

Company and one of its directors fined for the unsafe storage of unauthorised biocidal products

A pest control company and one of its directors have been sentenced for the unsafe storage of unauthorised biocidal products and phostoxin (aluminium phosphide).

Ipswich Crown Court heard how Rodent Service (East Anglia) Limited stored non-approved biocides and pesticides including phostoxin (used for the control of pests and vermin) at its premises at Cooke Road, Lowestoft.

An investigation by the Health and Safety Executive (HSE) arising from a report provided by Natural England into the alleged secondary poisoning of a tawny owl by a rodenticide (a biocidal compound), found various biocidal compounds which were not authorised for use improperly stored at the premises. In addition, part used canisters of phostoxin (a compound that reacts with moisture in the atmosphere or the soil to produce phosphine, a poisonous gas, used to control rabbits within their burrows) were found stored inside a filing cabinet within the workplace.

Rodent Service (East Anglia) Limited of Cooke Road, Lowestoft, Suffolk pleaded guilty to breaching Sections 2 (1) and 3 (1) of the Health and Safety at Work etc. Act 1974. The company has been fined £100,000 and ordered to pay costs of £10,000. The company was also ordered to pay a victim surcharge of £170.

Donald Eric Martin, Director of Rodent Service (East Anglia) Limited also pleaded guilty of an offence of neglect by virtue of S37 of the Health and Safety at Work etc. Act 1974. He was sentenced to a six months in prison, suspended for 12 months, and ordered to pay costs of £1000 and a victim surcharge of £115.00.

Speaking after sentencing HSE Principal Inspector Paul Carter commented: "This situation could so easily have been avoided by the company disposing of those biocidal and similar high-risk compounds not authorised for storage and use and ensuring that only sealed containers of phostoxin were kept on site stored safely in accordance with the manufacturer's instructions. Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards."

Notes to Editors:

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. It aims to reduce work-related death, injury and ill health. It does so through research, information and advice, promoting training; new or revised regulations and codes of practice, and working with local authority partners by inspection,

investigation and enforcement. [gov.uk](#)^{[1][1]}

2. More about the legislation referred to in this case can be found at:
[legislation.gov.uk](#)^{[2] [2]}
3. HSE news releases are available at <http://press.hse.gov.uk>^[3]

Journalists should approach HSE press office with any queries on regional press releases.