



# Protection of Animals Act 1911

1911 CHAPTER 27 1 and 2 Geo 5

## 8 Poisoned grain and flesh, &c.

If any person—

- (a) shall sell, or offer or expose for sale, or give away, or cause or procure any person to sell or offer or expose for sale or give away, or knowingly be a party to the sale or offering or exposing for sale or giving away of any grain or seed which has been rendered poisonous except for bonâ fide use in agriculture; or
- (b) shall knowingly put or place, or cause or procure any person to put or place, or knowingly be a party to the putting or placing, in or upon any land or building any poison, or any fluid or edible matter (not being sown seed or grain) which has been rendered poisonous,

such person shall, upon summary conviction, be liable to a fine not exceeding [<sup>F1</sup>level 4 on the standard scale]

[<sup>F2</sup> Provided that, in any proceedings under paragraph (b) of this section, it shall be a defence that the poison was placed by the accused for the purpose of destroying insects and other invertebrates, rats, mice, or other small ground vermin, where such is found to be necessary in the interests of public health, agriculture, or the preservation of other animals, domestic or wild, or for the purpose of manuring the land, and that he took all reasonable precautions to prevent injury thereby to dogs, cats, fowls, or other domestic animals and wild birds. ]

### Textual Amendments

- F1** Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), ss. 39, 46, [Sch. 3](#)  
**F2** Proviso substituted by [Protection of Animals \(Amendment\) Act 1927 \(c. 27, SIF 4:5\)](#), s. 1

### Modifications etc. (not altering text)

- C1** S. 8 amended (except as to London) by [Prevention of Damage by Rabbits Act 1939 \(c. 43, SIF 4:5\)](#) s. 4; and [Animals \(Cruel Poisons\) Act 1962 \(c. 26\)](#), s. 1  
**C2** S. 8(b) restricted by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62, SIF 2:1\)](#), s. 19(2)  
**C3** S. 8(b) restricted by [Badgers Act 1973 \(c. 57, SIF 4:5\)](#), s. 9(4)  
**C4** S. 8(b) excluded by [Wildlife and Countryside Act 1981 \(c. 69, SIF 4:5\)](#), s. 16(7)  
**C5** S. 8(b) modified (E.W)(16.10.1992) by [Protection of Badgers Act 1992 \(c. 51\)](#), ss. 10(10), 15(3)

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**Changes to legislation:** There are currently no known outstanding effects for the Protection of Animals Act 1911, Section 8. (See end of Document for details)

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- C6** S. 8(b) modified (E.W.) (31.12.2003) by [Plant Protection Products Regulations 2003 \(S.I. 2003/3241\)](#), regs. 1, **22(7)**
- C7** S. 8(b) restricted (E.W.) (30.11.2017) by [The Conservation of Habitats and Species Regulations 2017 \(S.I. 2017/1012\)](#), regs. 1(2), **55(13)**

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