

Gazettal of Pesticides Ordinance (Amendment of Schedule 1) Notice 2023

The Pesticides Ordinance (Amendment of Schedule 1) Notice 2023 was published in the Gazette today (June 9). The Notice aims to amend Schedule 1 to the Pesticides Ordinance (Cap. 133), listing a type of pesticides called pentachlorophenol and its salts and esters (PCP), in order to give effect to the 2015 amendment to the Stockholm Convention on Persistent Organic Pollutants. The amendment will tighten the regulatory regime regarding PCP, thereby safeguarding public health and protecting the environment. The Government will table the Notice at the Legislative Council on June 14, 2023.

A spokesman for the Environment and Ecology Bureau said, "PCP is a persistent organic pollutant that is usually used as pesticides, and is already regulated by Pesticide Permit conditions under the Pesticides Ordinance. Any person who imports, manufactures, sells, supplies, is in possession of or uses such pesticides must hold a valid permit. After PCP is listed in Schedule 1 to the Pesticides Ordinance, its exports will be further restricted."

The Stockholm Convention is an international treaty for safeguarding human health and protecting the environment, through controlling or restricting the trade, production and use of persistent organic pollutants, to reduce and ultimately eliminate the production and release of such pollutants. The treaty has been effective in China since 2004 and is applicable to the Hong Kong Special Administrative Region. The amendment in relation to PCP entered into force in China on June 6, 2023.

The above amendment will enter into force in Hong Kong on October 20, 2023. Any person who exports, imports, manufactures, sells, supplies, possesses or uses PCP without holding a Pesticide Permit commits an offence. Offender would be liable to a fine at level 5 (\$50,000) and an imprisonment for one year on conviction.