



Agricultural and Veterinary Chemicals (Administration) Amendment Regulations 2006 (No. 1)¹

Select Legislative Instrument 2006 No. 89

I, PHILIP MICHAEL JEFFERY, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Agricultural and Veterinary Chemicals (Administration) Act 1992*.

Dated 8 May 2006

P. M. JEFFERY
Governor-General

By His Excellency's Command

SUSSAN LEY
Parliamentary Secretary to the Minister for Agriculture, Fisheries
and Forestry

1 Name of Regulations

These Regulations are the *Agricultural and Veterinary Chemicals (Administration) Amendment Regulations 2006 (No. 1)*.

2 Commencement

These Regulations commence on 12 June 2006.

3 Amendment of *Agricultural and Veterinary Chemicals (Administration) Regulations 1995*

Schedule 1 amends the *Agricultural and Veterinary Chemicals (Administration) Regulations 1995*.

Schedule 1 Amendments

(regulation 3)

[1] Subregulation 1.3 (1), definition of *controlled chemical*

substitute

controlled chemical has the meaning given by regulation 1.3A.

[2] After regulation 1.3

insert

1.3A Meaning of *controlled chemical*

(1) Subject to subregulation (2), in these Regulations:

controlled chemical means:

- (a) an active constituent or chemical product listed in Part 2 of Schedule 1; or

- (b) a chemical product containing an active constituent referred to in paragraph (a); or
 - (c) the chemical product listed as an item in Part 3 of Schedule 1.
- (2) To avoid doubt, if the heading of an item in Part 2 of Schedule 1 includes the words ‘and its compounds’ or other words describing all compounds, or all compounds of a particular kind (such as, for example, ‘and its salts and esters’) of the relevant chemical, all compounds, or all such compounds, of the chemical are also controlled chemicals.

[3] Regulation 4.15

omit

the Schedule

insert

Schedule 6

[4] Schedule 1, Part 1, subclause 1 (1), including the note

substitute

1 Description of chemicals

- (1) Each chemical dealt with in Part 2 or 3 of this Schedule is described in a separate item in the form of a small table, as follows:
- (a) in Part 2, which covers chemicals defined in terms of a single active constituent (whether or not at a concentration above a specified concentration):
 - (i) the heading is the common name of the active constituent; and
 - (ii) the first row gives the active constituent’s IUPAC name; and
 - (iii) the second row gives its CAS number; and

- (iv) if the chemical is a prescribed active constituent or prescribed chemical product for the purposes of subsection 69CA (2) of the Act, the third row states that fact; and
 - (v) the fourth row identifies, for subsection 69CA (3) of the Act, the relevant international agreement or arrangement; and
 - (vi) the fifth row sets out any conditions or restrictions applicable to the chemical;
- (b) in Part 3, which covers chemical products defined in terms of 2 or more active constituents (whether or not at concentrations above specified concentrations, and whether or not in a particular form):
- (i) the heading is or includes the common names of the active constituents in the chemical product, and may specify the concentration of 1 or more of them and a particular form; and
 - (ii) the first row gives the names of each chemical (including their IUPAC names and CAS numbers) and their concentration in the chemical product, and, if the item applies only to a particular form of the chemical product, that form; and
 - (iii) the second row identifies, for subsection 69CA (3) of the Act, the relevant international agreement or arrangement; and
 - (iv) the third row sets out any conditions or restrictions applicable to the chemical product.

Note The international agreement or arrangement so identified is also the agreement or arrangement under which the import, manufacture etc of the formulation may be prohibited (absolutely or subject to prescribed conditions or restrictions) under Part 3.

[5] Schedule 1, Part 2, heading*substitute***Part 2 Chemical products defined in terms of a single active constituent****[6] Schedule 1, Part 2, item 2, heading***substitute***2 2,4,5-T and its salts and esters****[7] Schedule 1, Part 2, item 2, at the foot***insert**Note* The CAS number refers to 2,4,5-T only.**[8] Schedule 1, Part 2, after item 3***insert***3A Binapacryl**

IUPAC name	2- <i>sec</i> -butyl-4,6-dinitrophenyl 3-methylcrotonate
CAS number	485-31-4
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

[9] Schedule 1, Part 2, after item 10

insert

10A Dinitro-ortho-cresol (DNOC) and its salts

IUPAC name	4,6-dinitro- <i>o</i> -cresol
CAS number	534-52-1
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

Note The CAS number refers to DNOC only.

[10] Schedule 1, Part 2, item 11, heading

substitute

11 Dinoseb and its salts and esters

[11] Schedule 1, Part 2, item 11, at the foot

insert

Note The CAS number refers to Dinoseb only.

[12] Schedule 1, Part 2, item 12

omit

[13] Schedule 1, Part 2, after item 14*insert***14A Ethylene dichloride**

IUPAC name	1,2-dichloroethane
CAS number	107-06-2
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

14B Ethylene oxide

IUPAC name	Oxirane
CAS number	75-21-8
Prescribed active constituent/chemical product	No
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission

[14] Schedule 1, Part 2, item 32, heading*substitute***32 Methylmercury 2,3-dihydroxypropyl mercaptide**

[15] Schedule 1, Part 2, item 40

omit

Severely hazardous pesticide formulation under
Annex III of the Rotterdam Convention

Subject to notification of final regulatory action by
Australia

[16] Schedule 1, Part 2, item 42

omit

Severely hazardous pesticide formulation under
Annex III of the Rotterdam Convention

Subject to notification of final regulatory action by
Australia

[17] Schedule 1, Part 2, item 44, heading

substitute

44 Pentachlorophenol and its salts and esters

[18] Schedule 1, Part 2, item 44, at the foot

insert

Note The CAS number refers to Pentachlorophenol only.

[19] Schedule 1, after Part 2

insert

**Part 3 Chemical products defined in terms of
2 or more active constituents**

1 Benomyl/carbofuran/thiram dustable powder

Chemical product	Dustable powder that contains: <ul style="list-style-type: none"> (a) benomyl (IUPAC name methyl 1-[(butylamino)carbonyl]-1H-benzimidazol-2-ylcarbamate, CAS number 17804-35-2) at or above 7%; and (b) carbofuran (IUPAC name 2,3-dihydro-2,2-dimethylbenzofuran-7-yl methylcarbamate, CAS number 1563-66-2) at or above 10%; and (c) thiram (IUPAC name tetramethylthiuram disulfide, CAS number 137-26-8) at or above 15%
Relevant international agreement or arrangement	Rotterdam Convention
Conditions or restrictions	Export prohibited except with written permission Severely hazardous pesticide formulation under Annex III of the Rotterdam Convention

Note

- All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See www.frli.gov.au.