

Federal Law No. 10 of 2020 Concerning Pesticides

We Khalifah Bin Zayed Al Nahyan

UAE President,

- Upon Reviewing the Constitution;
- Federal Law No. 1 of 1972 Concerning the Jurisdictions of Ministries and the Powers of Ministers, and amendments thereto;
- Federal Law No. 5 of 1979 on Agricultural Quarantine and amendments;
- Federal Law No. 3 of 1987 Issuing the Penal Code and the amendments thereto;
- Federal Law No. 35 of 1992 Issuing the Criminal Procedures Law and the amendments thereto;
- Federal Law No. 41 of 1992 on Agricultural Pesticides;
- Federal Law No. 24 of 1999 Concerning the Protection and Development of the Environment and the amendments thereto;
- Federal Law No. 5 of 2009 on Organic Inputs and Products;
- Federal Law No. 2 of 2015 on Commercial Companies, and any amendments thereof;
- Federal Law No. 19 of 2016 Concerning Combating Commercial Fraud;
- Federal Law No. 12 of 2018 Concerning Integrated Waste Management;
- Upon the Proposal of the Minister of Climate Change and Environment as Approved by the Cabinet and the Federal National Council, and as Ratified by the Federal Supreme Council,

Have promulgated the following Law:

Article (1)

Definitions

In application of the provisions of this Law, the following words and phrases shall have the

meanings assigned to each of them, unless the context otherwise requires:

State	: United Arab Emirates.
Ministry	: The Ministry of Climate Change and Environment.
Minister	: The Minister of Climate Change and Environment.
Competent Authority	: Authority having competence to regulate trading in agricultural pesticides in each Emirate of the UAE.
Pest	: Any plant or animal biological type, strain or pattern, the pathogen harming plants, animals, plant or animal products, substances or environments, including parasites transmitters, human or animal pathogens.
Pesticides	: Any chemical, biological or organic substance or mix of substances that contains the active ingredient and the additive in order to prevent, expel, reduce the spread of the pest, control or regulate its growth.
Agricultural Pesticides	: Substances used to control agricultural pesticides, such as insecticides, fungicides, herbicides, acaricides, rodenticides, snails, roundworms and bacteria pesticides, oils and soil sterilizers, warehouses and seeds pesticides.
Public Health Pesticides	: Ingredients used in public health pesticides, including pesticides of disease transmitters inside and outside houses, public places and pesticides used in pest control in animal barns.
Chemical Pesticides	: Pesticides containing chemical substance(s), or chemical mix of ingredients.
Biocides	: These include pesticides of a natural origin, extracts of plants, microbial pesticides containing a microorganism as an active ingredient such as: fungi, bacteria, viruses, protozoa and roundworms, which contain substances

supporting plant protection.

- Organic Pesticides** : Pesticides consisting of natural, un-manufactured sources that are licensed to be used for organic production or the field of public health, and acquired a certificate certifying thereunder issued by an approved certification authority in accordance with the requirements applicable in the State.
- Banned Pesticides** : Pesticides containing an active ingredient of a negative or high-risk effect on the health of human, animal, plant or environment and was banned to be traded or imported by the Ministry.
- Restricted Pesticides** : Pesticides containing active ingredients that were restricted to be used in certain field by the Ministry for considerations relevant to its seriousness.
- Active Pesticide Substance** : The biologically active part in the pesticide make-up that provides effect of the pesticide.
- Additive of Pesticide** : A chemical substance(s) that enter into the make-up of the pesticide product or is added to it upon usage in order to enhance its make-up, physical and chemical features and to upgrade its efficiency.
- Pesticide Circulation** : To offer for sale, to sell, store or possess, whether permanently or temporarily, or to transport by any means of transport.
- Registration** : Recording the name of the pesticide in a special database at the Ministry in order to be available for import, re-export or circulation after evaluating the comprehensive scientific data that shows the quality and effectiveness of the pesticide, deciding that the pesticide is effective in the intended purpose and that it does not pose any threat to the health of humans and animals and the environment in general based on the usage circumstances in the State.
- Establishment** : A company or enterprise licensed by the Ministry or the competent authority, as the case may be, to register, import or re-export and trade pesticides.

Pesticides	: A specific place with certain specifications that is permitted by the competent authority where it is dedicated for keeping and storing pesticides until disposition.
Warehouse	
Package	: A vacuum sealed container containing a specific quantity of pesticide in different volumes.
Package Label	: An informative label containing the necessary data of the pesticide, including written, printed or drawn information and details annexed to the package. This label shows the make-up, characteristics, usage, precautions and guidelines that should be followed before, during and after the use of the pesticide, in addition to the details of its registration number, manufacturing date, expiry date and any other information according to the requirements of relevant international organizations. The label shall be in Arabic and in English.
Licensing	: The approval given by the competent authority to circulate, trade, advertise or use pesticides as licensed and the activity shall not be exercised unless upon the consent of the Ministry.
Advertisement	: Any electronic, audio or written contact that contains information, details or photos for the promotion of the pesticide or to urge the public to buy, use or benefit from the pesticide, whatever the means or language used for such advertisement.
Damaged Pesticides	: Pesticides that became unusable. These include the pesticides which physical and chemical characteristics changed or which became expired.
Counterfeit Pesticides	: Pesticides where one of its contents were totally or partially substituted, or where any quantity of its contents was totally or partially reduced, added or amended compared to the registered specifications.
Fake Pesticides	: Pesticides that are manufactured or produced through imitating the original product and are marketed as an original product.

- Pesticides Import** : Entrance of pesticides across the outlets approved in the State to a public or private body.
- Pesticide Safe Disposal** : To damage, destroy or remove the remaining of the pesticides, used packages, polluted substances, active ingredients and additives in accordance with the executive resolutions issued by Ministry in coordination with the competent authority.

Article (2)

Objectives of the Law

This Law aims at the following:

1. To ensure a high level of protection for humans and animal life and environment safety.
2. To ensure sound treatment and disposal of expired pesticides and its packages safely.
3. To organize registration, import, re-export, trading and usage operations of pesticides in addition to advertising, control and inspection of pesticides.

Article (3)

Scope of Application

1. Provisions of this Law shall be applicable to the following:
 - a. Agricultural pesticides and public health pesticides from which any chemical, biological or organic pesticides are compounded.
 - b. The active pesticide substance.
 - c. The substance that is added to the pesticide if sold separately for use with the pesticide.
2. The following shall be exempted from the application of the provisions of this law:
 - a. Pesticides imported by universities and research centres for scientific research, or imported by facilities for exhibitions, provided that such entities shall take safety procedures and ensure that such pesticides shall not be traded in the State. Besides, applications shall be applied to the Ministry according to the requirements and conditions stipulated in the executive resolutions.

- b. Pesticides that reach the seaports and airports of the State for Transit.
3. Provisions of this Law shall be applicable to the region of the State, including the free zones.

Article (4)

Duties of the Ministry

The Ministry shall perform the following duties:

1. Develop a national plan for the safe use of pesticides.
2. Issue approvals or permits for pesticides import, release, re-export and registration. The Ministry may delegate any governmental or private entity to perform this task.
3. Set the maximum levels of pesticides residues allowed in food products and animal feed in coordination with the competent authority and relevant federal entities.
4. Inspect pesticides coming to border crossing points.
5. Create a central database in coordination with the competent authority for recording and classification of pesticides.

Article (5)

Competent Authority Duties

The competent authority shall be responsible for undertaking the following tasks:

1. Following up the enforcement of the provisions of this law, regulations and resolutions issued for its implementation and supervising pesticides trading.
2. Licensing the establishments working in the field of pesticides after the approval of the Ministry.
3. Setting systems to train persons working in these fields and giving licence of entities training them.
4. Licensing pesticides warehouses.
5. Monitoring and inspection to ensure that establishments that are licensed for safe treatment with pesticides comply with the provisions of this law and resolutions issued for its implementation.
6. Disposing damaged, counterfeit and imitated pesticides or any pesticides decided to be

disposed safely. The competent authority may delegate any other entity to perform this task under the supervision of the competent authority.

7. Granting permits to advertise any pesticide or the activity of pest control.

Article (6)

Prohibited Actions

The following actions shall be prohibited:

1. Manufacture or production of any kind of pesticides in the State. Council of Ministers may exempt any entity from this ban based on a proposal from the Minister and in coordination with the competent authority in accordance with the regulatory requirements and conditions.
2. Import, re-export or trading any category of pesticides that are not registered in the Ministry.
3. Import, re-export or trading damaged, counterfeit or imitated pesticides.
4. Import or re-export of pesticides through parcel posts, with importers or travellers.
5. Retail or refilling of pesticide package. Treatment of the package or recycling at the end of its basic use shall be exempted from this provision.
6. Providing any incorrect details or documents for pesticides registration.
7. Disclosing or announcing any details or information that relate to the pesticide or its effectiveness, other than the details stated in the registration or on the label.
8. Advertising or promoting any pesticide or pest control without acquiring the approval of the Ministry and the competent authority.
9. Removing, changing, defaming or destroying the package or the label.
10. Trading or using restricted pesticides by unlicensed persons for this purpose.
11. Transporting pesticides from a place to another without following safety and security measures.
12. Using pesticides empty packages for any other purposes.
13. Disposing pesticides or its packages in violation of pesticides and packages' safe disposal requirements and procedures.
14. Using the pesticide for a purpose otherwise the one stated in the registration certificate

issued by the Ministry.

15. Keeping pesticides in inappropriate environment in violation of regulatory resolutions.
16. Selling pesticides to persons under (18) years old.
17. Exhibiting or selling pesticides in places not allocated for this purpose.
18. Pesticides aerial spraying, unless in accordance with the requirements and conditions decided by the Ministry.

Article (7)

Penalties

- A. The application of the penalties stipulated in this Law shall not in prejudice of any more severe penalty provided by any other law.
- B. Whoever violates the provision of any clause under numbers (1), (2), (3), (4) and (10) of Article (6) of this Law shall be sentenced to imprisonment for a period that shall not be less than three months and a fine that shall not be less than (100.000) one hundred Dirhams and shall not exceed (1.000.000) one million Dirhams, or any of these two penalties.
- C. Whoever violates the provision of any clause under numbers (5), (6), (7), (8), (9), (11) and (17) of Article (6) of this Law shall be sentenced to imprisonment for a period that shall not exceed one year and a fine that shall not be less than (50.000) fifty thousand Dirhams and shall not exceed (500.000) five hundred thousand Dirhams, or any of these two penalties.
- D. Whoever violates the provision of any clause under numbers (12), (13), (14), (15), (16) and (18) of Article (6) of this Law shall be punished to pay a fine that shall not be less than (30.000) thirty thousand Dirhams and shall not exceed (100.000) one hundred thousand Dirhams.
- E. Whoever violates a provision in this Law or its executive resolutions, where penalties stipulated in this law did not include, shall be punished to pay a fine that shall not be less than (10.000) ten thousand Dirhams and shall not exceed (50.000) fifty thousand Dirhams.

Article (8)

Confiscation

The court shall judge in all cases to confiscate the substance under the violation.

Article (9)

Executive Resolutions

The Minister shall, in coordination with the competent authority, issue the executive resolutions implementing the provisions of this law, specifically the following:

1. Procedures to register, import, release, re-export, trade, advertise, cancel and dispose pesticides, active substances and additives.
2. Procedures to license the establishments importing pesticides and the requirements of pesticides warehouses.
3. A list of prohibited and restricted pesticides.
4. Conditions and details of pesticides packages.

The Minister shall issue resolutions relevant to the destruction of pesticides to resolution to re-export pesticides to the country of origin at the cost of the violator.

Article (10)

Fees

The Council of Ministers shall issue a resolution to determine the fees in accordance with the provisions of this law.

Article (11)

Judicial Seizure

Employees who are designated by a resolution of the Minister of Justice in agreement with the Chairman of the competent authority shall have the capacity of judicial control officers in establishing offences committed in violation of the provisions of this Law and the resolutions issued in implementation thereof.

Article (12)

Repeals

1. The aforementioned Federal Law No. (41) of 1992 is hereby repealed, as well as any provision that violates or contradicts the provisions of this Law.
2. The regulations and resolutions applying the aforementioned Federal Law No. (41) of 1992 shall remain in force without contradiction to the provisions of this Law, until regulations and resolutions have been issued to replace them.

Article (13)

Law Publication and Enforcement

This Law shall be published in the Official Gazette and shall enter into force as of the day following the date of its publication.

Khalifah Bin Zayed Al Nahyan

UAE President

Issued by us at the Palace of the Presidency in Abu Dhabi on:

May 28, 2020 AD

Corresponding to 05 Shawal, 1441 H.