
STATUTORY INSTRUMENTS

1992 No. 1583

ENVIRONMENTAL PROTECTION

The Environmental Protection (Controls on Injurious Substances) (No. 2) Regulations 1992

<i>Made</i>	- - - -	<i>30th June 1992</i>
<i>Laid before Parliament</i>		<i>9th July 1992</i>
<i>Coming into force</i>	- -	<i>31st July 1992</i>

The Secretary of State for the Environment, as respects England, the Secretary of State for Wales, as respects Wales, and the Secretary of State for Scotland, as respects Scotland—

having consulted the committee constituted under section 140(5) of the Environmental Protection Act 1990⁽¹⁾;

having published notices in pursuance of section 140(6)(b) of that Act;

having considered any representations made to them in accordance with the notices;

considering it appropriate to make these Regulations for the purpose of preventing the substances specified in them from causing pollution of the environment or harm to human health or to the health of animals and plants;

in exercise of the powers conferred on them by section 140(1), (2)(b) and (9) of the Environmental Protection Act 1990, and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Environmental Protection (Controls on Injurious Substances) (No. 2) Regulations 1992 and shall come into force on 31st July 1992.

(2) In these Regulations—

“CAS Number” means a number described in the CAS Registry Handbook, ISSN 0093-058X, published in instalments from 1965 to 1971 with supplements for 1972 to 1976, 1977 to 1981, 1982 to 1986 and 1987 to 1991 by the Chemical Abstracts Service, American Chemical Society, Columbus, Ohio, USA;

“DBBT” means monomethyl-dibromo-diphenyl methane, CAS Number 99688-47-8;

“Ugilec 121 or Ugilec 21” means monomethyl-dichloro-diphenyl methane;

(1) 1990 c. 43.

“Ugilec 141” means monomethyl-tetrachloro-diphenyl methane, CAS Number 76253-60-6.

Ugilec 141

2.—(1) Subject to paragraph (2), no person shall on or after 18th June 1994 market or use, other than for research and development or analysis purposes—

- (a) Ugilec 141,
- (b) any substance of which Ugilec 141 is a constituent, or
- (c) any article containing Ugilec 141.

(2) Paragraph (1) shall not apply to—

- (a) the marketing, for use in plant or machinery by the person having that plant or machinery in service on 18th June 1994, of Ugilec 141 (or any substance of which Ugilec 141 is a constituent) which is being marketed in a firsthand condition, or
- (b) the marketing, for use in the maintenance of plant or machinery by the person having that plant or machinery in service on 18th June 1994, of Ugilec 141 (or any substance of which Ugilec 141 is a constituent) which is being marketed in a firsthand condition.

Ugilec 121 or Ugilec 21

3. No person shall market or use, other than for research and development or analysis purposes, Ugilec 121 or Ugilec 21, any substance of which Ugilec 121 or Ugilec 21 is a constituent, or any article containing Ugilec 121 or Ugilec 21.

DBBT

4. No person shall market or use, other than for research and development or analysis purposes, DBBT, any substance of which DBBT is a constituent or any article containing DBBT.

Offences and penalties

5. A person who contravenes regulation 2, 3 or 4, or causes or permits another person to contravene one of those regulations, shall be guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding level 5 on the standard scale and, on conviction on indictment, to imprisonment for a term not exceeding two years, or a fine, or both.

24th June 1992

Michael Howard
Secretary of State for the Environment

26th June 1992

David Hunt
Secretary of State for Wales

30th June 1992

Hector Monro
Parliamentary Under Secretary of State, Scottish
Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations give effect to Council Directive [91/339/EEC](#) (OJ No. L 186, 12.7.91, p.64) which amended for the eleventh time Directive [76/769/EEC](#) (OJ No. L262, 27.9.76, p.201) on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations.

Regulation 2 prohibits from 18th June 1994 the marketing and use of Ugilec 141 and of substances and articles (including plant and machinery) containing Ugilec 141, other than marketing Ugilec 141 (or any substance containing it) in relation to certain plant and machinery in service on 18th June 1994.

Regulations 3 and 4 prohibit from 31st July 1992 the marketing and use of Ugilec 121 (also known as Ugilec 21) and of DBBT.

Regulation 5 makes it a criminal offence to contravene regulation 2, 3 or 4 and specifies the penalties for such offences.

The CAS Registry Handbook may be inspected free of charge at the Royal Society of Chemists, Burlington House, Piccadilly, London W1V 0BN.