

(c) Government of the Hong Kong Special Administrative Region.

The Laws of Hong Kong

PESTICIDES ORDINANCE (CAP. 133)

SECTION: 2 Interpretation

DATE-IN-FORCE: The law is stated as at 30th April 2000

133 LOHK 2

In this Ordinance, unless the context otherwise requires-

"active ingredient" , in relation to a pesticide, means any substance, mixture of substances or biological agent in the pesticide which is the biologically active part of the pesticide; *(Added 79 of 1990 s. 4)*

"agricultural pesticide" means any insecticide, fungicide, herbicide, nematocide, molluscicide or any substance (whether organic or inorganic) having any of the properties of-

(a) destroying or repelling any insect, mite, mollusc, nematode, fungus, bacterium, virus or other pest capable of destroying or damaging plants;

(b) directly or indirectly controlling the activity of, or preventing or mitigating the harmful effect on plants of, any such pest;

(c) destroying weeds;

(d) acting as a bird or animal repellent, plant growth regulator, defoliant or desiccant; [cf. 1967 c. 50 s. 2 U.K.]

"Director" means the Director of Agriculture and Fisheries and the Deputy Director of Agriculture and Fisheries;

"inert ingredient" , in relation to a pesticide, means any ingredient of the pesticide which is not an active ingredient; *(Added 79 of 1990 s. 4)*

"inspector" means any public officer authorized to be an inspector under section 14;

"licence" means a licence to import, sell or supply registered pesticides issued under section 9; *(Amended 79 of 1990 s. 4)*

"member of the Customs and Excise Service" means any person holding an office specified in Schedule 1 to the Customs and Excise Service Ordinance (Cap 342); *(Amended 46 of 1977 s. 18; 68 of 1995 s. 2)*

"permit" means a permit to import, be in possession of, sell or supply an unregistered pesticide issued under section 9; *(Amended 79 of 1990 s. 4)*

"pesticide" means-

(a) any insecticide, fungicide, herbicide, acaricide or any substance (whether organic or inorganic) or mixture of substances used or intended to be used for preventing, destroying, repelling, attracting, inhibiting or controlling any insect, rodent, bird, nematode, bacterium, fungus, weed or other form of plant or animal life or any virus, which is a pest; or

(b) any substance or mixture of substances used or intended to be used as a plant growth regulator, defoliant or desiccant,

but does not include-

(i) any purely mechanical device for trapping or catching insects, rodents or other animals;

(ii) any purely electromagnetic or ultrasonic device for the control of mosquitoes, rodents or other pests;

(iii) any antiseptic, disinfecting solution or preparation in clinical or sanitary applications; and

(iv) any pharmaceutical product within the meaning of section 2 of the Pharmacy and Poisons Ordinance (Cap 138); *(Added 79 of 1990 s. 4)*

"plants" include trees, bushes and seeds;

"register" means the register of pesticides maintained under section 4;
(Amended 79 of 1990 s. 4)

"registered pesticide" means a pesticide which is registered in the register;
(Added 79 of 1990 s. 4)

"unregistered pesticide" means a pesticide which is not registered in the register. *(Added 79 of 1990 s. 4)*

(Amended 79 of 1990 s. 4)