

THE CONTROL OF AGRICULTURAL CHEMICALS ACT.

Statutory Instrument 29—1.

The Control of Agricultural Chemicals (Registration and Control) Regulations.

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THE CONTROL OF AGRICULTURAL CHEMICALS ACT.

Statutory Instrument 29—1.

The Control of Agricultural Chemicals (Registration and Control) Regulations.

(Under section 15 of the Act.)

PART I—GENERAL.

1. Citation.

These Regulations may be cited as the Control of Agricultural Chemicals (Registration and Control) Regulations.

2. Interpretation.

- (1) In these Regulations, unless the context otherwise requires—
 - (a) “Act” means the Control of Agricultural Chemicals Act;
 - (b) “active ingredient” means the biologically active part of the agricultural chemical present in a formulation;
 - (c) “advertise” includes any representation by any means whatever for the purpose of promoting directly or indirectly the sale, use or disposal of agricultural chemicals;
 - (d) “agricultural chemicals” includes any chemical, pesticide, fungicide, insecticide, nematocide, herbicide, acaricide, bactericide, rodenticide, molluscicide, fertiliser, growth regulator or any other chemical or material used for agricultural purposes;
 - (e) “antidote” means a chemical used to reverse the effect of agricultural chemical poisoning;
 - (f) “board” means the Agricultural Chemicals Board established by the Act;
 - (g) “corrosive agricultural chemicals” means those substances, agricultural chemicals, which degrade substances or chemicals that react with containers during their shelf life;
 - (h) “damaged containers” means those agricultural chemical containers that are rusty or corroded or that have leaks, loose lids or have lost labels or are otherwise lacking legible labels, or any pesticide or chemical container letting off gaseous or liquid fumes of the contained agricultural chemical;

- (i) “display panel” means part of a label applied on or affixed to the package of an agricultural chemical but does not include a leaflet or brochure unless it is part of the label;
- (j) “environment” means surroundings, including water, air, soil and their interrelationship, as well as all relationships between them and any living organism;
- (k) “formulation” means a statement both in name and chemical formula of the nature and the amount of all the constituents of the agricultural chemical;
- (l) “fumigant” means any agricultural chemical exhibiting toxicity in the vapour phase;
- (m) “label” means the written, printed or graphic matter on or attached to any agricultural chemical or the immediate container of the agricultural chemical and the outside container or wrapper of the retail package of the agricultural chemical;
- (n) “minimum effective dose” means the least quantity of an agricultural chemical required to bring about effective control of the pest; the figure shall be accompanied with a statement giving the methods and conditions of experimentation when the minimum dose was made;
- (o) “Minister” means the Minister responsible for agriculture, animal industry and fisheries;
- (p) “package” means any container, wrapping, covering or holder in which any agricultural chemical is wholly or partly contained, placed, packed or repacked;
- (q) “persistent agricultural chemical” means any chemical which when applied remains active in the environment longer than the period of the intended effectiveness leading to environmental contamination;
- (r) “person” includes an individual, a firm or a company; and references to an “applicant” shall be construed accordingly;
- (s) “pesticide” means an agricultural chemical which by virtue of its poisonous properties is used to kill pest organisms;
- (t) “preharvest interval” means the period between the last pesticide application and the safe harvesting of crops for immediate use or consumption;
- (u) “premises” means any place, and includes a vehicle, vessel, railway carriage, aircraft and building;
- (v) “protective clothing” means all wear stipulated on the label on the container that is required to protect the user or dealer of the agricultural chemical;

- (w) “reentry period” means the time following agricultural chemical application after which it is safe to work in the treated environment;
- (x) “registered fumigator or operator” means a person who has the prescribed qualifications in agricultural chemical application and is registered as a fumigator or operator;
- (y) “registrar” means a registrar appointed under section 5(c) of the Act;
- (z) “safe disposal of agricultural chemicals” means the disposal of agricultural chemicals by a burial method approved by the health authority or as stipulated on the container label;
- (aa) “safety” means the safety of human beings, livestock, plants, crops, game birds, fish and other organisms and ground water, air and the general environment;
- (bb) “sell” includes to offer, advertise, keep, expose, transmit, convey, deliver and prepare for sale or exchange and to dispose of for any consideration whatsoever;
- (cc) “shelf life” means the period an agricultural chemical remains active;
- (dd) “technical committee” means the agricultural chemicals technical committee established under section 7 of the Act;
- (ee) “technical knowledge” is used to refer to agricultural chemical dealers who are certified persons;
- (ff) “volatile chemicals” means those chemicals or pesticides that form vapours at normal temperature and pressure.

(2) A reference to the carrying on of agricultural chemical business in these Regulations includes any business for the carrying on of which registration is required under these Regulations.

3. Registers.

The registrar shall maintain the following registers for the purposes of these Regulations—

- (a) a register of agricultural chemicals;
- (b) a register of fumigators and commercial applicators; and
- (c) a register of premises.

4. Matters required to be registered.

- (1) No agricultural chemical whether imported or manufactured in

Uganda shall be used, stored, distributed or dealt in in Uganda by way of business unless it is duly registered in the register of agricultural chemicals and a certificate is issued in respect of it under these Regulations.

(2) No person shall manufacture, import, export, store, use, distribute or otherwise deal in any agricultural chemical by way of business unless he or she is duly registered in the register of fumigators and commercial applicators as a fumigator or a commercial applicator and is issued with a certificate in relation to the registration under these Regulations.

(3) No person—

- (a) shall use any premises for the manufacturing, formulating, packaging, storing, or selling of any agricultural chemicals; or
- (b) being the owner or occupier of any premises, shall permit the premises to be used for the manufacturing, storing or selling of any agricultural chemical,

unless the premises are registered for the purpose in the register of premises referred to in regulation 3 of these Regulations and a certificate of registration is issued in respect of the registration under these Regulations.

(4) For the avoidance of doubt, the requirement of registration of agricultural chemicals includes a requirement of registration of—

- (a) a new product being introduced or manufactured in or outside Uganda for the first time, as a new common name and trade name;
- (b) a product already existing in Uganda as a common name but which product is being reformulated; and
- (c) a product already registered in Uganda under one type of formulation, where the formulation or its trade name changes.

5. Layout of premises.

All premises used for the manufacture, distribution, formulating, packaging or storage of agricultural chemicals shall—

- (a) be of a suitable design, layout and construction to facilitate the health of workers and to avoid contamination of the environment;
- (b) have sufficient space for placement of equipment, storage and materials, and be conducive to the health of workers and fumigators and commercial applicators; and
- (c) have separate areas, either by partition, location or other effective means, for those operations which do not require workers,

fumigators and commercial applicators to be exposed to the agricultural chemicals.

6. Protection of workers and operators and quality of chemicals.

Any person who carries on the manufacturing, formulating, packaging, usage or storage of agricultural chemicals in any premises shall ensure that—

- (a) at all material times—
 - (i) the persons working in the premises wear adequate protective clothing;
 - (ii) the premises are, to the board's satisfaction, equipped with first-aid facilities to cater for emergencies;
 - (iii) the general health of the persons working on the premises is adequately catered for; and
- (b) the quality of the agricultural chemicals is within the limits prescribed by the board.

7. Essential requirements of fumigators or commercial applicators.

The operator of the business in premises in which the business of manufacturing, formulating, packaging, storing, usage or distribution of agricultural chemicals is undertaken shall, to the satisfaction of the board, have adequate technical knowledge of the chemistry, toxicology, efficacy, safety and general use of the chemical being handled.

PART II—REGISTRATION OF AGRICULTURAL CHEMICALS.

8. Application for registration of agricultural chemical.

(1) An application for registration of an agricultural chemical shall be made to the board in Form A in the First Schedule.

- (2) The application shall be accompanied by—
 - (a) five copies of the label for the agricultural chemical or duly certified copies of it;
 - (b) samples of—
 - (i) the agricultural chemical for official testing, evaluation and screening;
 - (ii) the technical grade of the agricultural chemical's active ingredients;
 - (iii) the laboratory standard of the agricultural chemical's active

- ingredients;
- (c) information regarding—
 - (i) the technical knowledge of the applicant;
 - (ii) a certified application dosage and prescribed usage of the agricultural chemical;
 - (iii) the expiry date or the shelf life and date of manufacture of the agricultural chemical;
 - (iv) reentry and preharvest intervals;
 - (v) the corrosive effects of the agricultural chemical;
 - (vi) antidotes and first-aid treatment recommended in case of accidental poisoning;
 - (vii) special protective clothing required in respect of the use of the agricultural chemical; and
 - (d) such other information or matter as the board may require.

(3) An applicant not resident in Uganda shall apply through an agent who is a permanent (or who is ordinarily) resident in Uganda.

9. Certificate of registration for agricultural chemical.

(1) The board shall, on being satisfied that an application made under regulation 8(b) or (c) of these Regulations establishes that—

- (a) the applicant has sufficient technical knowledge; and
- (b) the official testing and screening has proved that the agricultural chemical is effective, safe and not a danger to public health,

cause the registrar to enter the name of the agricultural chemical in the register upon the payment by the applicant of a fee of five hundred shillings.

(2) An applicant whose application has been approved under this regulation shall be issued with a certificate of registration in Form B in the First Schedule to these Regulations.

10. Duration and renewal of certificate of registration.

(1) A certificate of registration issued under regulation 9 of these Regulations, unless earlier suspended or cancelled, is valid for three years from the date of issue and may be renewed for a further period not exceeding two years upon payment by the holder of a renewal fee of 250,000 shillings.

(2) An application for renewal shall be in writing and accompanied by five copies of the current label for the agricultural chemical.

11. Temporary registration of agricultural chemical.

(1) The board may, on such terms and conditions as it may specify and on the payment by the applicant of a fee of two million shillings, issue a temporary certificate of registration for an agricultural chemical in Form C in the First Schedule in respect of which an application is pending under regulation 8 of these Regulations.

(2) A temporary certificate referred to in subregulation (1) of this regulation may be for a period not exceeding eighteen months where—

- (a) the applicant agrees to produce additional technical information regarding the use for which the agricultural chemical is intended to be sold;
- (b) the agricultural chemical is urgently required for the control of pest infestations detrimental to public health, animals, plants, crops or the environment; or
- (c) the agricultural chemical is undergoing laboratory tests, experiments or field trials to determine its efficacy in Uganda.

(3) Any terms and conditions specified by the board under subregulation (1) of this regulation shall be stated in the temporary certificate of registration.

(4) No person shall carry out or cause to be carried out any laboratory tests, experiments or field trials in respect of agricultural chemicals, unless he or she has a temporary certificate issued by the board for the purpose under this regulation.

(5) All tests, experiments and field trials on agricultural chemicals shall be carried out in accordance with good laboratory practice; and unmodified copies of original reports of the tests, together with samples of the agricultural chemicals, shall be submitted to the technical committee for assessment.

(6) The technical committee shall assess whether or not the active ingredients of the agricultural chemical preparations presented for marketing correspond in identity, quantity and composition to the substance tested, and evaluate and clear it for toxicological, public health and environmental acceptability.

12. Refusal to register agricultural chemical.

The board may reject an application for registration of an agricultural chemical if in its opinion—

- (a) the application for registration or the label for the chemical does not comply with the Act or these Regulations;
- (b) the information provided to the board by the applicant is not sufficient to enable the agricultural chemical to be assessed, evaluated or screened;
- (c) the applicant fails to establish that the agricultural chemical has merit or value for the purpose claimed when the chemical is used in accordance with its label directions; or
- (d) the use of the agricultural chemical would lead to an unacceptable risk or harm to—
 - (i) things for which the agricultural chemical is intended to be used; or
 - (ii) public health, plants, animals or the environment.

PART III—TESTING OF AGRICULTURAL CHEMICALS.

13. General.

The following provisions of this Part shall apply to the testing of agricultural chemicals by or on behalf of the board for the purpose of any registration or for any other purposes under these Regulations.

14. Testing of agricultural chemicals.

(1) Candidate agricultural chemicals shall be tested by competent scientists in institutions such as universities, research institutes and companies authorised by the board, for efficacy, suitability and safety.

(2) Applications for testing candidate agricultural chemicals shall be made to the board.

(3) A fee shall be charged for covering the costs of testing and for partial registration as determined, from time to time, by the board but not less than two million shillings. A temporary certificate for registration shall be issued to the applicant in Form C of the First Schedule to these Regulations.

(4) The company applying for the tests shall submit samples to the

board in quantities enough to complete the tests.

(5) The samples shall be submitted by the company in code numbers, and trade names and generic (common) names for the formulation, accompanied by a sample of 100 percent technical material.

(6) The company responsible for the agricultural chemical shall not canvass, influence or seek to know or deal directly with the research staff team or personnel testing the candidate agricultural chemical.

(7) The board shall appoint a researcher or researchers to test the candidate agricultural chemical following specified guidelines.

(8) The agricultural chemical shall be tested for a minimum of three crop growing seasons or six months for animals, both in the laboratory and different field locations in Uganda to cover all the appropriate ecological zones.

(9) The company submitting the candidate agricultural chemical shall provide all technical information necessary to guide the testing process, that is, toxicity, environment, LD₅₀, MRLs and tolerance levels and any other relevant information.

(10) The researcher shall gather, analyse and compile test data into a technical report.

(11) The technical report shall be submitted to the board through the agricultural chemicals control technical committee.

(12) The decision of the board on the report shall be communicated to the company responsible for the candidate agricultural chemical and to the office of the registrar for necessary action.

(13) The researcher shall prepare technical communications and recommendations in respect of the approved chemicals.

(14) Agricultural chemicals, such as pesticides, shall be recommended for the control of specific pests on all host crops rather than being recommended for use on specific crops except for phytotoxicity and residue considerations.

15. Reporting.

- (1) All test result reports shall be confidential and available to the Government and the requisitioning company only.
- (2) No publication of the results in the report shall be made without permission of the board.
- (3) The technical communication and recommendation is the only information to be made public.

16. Approval.

- (1) All test result reports shall be submitted to the Board.
- (2) The agricultural chemical control technical committee shall receive and study the report and advise the board as the committee considers fit.
- (3) Approval shall be granted or denied to an agricultural chemical within six months from the end of the period required for testing.
- (4) The board shall be the sole authority to release the results.
- (5) The company responsible for the candidate chemical shall be informed of the board's decision within six months after the expiry of the test period.

PART IV—REGISTRATION OF FUMIGATORS AND COMMERCIAL
APPLICATORS.

17. Application for registration of fumigators and commercial applicators.

- (1) A person who claims to have the requisite technical knowledge for the purpose may apply to the board to be registered as a fumigator of agricultural chemicals or a commercial applicator.
- (2) An application under subregulation (1) of this regulation shall be in Form D in the First Schedule to these Regulations and shall be accompanied by five duly certified copies of relevant documents regarding

the technical knowledge of the applicant.

(3) An applicant shall submit any other information in relation to the application as the board may require.

18. Certificate of registration of fumigators and commercial applicators.

(1) The board shall, on being satisfied with an application made under regulation 17 of these Regulations, cause the registrar to enter the name and particulars of the applicant in the register of fumigators and commercial applicators upon the payment by the applicant of a fee of 500,000 shillings.

(2) The particulars referred to in subregulation (1) of this regulation shall include the agricultural chemical in connection with which the application is granted.

(3) Upon the registration of a fumigator or commercial applicator under subregulation (1) of this regulation, the board shall cause to be issued to him or her a certificate of registration in Form E in the First Schedule to these Regulations.

19. Duration of certificate.

A certificate of registration issued under regulation 18(3) of these Regulations shall remain valid until suspended or cancelled under these Regulations.

PART V—REGISTRATION OF PREMISES.

20. Application for registration of premises.

(1) An application for registration of any premises in the register of premises referred to in regulation 3 of these Regulations shall be in Form F in the First Schedule to these Regulations and shall be accompanied by such information as the board may require.

(2) No application shall be granted in respect of any premises under these Regulations unless the board is satisfied that—

(a) these Regulations have been complied with;

- (b) the business of agricultural chemicals would, in relation to the premises, be carried on under the immediate supervision of a registered fumigator or chemical applicator for the purpose of their use and safety; and
- (c) in case of a firm or company, that at least one of the partners or directors, as the case may be, is a registered fumigator or chemical applicator and is resident in Uganda.

21. Certificate of registration of premises.

(1) Upon the board being satisfied with an application made under regulation 20 of these Regulations, it shall cause the registrar to cause the premises in question to be registered in the register of premises upon payment by the applicant of a fee of five hundred thousand shillings and to issue to the applicant a certificate in respect of the registration in Form G in the First Schedule to these Regulations.

(2) The certificate shall be issued upon such terms and conditions as may be specified by the board on the certificate.

22. Duration of registration of premises.

The duration of a registration of premises under this Part shall be five years, subject to the provisions of these Regulations.

23. Temporary registration of premises.

(1) A person lacking technical knowledge but desiring to carry on the business of agricultural chemicals on any premises may apply to the board in Form H of the First Schedule to these Regulations for registration of the premises in the register of premises.

(2) Where in the case of an application under this regulation the board is satisfied that the applicant is a fit and proper person to carry on the business involving agricultural chemicals, the board may cause the registrar to register the premises temporarily on the register upon payment by the applicant of a fee of one hundred thousand shillings and to issue to the applicant on such terms and conditions as the board may specify, a temporary registration certificate in Form I in the First Schedule to these Regulations authorising the applicant to carry on the business in the premises specified in the certificate.

(3) The board may cancel a temporary registration issued under this regulation if satisfied that—

- (a) the holder of the certificate of registration contravenes any provision of the Act or these Regulations or any conditions specified by the board in relation to the registration; or
- (b) the holder of the certificate of registration has ceased to be a fit and proper person to carry on the business of agricultural chemicals.

PART VI—LABELLING, PACKAGING AND TRANSPORTATION.

24. Labelling requirements.

(1) No agricultural chemical shall be imported, distributed, sold or used without a label.

(2) No label shall be used on an agricultural chemical, unless it has been approved by the board or conforms to the Food and Agriculture Organisation of the United Nations standards.

(3) Subject to subregulation (2) of this regulation a label on an agricultural chemical shall conform to the form in the Second Schedule to these Regulations.

25. Prohibitions in relation to labels.

(1) No person shall use an agricultural chemical in a manner that is inconsistent with the directions or limitations respecting its use as shown on the label.

(2) No person shall remove or alter the label on any container or do any act in respect of the label of an agricultural chemical that would be contrary to these Regulations, or in a manner likely to mislead the public as to the nature of the agricultural chemical concerned.

26. Packaging.

(1) Packaging and repackaging of agricultural chemicals shall be carried out only on premises registered under these Regulations, where a registered fumigator or commercial applicator shall ensure that the chemical

is properly labelled and meets the required standards.

(2) Every package of an agricultural chemical shall, unless the board otherwise directs, require approval of the board.

(3) Notwithstanding subregulation (1) of this regulations, every package for an agricultural chemical shall be sufficiently durable and designed and manufactured so as to contain the agricultural chemical safely under practical conditions of storage, display, transportation and distribution.

(4) Every manufacturer or distributor of agricultural chemicals shall ensure that—

- (a) he or she provides a range of packs which can be safely and appropriately used by small scale farmers and other users in Uganda;
- (b) the withdrawal of any or all of the contents can be carried out in a manner that is safe to the user; and
- (c) the closing of the package is in a manner that will contain the agricultural chemical satisfactorily under practical conditions.

(5) Every package shall be constructed in such a manner as to minimise the degradation or change of its contents resulting from interaction with the atmosphere or from the effects of radiation or other means.

27. Transportation.

(1) Agricultural chemicals shall not be transported in damaged containers or in unsafe conditions.

(2) Loading and unloading of agricultural chemicals shall be done while wearing protective clothing as stipulated on the label.

(3) All containers or packages used to transport agricultural chemicals shall be properly labelled as required by these Regulations.

(4) Open or partly used containers or packages shall not be used to transport agricultural chemicals.

(5) Agricultural chemicals shall not be allowed to pour, spill, fall or vapourise off a vehicle during transportation.

- (6) Vehicles transporting agricultural chemicals shall—
 - (a) carry only those chemicals of a compatible chemical nature and not incompatible mixtures;
 - (b) not be used to transport passengers, food or animal feed unless first decontaminated; and
 - (c) shall display signs and labels stating the hazardous nature of the agricultural chemicals in transit.
- (7) All corrosive agricultural chemicals shall be transported in plastic containers.
- (8) All explosive agricultural chemicals shall be transported under cool conditions.

PART VII—ADVERTISING.

28. Advertising statements to be substantiated, etc.

- (1) Every statement used in advertising any agricultural chemical shall be technically substantiated by the person carrying out the advertisement.
- (2) No advertisement in relation to an agricultural chemical shall contain any statement or visual presentation which directly or by implication, omission, ambiguity or exaggerated claim could mislead the buyer in particular with regard to the safety of the agricultural chemical, its nature or composition, suitability for use or official recognition or approval.
- (3) Agricultural chemicals whose use is restricted to trained or registered fumigators or commercial applicators only shall not be publicly advertised except through journals for fumigators or commercial applicators.

29. Requirements governing advertisers.

- (1) All manufacturers, traders or other persons, involved in the advertising and promotion of agricultural chemicals shall ensure that—
 - (a) their advertisements do not encourage uses other than those specified on the label;
 - (b) their advertisements do not misuse research results or quotations from technical scientific jargon and that irrelevancies are not used to make claims appear to have a scientific basis which they

- do not possess;
- (c) promotional materials do not include or use recommendations at variance with those of the recognised research and advisory agencies;
 - (d) claims as to safety, including statements such as “harmless”, “nontoxic”, “nonpoisonous”, are not made without a qualifying phrase such as “when used as directed”;
 - (e) statements comparing the safety of different chemicals, and misleading statements concerning the effectiveness of the agricultural chemical, are not made;
 - (f) any guarantee or implied guarantee statements such as “more profits with”, “chemical X”, “guarantee high profit”, are not used unless definite evidence substantiating the claim is provided;
 - (g) advertisements do not contain any visual representation of potentially dangerous practices, such as mixing or application without protective clothing, use or application near human food or animal feeds or use by or near children;
 - (h) advertising and promotional material include the appropriate warning phrases, signs and symbols as contained in these Regulations;
 - (i) all persons or staff involved in the advertising or promotional business are adequately trained and possess sufficient technical knowledge to present complete, accurate and valid information on the chemicals; and
 - (j) technical literature provides adequate information on correct practice, including the observance of recommended dosage, frequency of application, preharvest and reentry intervals.

(2) All persons carrying out the business of advertising and promotion of agricultural chemicals shall fully inform the public of the risks and hazards derivable from the use of agricultural chemicals.

PART VIII—STORAGE, USE AND SAFETY.

30. Storage of agricultural chemicals.

(1) Agricultural chemicals shall be stored and displayed in accordance with the condition shown on the label.

(2) Premises on which agricultural chemicals are stored shall

conform to the following requirements—

- (a) premises shall be a separate building which is strictly for the purpose of storage of the agricultural chemicals and which shall be securely lockable;
- (b) food, feeds and drinking water shall not be kept in the premises, nor shall the premises be used as a sleeping house for human beings, animals or livestock;
- (c) the site of the premises shall have direct access from more than one side for easy reach of delivery, and fire-fighting vehicles and equipment;
- (d) office accommodation for staff shall be separate from the store area;
- (e) the floor of the storage premises shall be smooth concrete or of other impervious material so that agricultural chemical spills shall not be absorbed;
- (f) concrete bands shall surround the outside of the store to sufficiently contain the contents of the store in case of fire or spillage;
- (g) the internal walls shall be smooth and free from cracks and ledges and easy to clean;
- (h) windows and ventilators shall be barred against unauthorised entry and shall be shaded to prevent light from degrading the agricultural chemicals;
- (i) the store shall be kept dry, well lit, ventilated and with abundant supply of cold water;
- (j) lighting by sun or by electricity of at least 200 lux shall be provided to facilitate reading of labels and inspection for signs of leakages, spillages or any other damage;
- (k) electric fittings shall be housed in conduits or be of mineral insulated or armoured type, and the fittings shall be flameproof;
- (l) there shall be sufficient space for storing empty containers, damaged containers, spills of chemicals and out-of-date stocks awaiting disposal; and
- (m) there shall be installed in the store portable fire extinguishers in working condition and warning signs such as “DANGER: POISON” or “AUTHORISED PERSONS ONLY”.

31. Additional requirements regarding storage.

The following additional requirements shall apply to the storage of agricultural chemicals—

- (a) chemical stores shall be locked whenever not being used;
- (b) chemical stores and shops shall not be used for sitting or sleeping;
- (c) there shall be enough ventilation through the store;
- (d) overheating shall be avoided in a chemical store;
- (e) chemical stores shall not be damp;
- (f) agricultural chemicals shall be stored on stands raised above ground;
- (g) chemical stores shall not be used for the storage of foodstuffs;
- (h) children shall not be allowed to operate chemical stores;
- (i) there shall be adequate labelling around the store to warn the public; and
- (j) safety measures shall be provided in the store.

32. Use of agricultural chemicals.

The following shall apply to the use of agricultural chemicals—

- (a) safe handling shall be ensured at all times during use;
- (b) agricultural chemicals shall not be allowed to drift away from the user;
- (c) approved protective clothing shall be worn during use;
- (d) the recommended applicators shall be used to apply agricultural chemicals;
- (e) food shall not be consumed at any place during application there of agricultural chemicals;
- (f) no smoking, drinking or handling of food and food utensils by any persons shall be permitted while they are in the process of applying agricultural chemicals;
- (g) all clothing used by any person while applying agricultural chemicals shall be washed immediately after the application;
- (h) an applicator of agricultural chemicals shall wash his or her whole body with soap and clean water immediately after his or her application of any agricultural chemicals; and
- (i) all appliances such as pumps used for applying agricultural chemicals shall be properly washed soon after use.

33. Safety.

The following precautions shall be taken in relation to agricultural chemicals—

- (a) no persons or animals shall be allowed into freshly sprayed areas

- for harvesting or grazing;
- (b) food products shall not be consumed soon after application of agricultural chemicals in any place where the food products are, and a safe period stipulated for the chemical shall be observed;
- (c) all agricultural chemicals' containers shall be well labelled;
- (d) no chemicals shall be repacked in any other containers other than the original containers;
- (e) children shall not be entrusted with agricultural chemicals;
- (f) all agricultural chemicals shall be kept out of reach of children;
- (g) all agricultural chemicals shall not be stored in dwelling houses;
- (h) approved clothing shall be worn by all persons when handling agricultural chemicals;
- (i) empty chemical containers shall not be reused for household work; and
- (j) agricultural chemicals shall be packed in materials not attractive for reuse.

PART IX—DISPOSAL AND THE ENVIRONMENT.

34. Disposal.

- (1) Agricultural chemicals shall be disposed of according to stipulated procedures.
- (2) Agricultural chemicals shall not be disposed of into the open or any waterway.
- (3) Any agricultural chemical spillage shall be mopped up immediately by using soil which can be buried away safely.
- (4) Empty agricultural chemical containers shall be disposed of in an environmentally sound manner.
- (5) Empty agricultural chemical containers shall not be left carelessly in the environment.
- (6) Any agricultural chemical material which expires before use shall be disposed of by professional handlers, and expired materials have to be reported to the board.

35. Environment.

(1) Agricultural chemicals shall be used in such a way as to safeguard the environment.

(2) No dumping of agricultural chemicals shall be permitted anywhere and anyhow in the environment, without taking due care.

(3) Empty agricultural chemical containers shall not be dumped carelessly other than by burying.

(4) Monitoring of agricultural chemicals shall be mandatory by agents of manufacturers and distributors concerned to assess the impact on the environment.

(5) Agricultural chemicals shall be used only when they cannot be avoided.

(6) Indiscriminate use of agricultural chemicals is prohibited.

(7) The least damaging agricultural chemical materials on the environment shall be encouraged.

(8) Nontarget species shall be protected.

PART X—SUSPENSION AND CANCELLATION OF REGISTRATION AND
APPEALS.

36. Suspension or cancellation of registration.

(1) Subject to the provisions of this Part, the board may suspend the registration of any agricultural chemical, fumigator, commercial applicator or premises under these Regulations and notify, in writing, the holder of the relevant certificate.

(2) Where a registration has been cancelled under this regulation, the holder of the certificate of registration in relation to the cancelled registration shall, unless an appeal is pending in respect of the cancellation or the cancellation is reversed on appeal, return the certificate immediately to the board.

(3) Where the registration of a fumigator or commercial applicator

has been suspended or cancelled under this Part, he or she shall not apply again for registration subject to the reversal of the suspension or cancellation on appeal.

37. Conditions for suspension or cancellation.

The power to suspend or cancel registration under this Part may be exercised by the board where—

- (a) any information provided for the purpose of the registration is found to be false or incomplete in a material particular;
- (b) new information obtained by the board proves that the agricultural chemical is unsafe, dangerous or unacceptably risky;
- (c) the holder of the certificate of registration in relation to the registration has been convicted of an offence under the Act or under these Regulations;
- (d) in the case of registered premises, the premises on which or part of which the agricultural chemical is manufactured, formulated, used or stored by or on behalf of the holder of the certificate of registration are unsuitable for the manufacturing, formulation, usage or storage of agricultural chemicals; or
- (e) any contravention of the Act or these Regulations or a condition attached to the registration has been committed by the holder of the certificate of the registration in relation to the registration or any such contravention has been committed by any person in relation to the agricultural chemical or in relation to the registered premises.

38. Appeals.

(1) The holder of a certificate of registration in respect of any registration which has been suspended or cancelled may appeal to the Minister in writing against the suspension or cancellation within thirty days after receipt by him or her of notification of the suspension or cancellation under regulation 36 of these Regulations.

(2) The Minister, on considering the appeal, may amend, vary, confirm or reverse the decision from which the appeal is made, and his or her decision is final.

PART XI—RECORDS, RETURNS AND PUBLICATIONS.

39. Records to be kept by holder of certificate of registration.

A holder of a certificate of registration issued under these Regulations shall keep a record of all the quantities of agricultural chemicals manufactured, stored or sold by him or her, and the record shall—

- (a) be maintained for five years from the time it is made; and
- (b) be open to the board for inspection.

40. Returns to registrar.

(1) Every person carrying on the business of and storing agricultural chemicals on registered premises shall, within twenty-one days after the commencement by him or her of that business, on those premises, and annually in the month of December thereafter, send to the registrar a return in the form in the Fourth Schedule to these Regulations stating—

- (a) the location and postal address of the premises;
- (b) the name and principal address of the person carrying on the business on the premises; and
- (c) the name and address of the registered fumigator or commercial applicator supervising the sale or distribution of the agricultural chemicals.

(2) If any alteration occurs in the particulars stated in the last return made to the registrar under subregulation (1) of these Regulations, the person carrying on business on the premises shall, within twenty-one days after the occurrence of the alteration, send to the registrar written notice of the alteration.

41. Publicity by registrar in Gazette.

The registrar shall—

- (a) in January in each year cause to be published in the Gazette lists of all agricultural chemicals, fumigators and commercial applicators and premises registered by him or her in the preceding year, including particulars of the holders of the certificates of registration, and lists of all registrations deleted from the register in the preceding year; and
- (b) within three months after the occurrence of the relevant event cause to be published in the Gazette notice of every registration made by him or her or any deletion of a registration from the register.

42. Notice to holder of certificate of registration.

Where the board—

- (a) refuses to register an agricultural chemical or a fumigator or a commercial applicator or any premises; or
 - (b) suspends or cancels a certificate of registration,
- it shall send to the applicant or the holder of a certificate of registration, as the case may be, written notice notifying him or her of the refusal, suspension or cancellation.

43. Registration certificate not transferable.

(1) No person issued with a registration certificate under these Regulations shall lend, hire, sell, transfer or otherwise dispose of the certificate.

(2) In particular, no registration certificate shall be transferable from the premises in respect of which it was issued.

44. Offences and penalties.

(1) Any person who without the necessary registration does any act in relation to any agricultural chemical, which is prohibited by these Regulations commits an offence.

(2) Any person who contravenes any of the provisions of regulations 5, 6, 7, 15, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 39, 40 or 43 of these Regulations commits an offence.

(3) Any person who commits any of the offences specified in this regulation is liable to the penalties specified in relation to it in section 12 of the Act.

45. Forms of registers.

The registers required to be kept under these Regulations shall respectively be made in the relevant forms set out in the Third Schedule to these Regulations.

SCHEDULES

First Schedule.

reg. 8.

Forms.

Form A.

Application for the Registration of an Agricultural Chemical.
The Control of Agricultural Chemicals Act.
(To be submitted in sextuplicate)

The Registrar
The Agricultural Chemicals Board
P.O. Box _____

Part I.

1. Name of applicant _____
2. Business address _____
Tel. No. _____
3. Status of applicant (manufacturer, agent, etc.) _____
4. Name and address of manufacturer (where applicable) _____

5. Name and address of formulator _____

Part II.

1. Approved common name(s) _____

2. Generic (common) name(s), trade name and structural formula(s) of the major active ingredient(s)—

Generic (common) name	Chemical name(s)	Structural formula(e)

3. Chemical name(s) and structural formula(e) of the minor active ingredient(s) (*where applicable*)—

Chemical name(s)	Structural formula(e)

4. Trade name(s), code number(s) and local name(s) of the chemical

Trade name(s) and code(s)	Ugandan name(s)

5. Formulation; wettable powder (W.P.), emulsifiable concentrate (E.C.), dust, etc. _____

6. Concentration (of all active ingredient(s)) _____

7. Description of inert material _____

8. Intended use (veterinary, health, agriculture, forestry, fishery, etc.)

9. Method, range and frequency of application _____

10. Target pest(s), disease(s), and host(s) _____

Part III.

1. Toxicity of formulated product to pest, animals (oral, dermal and inhalation LD₅₀, LC₅₀) _____

2. Effects of the production in the environment—
 - (a) toxicity to bees _____
 - (b) toxicity to fish _____
 - (c) toxicity to birds _____
 - (d) toxicity to soil microorganisms _____
 - (e) persistence in the environment _____
3. Antidote(s) _____

4. Expected shelf life _____

5. Registration number and reference of the chemical in the country of origin and in three other countries where it is marketed _____

6. Is the product authorised to be on the market in the country of origin? *If yes, attach evidence* _____

Part IV.

1. Package description(s)—

Package size (wt. vol.)	Package material (plastic, etc.)	Lined (yes/no)

2. Indicate whether packaging materials are approved by the Uganda National Bureau of Standards (*attach evidence of approval*) _____

PART V.

Name(s) and address(es) of distributor(s)—

1. _____

2. _____

3. _____

4. _____

The information contained in this application is true and correct to the best of my knowledge and belief.

Date of application

Signature of Applicant

Position (if company)

Note—

1. A separate application form is required for each chemical.
2. Submit five proposed labels to be used in the packages or duly certified copies of the labels.
3. Submit enough samples of the agricultural chemical for official testing.
4. If the space provided is not sufficient, attach a separate sheet.

reg. 9.

Form B.
Certificate of Registration of an Agricultural Chemical.
The Control of Agricultural Chemicals Act.

Number _____

It is certified that the agricultural chemical described in the certificate has been registered under the Control of Agricultural Chemicals Act and regulations made under it and is subject to the conditions indicated in this certificate—

1. Approved common name _____
2. Trade name under which the chemical is traded in Uganda _____

3. Active ingredient(s) _____

4. Formulation _____

5. Condition(s) under which the agricultural chemical is registered

6. Registration No. _____
7. Registered in the name of _____

Address _____ Tel. No. _____
8. Date of registration _____
9. Registration expires on _____

Chairperson, Agricultural
Chemicals Board

Secretary, Agricultural
Chemicals Board

regs. 11,14.

Form C.

Temporary Certificate of Registration of an Agricultural Chemical.
The Control of Agricultural Chemicals Act.

Number _____

It is certified that the agricultural chemical described in this certificate has been temporarily registered under the Control of Agricultural Chemicals Act and regulations made under that Act and is subject to conditions specified in this certificate—

1. Approved common name _____

2. Trade name under which the chemical is traded in Uganda _____

3. Condition(s) under which agricultural chemical is registered _____

(either that—

- (a) it is for the emergency control of infestation in _____ area;
- (b) it is for the carrying out of laboratory tests, experiments and field tests at _____; or
- (c) the applicant is required to produce technical information regarding the use for which chemical is to be used; or
- (d) any other condition).

4. Registration No. _____

5. Registered in the name of _____
of _____ (address) Tel. No. _____

6. Date of registration _____

7. Certificate expires on _____ (one year)
_____ from date of registration.

Chairperson, Agricultural
Chemicals Board

Secretary, Agricultural
Chemicals Board

Form D.

Application for Registration of a Fumigator/Commercial Applicator.

The Control of Agricultural Chemicals Act.

(To be submitted in sextuplicate)

The Registrar
The Agricultural Chemicals Board
P.O. Box _____

1. Name of applicant _____

2. Business address _____ Tel. No. _____

3. Qualifications (degree, certificate, etc.) _____

4. Status of applicant (manufacturer, agent, etc.) (if applicable) _____

5. Have you ever been convicted of a criminal charge? If yes, give brief details, including sentence imposed. (*N.B.*—Conviction for a criminal offence will not necessarily bar an applicant from grant of a certificate, but the giving of false information in this context is itself a possible offence) _____

6. Have you applied for a fumigators/commercial applicators certificate before? If yes, give brief details on what happened to the application _____

7. Have you ever been granted a fumigators/commercial applicators certificate before? If yes, has it ever been suspended or cancelled and state when _____

The information contained in this application is true and correct to the best of my knowledge and belief.

Date of application

Signature of Applicant

Note—

1. A separate application form is required for each applicant.
2. Submit five certified copies of testimonials.

reg. 18.

Form E.

Certification of Registration of a Fumigator/Commercial Applicator.

The Control of Agricultural Chemicals Act.

Number _____

It is certified that _____
has been registered as a fumigator/commercial applicator under the Control
of Agricultural Chemicals Act and the regulations made under that Act.

Number of registration _____

Date of registration _____

Chairperson, Agricultural
Chemicals Board

Secretary, Agricultural Chemicals
Board

Form F.
Application for Registration of Premises.
The Control of Agricultural Chemicals Act.

The Registrar
The Agricultural Chemicals Board
P.O. Box _____

1. Name of applicant(s) _____

2. Name and address of person to be issued with the registration

3. Full names, status and address of partners and/or directors (where applicable)

4. Nature of occupation for which registration is required _____

5. Owner of premises _____
6. Plot No. _____ LR. No. _____
7. Location _____
8. Street/Road _____
9. General business postal address _____
10. Name, qualification and evidence of registration of the person under whom processing, trading, etc. will be undertaken _____

Date of application

Signature of Applicant

Note—

1. Premises includes vehicles, railway carriages, ships, etc.; therefore if registering a vehicle, ship, etc. for No. 6 provide the Registration No., for No. 7 provide date of current road licence, for No. 8 provide evidence of road worthiness.
2. A separate form must be filled for each vehicle, ship, etc.

Form G.
Certificate of Registration of Premises.
The Control of Agricultural Chemicals Act.

This certificate is granted to _____
to sell/store/manufacture/package/formulate/display/transport agricultural
chemicals at Plot No. _____ Veh. Reg. No. _____
LR. No. _____ situated at _____
for two years. Renewable thereafter.

Registration No. _____

Dated this _____ day of _____, 20____.

Chairperson, Agricultural

Secretary, Agricultural Chemicals Board

Chemicals Board

Note—

1. This certificate is not transferable to any other person without the approval of the board.
2. This certificate is not transferable to any other premises.

Form H.
Application for a Temporary Registration of Premises.
The Control of Agricultural Chemicals Act.

The Registrar
The Agricultural Chemicals Board
P.O. Box _____

1. Name of applicant _____

2. Name and address of person to be issued with the certificate

3. Full names of partners or directors (where applicable)

4. Experience of applicant in handling agricultural chemicals although he
or she has no documented technical knowledge _____

5. Nature of occupation (must be either to retail, wholesale for storage or
distribution of agricultural chemicals) _____

6. Distance between the premises in respect of which this application is
made and nearest area where agricultural chemicals are dealt with
under the supervision of a person with technical knowledge
- - - - -

7. Owner of premises _____
8. Plot No. _____
9. LR. No. _____
10. Location _____
11. General business postal address _____

Date of application

Signature of Applicant

Note—

1. Premise is in reference to a building, location and place.

reg. 23.

Form I.

Temporary Registration Certificate for Premises.

The Control of Agricultural Chemicals Act.

This temporary certificate is granted to _____

to retail/wholesale/distribute/display/store/transport agricultural chemicals

at Plot No. _____/Veh. Reg. No. _____

LR. No. _____ situated at _____

for a period of _____ subject to conditions that
may be specified in this certificate by the board.

Dated this _____ day of _____, 20 _____

Chairperson, Agricultural

Secretary, Agricultural Chemicals Board

Chemicals Board

Conditions—

1. This certificate is not transferable to any other person.
2. This certificate is not transferable to any other premises.

Second Schedule.

reg. 24.

Labels.

The Control of Agricultural Chemicals Act.

2.1 LABELLING.

Components of a pesticide label—

1. Name and address of the pesticide manufacturer
2. Trade name of the pesticide
3. Common name of the pesticide
4. Chemical name of the pesticide
5. Type of formulation
6. Active and inert ingredients in the formulation
7. Signal word or words—
 - POISON = highly toxic
 - WARNING = moderately toxic
 - CAUTION = low toxicity
8. Use classification for the pesticide—
 - General use
 - Restricted use
9. Directions for use
10. Date of manufacture
11. Date of expiry
12. First-aid procedure in case of poisoning
13. Precautionary statement: possible hazard to
 - humans
 - livestock
 - wildlife
14. Maximum residue levels (MRLs) on treated foods
15. LD₅₀ and LC₅₀ in mg./kg. body weight
16. Storage and disposal conditions
17. Contents of pack
18. Registration No.
19. “READ LABEL BEFORE USE”.

Label examples.

2.2 One panel label.

CAUTION

KEEP LOCKED UP OUT OF REACH OF CHILDREN

SMITH'S FUNGICIDE

Contains 15g./litre of lime in the form of an aqueous concentrate.

FOR CONTROL OF BROWN ROT ON PEACHES.

DIRECTIONS FOR USE—Add 7 litres of SMITH'S FUNGICIDE per 100 litres of water and apply from 3 weeks after petal fall until 3 weeks before harvest.

WITHHOLDING PERIOD—No limits. Avoid excessive deposits on fruit.

COMPATIBILITY—Can be combined with winter oil and sulphur but do not mix with any other pesticide without first checking with a reliable compatibility chart.

PRECAUTIONS—SMITH'S FUNGICIDE is not a scheduled poison, but avoid eye and skin contact. Do not contaminate any water supply. Wash hands and exposed skin before meals and after work.

STORAGE—Corrosive. Store drums in a dry place, away from feedstuffs and out of reach of children.

Registered Pursuant to the Control of Pesticides Act.

Registered Number _____

Batch No. _____

Net contents – 20 litres.

SMITH INDUSTRIES
Smith Street
Laughing Springs

2.3 Two panel label.

DIRECTIONS FOR USE—

MIXING—Mix to required quantity of SMITH'S INSECTICIDE with a small quantity of water; then add the premix of the spray not while filling, ensuring the agitators are in motion.

APPLICATION RATE—The rates suggested are for high volume spraying to run-off. For concentrate spraying adjust rates accordingly.

PIP FRUIT—codling moth, leaf roller, scale crawlers - apply 75-100g./100 litres of water, the first application at petal fall (when bees are removed) repeating application at 2-3 weekly intervals until 2 weeks prior to harvest.

STONE FRUIT—leaf roller - apply 75-100g/100 litres of water making the first application at petal fall and repeat at 2-3 weekly intervals until prior to harvest. Check withholding periods below.

WITHHOLDING PERIODS—The following minimum time intervals must be observed between the last application and harvest.

Pip fruit	14 days	Apricots - 21 days
Peaches	21 days	Other stone fruit - 14 days

COMPATIBILITY—Compatible with most fungicide and insecticides except those which are highly alkaline such as bordeaux, lime sulphur and lime.

Registered pursuant to the Control of Pesticides Act
Registered Number _____

Batch No. _____ Net Contents – 2 kg.

SMITH INDUSTRIES
Smith Street
Laughing Springs

VERY TOXIC

KEEP LOCKED UP OUT OF REACH OF CHILDREN

SMITH'S INSECTICIDE

Contains 500 g./kg orgophos in the form of a wettable powder.

WARNING—This material is extremely dangerous if swallowed, inhaled or absorbed through the skin.

PRECAUTIONS—Keep tightly closed in original labelled container in a safe place away from food, children and animals. Wear rubber glasses, overalls and respirator during mixing and application. Wash hands and exposed skin before eating, drinking or smoking and wash protective clothing daily after work. Obtain a supply of atropine and keep it handy while using SMITH'S INSECTICIDE. Empty containers must be washed out and destroyed safely. Harmful to fish—do not apply chemical or throw used container into water bodies.

Toxic to bees—Spray must not contact plants in flower if they are likely to be visited by bees.

SYMPTOMS OF POISONING—Headache, nausea, giddiness, blurred vision, vomiting, contraction of pupils, diarrhea.

FIRST AID—if swallowed give a glass or two of water and cause vomiting by putting a finger down the throat. Repeat until vomit fluid is clear in appearance. Do not cause vomiting if the patient is unconscious or convulsing. If symptoms of poisoning are occurring, give an atropine tablet every ¼ hour for the first hour and then one every ½ hour.

SPILLAGE—If spillage occurs, damp down any dust with a little water then sweep up and bury.

2.4 Three panel label.

PRECAUTIONS—Keep out of reach of children. Avoid inhalation of spray mist or contact with the concentrate. If skin or eyes are contaminated, wash immediately and thoroughly with plenty of water. Empty containers must be washed out, buried or burned in a safe place.

WEEDS CONTROLLED—

Susceptible: black nightshade, chamomile, fathen, fumitory redroot, shepherds purse.

Moderately susceptible: cornbind, wireweed, Californian thistle.

Resistant: cleavers, docks and most deep rooting weeds.

COMPATIBILITY—Do not mix with emulsifiable concentrates of insecticides or other herbicides.

HARMFUL

**KEEP LOCKED UP OUT
OF REACH OF CHILDREN**

SMITH'S WEEDKILLER

Contains 700 g./kg. lethachem in the form of a wettable powder

**SELECTIVE HERBICIDE FOR WEED
CONTROL IN PEAS, WHEAT AND
POTATOES**

Registered pursuant to the Control of Pesticides Act.

Batch No. _____ Net Contents 1.5 kg.

SMITH INDUSTRIES
Smith Street
Laughing Springs

DIRECTIONS FOR USE—

PEAS—POST-EMERGENCE. Apply 1-1.5 kg. SMITH'S WEEDKILLER per hectare in 300-600 litres, when the weeds are at the cotyledon to 2 true leaf stage and the crop is not more than 10 cm. high. Do not apply beyond this stage.

WHEAT—POST-EMERGENCE. Apply 1 kg. SMITH'S WEEDKILLER in 300-400 litres of water from the 5 leaf stage to the shot blade stage. Application should be made as early as possible. Where Californian thistles are a problem, delay until maximum emergence has taken place.

POTATOES—PRE-EMERGENCE. Apply 2-2.5 kg. SMITH'S WEEDKILLER in 350-450 litres of water before potatoes emerge.

CROP ROTATION—Residues from the use of SMITH'S WEEDKILLER may adversely affect certain susceptible crops. Do not plant crops other than those recommended for treatment on the label within 3 months of applying SMITH'S WEEDKILLER.

reg. 45.

reg. 45.

Form A.
Register of Agricultural Chemicals.
The Control of Agricultural Chemicals Act.

Form A.
Register of Agricultural Chemicals.
The Control of Agricultural Chemicals Act.

Form A.
Register of Agricultural Chemicals.
The Control of Agricultural Chemicals Act.

[illegible]

Form B.
Register of Fumigators/Commercial Applicators.
The Control of Agricultural Chemicals Act.

Item	Date of application	Name and address of applicant	Qualifications	Date of grant and number of certificate	Cancelled/ Suspended	Signature of applicant	Registrar's remarks

Form C.
Register of Premises.
The Control of Agricultural Chemicals Act.

Item	Date of application	Owner's name and address	Name of registered fumigator/ commercial applications	Plot No. and LR. No. location	City/town village and district	Date of grant and number of certificate	Suspended/ cancelled	Registrar's remarks

—

Fourth Schedule.

reg. 40.

Annual Return.
(In respect of agricultural chemicals storage.)
The Control of Agricultural Chemicals Act.

Location and postal address of premises	Name and address of person or company carrying on business	Name and address of registered fumigator supervising	Date of purchase of agricultural chemical	Name of agricultural chemical purchased/sold or supplied	Quantity of agricultural chemical purchased/sold or supplied	Purchaser's name, address, occupation and signature

History: S.I. 85/1993.

Cross Reference

Control of Pesticides Act, Laws of the Community, 1970 Revision, Cap. 36.
