



香港特別行政區政府漁農自然護理署

THE GOVERNMENT OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION
AGRICULTURE, FISHERIES AND CONSERVATION DEPARTMENT

(如需中文版本可向本署索取)
(Chinese version is available on request)

A GUIDE TO PESTICIDE REGISTRATION

The Pesticides Ordinance Cap. 133 was introduced to regulate the import, manufacture, repackaging, storage, labeling and sale of all pesticides. Under the Pesticides Ordinance Cap. 133, only registered pesticides may be imported into and freely distributed for use in Hong Kong.

The term pesticide covers all chemical and biological pesticides in whatever forms and for whatever uses. For instance, it includes agricultural pesticides, plant growth regulators, antifouling paints, moth proofers, insecticide aerosols, ant/fly/roach dust, poison bait, mosquito coil/mat, rat poisons, insecticide paint, insecticide impregnated cabinet paper and aquarium use algicide. However, mechanical pest control devices and pharmaceutical preparations containing pesticide ingredients such as insecticide shampoo/cream used for treatment of disease in human are exempted from the control of this Ordinance.

Any person may apply as laid out below, for registration of a pesticide, but only licensed persons may import, deal in or sell registered pesticides and only holders of special permits may import unregistered pesticides. Guidelines for applying for licences and permits are issued separately.

1. Application for registration of pesticides can be made at the Agriculture, Fisheries and Conservation Department, Plant & Pesticides Regulatory Division, 5/F., Cheung Sha Wan Government Offices, 303 Cheung Sha Wan Road, Kowloon.
2. Postal applications should be addressed to the Director of Agriculture, Fisheries and Conservation and mentioned with "Application for Pesticide Registration", but enquiries may be made to the Plant & Pesticides Regulatory Division at Tel.: 2150 7009 or e-mailed to pestreg1@afcd.gov.hk.
3. Applicants are required to complete, in duplicate, a form obtainable from the above office or downloaded from Internet at the website: http://www.afcd.gov.hk/index_e.htm. Application should be made as early as possible. Unless there are complications, the applicant will normally be informed the results of the application within three months.
4. Before the application can be considered every item on the application form must be completed with the available information, supported by literature in duplicate where appropriate.
5. A fee of HK\$2,500 is charged for an application for registration of a pesticide and should be paid when the application is made. An official receipt will be issued for the fees collected. The fee is not refundable even if the registration is not approved.
6. All pesticides will be classified into two parts (Part I and Part II) according to their usage, formulation and toxicity.
7. Where the registration of a pesticide is approved, the applicant will be notified and details will be entered in the Pesticides Register which is available for public inspection. The following information relating to each registered pesticide is entered into the Pesticides Register:
 - (a) the chemical name and the common name, if any, by which the pesticide is known and under which it is to be sold or supplied;

- (b) the concentration of the active ingredients and formulation of the pesticide permitted for retail sale or supply;
 - (c) the name and address of each person who applied for the registration of the pesticide; and
 - (d) the conditions, if any, subject to which the pesticide is registered.
8. A pesticide or a mixture of pesticides may be registered in both Part I and Part II on the Register if the Director of Agriculture, Fisheries and Conservation considers it to be necessary.
 9. Where a supplier wishes to register a different formulation and/or concentration (exceeding the limitation) of pesticide to those already listed in the Register, then a separate application must be made.
 10. Where registration of a pesticide is refused, the Director will issued a "NOTICE OF REFUSAL OF REGISTRATION" which will state the reason(s) for refusal.
 11. Original labels from overseas manufacturer and labels to be used on the finished products for local retail sale should be attached in duplicate together with the application for registration of a pesticide to enable this Department to advise on the extent of compliance with the labeling requirement set down in the Pesticides Regulations.
 12. Pesticide containers must comply with the Pesticides Regulations prior to local retail sale of pesticides and sample should be provided on request.

IMPORTANT

Please ensure that all the necessary information and supporting documents as required on the "**NOTES ON INFORMATION REQUIRED WHEN SUBMITTING A PESTICIDE FOR REGISTRATION**" are supplied.

In compliance with and subject to the provisions in Article 39(3) of the Agreement on Trade-Related Aspects of Intellectual Property Rights under World Trade Organization, all data relating to undisclosed test or other data, the origination of which involves a considerable effort, upon being submitted to Agriculture, Fisheries and Conservation Department for the purpose of applying for the registration of a pesticide, are:

- Considered and kept confidential;
- Only viewed by a limited number of Government officers on a need-to-know basis for registration; and
- Never used in other registration applications unless under written authorization from the supplier of the original data.