

## **GUIDANCE NOTES FOR SELLERS OF POISONS**

These notes cover the sale of products containing Part II poisons by shopkeepers, garden centres, agricultural merchants etc. They do not cover the sale of Part I poisons which may only be retailed by 'authorised sellers' i.e. registered pharmacists.

### **1. WHAT PRODUCTS CONTAIN PART II POISONS?**

Typical examples include:

- a) drain cleaners (e.g. Mr Muscle Concentrated Drain Opener, Kleenoff Drain Opener, and Caustic Soda);
- b) sanitary fluids (e.g. Elsan Blue);
- c) descalers (e.g. Kay Dee Kettle Descaler Fast Acting);
- d) strong disinfectants (e.g. Scrubbs Ammonia);
- e) weedkillers (e.g. Gramoxone).

If in doubt, examine the product container: it should be marked with the name of any active ingredient. If this substance is included in List A (below) and the product type is not included in List B then the product is probably a poison.

### **2. WHAT RESTRICTIONS APPLY TO POISONS?**

- a) Registration of the seller.
- b) Secure storage.
- c) Restrictions on buyers.

### **3. REGISTRATION**

Sellers of Part II poisons must register with the Council and sales must be effected on the premises specified in the Council's list. Registration forms are available from:

Trading Standards And Licensing  
London Borough of Barnet  
Trading Standards Department  
North London Business Park  
Oakleigh Road South  
London N11 1NP

and a fee is charged (**currently £65**) and valid for the period: 01/5/10 to 30/4/11.

Registrations are annual and must be renewed on 1st May each year (**current fee £65**). Listed sellers are sent a reminder.

Registration details (e.g. addresses, names of deputies) may be changed at any time.

Registration is not transferable to any other individual or company.

Deputies may be included in the registration. They are persons authorised to sell in the absence of the seller. They are only required for the poisons marked 'YES' in column 2 of List A.

### **4. STORAGE OF POISONS**

In general, poisons must be stored sensibly, out of reach of children, and away from foodstuffs.

However, special requirements apply to those poisons which are marked 'YES' in column 2 of List A. These must be stored:

- a) in a cupboard or drawer used solely for storing poisons;
- or
- b) in a partitioned-off area to which the public do not have access;
- or
- c) on a shelf reserved solely for strong poisons, provided that no food is kept below the shelf.

## **5. RESTRICTIONS ON BUYERS**

Some poisons may be sold only to persons having special occupations or needs. These are shown in column 3 of List A.

For the poisons marked 'YES' in column 2 of List A, the buyer must:

- a) be known to the seller as a person to whom the poisons can legally be sold;
- and
- b) sign the Poisons Book, or give to the seller a signed order stating his name, address, trade, purpose for use and quantity required. (In emergencies, the buyer may supply the signed order within 24 hours).

## **6. LABELLING OF POISONS**

All poisons you sell should be labelled with the name of the seller and the address of the premises on which it is sold.

## **7. 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.

penalties upon conviction can be up to £2,500.

## **8. FOR FURTHER ADVICE**

Contact the Trading Standards on 020 8359 2178

**LIST A**

Column 1	Column 2	Column 3
Aldicarb	YES	1
Alpha-chloralose	YES	2
Ammonia	NO	0
Arsenic, compounds of, the following- calcium arsenites copper acetoarsenite copper arsenates copper arsenites lead arsenates	YES	3,4
Barium, salts of, the following- barium carbonate barium silicofluoride	YES YES	5 0
Carbofuran	YES	1
Cycloheximide	YES	6
Dinitrocresols (DNOC); their compounds with a metal or base	YES	1
Dinoseb; its compounds with a metal or base	YES	1
Dinoterb	YES	1
Drazoxolon; its salts	YES	1
Endosulfan	YES	1
Endothal; its salts	YES	1
Endrin	YES	1
Fentin, compounds of	YES	1
Formaldehyde	NO	0
Formic acid	NO	0
Hydrochloric acid	NO	0
Hydrofluoric acid; alkali metal bifluorides; ammonium bifluoride; alkali metal fluorides; ammonium fluoride; sodium silicofluoride	NO	0
Mercuric chloride; and organic compounds of mercury (except compounds with a methyl group directly linked to the mercury atom).	YES	4,7,8,9
Mercuric iodide	YES	4,7,8
Metallic oxalates	NO	10
Methomyl	YES	1
Nicotine; its salts and quaternary compounds	YES	0
Nitric acid	NO	0
Nitrobenzene	NO	3
Oxamyl	YES	1
Paraquat, salts of	YES	1
Phenols, or metal compounds of phenols, in substances containing less than 60% w/w of phenols	NO	0
Phosphoric acid	NO	0
Phosphorus compounds, the following - Azinphos-methyl, chlorfenvinphos, demephion, demeton) -S-methyl, demeton-S-methyl sulphone, dialifos, )		

**LIST A continued**

Column 1

Column 2

Column 3

dichlorvos, dioxathion, disulfoton, fonofos, mecarbam, ) mephosfolan, methidathion, mevinphos, omethoate, ) oxydemeton-methyl, parathion, phorate, phenkapton, ) phosphamidon, pirimiphos-ethyl, quinalphos, thiometon, ) thionazin, triazophos, vamidothion )	YES	1
Potassium hydroxide	NO	0
Sodium hydroxide	NO	0
Sodium nitrite	NO	0
Sulphuric acid	NO	0
Thiofanox	YES	1
Zinc phosphide	YES	5

**KEY TO RESTRICTIONS:**

- 0 No special restrictions
- 1 Preparations for use in Agriculture, Horticulture or Forestry
- 2 Indoor use for destroying rats and mice
- 3 Agricultural, Horticultural, Forestal insecticides
- 4 Agricultural, Horticultural, Forestal fungicides
- 5 Destroying rats or mice
- 6 Preparations for use in forestry
- 7 Treatments on seeds
- 8 Treatments on bulbs
- 9 Use in swimming baths (less than 5% phenyl mercuric acetate)
- 10 Photographic solutions

**LIST B: GENERAL EXEMPTIONS**

Adhesives; anti-fouling compositions; builders' materials; ceramics; cosmetic products; 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; photographic paper; pigments; plastics; propellants; rubber; varnishes; vascular plants and their seeds.