

Federal Law number (41) of the year 1992 **Concerning Pesticides**

We Zayed Bin Sultan Al Nahyan president of UAE,

In accordance with the provisional institution

And the federal law number (1) of the year 1972 concerning the function of ministries and the powers of the ministers and the laws issued in amendment thereof,

And the federal law number (2) of the year 1974 concerning the regulation of importing seedlings and seeds, and the laws issued in amendment thereof,

And the federal law number (4) of the year 1979 concerning the control of deception and fraud in trade transactions,

And the federal law number (5) of the year 1979 concerning the Agricultural Quarantine and the laws issued in amendment thereof,

And the federal law number (3) of the year 1987 concerning the issuance of the punitive law. And the submission of the Minister of Agriculture and Fisheries, the approval of the Cabinet, the Federal National Council, and the Supreme Council of Federation,

We have issued the following law:

Article (1)

The following words and terms shall have the meanings hereby assigned to them unless otherwise required:

Country: The United Arab Emirates

Ministry: The Ministry of Agriculture and Fisheries

Minister: The Minister of Agriculture and Fisheries

Deputy Minister: The deputy minister of agriculture and fisheries

Concerned Department: The Agricultural Affairs in the ministry or any other organizational unit there on.

Competent Authority: The competent Authority for organizing, importing, manufacturing, preparing, and circulation of agricultural pesticides in each Emirate.

Committee: The committee of agricultural pesticides as referred to in Articles (3) and (4) of this law.

Pesticide: Any material or mixture of materials manufactured for protection or controlling plants against any kind of pests. This shall include insect vectors that transmit diseases to man and animal, undesired plants and animals which cause damage, or by any means interfere during the stage food production, agricultural production, wood, wooden crafts or forage, and foddors during their manufacturing, storing, transporting and marketing, swell to materials that the animals take to control pests, insects, mites or other pests, weather internal or external insects, or parasites.

The above shall include the materials used for organizing the growth of plants, downfall of leaves, or drying the plants, turning dawn fruit's trees, protection of fruit fading before harvesting, and the materials, which are used for protecting crops against either before or after harvesting, in order to protect the crop against degeneration during transmitting or storing.

Pest: Each animal, plant, or tiny living creature, which is harmful, disturbing, or destroying such as insects, Mites, Nematode, or micro organisms (bacteria, fungi, algae) plant viruses, harmful weeds, parasitical plants birds rodents, bats, slugs and snails.

Circulation: Displaying or exhibiting in purpose of sale, storing, or transferring any of permanent or temporary properties by any means of transportation.

Article (2)

1-The provisions of this law shall be applied to the following:

A- All kinds of pesticides.

B-Ingredient material: The active part of pesticides.

G- Commercial formulation of pesticide.

The final and active formulation of the of pesticide.

D- Additives: If separately sold to be used with the pesticide i.e. the additive materials which are added to the formula of the pesticides in order to improve its activity.

The provisions of this law shall not be applied to the following:

A- Pesticides imported by universities and research centers for scientific purposes, on condition that these parties shall take all safety precautions, and to ensure not being circulated in the country.

B- Pesticides imported for re-exportation on condition that they shall not pass through the inlets of the country, however the consignment could be transmitted from an inlet to another for exporting in coordination with the customs authorities and the agricultural quarantine, after taking the necessary precautions.

Article (3)

Importation, exportation, preparing, or circulation of pesticides unless being registered in the ministry, after obtaining the permission from the competent authority.

Article (4)

A committee called (the committee of agricultural pesticides) shall be set up in the ministry, and the minister shall determine the duties of this committee through a ministerial decree. This committee shall determined kinds of pesticides allowed for circulation, their specifications, the procedures of their

registration, and this committee shall coordinate with the parties of specialization in this respect.

Article (5)

The minister, shall prohibit producing, manufacturing, importing, or circulating any kind or variety of pesticides in accordance with the recommendation of the competent committee in the ministry either permanently or temporarily requested by the public benefit.

Article (6)

The minister shall issue the decisions necessary to implement the provisions of this law, in view of the suggestions of the committee, especially which concerned with the following:

- 1- Kinds of pesticides prohibited from circulation or importation due to their dangerous effects on health and environment, as well to a list of pesticides, which could be used under the supervision of the specialists.
- 2- Terms and conditions of licensing regarding importation, manufacturing and trade in the pesticides, and prepare the applications.
- 3- Procedures shall be taken for licensing of pesticides.
- 4- Terms and conditions, specifications, data of pots of pesticides, stickers and illustrated directions .
- 5- Procedures taken for sampling, analyzing of pesticides, methods of contestation against the results of analysis, prejudice, and reservation, and the measures taken to in the cases of contestation, prejudice and how to overcome.

Article (7)

The Persons who are working in this country, and whose activities or part thereof fall under the provisions of this law, shall adapt their statuses with its provisions and decisions during a period of six months from the date of its enforcement, otherwise they shall be liable for penalties as stated thereof.

Article (8)

The employees assigned to follow up the implementation of the provisions of this law, the decisions issued in execution thereof, and who have been selected by a decision from the minister of justice in agreement with the minister of agriculture and fisheries and the competent authority shall be deemed to be as judicial detection inspectors.

They are entitled to enter the places, which their activities are included within the provisions of this law, except the places allocated for residency, to ensure implementing its provisions and the decisions issued in execution thereof, and control of the violations; and the local authorities shall provide the necessary Facilities for those inspectors to carry out their mission.

Article (9)

Any one violates the provisions of this law shall be imprisoned for a period not exceeding six months and shall be levied a fine not less than (20,000) twenty thousand dirham, and not exceeding than (100,000) one hundred thousand dirham or one of these punishments.

A violator shall be punished according to the penalties stated in Article (342) and (343) of the punitive law, in case the violation led to the death of a human being or caused harming to his health, besides confiscating the material under violation.

Article (10)

The payable fees according to the provisions of this law are determined by a resolution from the cabinet.

Article (11)

The minister shall issue the bylaws and decisions necessary for implementing the provisions of this law.

Article (12)

This law shall be published in the official Gazette and enforced with effect from the date of its publishing.

Zayed Bin Sultan Al Nahyan

President of the United Arab Emirates

Issued by us in the presidential palace in Abu Dhabi

On The 1st of Rabee Althani 1413 h.

Correspondent to 28/9 1992