

THE UNITED REPUBLIC OF TANZANIA



THE PESTICIDES CONTROL REGULATIONS, 1984

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**THE TROPICAL PESTICIDES RESEARCH INSTITUTE
ACT, 1979
(No. 18 of 1979)**

REGULATIONS

Made under section 41

PESTICIDES CONTROL REGULATIONS, 1984

Short title

1. These Regulations may be cited as the Pesticides Control Regulations, 1984.
2. In these Regulations, unless the context otherwise requires: -
 - “Act” means the Tropical Pesticides Research Institute Act, 1979;
 - “Chairman” means the Chairman of the Pesticides Approval and Registration Technical Committee who is also the Director of the Institute;
 - “Committee” means the Pesticides Approval and Registration Technical Committee established under section 13 of the Act;
 - “Compounding” means mixing of pesticide ingredient with another ingredient including diluents;
 - “form” means a form set out in the Schedule to these Regulations;
 - “formulating” means prescribing and, or mixing pesticide ingredient according to a particular formulae;
 - “Institute” means the Tropical Pesticides Research Institute;_
 - “laboratory” means the Pesticides Registration and Control analytical laboratory at the Institute or the laboratory or any analyst appointed under section 21 of the Act;
 - “Label” means any written, printed or graphic matter on the immediate container and on every other receptacle or package in which the controller is placed or packaged;
 - “manufacture” in relation to any pesticide includes-
 - any process or ... or a process for making altering, furnishing packing, labeling, breaking up or otherwise treating or adopting any pesticide with a view to its safe, distribution or use and includes any process of formulating and compounding such pesticides;
 - “package” means a receptacle or wrapper in which a pesticide container is placed or packaged during storage or transportation.
 - “premise” means any land shop, hall or place where any pesticide is sold or manufactured or stored or used and includes any vehicle carrying pesticide;
 - “sale” means a sale of any pesticide, whether for cash or on credit and whether by wholesale or retail, and includes an agreement for sale, an offer for sale the exposing for sale or having in possession for sale of any pesticide and includes also an attempt to sell any such pesticide;

“Schedule” means a schedule annexed to these Regulations.

Objects

3. The objects of these Regulations are –

- (i) to ensure the effectiveness of pesticides used in Tanzania for the production of food and fibre and for the protection of public health and safety;
- (ii) to protect against possible harmful effects of pesticides including:
 - (a) impairment of the health of persons handling pesticides or using or consuming products or substances treated with pesticides;
 - (b) impairment of the health of domestic animals including honey bees from direct application of pesticides or from the consumption of plants or animals treated with pesticides;
 - (c) damage to cultivated plants from direct application of pesticides or from persistent soil residues and
 - (d) damage to the natural environment including impairment of the health of wildlife and contamination of waterways, lakes and other water bodies.

4. The Committee shall consist of the following members, namely: -

Composition of the committee

- (1) –
 - (a) The Director of the Institute,
 - (b) the Registrar of Pesticides who shall be the Secretary;
 - (c) the Analyst in charge of the Pesticides Registration and Control Analytical laboratory;
 - (d) the Director of Research, Ministry of Agriculture;
 - (e) the Registrar of the Pharmacy Board, Ministry of Health;
 - (f) the Chief Government Chemist, Ministry of Health
 - (g) one person each representing: -
 - (i) the Tanzania Bureau of Standards (TBS);
 - (ii) the University of Agriculture Morogoro;
 - (iii) the Ministry of Agriculture and Livestock Development
 - (iv) the National Chemical Industries;
 - (v) ***the Tanzania Agricultural Research Organization (TARO)***
 - (vi) the Tanzania National Scientific Research Council
 - (vii) the Tanzania Livestock Research Organization.

(2) The Committee may also co-opt such number of experts and for such purposes or periods as it may deem fit but any expert so co-opted shall have no right to vote.

(3) No member of the Committee shall, while holding such membership engage directly in any trade or business concerned with importation, manufacture, distribution or sale of any pesticide.

5. (1) The persons nominated under clause (i) (g) (i) – (vii) inclusive of Regulation 4 shall unless their seats become vacant either by resignation, death or otherwise, hold office for three years from the date of their nomination but shall be eligible for re-nomination.

(2) The person nominated under paragraph (a) to (h) shall hold office only for as long as they hold the appointment by virtue of which their nomination was made.

(3) The committee shall regulate its own procedure and the conduct of business to be transacted by it.

Functions of the Committee

6. The Committee shall in addition to the functions assigned to it by the Act, perform the following functions, namely

- (i) to maintain a system of collaboration with any national or international body or person dealing with pesticides;
- (ii) to maintain a system of cooperation with licensing and tendering authorities.
- (iii) to perform such other incidental or consequential matters necessary for carrying out the functions assigned to it under the Act or these Regulations.

Procedure for importation of a pesticide

7. – (1) Every person importing a pesticide shall obtain a permit for importing that pesticide, from the Registrar.
(2) The application for a permit and the permit shall be issued in the form set out respectively in Schedule II and III.
(3) Every importer of a pesticide shall pay a cess of 0.5% of the FOB value to the pesticide to be imported.
(4) Any cess paid under this Regulation shall be refunded by the institute where it is shown to the satisfaction of the Registrar that the pesticide in respect of which the cess was paid, was not, for any reason subsequently imported.

Every pesticide in use to be registered

8. Every person who for commercial purposes or disposal in any way for use by the public imports, manufactures, formulates or compounds any pesticide shall register that pesticide in accordance with the Act and these Regulations

Procedure for registration of a pesticide

9. Every application for pesticide registration or renewal of registration shall be on a form specified in Schedule I to these Regulations and shall unless otherwise advised, be accompanied by: -

- (a) a dossier containing additional information to determine the suitability of the pesticides as to its use and including technical data sheet and directions on how to detect and quantitatively the active ingredient;
- (b) the appropriate application fee;
- (c) a representative sample of the pesticide, certificate of analysis, if already issued and a written declaration that the pesticide has or has not been banned or restricted in the country of origin.

Submission and analysis of samples

10. – (1) A sample submitted for analysis for the purposes of registration shall be accompanied by appropriate standards.
(2) A sample submitted for analysis shall not be ... than 0.5 kilogram in case of solids, or not less than 0.5 liters in case of liquids.
(3) The container in which a sample for analysis is packed shall be sealed and adequately labeled.
(4) Every sample submitted for analysis shall be accompanied with the specifications of the sample and other relevant information.

11. – (1) Every pesticide submitted for registration shall be submitted for testing by the Registrar or by a person authorized by him, and the Registrar or the authorized person as the case may be shall carry out such field and/or laboratory tests as are necessary to determine the suitability for use of the pesticide.

Testing of pesticides

(2) Where the testing is carried out by a person other than the Registrar, that person shall submit, as soon as the test is completed the results of the test of the Registrar.

12. The Person applying for registration of a pesticide shall satisfy the Registrar that-

Additional conditions for registration

(a) the premises for the storage of the pesticide are adequate and well equipped with proper storage accommodation for avoiding any hazards and for preserving the properties of the pesticide in respect of which a registration certificate is sought;

(b) there will be a person or persons on the technical staff of the person applying who is or are qualified or experienced in handling the pesticide

13. – (1) If the Registrar as satisfied that a person applying for registration of a pesticide has complied with the provisions of the Act and these Regulations he may register the pesticide.

Registration

(2) On registration the person applying for registration of a pesticide shall pay such fees as are provided under these Regulations.

(3) The Registrar may refuse to register a pesticide if he is not satisfied in terms of sub-paragraph (1).

(4) An appeal from a decision of the Registrar refusing to register a pesticide under sub-Regulation (1) shall lie to the Minister and the Minister's decision shall be final.

(5) Every appeal under sub-Regulation (4) shall be made within sixty days from the date of the decision of the Registrar.

14. – (1) If the Registrar approves registration he shall issue a certificate of registration in a form prescribed in Schedule VI in respect of the pesticide whose registration is sought.

Certificate of registration

(2) Every certificate for registration shall expire after five years.

15. – (1) Where by reason of non-compliance with any provisions of these Regulations or any direction given by him the Registrar is unable to register a pesticide but is satisfied that steps can be taken with diligence by the applicant to comply with such provision or direction, as the case may, he may in his absolute direction, by notice in writing (hereinafter referred to as a notice of determent), defer registration of that pesticide pending compliance with such provision or direction.

Provisional registration

(2) The Registrar shall transmit the notice of deferment to the person who applies for registration of the pesticide.

(3) A notice of determent shall, subject to the provisions of this Regulation and any condition specified in that notice, entitle the person applying for the registration of a pesticide to use or dispose for use by the public the pesticide.

(4) Every provisional registration shall expire after two years.

- 16. – (1) Where a pesticide is highly toxic persistent, biologically cumulative or where that pesticide may cause poisoning of which no effective antedate is know and available the Registrar may register that pesticide subject to such conditions and restrictions as to its use or the quantity to be disposed of and other conditions that he may deem necessary. (2) Every registration of pesticide for restricted use shall expire after two years.
- 17. – (1) A person who intends to use a pesticide for experimental purposes shall have that pesticide registered in accordance with these Regulations. (2) Every registration of a pesticide for experimental purpose shall expire after one year.
- Fees 18. – (1) The fees payable for registration of a pesticide shall be-
(a) full registration: shillings 3,000/=
(b) provisional registration: shillings 2,000/=
(c) pesticide use registration: shillings 2,000/=
(d) registration for experimental use: shilling 300/=
(2) A fee of shillings 1,000/= shall be charged for analysing a sample submitted for analysis as required under these Regulations.
- Payments of fee by non resident in foreign currency 19. A person who in non-resident and applies for registration of a pesticide shall pay any registration fee required to be paid in equivalent but negotiable foreign currency.
- No alteration of a pesticide unless approved 20.-(1) No person may use or after the character of a registered pesticide for commercial purpose or for disposal in any way to the public unless the alteration is approved by the Registrar. (2) An application for clearance to use a registered pesticide for commercial purposes shall be made and issued on the forms set out on Schedule IV and V respectively.
- Manufactures etc. to maintain quality control laboratory 21. Manufactures and formulators of pesticides within Tanzania maintain a quality control laboratory to check the quality of their finished products and must test and keep records of their products prior to releasing them for distribution and use.
- Evidence of registration before issue of licence 22. Licensing authorities shall only issue trading licences to persons intending to carry out pesticide business including manufactures, distributors, formulators, fumigators, and other pest controllers, etc after such persons have produced a written approval or registration certificate from the Registrar.

23. Every registrant shall make records of all quantities of a pesticide product manufactured, imported, stored, used or sold by him and the records shall-

Pesticide Records

- (i) be maintained for at least five years from the time it is made;
- (ii) be made available to the Registrar annually;
- (iii) include type of pesticide origin, port of entry; quantity imported and sold purpose, etc.

24. Notwithstanding the provisions of section 20 (1) of the Act the label shall contain the following additional information-

Labeling

- (i) batch number, description of the physical form and purpose of the pesticide and shall include the common name of its active ingredient and trade mark or commercial name;
- (ii) the essential instructions or directions on the use of the product in both English and Swahili languages and shall include-
 - (a) a statement of the intended use for the product, listing the crop and the pest situation for which it is officially registered or approved;
 - (b) information on recommended dosage rates, methods and timing of application for the above use;
 - (c) information on compatibility with other products of substances which may be proposed for use with the contents;
 - (d) a phrase stating the category and limitations of use of the product e.g. FOR USE ONLY AS HERBICIDE. Also it should include a brief statement summarizing the main biological uses of the product for example, "For pre-emergent control of annual and broad-leaved weeds in cotton"
 - (e) expiry date for the product of the date of manufacture and the shelf life.
 - (f) Any warnings or contraindications intended to prevent misuse of the product and safety of users including practical antidote in case of accidental poisoning;
 - (g) Any special recommendations on storage conditions for the container and product. Directions for use shall be included in the main label on the container but may be supplied as a separate "Directions for Use" leaflet with each container or outer package. Use of graphics to convey relevant pesticide information may appear on the label;
 - (h) the warning "SUMU (POISON)" written in bold red letters should appear at the top-centre of the label together with the skull and cross-bone drawing;
 - (i) A-bulk purchases shall bear a label as provided for in these Regulations and shall further be accompanied by a document detaining the contents of the label. Where the end product is in small packs they must be labeled accordingly;
 - (j) Any additional information which cannot be accommodated on the label shall be included in the "directions for use" leaflet, for example practical advice on methods of preparing and using the product first aid and antidotes in case of poisoning and other necessary warnings.

(iii) All the information on the label shall be accurate and free from any statements which cannot be substantiated or which could farley inform a purchaser or user. The label shall not describe a product by such terms as “Harmless, non-toxic, the best, superior or most effective”

.....
25. Any organization handling pesticides shall provide their handlers with basic protective a tore such as face-masks, goggles, aspirators, rubber gloves plastic or rubber aprons, rubber boots, overalls and caps.

Packing and handling of pesticides

26.- (i) Pesticides shall be packaged in clean and dry containers designed to provide protection against product deterioration, compaction, weight change or other spoilage. Containers must withstand all anticipated level of handling, storage, stacking loading and unloading conditions and should not become adversely affected by changes in atmospheric conditions, pressure, temperature and humidity;

(ii) no pesticide shall be transported or stored in such a way that it can easily come into contact with food or foodstuff;

(iii) all pesticide storage area shall be dearly marked with warning signs and the labels on the containers positioned so that they are clearly visible. Such an area shall be kept locked to avoid access of unauthorized persons; well ventilated and provided with fire-fighting equipment.

Disposal pesticides and containers

27. – (i) Registration shall be required to supply information on the safest and most practical way or ways of disposing any unwanted quantities of pesticides with the least possibility of polluting the environment;

(ii) Registrants shall supply information on the safest and most practical ways of decontaminating and disposing of polluting the environment.

Traditional

28. – (1) Upon the coming into operation of these Regulations any person engaged in the business of import or manufacture or sale of any pesticide, whereby that pesticide is not registered, shall within three months apply to the Registrar for registration of that pesticide.

(2) Where an application is made items of sub-Regulation (1) of this Regulation the Registrar may grant provisional registration in respect of the pesticide and the application of Regulation 15 shall apply *mutates mutandis* in respect of that pesticide.

SCHEDULES

SCHEDULE 1

FORM PRC – 1

CONFIDENTIAL
TROPICAL PESTICIDES RESEARCH INSTITUTE ARUSHA – TANZANIA

FOR OFFICAL USE

The Registrar,
Pesticides Registration and Control,
P.O. Box 3024,
ARUSHA,
Tanzania.

Application No:
Date Received:
Fees Receipt No:
Date Approved/Rejected:
Rejection letter Ref.No.

APPLICATION FOR PESTICIDE REGISTRATION

(Under Regulation 9)

(To be filled in Triplicate)

1. Applicant's Details:

- (a) Name:
- (b) Address:
- (c) Address in Tanzania if different from above, :
.....
- (d) Type of Organization (Importer, Manufacturer, Distributor etc):
.....
- (e) Name and address of manufacturer/Importer of the original pesticide:
.....
- (f) Name and address of firm's consultants:
.....

2. Details of the Product:

- (a) Common name(s) of the Pesticide:
.....
- (b) Trade name(s) or code number of the Pesticide
.....
- (c) Chemical name(s) of the Pesticide(a.i)
.....
- (d) Molecular formulae of the a.i (s).....
- (e) Molecular weight.....
- (f) Structural formulae of the a.i.....
- (g) Main active ingredient(s).....
Content by weight/volume
- (h) List of adjuvant name(s)
Content by weight/volume
- (i) Type of Pesticide (e.g. weed killer)
.....
- (j) Type of Formulation e.g. wettable powder
.....

(k) *Physical properties:*

- (i) Solubility of the pesticide in aqueous and/or organic solvents (metric units)
- (ii) Emulsifiability/suspensibility (or emulsion stability)
- (iii) Physical description (e.g. colorless crystals)
- (iv) Wettability
- (v) Stability/comparability (e.g. hydrolysed by alkali)
- (vi) Spraying/dusting properties
- (vii) Moisture content
- (viii) Melting point
- (ix) Setting point
- (x) Boiling point
- (xi) Vapour pressure
- (xii) Accelerated storage
- (xiii) Flammability, etc
- (xiv) Active ingredient by weight/volume
- (xv) Acidity/Alkalinity
- (l) Tolerance limits for the characteristics in (k) above (where applicable).....
- (m) Estimated quantities of the product marketed during the last two years and the current year

3. *Give a summary of the Product's Toxicology and other side effects:*

- (a) Classification (in accordance with the WHO guidelines):
- (b) Dermal and oral mammalian toxicity (LD₁₀):
- (c) Two weeks cumulative mammalian toxicity of the Product:
- (d) Mean acute dermal and oral toxicity of rat and one other animal species of the product:
- (e) Allergenicity of the Pesticide:
- (f) Special side effects on mammals, other organisms and the environment:
- (g) A summary of possible hazards to people applying and handling the Pesticide as recommended:
- (h) A summary of possible hazards to people and other animal species using treated products:
- (i) Residue tolerances data in substances treated with the pesticide where possible International accepted levels should be given:

4. *Safety:*

- (a) Recommended precautions in handling the pesticide product
- (b) Safety interval between treatment of animal or crop and harvest/consumption in both temperate and tropical climates:
- (c) Recommended first aid in case of over exposure or poisoning:
- (d) Recommended treatment after exposure:

5. *Analytical Methods:*

(Supply reprints, photocopies or authenticated texts) Quantitative determination of the pure a in technical material formulations and in contaminated biological materials

6. *Containers:*

- (a) Type and forms of containers used for storage of the pesticide product:
- (b) Type of packaging and for distribution:

7. *Biological Data:*

- (a) Recommended field of applications (mention target pest and crop/animal):
- (b) Suggested methods of applications:
- (c) References of recommended use by authorized bodies in Tanzania:
- (d) Reference or recommended use by authorized bodies outside Tanzania:
- (e) Reference where the product has been successfully/unsuccessfully showing the dosage applied (metric units):
- (f) Persistence of the pesticide product in the environment (soil, water, plant and animal products):
- (g) References of pest resistance to the pesticide product :

8. *The Label:*

- (a) Appendix six copies of specimen or an exact of the label as it a appears on the container or the label itself:
- (b) Enclose specimens of any extra information pamphlets which are always;

9. Chemical and Physical stability of the product in the recommended unopened containers under given storage conditions (mention shelf0life and expiry date)

10. Premises (Attach sketch):

Physical address:
Manufacturing room(s)
Storage of: Technical materials
 Adjuvants.....
 Finished products
 Standards
 Antidotes
Air and other conditioners
Manufacturing equipment
Disposal of wastes

11. Name and Qualifications of the technical staff in charge

.....
.....
.....

12. Certificate:

I/We certify that the information given above is correct to the best of my/our knowledge using the information and scientific data available to me/us.

.....
.....
Signature of Authorized Officer(s)
Title:
.....
Date:
For

I/We hereby enclose a cheque for

Being the payment of the application fee.

Date: Signature:

SCHEDULE II

FORM PRC-2

TROPICAL PESTICIDES RESEARCH INSTITUTE ARUSHA – TANZANIA

FOR OFFICIAL USE

The registrar
Pesticides Registration and Control Division,
P.O. Box 3024,
ARUSHA,
Tanzania.

Application No:
Date Received:
Fees Receipt No:
Date Approved/Rejected:

APPLICATION FOR A PERMIT TO IMPORT A PESTICIDE
(Under Regulation 7(i), 7(ii))

I/We
of mailing address
wish to import the pesticide

Whose details are shown in the attached application Form PRC 1 the total quantity being
and FOB price being
The importation will be made during the period 19.....
.to 19

Date :

Signature of Authorized Officer(s)
Title:
For (official stamp)

SCHEDULE III

TROPICAL PESTICIDES RESEARCH INSTITUTE
Pesticides Registration and Control Division P.O. Box 3024,
Arusha, Tanzania

PERMIT TO
IMPORT A
PESTICIDE
No.

M/S
of (mailing address)

Is hereby authorized to import into the United Republic of Tanzania the following
Pesticides:

Common Name:

Trade Name:

Chemical Name:

In quantity/quantities of
on one occasion/ Time, during the
period 19.....

A receipt No.datedis herewith
attached.

Date:19..... signature:

Registrar

SCHEDULE IV

FORM PRC-4

TROPICAL PESTICIDES RESEARCH INSTITUTE
ARUSHA – TANZANIA

FOR OFFICIAL USE

Registrar
Pesticides Registration and Control
Division,
P.O. Box 3024,
ARUSHA,
Tanzania

Application Na.....
Date Received:
Fees Receipt No: Date
.....
Date Approved/Rejected:
Registration No.

APPLICATION FOR CLEARANCE OF USING AND ALTERING REGISTERED
PESTICIDES(S) FOR COMMERCIAL PURPOSES
Under Regulation 20(2))

I/we
of (Mailing Address)

Wish to use the following pesticides (mention common and trade name in brackets)

.....
.....

and mixed in the following proportions.

.....
.....

for the purpose of controlling the following pests

.....
.....

Date:

Signature of Authorized Officer(s)

Qualifications:.. ..

Title

SCHEDULE V

FORM PRC-5

TROPICAL PESTICIDES RESEARCH INSTITUTE
Pesticides Registration and Control Division P.O. Box 3024, Arusha, Tanzania

CLEARANCE CERTIFICATE FOR
USING/ALTERING REGISTERED
PESTICIDE NO:

CLEARANCE CERTIFICATE FOR USING OR ALTERING REGISTERED
PESTICIDE(S) FOR COMMERCIAL PURPOSES
Under Regulation 20(2)

M/S

Of (mailing address)

.....

is hereby authorized to use the following pesticides(s) (mention common and trade name in brackets)

.....
.....

and mixed in the following proportions

for the purpose of controlling the following pests

.....
.....

This Certificate is valid until

Signature:

Date:

SCHEDULE VI

FORM PRC-6

TROPICAL PESTICIDES RESEARCH INSTITUTE
Pesticides Registration and Control Division, P.O. Box 3024, Arusha, Tanzania

PESTICIDE REGISTRATION
CERTIFICATE NO.

PESTICIDE REGISTRATION CERTIFICATE
Under Regulation 14

Category of Registration
Common Name:
Trade Name:
Name and Address of Applicant

.....
.....

This is to certify that the above mentioned pesticide has been approved and registered for sale
or use in Tanzania under the conditions detailed below:

.....
.....

This certificate is valid until

Signature:

REGISTRAR

Date:19