

Appendix 8

Guidance for compliance with [The Control of Explosives Precursors and Poisons Regulations 2023 \(CEPPR\)](#)

1. These Regulations, as part of the [Poisons Act 1972](#) apply to suppliers and sellers (producers, distributors and merchants) of regulated and reportable substances at all stages of the supply chain and are concerned with the ownership of the goods, not custody.

Reference: FIAS clause: G9.1

Regulated and Reportable substances are listed in the Poisons Act 1972, [Schedule 1A](#).

Reportable substances may be on sale to the public and carry an obligation to report suspicious or attempted transactions.

Regulated substances are those whose sales are restricted to businesses and members of the public who hold a Home Office Explosives Precursors and Poisons (EPP) licence. Listed substances at a concentration below the stated regulated threshold such as below 16% N from AN), are still considered reportable substances.

The substances may be present alone or mixed with other materials.

For example, fertilisers containing 16% or above nitrogen (N) from ammonium nitrate (AN) are **regulated** products.

2. Under the CEPPR 2023, **supply of regulated fertiliser substances to a business customer is not permitted unless the following are completed by the supplier:**

a) **Supply chain notification:** notify the customer in writing if the fertiliser substance to be supplied is regulated or reportable

b) **Customer verification:** collect, verify and record all of the following information from the customer:

- i) name and address of business customer OR
- ii) name of an individual authorised on behalf of the business customer
- iii) photographic identification of the business customer or the authorised individual
- iv) statement of the nature of business customer's trade, business or profession
- v) VAT registration number if available

Photographic ID must show details of the name of the person. Passport, driving licence, trade card, travel pass are all examples of acceptable formats.

Only one photographic ID is required to allow any member of that business to make a purchase.

Reference: FIAS clause: M1.1,1.2

c) **Records, retention and review**

The customer information held must be no older than 18 months and be reverified every 18 months. *Reference: FIAS clause: G19.3*

d) **Training staff.** Those involved in the sales of fertilisers must be trained in:

- which products are regulated or reportable
- requesting relevant information and identification from customers
- recognising suspicious behaviour
- reporting suspicious activity and transactions
- obligations and the potential offences which apply

Training materials are available from the Protect UK website:

<https://www.protectuk.police.uk/advice-and-guidance/awareness/poisons-act-1972-selling-chemicals-responsibly>

Reference: FIAS clause: G6, M2.1

e) **Suspicious Activity Reporting** – this must be completed within 24 hours of becoming suspicious, preferably via the [online portal](#), or if not possible, via the national contact point on 0800 789321.

Reference: FIAS clause: M1.6, M2.2

Additional information:

Web link: CEPPR <https://www.legislation.gov.uk/uksi/2023/63/contents>

Official Guidance: <https://www.gov.uk/government/publications/supplying-explosives-precursors/supplying-explosives-precursors-and-poison>

Suspicious activity reporting online: <https://report-suspicious-chemical-activity.dsa.homeoffice.gov.uk/login>

AIC Guidance, FAQs, :

<https://www.agindustries.org.uk/resource/explosives-precursors.html>

CEPPR and General Data Protection Regulations (GDPR)

The requirement within CEPPR to collect and hold information about customers means that additional legislation applies under UK GDPR. The CEPPR 2023 provides a legal obligation ([lawful basis](#)) to collect data and retain it for 18 months. Collection and retention of this data should be communicated to customers in the supplier's privacy notices.

Data is to be re-verified after 18 months and if no longer active, should be deleted.

Each supplier has a responsibility to keep the data safe and secure so it can be made available if it is needed within the 18-month period. If data records are not suitably secured, are stolen, mislaid or damaged in the case of paper records, this counts as a breach of data protection.

Further guidance for businesses on GDPR is available from the website of the UK Regulator, the Information Commissioner's Office: <https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/>