



Enforcement Notice

To : Name Peter Robert Sexton
Address High House Farm Billingford Norfolk NR20 4RG
Trading as
Inspector's full name I,
name
Inspector's official designation being a person authorised by an instrument in writing made pursuant to section 19(1) of the said FEP Act and entitled to issue this Notice
Official address Of Health & Safety Executive, Health & Safety Executive, Chemicals Regulation Directorate, Mallard House, Kings Pool, 3 Peasholme Green, York YO1 7PX
Telephone number
hereby give you notice that I am of the opinion that
Location of premises or place of activity at the above address

Part A
Section 19(5)

You are committing an offence under section 16(12)(a) of the said FEP Act, in that the following statutory provisions have been contravened

Regulation 4 (4) (a) of the Control of Pesticides Regulation 1986 (as amended) states:

"No person shall store a pesticide unless the Ministers jointly have given an approval under regulation 5 in relation to that pesticide and a consent under regulation 6(b)"

And

Regulation 4 (4) (b) of the Control of Pesticides Regulation 1986 (as amended) states:

"any conditions of the approval relating to storage and the conditions of the consent have been complied with"

And

Regulation 6 (b) of the Control of Pesticides Regulations 1986 (as amended) and Schedule 2, paragraph 2 states

Any personwho stores a pesticide shall take all reasonable precautions, particularly with regard to storage and transport to protect the health of human beings, creatures and plants, safeguard the environment and in particular avoid the pollution of water.

The reasons for my opinion are :

Regulations 4 4 (b) and 6(b) in that you failed to take all reasonable precautions to protect human health or the environment in that you stored products listed in the Annex to the Schedule in 4 outbuildings that were either part used, not authorised or authorised in buildings at your premises that were unsuitable for use as pesticide stores for the following reasons:

- three of the four outbuildings were not locked at the time of the visit
- all four outbuildings had no appropriate bunding or signage to indicate chemicals were stored inside
- one building containing the fumigant products was attached to the office and farm house and contained alcohol for human consumption. The authorisations of fumigant products state that they should not be stored near dwellings, nor should they be stored near food, drink or animal feeding stuffs.

Regulation 4 (4) (a) : In 4 buildings on the premises you stored products listed in the Annex to the Schedule that were not authorised for storage or use.

Date for compliance

I direct you to take the remedial/preventive measures set out in the attached Schedule, which forms part of this Notice. These measures are to be taken no later than the compliance date indicated on the right, or by such other date confirmed in writing by a person authorised to enforce Part III of the said FEP Act.

Compliance Date

18 July 2014

Complied with

Environment and Safety Information Act 1988

This is a relevant notice for the Environment and Safety Information Act 1988.
This page only will form the register entry.

Signature

Date 26/06/2014