



THE AGRICULTURAL PESTICIDES ORDINANCE, 1971



CONTENTS

CHAPTER I INTRODUCTORY

1. Short title, extent and commencement.
2. Application of other laws not barred.
3. Definitions.

CHAPTER II. IMPORT, MANUFACTURE, FORMULATION, SALE, DISTRIBUTION AND USE OF PESTICIDES.

4. Pesticides to be registered.
5. Application for registration of pesticide.
6. Period for which registration shall be effective.
7. Cancellation of registration.
8. Renewal of registration.
9. Importation may be prohibited.
10. Labelling of packages.
11. Shortage and use of pesticides.

CHAPTER III. THE AGRICULTURE PESTICIDE TECHNICAL ADVISORY COMMITTEE, ETC.

12. The Agriculture Pesticide Technical Advisory Committee.
13. Pesticide Laboratory.
14. Government Analyst.
15. Inspectors.
16. Powers of Inspectors.
17. Procedure of Inspectors.
18. Report of Government Analyst.
19. Publication of Results of test and analysis.
20. Purchaser of Pesticide may have it tested or analysed.

CHAPTER IV. MISCELLANEOUS

21. Offences and penalties.

- 21 A. Punishment for offences not provided for in section 2.
- 22. Manufacturer's warranty to dealers.
- 23. Unlawful use of registration number lowering of pesticidal value or hindering the inspector from performing his duty.
- 24. Entry and seizure.
- 25. Power of court to order forfeiture.
- 26. Cognizance of offences, etc.
- 26 A. Cognizance and prosecution of offences.
- 27. Power to try offences summarily.
- 28. Indemnity.
- 29. Power to make rules.
- 30. Delegation of powers.

THE AGRICULTURAL PESTICIDES ORDINANCE, 1971.

¹ORDINANCE No. II of 1971

[25th January, 1971]

An Ordinance to regulate the import, manufacture, formulation, sale, distribution and use of pesticides.

WHEREAS it is expedient to regulate the import, manufacture, formulation, sale, distribution and use of pesticides and for matters ancillary thereto;

AND WHEREAS the national interest of Pakistan in relation to the achievement of uniformity requires Central legislation in the matter;

NOW, THEREFORE, in pursuance of the Proclamation of the 25th day of March, 1969, read with the Provisional Constitution Order, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:—

CHAPTER I

INTRODUCTORY

1. Short title extent and commencement.—(1) This Ordinance may be called the Agricultural Pesticides Ordinance, 1971.

(2) It stands to the whole of Pakistan.

(3) It shall come into force at once.

2. Application of other laws not barred. The provisions of this Ordinance shall be in addition to, and not in derogation of the provisions of the Pensions Act, 1919 (XII of 1919), and any other law for the time being in force.

3. Definitions. In this Ordinance, unless there is anything repugnant in the subject or context, the expression—

²[(a) "adulterated" in relation to a pesticide means a pesticide with which spurious, deleterious or harmful substance has been mixed or which is wholly or mainly ineffective for the purpose for which it is intended.]

¹ Validated by the Validation of Laws Act, 1975 (63 of 1975), s. 2 and Sch.

² Subs. by the Agricultural Pesticides (Amdt.) Act 1997. (39 of 1997) s. 2, for cl.(2).

(b) "advertise" means to make known by publication or distribution of any advertisement, circular or other notice;

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(d) "Committee" means the Agriculture Pesticide Technical Advisory Committee constituted under this Ordinance;

(e) "formulation" means the process by which a pesticide is converted, by mixing with other substances, into a form in which it is ready to be used;

(f) "fungi" means all rusts, smuts, mildews, moulds, yeasts, and similar forms of plant life prescribed in this behalf and includes bacteria affecting plant life;

(g) "Government Analyst" means a Government Analyst appointed under this Ordinance;

(h) "guarantee" means the statement indicating the strength, effectiveness and other qualities of 2* * * a pesticide which an importer, manufacturer, formulator, vendor or person holding stock for sale of 2* * * a pesticide is required to submit under the rules at the time of applying for the registration of the 3[pesticide];

(i) "Inspector" means an Inspector appointed under this Ordinance;

(j) "ingredient" means any material used in making a pesticide;

(k) "insect" means any of the small invertebrate animals commonly known as insects and includes such forms of animal life as may be prescribed;

(l) "label" means the written, printed or graphic matter on, or attached to, a pesticide or the immediate container thereof, and the outside container or wrapper of the retail package, if any, of the pesticide;

(m) "package" includes every container;

(n) "pesticide" means any substance or mixture of substances used or represented as a means for preventing,

¹ CI. (c) omitted by the Agricultural Pesticides (Amdt.) Act, 1992 (19 of 1992), s. 2

² The words "a brand of" omitted *ibid.*

³ Subs, *ibid.*, for "brand".

destroying, repelling, mitigating or controlling, directly or indirectly, any insect, fungus, bacterial organism, nematodes, virus, weed, rodent, or other plant or animal pest ; but does not include a substance which is a 'drug' within the meaning of the ¹[Drug Act, 1976].

(o) "prescribed" means prescribed by rules made under this Ordinance;

(p) "registered" means registered under this Ordinance;

(q) "registration number" means a specific number assigned by the ²[Federal Government] to each registered ³* * pesticide ;

(r) "rules" means rules made under this Ordinance; ⁴*

⁵[(rr) "sub-standard" when used with reference to a pesticide, means any pesticide the strength or purity of which falls below the professed or quality which is expressed on its label or under which it is sold or a pesticide any valuable ingredient of which has been wholly or partially extracted; and]

(s) "weed" means any plant which grows where not wanted.

CHAPTER II

IMPORT, MANUFACTURE, FORMULATION, SALE, DISTRIBUTION, AND USE OF PESTICIDES.

⁶[4. **Pesticides to be registered.** No person shall import, manufacture, formulate, sell, offer for sale, hold any stock for sale or in any manner advertised any pesticide which has not been registered in the manner provided by this Act or the rules framed thereunder:

Provided that the Federal Government may, by notification in the official gazette directed that the pesticide specified in the notification and not having a trade name will be imported only by a class or classes of importers as specified; except a pesticide having a trade name and registered in the country of manufacture which may be improved without undergoing the registration process but subject to the conditions notified from time to time by the Federal Government.]

¹Subs. by the Federal Laws (Revision and Declaration) Ordinance, 1981 (27 of 1981), s. 3 and Sch. II, for "Drugs Act, 1940."

²Subs. by F.A.O., (P. O. No. 4 of 1975) Art. 2 and Table, for "Central Government".

³The words "brand" omitted by the Agricultural Pesticides (Amdt.) Act, 1992 (19 of 1992), s. 2.

⁴The word "and" omitted by the Agricultural Pesticides (Amdt.) Act 1997. (39 of 1997) s. 2,

⁵New clause (rr) ins. *ibid.*,

⁶Subs. by Act 19 of 1992, s. 3, for section 4.