



Home Office

Guidance on licensed transactions for internet retailers of poisons and explosives precursors

The Poison Act 1972 and the Control of Poisons and Explosives Precursors Regulations 2015

Guidance on licensed transactions for internet retailers of poisons and explosives precursors

The Poison Act 1972 and the Control of Explosives Precursors Regulations 2015

1. The Poisons Act 1972 and the Control of Poisons and Explosives Precursors Regulations 2015 (effective in Great Britain from 26 May 2015) require that members of the general public must have a licence issued by the Home Office to purchase any of the regulated substances above the concentration listed below:

Explosives Precursors:

Regulated Substance	Concentration threshold (w/w)
Hydrogen peroxide	12%
Nitromethane	30% (or 24 % vol)
Nitric acid	3%
Sodium chlorate	40%
Sodium perchlorate	40%
Potassium chlorate	40%
Potassium perchlorate	40%
Sulfuric Acid	15%

Poisons:

Regulated Substance	Concentration threshold (w/w)
Aluminium phosphide	-
Arsenic and its compounds (other than calcium arsenites, copper acetoarsenite, copper arsenates, copper arsenites, lead arsenates)	-
Barium salts (other than barium sulphate, barium carbonate and barium silicofluoride)	-
Bromomethane	-
Chloropicrin	-

Fluoroacetic acid, its salts and fluoroacetamide	-
Hydrogen cyanide and metal cyanides (other than ferrocyanides and ferricyanides)	-
Lead acetates and compounds of lead with acids from fixed oils	-
Magnesium phosphide	-
Mercury and its compounds (including: nitrates of mercury; oxides of mercury; mercuric cyanide oxides; mercuric thiocyanate; ammonium mercuric chlorides; potassium mercuric iodides; organic compounds of mercury which contain a methyl group directly linked to the mercury atom)	-
Oxalic acid	10% w/w
Phenols (phenol; phenolic isomers of the following: cresols, xylenols, monoethylphenols)	60% w/w of phenols or, for compounds of phenols with a metal, the equivalent of 60% w/w of phenols
Phosphorus yellow	-
Strychnine and its salts and its quaternary compounds	-
Thallium and its salts	-

2. The regulation does not prohibit on-line sales of the regulated substances to members of the public. Part 1 licensed poisons can only be supplied to the public by a pharmacy business. On-line sales must still comply with the requirements for retailers to:
- Only supply regulated substances above the concentration threshold to a licensed member of the public;
 - Verify that the member of the public holds a valid licence;
 - Record the details of any transaction on the back of the licence;
 - Ensure any product containing a regulated substance above the concentration threshold that is supplied to a member of the public is labelled with "Acquisition, possession or use by the general public is restricted"; and
 - Identify and report any suspicious transactions. If the transaction is suspicious in some way or where there are reasonable grounds to suspect that the product is intended for malicious use, report to the police on 0800 789321 or email Chemical.Reporting@Met.Police.UK. For example, there may have been multiple purchases of the same chemical over a short period that cannot be easily explained or the customer is requesting unusual amounts for the stated purpose.

Non-compliance with the law is a criminal offence.

Any business found guilty of supplying or selling a regulated substance above the concentration thresholds to a member of the public without verifying a valid licence is liable: on summary conviction in a Magistrates Court to up to three months imprisonment and/or an unlimited fine; OR

on conviction on indictment in a Crown Court to imprisonment for a term not exceeding two years and/or a fine.

Any business found guilty of supplying a regulated substance to a member of the public without first ensuring that a warning label is affixed to the packaging is liable to a fine not exceeding £500.

Suggestions for compliance

3. In order to meet the requirements of the Regulation, depending on your company's circumstances, you could:

Before the transaction is completed

- a. ask for the customer to provide a scanned copy of their licence before they are able to complete a transaction for a regulated substance.
- b. If you require customers to register for a customer account, you could allow them to upload a scanned copy of their licence to their account record;
- c. The Home Office is developing an on-line licence number checking tool. This will allow you to enter the licence number and an identity detail, such as the customer's date of birth or surname into a form to check whether it is a valid licence number and the licence number is associated with that individual.

Before handing over the regulated substance

4. Ask the delivery driver to undertake the following steps on your behalf:
 - a. Check that the photographic ID matches the person and that the photographic ID reference matches the ID reference on the licence front page. Remember, the regulated substance must only be given to the licence holder. It cannot be left with another individual.
 - b. Check the product being purchased is allowed as part of the licence conditions:
 - i. Substance
 - ii. Concentration
 - iii. Quantity
(You will need to share the information about the product with the delivery organisation to enable this.)
 - c. Record the transaction details in the table on the back of the licence.