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STATUTORY INSTRUMENTS

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**1971 No. 729**

**The Farm and Garden Chemicals Regulations 1971**

**Citation, extent and commencement**

1. These regulations, which may be cited as the Farm and Garden Chemicals Regulations 1971, shall apply to Great Britain and shall come into operation on 1st May 1973.

**Interpretation**

2.—(1) In these regulations, unless the context otherwise requires:—

“container” includes any form of packaging of goods for sale as a single item whether by way of wholly or partly enclosing the goods or by way of attaching the goods to, or winding the goods round, some other article, and in particular includes a wrapper or containing band;

“recommended by the British Standards Institution”, in relation to the common name of a substance, means recommended in a British Standard published by that Institution or approved by the appropriate Committee of that Institution for inclusion in a future British Standard as a recommended common name; and

“scheduled substance” means a substance referred to in the Schedule to these regulations, being a substance to which the Farm and Garden Chemicals Act 1967 applies.

(2) References in these regulations to any enactment shall be construed as reference to that enactment as amended or applied by any other enactment.

(3) The Interpretation Act 1889. shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

**Products to be labelled on sale**

3.—(1) Where a product consisting of or containing one or more scheduled substances is sold or exposed for sale, or consigned or delivered with a view to or in connection with its sale, for use in agriculture or gardening for protecting, or controlling the growth of, plants or for destroying weeds, the product or its container shall have a label bearing on it, in accordance with regulation 4 below, the name of every scheduled substance contained in the product.

(2) Where such a product is sold, consigned or delivered as aforesaid either without a container or in a container supplied by or on behalf of the purchaser, the label shall accompany the product.

(3) Where such a product is exposed for sale as aforesaid without a container the label shall be conspicuously displayed in such a position as to make it clear to any prospective purchaser that it relates to the product.

(4) In every other case to which paragraph (1) above applies the label shall be written on the container for, or supplied with, the product or securely attached to it by means of stitching, the use of an adhesive or any other method except tying.

(5) Nothing in this regulation shall require a product to have a label—

(a) where it is sold or exposed for sale, or consigned or delivered with a view to or in connection with its sale, to a person buying it for the purpose of resale;

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- (b) where it is sold for exportation to, or consigned or delivered to, a place outside Great Britain; or
- (c) where it is an article upon the sale of which the seller is or may be required to give to the purchaser a statutory statement under any enactment relating to fertilisers for the time being in force.

#### **Contents of labels**

4.—(1) Subject to paragraph (2) below, where a product is required by regulation 3 above to have a label bearing on it the name of every scheduled substance contained in the product—

- (a) such names (except where they appear in the trade or other name under which the product is being marketed) shall be prefaced by words indicating that the substances to which they refer are contained in the product;
- (b) every such name shall be written clearly and legibly without being hidden, obscured or made less conspicuous by any other matter, pictorial or otherwise, appearing on the label;
- (c) where such a substance is referred to by one name in the Schedule to these regulations, the label shall bear that name;
- (d) where such a substance is referred to by alternative names in the Schedule, the label may bear either name;
- (e) salts and esters shall be named on the label separately from each other and from their parent compounds;
- (f) a salt or ester which is a scheduled substance but which is not expressly named in the Schedule shall be named on the label either by reference to the name by which it is generally known or by reference to the common name of its parent compound with the addition of an appropriate suffix or prefix;
- (g) where a substance has a common name recommended by the British Standards Institution, the label may bear that common name instead of any name otherwise required by these regulations.

(2) Where a substance which is for the time being included in the Poisons List made under section 17 of the Pharmacy and Poisons Act 1933 is also a scheduled substance for the purpose of these regulations, and its container is labelled with the name of the substance in accordance with that Act, no further reference to that substance on the label shall be necessary for the purpose of these regulations.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 27th April 1971.

L.S.

*J. M. L. Prior*  
Minister of Agriculture, Fisheries and Food

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Given under the Seal of the Secretary of State for Scotland on 30th April 1971.

L.S.

*Gordon Campbell*  
Secretary of State for Scotland