Poisons Act 1972 – Selling chemicals responsibly

ProtectUK publication date
03/05/2022

Resources are available to help businesses raise employee awareness and understanding of the legal obligations and reporting requirements of the Poisons Act 1972 – Selling chemicals responsibly.

Restrictions on chemicals

Certain chemicals can be formulated to create explosives or to cause harm. To reduce the risk of harm from these substances the Poisons Act 1972 sets out obligations that suppliers of regulated and reportable substances, and individuals in possession of stocks of such substances, must follow.

New restrictions for explosive precursors and poisons came into effect on 1 October 2023. These changes enforce stricter requirements for reporting suspicious activity and include new obligations for online marketplaces.

A list of all regulated and reportable substances and full update of legislative changes from the 1 October 2023 can be found in the official Gov.UK guidance.

Selling chemicals responsibly

Video

Obligations for suppliers

As a supplier of regulated or reportable substances you must:

- Not sell a regulated substance above the concentration threshold to a member of the public unless they hold a valid EPP licence. This is not required for business-to-business transactions, however sellers must ensure the sale is for a legitimate business purpose
- Take appropriate steps to assess whether the purchase of:
  - a regulated or reportable explosives precursor is intended for the illicit manufacture of explosives
  - a regulated or reportable poison is intended for any illicit uses
- Report any transaction or attempted transaction within 24 hours from the point at which an individual deems an activity to be suspicious
- Ensure that any regulated products are labelled with the following text ‘Acquisition, possession or use by the general public is restricted’

Disappearance or theft

All significant disappearances or thefts of regulated or reportable substances must be reported within 24 hours from the point at which an individual is aware of the incident.

This is applicable for:

- losses from a supplier's stock
- losses from the stock of an individual or business carrying on a trade, business or profession that involves regulated substances or reportable substances

Guidelines for complying with the legislation

Resources are available to help businesses raise employee awareness and understanding of their legal obligations and reporting requirements.

To ensure full compliance with the legislation, please adhere to the following guidelines:

1. Identify which of your products are legislated under the Poisons Act and require reporting for suspicious transactions or significant disappearances and thefts.
2. For in-person transactions, implement a system that reminds cashiers that a product requires reporting for suspicious transactions.
3. Be clear with staff about what suspicious behaviours are in the context of your business.
4. Make sure your staff know how to report suspicious chemical activity and are aware of internal company procedures.
5. Use these posters to help inform your staff about the legislative responsibilities of the business and employees.
6. Incorporate points 1–5 in your training manuals.

Reporting suspicious transactions, disappearances and thefts

All suspicious transactions, attempted transactions, disappearances and thefts of regulated or reportable substances must be reported within 24 hours from the point at which an activity is deemed suspicious or individuals are aware of the incident.

Suspicious transactions (including business-to-business and business-to-consumer transactions) must be reported via the Report suspicious chemical activity service.

If you are unable to report through this online service, you must make a report to the Anti-Terrorist Hotline on 0800 789 321.

Any significant disappearances or thefts of regulated substances and reportable substances must be reported using the either of the above methods. Also consider reporting to your local police force using 101 (or 999 in an emergency) where you will be given a crime reference number and the incident will be considered for investigation.

Please contact the Chemical Reporting Team by email on ChemicalReportingTeam@homeoffice.gov.uk if you have any questions or need further support.

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