



agriculture, land reform & rural development

Department:
Agriculture, Land Reform and Rural Development
REPUBLIC OF SOUTH AFRICA

GUIDELINE FOR THE LABELLING OF RESTRICTED AGRICULTURAL REMEDIES

**ISSUED BY THE REGISTRAR: ACT 36 OF 1947, PRIVATE BAG X343,
PRETORIA, 0001**

REPUBLIC OF SOUTH AFRICA

JULY 2024

INTRODUCTION

The “regulations relating to agricultural remedies” of 25 August 2023 defines a “restricted agricultural remedy” as an agricultural remedy for which the Registrar, out of concern for its human health or environmental risks, has set out additional information to be shown on the label concerning essential conditions in respect of the display, distribution or limitations on use of, or qualifications of persons who may use the agricultural remedy, and such remedy shall comply with the criteria as set out in annexure A.

According to Annexure A (3), agricultural remedy formulations fulfil the restricted agricultural remedy criteria when such agricultural remedy has one or more of the following characteristics—

- (i) Criterion 1: Agricultural remedy formulations that meet the criteria of classes Ia or Ib of the WHO Recommended Classification of Pesticides by Hazard or;
- (ii) Criterion 2: Agricultural remedy formulations that meet the criteria of acute toxicity categories 1 or 2 of the GHS;
- (iii) Criterion 3: Agricultural remedy active ingredients and formulations listed by the Rotterdam Convention in its Annex III; and
- (iv) Criterion 4: Agricultural remedy active ingredients and formulations that have shown a high incidence of severe or irreversible adverse effects on human health or the environment.

Further, according to the “Pest Control Operator Regulations” of 18 February 2011 “for reward” means that a person has been hired to do pest control for monetary consideration and it excludes an employee who performs pest control for his employer in the employer’s property (not for hire). Provided **any employee who handles restricted-use agricultural remedies without the direct supervision of a registered pest control operator must be registered as a pest control operator**. “Supervision” means that a registered pest control operator (PCO) must be physically present at the time and place where agricultural remedies are applied.

Consequently, restricted agricultural remedies may only be sold and used by registered pest control operators and only for those uses covered by the pest control operator’s scope of registration. This restriction on sales and use relates to the end-user of the remedy (farmer or farmworker) and not the distributor or agent selling the remedy to the end-user. Thus, only the farmer/farmworker must be registered as a pest control operator, and not the agent/distributor. The agent/distributor must however ensure that restricted agricultural remedies are only sold to registered pest control operators qualified to use the remedy in question.

In accordance with the “Regulations under the hazardous substances act 15 of 1973”, various measures are already in place for the handling and trading of Group I hazardous substances. Pesticides classified as Group IA hazardous substances include aluminium and zinc phosphide, and those classified as Group IB hazardous substances include all chemicals falling within Class 6.1 (toxic substances) according to the UN Recommendation on the Transport of Dangerous Goods Model Regulations. Most “restricted agricultural remedies” as defined in the “Regulations relating to agricultural remedies” are acutely toxic and will thus also be regulated under the “Hazardous Substances Act 15 of 1973”. Therefore, in addition to the requirements already stipulated in the Act for Group I hazardous substances, the following will be applicable to “restricted agricultural remedies”:

- A “restricted agricultural remedy” may only be sold to a registered pest control operator qualified in the specific field of application. Thus, a sale of a restricted remedy may only

be made to a person, who upon purchase, provide proof that they are sufficiently qualified and registered to administer the remedy.

- On initial purchase, the registered pest control operator must provide to the supplier/distributor of the remedy a certified copy of their PCO registration certificate which will be kept on file by the supplier/distributor.
- If the person responsible for sales on a farm is not the person who is registered as a PCO and applying agricultural remedies in the field, it is possible for a designated person who is not registered as a PCO to purchase a restricted agricultural remedy on behalf of a registered PCO. In this case, upon first purchase, the registered PCO will accompany the representative responsible for sales to the supplier/distributor in order for the supplier/distributor to get acquainted with the PCO and sales representative. Along with a certified copy of the PCO registration certificate, the PCO will provide a signed letter to the supplier/distributor giving consent to the sales representative to purchase the restricted remedy on their behalf. These documents will be kept on file by the supplier/distributor.

The following agricultural remedies will also be regarded as “restricted agricultural remedies” under criterion 4:

- Dichlorvos (100 % active ingredient formulations)
- Methamidaphos
- Terbufos
- Methomyl
- Paraquat

There may be some cases where a remedy listed above need not be considered restricted, for example where the concentration of the active ingredient in the remedy is low enough to not warrant restriction, however this will be evaluated by the Registrar’s office on a case-by-case basis. This list may be updated from time to time.

LABELLING

Restricted agricultural remedies will be labelled as follows:

- i. If a remedy is deemed “restricted”, it will contain the phrase “**RESTRICTED USE AGRICULTURAL REMEDY**” at the top of the main display panel of the label along with the appropriate restriction statement. This text will be in an appropriate font size compared to the remainder of the text on the label to ensure it is clearly legible and unlikely to be overlooked, the text will be red and contained in a block to enhance visibility.
- ii. The heading “**DIRECTIONS FOR USE**” will be replaced with the heading “**RESTRICTED USES**”.

Depending on the criterion under which the remedy is classified as being restricted, one of the following restriction statements must be included on the main display panel of the label:

1. Agricultural remedies that are classified as “restricted agricultural remedies” due to fulfilling criteria 1 and/or 2 of the definition provided in the regulations.

RESTRICTED USE AGRICULTURAL REMEDY
THIS REMEDY IS RESTRICTED DUE TO ACUTE TOXICITY. THIS REMEDY MAY ONLY BE SOLD TO AND USED BY A REGISTERED PEST CONTROL OPERATOR, OR BY SOMEONE UNDER THE SUPERVISION OF A REGISTERED PEST CONTROL OPERATOR, AND ONLY FOR THOSE USES COVERED BY THE PEST CONTROL OPERATOR’S SCOPE OF REGISTRATION, AND ONLY AS DIRECTED ON THIS LABEL.

2. Agricultural remedies that are classified as “restricted agricultural remedies” due to fulfilling criterion 3 of the definition provided in the regulations.

RESTRICTED USE AGRICULTURAL REMEDY
THIS REMEDY IS RESTRICTED DUE TO ITS INCLUSION ON ANNEX III OF THE ROTTERDAM CONVENTION. THIS REMEDY MAY ONLY BE SOLD TO AND USED BY A REGISTERED PEST CONTROL OPERATOR, OR BY SOMEONE UNDER THE SUPERVISION OF A REGISTERED PEST CONTROL OPERATOR, AND ONLY FOR THOSE USES COVERED BY THE PEST CONTROL OPERATOR’S SCOPE OF REGISTRATION, AND ONLY AS DIRECTED ON THIS LABEL.

3. Agricultural remedies that are classified as “restricted agricultural remedies” due to their inclusion under criterion 4 of the definition provided in the regulations.

RESTRICTED USE AGRICULTURAL REMEDY
THIS REMEDY IS RESTRICTED DUE TO SEVERE OR IRREVERSIBLE ADVERSE EFFECTS ON HUMAN HEALTH OR THE ENVIRONMENT. THIS REMEDY MAY ONLY BE SOLD TO AND USED BY A REGISTERED PEST CONTROL OPERATOR, OR BY SOMEONE UNDER THE SUPERVISION OF A REGISTERED PEST CONTROL OPERATOR, AND ONLY FOR THOSE USES COVERED BY THE PEST CONTROL OPERATOR’S SCOPE OF REGISTRATION, AND ONLY AS DIRECTED ON THIS LABEL.

Please refer to Appendix A for an example of how this text will be incorporated on the main display panel of the agricultural remedy label.

This guideline is applicable to all remedies falling within the definition of “restricted agricultural remedies” as provided in the regulations, with the exception of rodenticides.

APPLICATION

All registration holders holding registrations for agricultural remedies falling within the criteria of a “restricted agricultural remedy” as defined in the regulations must amend their labels accordingly. The following documents must be submitted to the office of the Registrar:

1. No payment will be required. An “amendment requested by the office of the Registrar in relation to a restricted or controlled substance” is free according to the “Regulations relating to the tariffs for the registration of fertilizers, farm feeds, agricultural remedies, stock remedies, sterilizing plants and pest control operators, appeals and imports: amendment” in force at the time of publication of this guideline.
2. A covering letter outlining the purpose of the application.
3. A copy of the latest approved label. If the latest approved label is different to the approved GHS label, both labels should be submitted. If the label has not yet been updated in accordance with GHS, a full GHS classification and rationale must be submitted along with the application and applicable label amendment fee.
4. Two copies of the proposed label reflecting the appropriate restriction statement.
5. A copy of the updated Safety Data Sheet, indicating in Section 1 the relevant restrictions on use.
6. A signed declaration (Appendix B) confirming that no other changes were made to the approved label, other than those specified in the application and made in accordance with this guideline.

RESTRICTED USE AGRICULTURAL REMEDY
THIS REMEDY IS RESTRICTED DUE TO ACUTE TOXICITY. THIS REMEDY MAY ONLY BE SOLD TO AND USED BY A REGISTERED PEST CONTROL OPERATOR, OR BY SOMEONE UNDER THE SUPERVISION OF A REGISTERED PEST CONTROL OPERATOR, AND ONLY FOR THOSE USES COVERED BY THE PEST CONTROL OPERATOR'S SCOPE OF REGISTRATION, AND ONLY AS DIRECTED ON THIS LABEL.

PURPLE BLOCK FOR HERBICIDES



PRODUCT TRADENAME

Reg No. / Nr. L... Act No. 36 of 1947 / Wet Nr. 36 van 1947


READ THE LABEL BEFORE USE OR READ ATTACHED PACKAGED LEAFLET BEFORE USE

AND

KEEP OUT OF REACH OF CHILDREN AND ANIMALS

Product information – ENGLISH Include agricultural remedy type and formulation type.	Product information – AFRIKAANS
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GROUP	3	11	FUNGICIDES
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 WARNING	Hazard statements (codes not required) Precautionary statements (codes not required; minimum two statements)
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Active ingredient(s)
 Common chemical name ... g/kg OR g/L
 OR
 Species name ... cfu per g/L OR ITU per mg OR other applicable

REGISTRATION HOLDER

REGISTRATION HOLDER NAME AND COMPANY REGISTRATION NUMBER
 PHYSICAL ADDRESS
 CONTACT NUMBER

Batch No.
 Date of manufacture
 Expiry date

Lot Nr.
 Vervaardigingsdatum
 Vervaldatum

UN No. / VN Nr
 In case of poisoning call the following number:
 Disaster management number:

APPENDIX B: DECLARATION

DECLARATION MADE BY THE COMPANY REPRESENTATIVE IN RELATION TO THE AMENDMENT OF A RESTRICTED AGRICULTURAL REMEDY LABEL

The applicant hereby declares that the content of the amended label does not deviate from the congruent particulars already approved under Act 36 of 1947, except for those amendments listed in the “Guideline for the labelling of restricted agricultural remedies” and disclosed by the applicant.

Applicant company

Title of applicant

Full name of company representative

Signature

Date

Tel no.