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**PEST CONTROL PRODUCTS (LABELLING, ADVERTISING AND PACKAGING)  
REGULATIONS, 1984**

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**PEST CONTROL PRODUCTS (LABELLING, ADVERTISING AND PACKAGING)  
REGULATIONS, 1984**

[L.N.89/1984, L.N. 127/2006.]

**1. Citation**

These Regulations may be cited as the Pest Control Products (Labelling, Advertising and Packaging) Regulations, 1984.

**2. Interpretation**

In these Regulations, unless the context otherwise requires—

“**display panel**” means part of a label applied on or affixed to the package of a pest control product but does not include a leaflet or brochure unless it is part of the label.

“**Formulator**” means a person who prepares the active ingredient of a pest control product into a form which is convenient for its intended use.

“**Re-packer**” Means a person who puts a formulated product into appropriate unit sizes.

[L.N. 127/2006, s. 2.]

**3. Labelling requirements**

(1) No pest control product shall be distributed or sold without a label.

(2) No label shall be used on a pest control product unless it has been approved by the Board and, unless the Board otherwise directs, every label shall show—

- (a) the name of a pest control product which shall be descriptive of the physical form and the purpose of the pest control product and shall include the common name of its active ingredients and may include a distinctive brand or trade mark;
- (b) the class designation of the pest control product in capital letters and shall be classified as set out in the First Schedule;
- (c) information detailing the nature and degree of hazard inherent in the pest control product and the nature and degree of hazard shall be identified by the appropriate precautionary symbol and signal words selected from the Second Schedule together with a statement respecting the nature of the primary hazard to which the symbol relates;
- (d) a statement directing the user to read the label which statement shall be in the following form —“READ THE LABEL BEFORE USING”;
- (e) a guarantee statement in the following manner—
  - (i) the word in capital letters “GUARANTEE”, followed by;
  - (ii) a colon; followed by;
  - (iii) the common name of the active ingredient of pest control product or where a common name has not been designated, the chemical or other name of the active ingredient; followed by;
  - (iv) the contents of the active ingredient expressed—
    - (A) in the case of a liquid pest control product, as a percentage by mass, or mass per unit volume, or both, as may be required by the Board;
    - (B) in the case of dust, wettable powder or other dry formulations, as a percentage by mass; or

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- (C) where subparagraphs (A) and (B) do not apply, in terms acceptable to the Board; and the active ingredient shall include the viscosity, specific gravity, particle size or such other property or specifications determined by the Board to be necessary for guarantee purposes;
- (f) the registration number of the pest control product which shall be set out in the following manner—  
“REGISTRATION NO. PCPB (CR) 0000” AND PCPB (TCR) 0000”;  
Where “**CR**” means Certificate of Registration for a period of three years and or renewal for a period not exceeding two years at any one time; and “**TCR**” means Temporary Certificate of Registration for a period not exceeding one year;
- (g) a statement of the net contents of the package for the pest control product, which shall be expressed—
- (i) in the case of a liquid pest control product of a volume less than one litre, in terms of millilitres;
  - (ii) in the case of a liquid pest control product of a volume of one litre or more, in terms of litres;
  - (iii) in the case of a pressure-packed pest control product in terms of weight, in grams if less than one kilogram;
  - (iv) in the case of a pressure-packed pest control product which weighs one kilogram or more, in terms of kilograms;
  - (v) in the case of a dry formulation pest control product which weighs less than a kilogram, in terms of grams;
  - (vi) in the case of a dry formulation pest control product which weighs one kilograms or more, in terms of kilograms;
  - (vii) in the case of a pest control product that is semi-solid or viscous in terms of either weight or volume in accordance with this paragraph; or
  - (viii) in the case of a pest control product the nature of which does not lend itself to net content statements prescribed in this paragraph, in terms acceptable to the Board;
- (h) the name and postal address of the registrant and the name and postal address of the resident agent, if any and the names and postal addresses of manufacturer, formulator, distributor and re-packer;
- (i) the directions for use of the pest control product, which directions shall include dosage rates, timing of application and use limitations;
- (j) information identifying any significant hazards respecting the handling, storage, display, distribution and disposal of the pest control product which information shall include instructions respecting procedures to alleviate the hazard and when required by the Board, instructions respecting decontamination procedures and disposal of the pest control product and the empty package;
- (k) information identifying any significant hazard to—
- (i) things on or in relation to which the pest control product is intended to be used; or
  - (ii) public health, plants, animals or the environment, which information shall include instructions respecting the procedures to alleviate any such hazard;

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- (l) instructions for first aid, which instructions shall be under the heading in capital letters "FIRST AID INSTRUCTIONS" and shall set out the practical measures to be taken in the event of poisoning or other injury caused by the pest control product;
- (m) the toxicological information essential to the treatment of a person poisoned or otherwise injured by the pest control product, which information shall be under the heading in capital letters "TOXICOLOGICAL INFORMATION" and shall—
  - (i) describe the symptoms of poisoning; and
  - (ii) state antidotes and remedial measures;
  - (iii) state the ingredient that may affect the treatment;
- (n) a notice to the user of the pest control product which notice shall be in the following manner;

**NOTICE TO USER**

This pest control product is to be used only in accordance with the directions on this label. It is an offence under the Pest Control Products Act (Cap. 346) to use or store a pest control product under unsafe conditions.

- (o) the colour codes banding precautionary pictograms relating to the toxicity of the product in the following manner of declining toxicity—
  - (i) PMS Red 199C for products classified under WHO class Ia and Ib;
  - (ii) PMS yellow C for products classified under WHO class II;
  - (iii) PMS Blue 293C for products classified under WHO class III;
  - (iv) PMS Green 347C for unclassified products under WHO classification;
  - (v) the colour shall not be used elsewhere on the label; and
  - (vi) any other pictogram as directed by the Board;
- (p) separate pictograms depicting at least one pest controlled by the pest control product and crop or animal or other usage as registered under this Act;
- (q) an instruction directing the user on storage which shall be in capital letters - KEEP LOCKED OUT OF REACH OF CHILDREN;
- (r) information on the date of manufacture, expiry date, batch number and shelf-life if stored in original container under cool dry conditions.

(3) The label for a pest control product which is a device of a type or kind listed in the First Schedule to the Pest Control Products (Registration) Regulations shall contain the information referred to in subparagraphs (f), (h), (i), (j), and (k) of paragraph (2).

[L.N. 127/2006, s. 3.]

**4. Display panels**

(1) The display panel shall consist of one principal display panel and at least one secondary display panel.

(2) Where the primary purpose of a pest control product is not to control, prevent, destroy, mitigate, attract or repel a pest, but it has these properties, the pest control product shall have a display panel with—

- (a) the information referred to in subparagraphs (a), (b), (c), (d), (g) and (h) of regulation 3(2) on the principal display panel; and
- (b) the information referred to in subparagraphs (e), (f), (i), (l) and (m) of regulation 3(2) on the secondary display panel.

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(3) Where the primary purpose of a pest control product is to control, prevent, destroy, mitigate, attract or repel a pest, the pest control product shall have a display panel with the information referred to in subparagraphs (a), (b), (c), (d), (e), (f), (g) and (h) regulation 3 (2) on the principal display panel.

(4) This Regulation shall apply to a label for a pest control product that is within the meaning of paragraph (a) of the definition of “**pest control product**” in section 2 of the Act.

#### **5. Notice on display panel**

(1) Where the principal display panel shows the pest control product as “RESTRICTED”, the notice referred to in regulation 3(2) (n) shall appear prominently at the top of the secondary display panel followed by the heading in capital letters “RESTRICTED USE”, followed by the directions for use, dosage, timing of application and use limitations to which the restrictions relates all of which shall be circumscribed by a line to set the information apart from all other information required to be shown on the secondary display panel.

(2) Notwithstanding paragraph (1), where the principle display panel shows the pest control product as “RESTRICTED” the directions for use, dosage rates, timing of application and use limitations to which the restriction relates, together with the information referred to in subparagraphs (a), (b), (c), (d), (e), (f), (g), (h) and (i) of regulation 3 (2) may, with the approval of the Board, appear in a brochure or leaflet that will accompany the package for the pest control product.

(3) Where the information required to be shown on the label is not included in the display panel, the display panel shall contain the words in capital letters “READ ATTACHED BROCHURE BEFORE USE” prominently displayed thereon.

#### **6. Display of additional information**

(1) Subject to the approval of the Board, additional information relating to the pest control product and any graphic design or symbol ay be shown on the label if it does not unreasonably detract or obscure the information required to be shown on the label under these Regulations.

(2) A registrant may include on the label the following liability limitation warranty—

    Seller’s guarantee is limited to the terms set out on the label and subject thereto, the buyer assumes the risk to persons or property arising from the use or handling of this product and accepts the product on that condition.

#### **7. Information where product is distributed in bulk**

Where a pest control product is distributed in a bulk container, the information referred to in subparagraphs (a), (b), (e), (f), (g), (h), (i) and (m) of regulation 3 (2) shall be shown—

- (a) on the bulk container; and
- (b) on the documents respecting the pest control product or on a statement accompanying the consignment.

#### **8. Information on label**

(1) The information on every label shall be printed in both English and Kiswahili languages.

(2) All units of measures shown on the label shall be expressed in accordance with the requirements of the Weights and Measures Act. (Cap. 513)

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(3) All information shown on the label shall be printed in a manner that is conspicuous, legible and indelible.

**9. Denaturation**

Where the physical properties of a pest control product are such that the presence of the pest control product may not be recognized when it is used, and is likely to expose a person or domestic animal to a severe health risk, the pest control product shall be denatured by means of colour, odour or such other means as the Board may approve to provide signal or warning of its presence.

**10. Storage and display**

A pest control product shall be stored and displayed in accordance with the conditions shown on the label.

**11. Distribution**

Notwithstanding the provisions of the Pharmacy and Poisons Act (Cap. 244), a pest control product shall be distributed in accordance with such condition as the Board shall specify.

**12. Prohibition**

No person shall use a pest control product in a manner that is inconsistent with the directions or limitations respecting its use as shown on the label.

**13. Packaging**

(1) Every package for a pest control product shall, unless the Board otherwise directs, be approved by the Board.

(2) The package for every pest control product shall be sufficiently durable and be designed and manufactured to contain the pest control product safely under practical conditions of storage, display and distribution.

(3) Every package shall be designed and manufactured to permit—

- (a) the withdrawal of any or all of the contents in a manner that is safe to the user; and
- (b) the closing of the package in a manner that will contain the pest control product satisfactorily under practical conditions.

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

**14. General prohibitions**

(1) A label shall not contain any information respecting any organism or causative agent of a disease that is required to be reported under the Animal Diseases Act (Cap. 364).

(2) Information that is required under these Regulations to be shown on a label shall not appear at the bottom of the package.

(3) Words stating, implying or inferring that a pest control product is approved, accepted or recommended by the government by any department or agency thereof shall not appear on a package or label or in any advertisement respecting a pest control product.

## FIRST SCHEDULE

[Regulation 3(2), L.N. 127/2006, s. 4, 5, 6.]

## CLASSIFICATION OF PEST CONTROL PRODUCTS

**1. Restricted Class**

Where the Board has set forth additional essential conditions to be shown on the label respecting the display, distribution, use, limitations or qualifications of persons who may use the pest control product, the pest control product shall have the following properties—

- (a) acute oral LD50 is greater than 50 mg/kg body weight;
- (b) acute dermal LD50 is greater than 100 mg/kg body weight;
- (c) environmental risks are significant and will be judged accordingly;
- (d) pest control products used in aquatic and forestry situations are classified restricted.

[L.N. 127/2006, s. 4, 5.]

**2. Commercial and Agricultural Class**

Where the pest control product is to be displayed and distributed for general use in commercial activities specified on the label it shall have the following properties—

- (a) acute oral LD50 is greater than 50 mg/kg body weight;
- (b) acute dermal LD50 is greater than 100 mg/kg body weight;
- (c) environmental effects possible in limited regions.

**3. Domestic Class**

Where the pest control product is to be displayed and distributed for the use in and around a dwelling it shall have the following properties—




- (a) acute oral LD50 is over 500 mg/kg body weight;
- (b) acute dermal LD50 is over 1,000 mg/kg body weight;
- (c) no special precautions or equipment required for inhalation hazard;
- (d) no irreversible effects from repeated exposures;
- (e) disposal of product and containers can safely be done by placing in garbage;
- (f) package sizes limited to amounts that can be safely used and stored by consumers.

[L.N. 127/2006, s. 6.]

## SECOND SCHEDULE

[Regulation 3(2).]

## CAUTIONARY SYMBOLS AND WORDS

<i>Signal Word</i>	<i>Symbol</i>
1. POISON/DANGER (SUMU/HATARI)	
2. CORROSIVE ACID (KINAWENZA KUCHOMA)	
3. INFLAMMABLE (KINAWENZA KUPATA MOTO)	
4. EXPLOSIVE (KINAWENZA KULIPUKA)	