
EXPLANATORY NOTE

These regulations are made for the purpose of controlling pesticides in implementation of Part III of the Food and Environment Protection Act 1985. They apply to Great Britain and, with three exceptions specified in regulation 1, come into operation on 6th October 1986.

Subject to exceptions specified in regulation 3, regulation 4 prohibits the advertisement, sale, supply, storage or use of any pesticide unless the Ministers have given an approval in relation to that pesticide and a consent to that activity and unless the conditions of both the approval and the consent have been complied with.

Regulation 5 empowers the Ministers jointly to—

- (a) give approvals in relation to pesticides in the form of experimental permits, provisional approvals or full approvals;
- (b) impose conditions; and
- (c) review, revoke or suspend approvals and amend conditions.

Regulation 6 empowers the Ministers, by notice in the London and Edinburgh Gazettes, jointly to give consent to the advertisement, the sale, supply and storage, and the use, including use by aerial application, of pesticides subject to such of the conditions set out in Schedules 1, 2, 3 and 4 and any further conditions as may be specified by such a notice.

In the event of a breach of the specified prohibitions in relation to any pesticide or of the conditions of an approval or a consent, regulation 7 authorises—

- (a) the seizure or disposal of the pesticide or of anything treated with it;
- (b) such remedial action as appears to a Minister to be necessary as a result of the contravention;
- (c) in the case of an imported pesticide, the removal out of the United Kingdom of that pesticide.

Regulation 8 enables the Ministers to make available on such conditions as they may determine, evaluations of and study reports submitted on pesticides in relation to which a provisional or full approval has been given. The furnishing of copies on payment of reasonable fees is authorised. Commercial use or unauthorised publication of information made available under the regulation is prohibited.

Contravention of the provisions of the regulations, conditions of approval or requirements imposed by virtue of the regulations is an offence under section 16(12) of the 1985 enabling Act.