



## **A Guide to the Definition of Pesticide under the Pesticides Ordinance (Cap. 133)**

### **Introduction**

1. The manufacture, import, supply, storage and sale of all pesticides in Hong Kong are controlled under the Pesticides Ordinance (Cap. 133) administered by the Agriculture, Fisheries and Conservation Department.
2. This document aims to provide guidance to pesticide traders to determine whether a product falls within the definition of a pesticide under Cap. 133.

### **Definition of “pesticide”**

3. Under section 2 of Cap. 133, a “Pesticide” means:
  - (a) any insecticide, fungicide, herbicide, acaricide or any substance (whether organic or inorganic) or mixture of substances used or intended to be used for preventing, destroying, repelling, attracting, inhibiting or controlling any insect, rodent, bird, nematode, bacterium, fungus, weed or other form of plant or animal life or any virus, which is a pest; or
  - (b) any substance or mixture of substances used or intended to be used as a plant growth regulator, defoliant or desiccant.

Examples are:

- insect and mite spray
- weed killer
- anti-fouling paint
- moth ball/tablet/hanger
- rat poison
- mosquito coil/mat/liquid/repellent patch
- ant/cockroach bait

4. “Pesticide” does not include:

(a) any purely mechanical device for trapping or catching insects, rodents or other animals;

Examples are:

- mouse trap/rodent cage/glue trap
- insect pitfall trap
- cockroach glue trap
- sticky fly trap

(b) any purely electromagnetic or ultrasonic device for the control of mosquitoes, rodents or other pests;

Examples are:

- insect light trap
- UV lamp
- insect electrocutor
- ultrasonic insect repellent device

(c) any antiseptic, disinfecting solution or preparation in clinical or sanitary applications; and

Examples are:

- clothes/floor cleaning and disinfecting detergent/solution
- deodorizer, fragrance and sterilization spray
- sunscreen product
- insect repellent spray/bracelet/lotion/gel/cream/lipstick/roll-on for use directly on humans

(d) any pharmaceutical product within the meaning of section 2 of the Pharmacy and Poisons Ordinance (Cap. 138).

Examples are:

- flea/tick collar
- veterinary drugs

### **Disclaimer**

This guide is for reference only and the examples given are by no means exhaustive. Pesticide licensees and permittees are required to comply with the legal requirements as set out in Cap. 133 and its subsidiary legislation.