

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	Drazoxolon; its salts
Alpha-chloralose	Endosulfan
Ammonia	Endothal; its salts
Arsenic, compounds of, the following:-	Endrin
Calcium arsenites, Copper	Fentin, compounds of
acetoarsenite, Copper arsenates,	Formaldehyde
Copper arsenites, Lead arsenites	Formic acid
Barium, salts of, the following:-	Hydrochloric acid
Barium carbonate, Barium	Hydrofluoric acid;
silicoflouride	Alkali metal biflourides; ammonium
Carbofuran	biflouride; alkali metal flourides;
Cycloheximide	ammonium
Dinitrocresols (DNOC); their compounds	flouride; sodium silicoflouride
with a metal or base	Mercuric chloride; mercuric iodide;
Dinoseb; its compounds with a metal or a	organic compounds of mercury
base	except compounds which contain a
Dinoterb	methyl (CH ₃ ,) group directly linked

to the mercury atom
 Metallic oxalates
 Methomyl
 Nicotine; its salts, its quaternary 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 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 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	of 0.1%, weight in weight, of	Nicotine; its salts; its quaternary compounds
Alpha -Chloralose	hydrogen cyanide (HCN)	Oxamyl
Aluminium phosphide	Lead, compounds of, with acids from fixed oils	Paraquat, salts of
Arsenic; its compounds, except substances containing less than the equivalent of 0.0075% of arsenic (As)	Magnesium phosphide	Phosphorus compounds, the following;
Barium, salts of (other than barium sulphate)	Mercuric chloride except substances containing less than 1% of mercuric chloride;	Azinphos-methyl
Bromomethane	mercuric iodide except substances containing less than 2% of mercuric iodide;	Chlorfenvinphos
Carbofuran	nitrates of mercury except substances containing less than the equivalent of 3% weight in weight, of mercury (Hg);	Demephion
Chloropicrin	potassio-mercuric iodides except substances containing less than the equivalent of 1% of mercuric iodide;	Demeton-S-methyl
Cycloheximide	organic compounds of mercury except substances, not being aerosols, containing less than the equivalent of 0.2% weight in weight, of mercury (Hg)	Demeton-S-methyl sulphone
Dinitrocresols (DNOC); their compounds with a metal or base, except winter washes containing not more than the equivalent of 5%, of dinitrocresols	Methomyl	Dialifos
Dinoseb; its compounds either a metal or a base		Dichlorvos, Dioxathion and Disulfoton
Dinoterb		Fonofos
Drazoxolon; its salts		Mecarbam
Endosulfan		Mephosfolan
Endothal; its salts		Methidathion
Endrin		Mevinphos
Fentin, compounds of		Omethoate
Fluoroacetic acid; its salts; fluoroacetamide		Oxydemeton-methyl
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		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

Poison	Form to which sale is restricted	Poison	Form to which sale is restricted
Aldicarb	Preparation for use in agriculture, horticulture or forestry	Endosulfan	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	Enthothal; its salts	Preparations for use in agriculture, horticulture or forestry
		Endrin	Preparations for use in agriculture, horticulture or forestry
		Fentin, compounds of	Preparations for use in agriculture, horticulture or forestry
		Mercuric chloride	Agricultural, horticultural and forestal fungicides, treatments on seeds or bulbs, insecticides
		Mercuric iodide	Agricultural, horticultural and forestal fungicides, treatments on seeds or bulbs
		Mercury, organic compounds of	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
Arsenic, compounds of Calcium arsenites	Agricultural, horticultural and forestal insecticides or fungicides	Metallic oxalates other than potassium quadroxalate	Photographic solutions or materials

Copper acetoarsenite	Agricultural, horticultural and forestal insecticides or fungicides	Methomyl Nitrobenzene	Preparations for use in agriculture horticulture or forestry Agriculture, horticulture or forestal insecticides
Copper arsenates	Agricultural, horticultural and forestal insecticides or fungicides	Oxamyl	Preparations for use in agriculture, horticulture or forestry
Copper arsenites	Agricultural, horticultural and forestal insecticides or fungicides	Paraquat, salts of	Preparations for use in agriculture, horticulture or forestry
Lead arsenates	Agricultural, horticultural and forestal insecticides or fungicides	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, Triazophos, Vamidothion	Preparations for use in agriculture horticulture or forestry,
Barium carbonate	Preparation for the destruction of rats or mice	Thiofanox	Preparations for use in agriculture horticulture or forestry
Carbofuran	Preparation for use in agriculture horticulture or forestry	Zinc Phosphide	Preparations for the destruction of rats or mice
Cycloheximide	Preparations for use in forestry		
Dinitrocresols (DNOC); their 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		
Dinoterb	Preparations for use in agriculture, horticulture or forestry		
Drazoxolon; its salts	Preparations for use in agriculture, horticulture or forestry		

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	Phosphorus compounds, the following:-
Arsenic, compounds of -	Azinphos-methyl
Calcium arsenites	Chlorfenvinphos
Copper acetoarsenite	Demephion
Copper arsenates	Demeton-S-methyl
Copper arsenites	Demeton-S-methyl sulphone
Lead arsenates	Dialifos
Carbofuran	Dichlorvos
Cycloheximide	Dioxathion
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	Disulfoton
	Fonofos
	Mecarbam
Dinoseb; its compounds with a metal or base	Mephosfolan
Dinoterb	Methidathion
Drazoxolon; its salts	Mevinphos
Endosulfan	Omethoate
Endothal; its salts	Oxydemeton-methyl
Endrin	Parathion
Fentin, compounds of	Phenkapton
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	Phorate
Methomyl	Phosphamidon
Oxamyl	Pirimiphos-ethyl
Paraquat, salts of	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.