
STATUTORY INSTRUMENTS

1985 No. 1077

POISONS

The Poisons (Amendment) Rules 1985

<i>Made</i>	- - - -	<i>12th July 1985</i>
<i>Laid before Parliament</i>		<i>23rd July 1985</i>
<i>Coming into Operation</i>		
<i>Rules 1 and 2</i>		<i>1st October 1985</i>
<i>Rule 3 and Schedule</i>		<i>1st January 1986</i>

In pursuance of section 7 of the Poisons Act 1972, and on the recommendation of the Poisons Board, I hereby make the following Rules:—

1.—(1) These Rules may be cited as the Poisons (Amendment) Rules 1985 and (with the exception of Rule 3 and the Schedule which shall come into operation on 1st January 1986) shall come into operation on 1st October 1985.

(2) In these Rules “the principal Rules” means the Poisons Rules 1982.

2.—(1) In Schedule 1 to the principal Rules, after the word “Aldicarb” there shall be inserted the word “Alpha-chloralose”.

(2) Rule 7 of the principal Rules shall be amended by the substitution, for the words from “or zinc phosphide” to the end, of the words “, zinc phosphide or alpha-chloralose where the article is one of the articles to which sale of the poison is restricted by Rule 10(2)(a).”.

3.—(1) The principal Rules shall be further amended in accordance with the Schedule to these Rules.

(2) In the Schedule to these Rules, any reference to a Rule or Schedule shall be construed as a reference to a Rule contained in the principal Rules, or, as the case may be, to a Schedule thereto.

Leon Brittan
One of Her Majesty's Principal Secretaries of
State
Home Office

12th July 1985

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SCHEDULE

Rule 3

AMENDMENTS TO THE POISONS RULES 1982

1. For Rule 4 there shall be substituted the following Rule:—

“Dispensation with section 3(1)(c) of the Act

4. The provisions of section 3(1)(c) of the Act shall not apply to the sale of any non-medicinal poison.”

2.—(1) For sub-paragraph (a) of Rule 10(1) there shall be substituted the following sub-paragraph:—

“(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;”.

(2) In Rule 10(2)(a) the words from “and the container” to the end shall be omitted.

3. Rules 14 to 17 shall be omitted.

4. In Rule 18—

(a) paragraph (1) shall be omitted;

(b) paragraph (2) shall be re-numbered paragraph (1); and

(c) for paragraph (3) there shall be substituted the following paragraph:—

“(2) This Rule shall not apply to the sale or supply of compressed hydrogen cyanide to be exported to purchasers outside the United Kingdom.”.

5. Rule 19 shall be omitted.

6.—(1) For paragraph (1) of Rule 20 there shall be substituted the following paragraph:—

“(1) It shall not be lawful to sell, whether wholesale or retail, or supply any poison being a liquid contained in a bottle of a capacity of not more than 1.14 litres unless the outer surface of the bottle is fluted vertically with ribs or grooves recognisable by touch.”.

(2) In Rule 20(2) for the words “Sub-paragraph (b) of paragraph (1)” there shall be substituted the words “This Rule”.

7. In Rule 21, paragraph (1) and the number “(2)” shall be omitted.

8. Rule 22 shall be omitted.

9. In Rule 23, paragraphs (1) and (3) and the number “(2)” shall be omitted.

10. In Rule 24(1) for the words “sale and consignment for transport” there shall be substituted the words “and sale”.

11. Schedules 2, 3, 6 and 7 shall be omitted.

EXPLANATORY NOTE

These Rules, made under the Poisons Act 1972, amend the Poisons Rules 1982 in two respects.

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First, by Rule 2 alpha-chloralose, which is listed in Part II of the Poisons List (see the Poisons List Order 1982 (S.I. 1982/217)) is added to Schedule 1 to the 1982 Rules; it thereby becomes subject (unless in the form of such preparation as is exempted by Rule 7) to special restrictions on sale.

Second, by Rule 3 and the Schedule, amendments are made which—

- (a) disapply the labelling requirements of section 3(1) of the 1972 Act; and
- (b) remove from the 1982 Rules the requirements relating to labelling and packaging (except those in respect of compressed gas cylinders and the marking of poison bottles so as to be recognisable by touch).

The amendments in the second group are consequential upon the implementation of various Council Directives by the Classification, Packaging and Labelling of Dangerous Substances Regulations 1984 (S.I. 1984/1244), which become fully enforceable on 1st January 1986, (the date when these amendments come into operation) and apply in effect to all non-medicinal poisons. The amendments are necessary to avoid duplication.