

---

STATUTORY INSTRUMENTS

---

**1997 No. 188**

**The Control of Pesticides (Amendment) Regulations 1997**

**Amendment of the principal Regulations**

7. For regulation 7 there shall be substituted the following regulation—

**“Seizure, disposal etc**

7.—(1) Where there has been a breach, in relation to any pesticide, of any of the specified prohibitions imposed by regulation 4, any condition of an approval or any condition of a consent given under regulation 6, either of the Ministers shall have the power—

- (a) to seize or dispose of the pesticide or require the holder of the approval, or any other person appearing to the Minister to be the owner or the person in charge of that pesticide, to dispose of it;
- (b) to seize or dispose of anything treated with the pesticide or require any person appearing to the Minister to be the owner or the person in charge of anything so treated to dispose of it;
- (c) to require the holder of the approval, or any other person appearing to the Minister to be the owner or the person in charge of the pesticide, to take such remedial action as appears to that Minister to be necessary as a result of the contravention including, where it appears to be necessary as a result of the contravention, recovery of the pesticide from the market in Great Britain.

(2) If any pesticide has been imported into—

- (i) Great Britain in contravention of any of the specified prohibitions imposed by regulation 4, any condition of an approval or any condition of a consent given under regulation 6; or
- (ii) Northern Ireland in contravention of any of the specified prohibitions imposed by regulation 4 of the Control of Pesticides Regulations (Northern Ireland) 1987<sup>(1)</sup>, any condition of an approval granted under regulation 5 of those Regulations or any condition of a consent given under regulation 6 of those Regulations,

either of the Ministers may, by notice in writing served on the person appearing to him to be the owner, the importer or the person in charge of the pesticide, require that it shall be exported from the United Kingdom within such period as that Minister reasonably may determine.”.