cyanide except substances containing less than 0.15%, weight in weight, of hydrogen cyanide (HCN); metal cyanides, other than ferrocyanides and ferricyanides, except substances containing less than the equivalent
- Nicotine; its salts; its quaternary compounds
- Oxamyl
- Paraquat, salts of Phosphorus compounds, the following:
- Azinphos-methyl
- Chlorfenvinphos
- Demephion
- Demeton-S-methyl
- Demeton-S-methyl sulphone
- Dialifos
- Dichlorvos, Dioxathion and Disulfoton
- Fonofo
- Mecarbam
- Mephosfolan
- Methidathion
- Mevinphos
- Omethoate
- Oxydemeton-methyl
- Parathion
- Phenkapton
- Phorate
- Phosphamidon
- Pirimiphos-ethyl
- Quinalphos
- Thiometon
- Thionazin
- Triazophos
- Vamidothian
- Strychnine; its salts; its quaternary compounds; except substances containing less than 0.2%, of strychnine
- Thallium, salts of Thiofanox
- Zinc phosphide
## Schedule 5

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

<table>
<thead>
<tr>
<th>Poison</th>
<th>Form to which sale is restricted</th>
<th>Poison</th>
<th>Form to which sale is restricted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aldicarb</td>
<td>Preparation for use in agriculture, horticulture or forestry</td>
<td>Endosulfan</td>
<td>Preparations for use in agriculture, horticulture or forestry</td>
</tr>
<tr>
<td>Alpha-chloralose</td>
<td>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</td>
<td>Enthothal; its salts</td>
<td>Preparations for use in agriculture, horticulture or forestry</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Endrin</td>
<td>Preparations for use in agriculture, horticulture or forestry</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fentin, compounds of</td>
<td>Preparations for use in agriculture, horticulture or forestry</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mercuric chloride</td>
<td>Agricultural, horticultural and forestal fungicides, treatments on seeds or bulbs, insecticides</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mercuric iodide</td>
<td>Agricultural, horticultural and forestal fungicides, treatments on seeds or bulbs</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mercury, organic compounds of</td>
<td>Agricultural, and forestal fungicides, treatments on seeds or bulbs, solutions containing not more than five per cent., weight in volume, of phenyl mercuric acetate for use in swimming baths</td>
</tr>
<tr>
<td>Arsenic, compounds of Calcium arsenites</td>
<td>Agricultural, horticultural and forestal insecticides or fungicides</td>
<td>Metallic oxalates other than potassium quadroxalate</td>
<td>Photographic solutions or materials</td>
</tr>
<tr>
<td>Compound</td>
<td>Use</td>
<td>active ingredient</td>
<td>Use</td>
</tr>
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</tr>
<tr>
<td>Copper acetoarsenite</td>
<td>Agricultural, horticultural and forestal insecticides or fungicides</td>
<td>Methomyl</td>
<td>Preparations for use in agriculture horticulture or forestry</td>
</tr>
<tr>
<td>Copper arsenates</td>
<td>Agricultural, horticultural and forestal insecticides or fungicides</td>
<td>Oxamyl</td>
<td>Preparations for use in agriculture, horticulture or forestry</td>
</tr>
<tr>
<td>Copper arsenites</td>
<td>Agricultural, horticultural and forestal insecticides or fungicides</td>
<td>Paraquat, salts of phosphorus compounds the following: Azinphos-methyl, Chlorfenvinphos, Demephion, Demeton-S-methyl, Demeton-S-methyl sulphone, Dialifos, Dichlorvos, Dioxathion, Disulfoton, Fonofos, Mecarbam, Mephosfolan, Methidathion, Mevinphos, Omethoate, Oxydemeton-methyl, Parathion, Phenkapton, Phorate, Phosphamidon, Pirimiphos-ethyl, Quinalphos, Thimet, Thionazin, Triazophos, Vamidothion</td>
<td>Preparations for use in agriculture horticulture or forestry</td>
</tr>
<tr>
<td>Lead arsenates</td>
<td>Agricultural, horticultural and forestal insecticides or fungicides</td>
<td>Phosphorus compounds the following: Azinphos-methyl, Chlorfenvinphos, Demephion, Demeton-S-methyl, Demeton-S-methyl sulphone, Dialifos, Dichlorvos, Dioxathion, Disulfoton, Fonofos, Mecarbam, Mephosfolan, Methidathion, Mevinphos, Omethoate, Oxydemeton-methyl, Parathion, Phenkapton, Phorate, Phosphamidon, Pirimiphos-ethyl, Quinalphos, Thimet, Thionazin, Triazophos, Vamidothion</td>
<td>Preparations for use in agriculture horticulture or forestry</td>
</tr>
<tr>
<td>Barium carbonate</td>
<td>Preparation for the destruction of rats or mice</td>
<td>Thiofanox</td>
<td>Preparations for use in agriculture horticulture or forestry</td>
</tr>
<tr>
<td>Carbofuran</td>
<td>Preparation for use in agriculture horticulture or forestry</td>
<td>Zinc</td>
<td>Preparations for the destruction of rats or mice</td>
</tr>
<tr>
<td>Cycloheximide</td>
<td>Preparations for use in agriculture, horticulture or forestry</td>
<td>Phosphide</td>
<td></td>
</tr>
<tr>
<td>Dinitrocreosols (DNOC); their compounds with a metal or a base</td>
<td>Preparations for use in agriculture, horticulture or forestry</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dinoseb; its compounds with a metal or a base</td>
<td>Preparations for use in agriculture, horticulture or forestry</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dinoterb</td>
<td>Preparations for use in agriculture, horticulture or forestry</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Drazoxolon; its salts</td>
<td>Preparations for use in agriculture, horticulture or forestry</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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 acetarsenate
  Copper arsenates
  Copper arsenites
  Lead arsenates
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
Dinoseb; its compounds with a metal or base
Dinoterb
Drazoxolon; its salts
Endosulfan
Endothal; its salts
Endrin
Fentin, compounds of
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:-
  Azinphos-methyl
  Chlorfenvinphos
  Demephion
  Demeton-S-methyl
  Demeton-S-methyl sulphone
  Dialifos
  Dichlorvos
  Dioxathion
  Disulfoton
  Fonofos
  Mecarbam
  Mephosfolan
  Methidathion
  Mevinphos
  Omethoate
  Oxydemeton-methyl
  Parathion
  Phenkapton
  Phorate
  Phoshamidon
  Pirimiphos-ethyl
  Quinalphos
  Thiometon
  Thionazin
  Triazophos
  Vamidothion
  Thiofanox

The fees charged by the Council for 2010/11 for inclusion in its list of persons entitled to sell poisons in Part II of the Poisons List is £31.00, for retention on that list £16.50 and for any alteration to the list £8.50. Please be aware that these fees may be subject to change from 1st April each year.