

S.R.O. 21(I)/2004, dated 13.1.2004 Amendments in the agricultural Pesticides Rules, 1973

NOTIFICATION
AGRICULTURAL PESTICIDES RULES, 1973

[Gazette of Pakistan, Extraordinary, Part-II, 16th January, 2004]

S.R.O. 21(I)/2004, dated 13.1.2004.—In exercise of the powers conferred by Section 29 of the Agricultural Pesticides Ordinance, 1971 (II of 1971), the Federal government in consultation with the Agricultural Pesticides Technical Advisory Committee, is pleased to direct that the following further amendments shall be made in the agricultural Pesticides Rules, 1973, the same have been previously published as required by sub-section (1) the said section, namely:--

In the aforesaid Rules:--

- (1) In Rules 9, in sub-rule (5), after clause (b), the following new clauses shall be added, namely---

“(c) who maintains adequately qualified staff of whom at least ten persons where operations are carried out in more than one provinces, and 10% of the technical staff but not less than 3, if operations are carried out in one province only, should be agricultural graduates or postgraduates; and

(d) who, in case of a company, has a minimum paid up capital of Rs. One million or, in case of an individual, has capital investment of Rs. 0.5 million.”

- (2) after Rule 9, in the heading, after the word “SALE” the comma, letters and full stop “ETC.” shall be added;

- (3) after Rule 11, for the heading the following shall be substituted, namely:--

“PART-V:-- PACKING, RE-PACKING, RE-FILLING AND LABELLING, ETC.”,

- (4) After rule 12, the following new rule shall be inserted, namely:--

“12-A. Packing, re-packing or re-filling of pesticides, etc.--- (1) The importers, manufacturers and formulators shall themselves undertake to supervise packing, re-packing, re-filling or labelling of pesticides, herbicides, weedicides, medicines and essential drugs for use in agriculture; manufactured or imported by them at their own duly registered plant with Director General, Department of plant Protection, and as per laws, or at any other plants or registered, and is equipped with lab, Facilities also; under their strict supervision and affix labels containing, besides the information required under Rule 14, the date of expiry, price, label the name, address and phone number of the importer, manufacturer and formulator and pass on to the distributors, dealers or retailers, as the case may be, in the retail packing so packed, re-packed or re-filled;

Provided that the provisions of this rule shall not apply for a period of one year to the stocks of such pesticides, etc., already packed, re-packed or re-filled.

This proviso would not apply to the imported consignment received or formulation made after the date of gazetted notification of this SRO.

(2) The importers, manufacturers, processors, formulators or re-filler, as the case may be, shall certify that such pesticide, medicine, drug, herbicide or weedicide is not on the negative list in the European Union, United States or America, China, Japan or Organization for Economic Cooperation for Development. In case of no such knowledge or information of being not on negative list is available, a declaration to that effect shall be filed on the letter-head of the importer, manufacturer or re-filler to the registration authorities.

(3) The distributor or retailer shall not accept any pesticide, herbicide, weedicide, medicines or essential drug for use in agriculture, if it is no properly packaged or sealed or does not bear label containing the prescribed information.

(4) The importers, manufactures or formulators shall, along with the pesticides, etc., forward warranty as to their quantity and ingredients shown weight by weight including active ingredients, solvents, emulsifiers, stabilizers etc. and all

impurities beyond 0.1% of weight in K.G. or in litres as the case may be, and efficacy and strength.”;

- (5) in Rule 41, -- (XIV),
- (a) in clause (xvi) for the full stop, at the end, a semi colon shall be substituted; and
- (b) after clause (xvi), amended as aforesaid, the following new clauses shall be added, namely—
 - “(xv) to ensure that the packing, re-packing or re-filling unit and the stores are situated away from the populated area, preferably in an industrial area, and are properly ventilated;
 - (xvi) to make necessary arrangements for prevention of spillage and disposal of waste;
 - (xvii) to provide re-filling line, preferably automatic with protective measures; and
 - (xviii) to keep reference sample of each batch, product data sheet and inventory available in the office and forward data sheet with the product during transportation.”