Queensland

Chemical Usage (Agricultural and Veterinary) Control Act 1988

CHEMICAL USAGE (AGRICULTURAL AND VETERINARY) CONTROL REGULATION 1999

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Information about this reprint

This regulation is reprinted as at 25 June 2004. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Dates shown on reprints

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Queensland

CHEMICAL USAGE (AGRICULTURAL AND VETERINARY) CONTROL REGULATION 1999

TABLE OF PROVISIONS

CHEMICAL USAGE (AGRICULTURAL AND VETERINARY) CONTROL REGULATION 1999

[as amended by all amendments that commenced on or before 25 June 2004]

PART 1—PRELIMINARY

1 Short title

This regulation may be cited as the *Chemical Usage (Agricultural and Veterinary) Control Regulation 1999*.

PART 2—PRESCRIBED AND PROSCRIBED CHEMICALS

2 Prescribed chemicals—Act, s 4

For section 4 of the Act, definition "chemical", paragraph (b), each substance mentioned in schedule 1 is prescribed to be a chemical.

3 Proscribed chemicals—Act, s 11C(2)

For section 11C(2) of the Act, each chemical mentioned in schedule 1 is a proscribed chemical.[1]

1 Section 11C (Governor in Council may proscribe chemicals) of the Act

For proscribed chemicals, see section 9 (Person not to possess or use proscribed chemical) of the Act.

PART 3—PRESCRIBED MAXIMUM RESIDUE LIMITS

Division 1—Preliminary

4 Purpose of pt 3

This part prescribes, for the Act section 4, definition "maximum residue limit" and section 38(2)(b), the MRL for certain chemicals for agricultural produce.[2]

5 Definitions for pt 3

In this part—

"ERL" means extraneous residue limit.

"extraneous residue limit" means an extraneous residue limit within the meaning of the MRL standard.

"human food commodity" means agricultural produce intended or normally used for human consumption.

"MRL" means maximum residue limit.

"MRL standard" means the National Registration Authority for Agricultural and Veterinary Chemicals, *MRL Standard Maximum Residue Limits in Food and Animal Feedstuffs of Agricultural and Veterinary Chemicals and Associated Substances*, published by the Australian Government Publishing Service, Canberra.[3]

"prescribed qualification" means a statement of attainment issued by a registered training organisation stating that an individual has successfully completed each of the following competencies—

(a) RTC3704—Prepare and apply chemicals;

(b) RTC3705—Transport, handle and store chemicals.

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2 See also the Food Standards Code, within the meaning of the *Food Act 1981*, standard 1.4.2 (Maximum residue limits (Australia only)).

3 A copy of the MRL standard may be inspected, free of charge, during office hours on business days at the department's office at 80 Ann Street, Brisbane. The standard may be viewed on the Australian Pesticides and Veterinary Medicines Authority's website at http://www.apvma.gov.au/residues.

"registered training organisation" means a training organisation registered under the *Training and Employment Act 2000* or under similar legislation of another State.

Division 2—MRLs

6 MRLs for chemicals for human food—MRL standard

(1) If the MRL Standard fixes an MRL level for a chemical for a human food commodity, that level is the prescribed MRL for the chemical for the commodity as a human food commodity.

(2) If the MRL Standard does not fix an MRL level for the chemical for the commodity but fixes an ERL level for the chemical for the commodity, the ERL level is the prescribed MRL for the chemical for the commodity as a human food commodity.

7 Other MRLs for chemicals for human food

(1) If the MRL Standard does not fix an MRL or ERL level for a particular human food commodity, the prescribed MRL for the chemical for the commodity as a human food commodity is zero.

(2) If the MRL Standard does not fix an MRL or ERL level for a chemical for any human food commodity, the prescribed MRL for the chemical for any human food commodity is zero.

(3) However, subsections (1) and (2) do not apply if the use of the chemical in relation to the commodity as a human food commodity is allowed under part 2[4] of the Act.

(4) If subsection (3) applies, no MRL is prescribed for the use of the chemical mentioned in subsection (3).

4 Part 2 (Use of chemicals and substances having chemical residues) of the Act

8 MRLs for chemicals for animal food—sch 2

(1) The prescribed MRL for a chemical[5] mentioned in schedule 2 for any animal food is the level stated opposite the name of the chemical in schedule 2.

(2) If a chemical is not mentioned in schedule 2, no MRL is prescribed for the chemical for animal food.

(3) In this section—

"animal food" means agricultural produce intended or normally used for animal consumption.

"chemical" includes a residue of the chemical stated in the MRL Standard, table 3.[6]

PART 4—USE OF CHEMICAL PRODUCTS

Division 1—Restricted chemical products

9 Definitions for div 1

In this division—

"authorised", for a restricted chemical product, means authorised to use the product under—

(a) an approved label for containers for the product; or

(b) a permit for the product.

"prescribed qualification" means a statement of attainment issued by a registered training organisation stating that an individual has successfully completed each of the following competencies—

(a) RTC3704—Prepare and apply chemicals;

(b) RTC3705—Transport, handle and store chemicals.

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5 Under the Act, schedule (Dictionary), definition "chemical", paragraph (a), the term 'chemical' includes a 'chemical product'.

6 MRL Standard, table 3 (Residue definition)

"registered training organisation" means a training organisation registered under the *Training and Employment Act 2000* or under similar legislation of another State.

"restricted chemical product" means a restricted chemical product under the Agvet Code.

10 Restricted chemical products containing bifenthrin or chlorpyrifos

A person must not use a restricted chemical product containing bifenthrin or chlorpyrifos, unless the person is—

(a) authorised to use the product; or

(b) licensed for a pest control activity under the *Pest Management Act 2001* and the licence permits the person to use the product.

Example of a restricted chemical product containing chlorpyrifos—

Dursban Pre-Construction Termiticide.

Maximum penalty—40 penalty units.

11 Restricted chemical products containing endosulfan

A person must not use a restricted chemical product containing endosulfan, unless the person—

(a) is authorised to use the product; or

(b) holds an unrestricted commercial operator's licence or a pilot chemical rating licence under the *Agricultural Chemicals Distribution Control Act 1966*; or

(c) holds an accreditation to use agricultural chemicals from any of the following—

(i) a training organisation trading in any State under the name 'ChemCert';

(ii) Farmcare Australia Farm Chemical User Training Program Incorporated;

(iii) Queensland Agricultural Chemicals Accreditation Council Incorporated, previously trading under the names 'Chemsafe Training Queensland' and 'Chemsmart Training Queensland'; or

(d) holds a prescribed qualification.

Maximum penalty—40 penalty units.

11A Restricted chemical products containing pindone

A person must not use a restricted chemical product containing pindone, unless the person—

(a) is authorised to use the product; or

(b) holds an approval granted by the chief executive of the Department of Health under the *Health (Drugs and Poisons) Regulation 1996,* section 18,[7] to obtain, possess and use fluoroacetic acid.

Maximum penalty—40 penalty units.

12 Other restricted chemical products

(1) This section applies only to a restricted chemical product that does not contain bifenthrin, chlorpyrifos, endosulfan or pindone.

(2) A person must not use the product, unless the person is authorised to use the product or holds a prescribed qualification.

Maximum penalty for subsection (2)—40 penalty units.

7 *Health (Drugs and Poisons) Regulation 1996*, section 18 (How chief executive may deal with applications)

Division 2—Unregistered chemical products

Subdivision 1—Definitions

12A Definitions for div 2

In this division—

"established standard", for a registered listed chemical product, means the standard established, under part 2A, division 3 of the Agvet Code,[8] for the product when it was a listable product under the Agvet Code.

"established standard label" means—

(a) for a registered listed chemical product—a label that includes all the information required, under the established standard for the product, to be included on a label that is attached to a container in which the product is kept; or

(b) for a product that was previously a registered listed chemical product—the established standard label for the product immediately before the product's listed registration ended under section 56ZK(1)[9] of the Agvet Code.

"listed agricultural chemical product" means an agricultural chemical product that is a registered listed chemical product.

"listed registration" see section 3 of the Agvet Code.

"listed veterinary chemical product" means a veterinary chemical product that is a registered listed chemical product.

"non-complying way", for using, or prescribing, supplying or recommending for use, a listed veterinary chemical product, means a way that does not comply with the instructions stated on the established standard label for the product.

"registered listed chemical product" see section 3 of the Agvet Code.

"reserved agricultural chemical product" means an agricultural chemical product that is a reserved chemical product.

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8 Agvet Code, part 2A (Listable chemical products), division 3 (Establishing standards for listable chemical products)

9 Section 56ZK (Period of listed registration) of the Agvet Code

"reserved chemical product" see section 3 of the Agvet Code.

"reserved veterinary chemical product" means a veterinary chemical product that is a reserved chemical product.

Subdivision 2—Use etc. of particular unregistered veterinary chemical products

12B Purpose of sdiv 2

This subdivision states the circumstances in which—

(a) for section 12E(2)[10] of the Act—a veterinary surgeon may use, or prescribe, supply or recommend for use, to treat an animal, an unregistered veterinary chemical product that—

(i) is a registered listed chemical product; or

(ii) was, at some time during the 2 years preceding its use, prescription, supply or recommendation, a registered listed chemical product; or

(iii) is a reserved chemical product; and

(b) for section 12E(5) of the Act—a person, other than a veterinary surgeon, may use, to treat an animal, an unregistered veterinary chemical product that—

(i) is a registered listed chemical product; or

(ii) was, at some time during the 2 years preceding its use, a registered listed chemical product; or

(iii) is a reserved chemical product.[11]

12C When persons may use etc. listed product generally

(1) A veterinary surgeon may use, or prescribe, supply or recommend for use, to treat an animal, a listed veterinary chemical product only if—

10 Section 12E (Use of unregistered veterinary chemical products) of the Act

11 See also sections 12F (Use by veterinary surgeon), 12G (Supply by veterinary surgeon to others) and 12H (Use by other persons in way stated in veterinary surgeon's instructions) of the Act.

(a) an established standard label for the product is attached to the container in which the product is kept; and

(b) the veterinary surgeon uses the product, or prescribes, supplies or recommends the product for use, in a way that complies with the instructions stated on the label.

(2) However, subsection (1) is subject to sections 12D, 12E and 12F.[12]

(3) A person, other than a veterinary surgeon, may use, to treat an animal, a listed veterinary chemical product only if—

(a) an established standard label for the product is attached to the container in which the product is kept; and

(b) the person uses the product in a way that complies with the instructions stated on the label.

(4) However, subsection (3) is subject to section 12D.[13]

12D When persons may use or supply listed product taken from unlabelled containers

(1) A person may use a listed veterinary chemical product taken from a container that does not have an established standard label attached to it (an **"unlabelled container"**) if—

(a) the product was put in the unlabelled container ready for use after being taken from another container having an established standard label attached to it; or

(b) the product was supplied by a veterinary surgeon in the unlabelled container and the person uses the product in the way stated in the written instructions or dispensing label supplied with the product.

(2) Also, a veterinary surgeon may supply a listed veterinary chemical product taken from an unlabelled container to treat trade species animals under the care of the veterinary surgeon.

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12 See also section 12F (Use by veterinary surgeon) and 12G (Supply by veterinary surgeon to others) of the Act.

13 See also section 12H (Use by other persons in way stated in veterinary surgeon's instructions) of the Act.

12E When veterinary surgeon may use etc. listed product in non-complying way—major trade species animals

(1) A veterinary surgeon may use, or prescribe, supply or recommend for use, a listed veterinary chemical product in a non-complying way to treat the following—

(a) if the label includes instructions for use on a major trade species animal—any major trade species animal under the care of the veterinary surgeon;

(b) if the label does not include instructions for use on a major trade species animal—a single major trade species animal under the care of the veterinary surgeon.

(2) However, subsection (1) does not allow a use—

(a) contrary to a restraint statement on the label other than to treat a single animal; or

(b) by injection unless the label includes instructions for use of the product by injection.

12F When veterinary surgeon may use listed product in non-complying way—other trade species animals

(1) A veterinary surgeon may use, or prescribe, supply or recommend for use, a listed veterinary chemical product in a non-complying way to treat trade species animals, other than major trade species animals, under the care of the veterinary surgeon.

(2) However, subsection (1) does not allow a use—

(a) contrary to a restraint statement on the label other than to treat a single trade species animal; or

(b) by injection unless the label includes instructions for use of the product by injection.

12G When persons may use etc. product that was a listed product in last 2 years

(1) If the conditions in subsection (2) are satisfied—

(a) a veterinary surgeon may use, or prescribe, supply or recommend for use, to treat an animal, an unregistered veterinary chemical product that is not a registered listed chemical product; or

(b) a person, other than a veterinary surgeon, may use, to treat an animal, an unregistered veterinary chemical product that is not a registered listed chemical product.

(2) For subsection (1), the conditions are—

(a) the product was a registered listed chemical product at some time during the 2 years immediately before its use, prescription, supply or recommendation by the veterinary surgeon, or its use by the person; and

(b) the product's listed registration ended under section 56ZK(1)[14] of the Agvet Code; and

(c) the veterinary surgeon uses, or prescribes, supplies or recommends for use, or the person uses, the product in a way that complies with the instructions stated on the established standard label for the product; and

(d) the established standard label is attached to the container in which the product is kept.

12H When persons may use reserved products

A person may use a reserved veterinary chemical product to treat an animal if the product is used in a way that complies with any conditions under the Agvet Code relevant to the use of the product.[15]

14 Section 56ZK (Period of listed registration) of the Agvet Code

15 See the Agvet Code, section 56ZU(3) (Regulations may contain schedule of reserved chemical products).

Subdivision 3—Use of particular unregistered agricultural chemical products

12I Products to which section 13A of the Act does not apply

(1) For section 13A(2)(b)[16] of the Act, the following products are prescribed if the prescription conditions for the product are satisfied—

(a) a listed agricultural chemical product;

(b) an agricultural chemical product that was, at some time in the 2 years immediately before its use, a registered listed chemical product;

(c) a reserved agricultural chemical product.

(2) In this section—

"prescription conditions"—

(a) for a product mentioned in subsection (1)(a)—see section 12J;

(b) for a product mentioned in subsection (1)(b)—see section 12K;

(c) for a product mentioned in subsection (1)(c)—see section 12L.

12J Prescription conditions for listed product

The prescription conditions for a listed agricultural chemical product are that—

(a) the product—

(i) is kept in a container to which an established standard label for the product is attached; or

(ii) was taken from a container to which an established standard label for the product was attached, and placed in another container ready for use; and

(b) the product is used in a way that complies with the instructions stated on the label.[17]

16 Section 13A (Use of unregistered agricultural chemical products) of the Act

17 See, however, section 13B (Compliance with instructions) of the Act.

12K Prescription conditions for product that was listed product in last 2 years

The prescription conditions for an agricultural chemical product that was a registered listed chemical product at some time during the 2 years immediately before its use are that—

(a) the product's listed registration ended under section 56ZK(1)[18] of the Agvet Code; and

(b) the product is used in a way that complies with the instructions stated on the established standard label for the product; and

(c) the established standard label is attached to the container in which the product is kept.

12L Prescription condition for reserved product

The prescription condition for a reserved agricultural chemical product is that the product is used in a way that complies with any conditions under the Agvet Code relevant to the use of the product.[19]

Division 3—Records of chemical product use

13 Record requirement

(1) This section applies to a person if—

(a) the person uses a chemical product; and

(b) any of the following apply—

(i) an approved label for containers for the product contains an instruction;

(ii) a permit for the product that applies to the person is subject to a condition under the Agvet Code;

(iii) an established standard label for the product contains an instruction; and

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18 Section 56ZK (Period of listed registration) of the Agvet Code

19 See the Agvet Code, section 56ZU(3) (Regulations may contain schedule of reserved chemical products).

(c) the instruction or condition requires the person to make a stated record of the use of the product.

(2) The person must make the record—

(a) if the instruction or condition states a day by which the record must be made—on or before the stated day; or

(b) if paragraph (a) does not apply—as soon as practicable after the chemical product is used.

Maximum penalty—40 penalty units.

(3) In this section—

"established standard label", for a chemical product, see section 12A.

14 Obligation to keep record

A person who makes a record under section 13 must keep it for at least 2 years after the use to which the record relates, unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

PART 5—HORMONAL GROWTH PROMOTANTS

Division 1—Preliminary

15 Definitions for pt 5

In this part—

"agent" means a person who is licensed under the *Auctioneers and Agents Act 1971* as an auctioneer or a real estate agent whose licence authorises the person to sell cattle.

"agent's statement" see section 19(2).

"cattle" includes bull, calf, cow, heifer, ox and steer.

"head" means a head of cattle.

"HGP" means hormonal growth promotant.

"HGP free declaration" see section 22(2).

"HGP free tag" means a HGP free tag in the approved form under the *Stock Act 1915*.

"HGP treatment" means implanting a HGP into an animal.

"HGP treatment record" see section 17(1).

"hormonal growth promotant" means a product that—

(a) contains an anabolic substance or a hormone; and

Examples of 'an anabolic substance or a hormone'—

- 17 beta oestradiol
- oestradiol benzoate
- progesterone
- testosterone propionate
- trenbolone acetate
- zeranol.

(b) is used to promote the growth of bovines or bubalines.

"sell" includes any of the following—

(a) supply under an agreement, promise, scheme, transaction (with or without consideration), understanding or undertaking (whether express or implied);

(b) agree, attempt or offer or agree to sell or supply;

(c) possess for sale or supply;

(d) invite or treat or expose for sale or supply;

(e) cause or permit to be sold or supplied.

Division 2—Obligations if HGP treatment given

16 Obligation to make required earmark

(1) A person must, when giving HGP treatment, permanently mark the animal treated by piercing its right ear with the required earmark so as to leave a space of any size on all sides within the margin of the ear.

Maximum penalty—40 penalty units.

(2) In this section—

"required earmark" means—

(a) for cattle—a mark or cut upon the ear of the head that is approved under the *Brands Act 1915* for the identification of cattle treated with a HGP; or

(b) for another animal—a mark of an equal sided triangle with sides of 20 mm.

17 Obligation to record HGP treatment

(1) A person who has given HGP treatment to an animal must make a written record (a **"HGP treatment record"**) as required by this section—

(a) identifying the animal treated; and

(b) stating the following—

(i) the HGP with which the animal was treated;

(ii) the day the treatment was given (the **"treatment day"**);

(iii) any HGP acquired for the treatment that was not used and was disposed of;

(iv) the day of the disposal (the **"disposal day"**).

Maximum penalty—40 penalty units.

(2) For subsection (1)(a), the animal may be identified by reference to its sex and breed.

(3) For subsection (1)(b)(i), the HGP may be stated by giving a distinguishing number for, or particulars to identify, the chemical product that contained the HGP.

(4) The information must be entered in the HGP treatment record—

(a) for information mentioned in subsection (1)(a) and (b)(i) and (ii)—before the treatment day ends; or

(b) for information mentioned in subsection (1)(b)(iii) and (iv)—before the disposal day ends.

(5) In this section—

"disposal" includes destruction and loss.

18 Obligation to keep HGP treatment record

A person who makes a HGP treatment record must keep it for at least 2 years after the treatment day, unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

Division 3—Obligations if cattle with HGP free tag are sold

Subdivision 1—Saleyard sales by agents

19 Agent's obligation to give statement

(1) This section applies if—

(a) an agent sells a head at a saleyard for someone else; and

(b) a HGP free tag is attached to the head.

(2) The agent must give a person who buys the head (the **"buyer"**) a written statement (an **"agent's statement"**)—

(a) identifying the head; and

(b) stating that a HGP free tag was attached to the head when it was sold to the buyer.

Maximum penalty—20 penalty units.

(3) For subsection (2)(a), the head may be identified by reference to—

(a) its sex and breed; or

(b) a tag number for the animal under the *Stock Act 1915*; or

(c) a brand or earmark for the animal under the *Brands Act 1915*.

(4) The agent's statement may be made about more than 1 head.

20 Agent's obligation to keep copy of statement

(1) This section applies to an agent who has given a buyer an agent's statement.

(2) The agent must keep a copy of the statement (the **"agent's copy"**) for 2 years after the statement was given, unless the agent has a reasonable excuse.

Maximum penalty—20 penalty units.

(3) If an inspector asks the agent for the agent's copy during the 2 years, the agent must give it to the inspector, unless the agent has a reasonable excuse.

Maximum penalty—20 penalty units.

(4) The inspector may keep the agent's copy to copy it.

(5) However, the inspector must return the agent's copy as soon as practicable after copying it.

21 Buyer's obligation to keep and produce statement

(1) This section applies if a person has been given an agent's statement as a buyer.

(2) The person must keep the agent's statement for 2 years after it was given, unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

(3) If an inspector asks the person for the agent's statement during the 2 years, the person must give it to the inspector, unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

(4) The inspector may keep the agent's statement copy to copy it.

(5) However, the inspector must return the agent's statement as soon as practicable after copying it.

Subdivision 2—Other sales

22 Seller's obligation to give declaration

(1) This section applies if—

(a) a person (the **"seller"**) sells a head; and

(b) the sale is other than by an agent at a saleyard acting for someone else; and

(c) a HGP free tag is attached to the head.

(2) The person must, if asked by the person to whom the head is sold (the **"buyer"**), give the buyer a written declaration (a **"HGP free declaration"**) as required under section 23 when the seller delivers the head to the buyer.

Maximum penalty for subsection (2)—20 penalty units.

23 Requirements for declaration

(1) A HGP free declaration must—

(a) identify the animal sold; and

(b) be made by the seller no more than 7 days before the sale; and

(c) state the seller has not—

(i) given any HGP treatment to the head; or

(ii) caused or allowed HGP treatment to be given to the head.

(2) For subsection (1)(a), the animal may be identified by reference to—

(a) its sex and breed; or

(b) a tag number for the animal under the *Stock Act 1915*; or

(c) a brand or earmark for the animal under the *Brands Act 1915*.

(3) Also, if the seller bought the head of cattle from someone else (the **"third person"**), the HGP free declaration must state—

(a) the third person's name; and

(b) either—

(i) that a HGP free tag was attached to the head when it was sold to the seller; or

(ii) that the seller received a HGP free declaration from the third person.

(4) The HGP free declaration may be made about more than 1 head.

24 Seller's obligation to keep copy of declaration

(1) This section applies if a person has given a buyer a HGP free declaration.

(2) The person must keep a copy of the HGP free declaration (the **"seller's copy"**) for 2 years after the declaration was given, unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

(3) If an inspector asks the person for the seller's copy during the 2 years, the person must give it to the inspector, unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

(4) The inspector may keep the seller's copy to copy it.

(5) However, the inspector must return the seller's copy as soon as practicable after copying it.

25 Buyer's obligation to keep and produce declaration

(1) This section applies if a person has been given a HGP free declaration as a buyer.

(2) The person must keep the declaration for 2 years after it was given, unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

(3) If an inspector asks the person for the HGP free declaration during the 2 years, the person must give it to the inspector, unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

(4) The inspector may keep the HGP free declaration to copy it.

(5) However, the inspector must return the HGP free declaration as soon as practicable after copying it.

PART 6—SUPERVISION FEES AND EXPENSES

26 Application of pt 6

This part applies to a person if—

(a) the person has been given a direction under the Act that requires or allows a thing to be done; and

(b) the direction requires the thing be done under an inspector's supervision.[20]

27 Hourly fee

(1) A fee is payable by the person for each hour or part of an hour of the supervision.

(2) If the supervision, or a part of the supervision, was on a business day, the hourly fee for the supervision or part of the supervision is—

(a) for working hours—$30.70; or

(b) for other than working hours—$46.05.

(3) If the supervision, or a part of the supervision, was on a day other than a business day, the hourly fee for the supervision or part of the supervision is $61.40.

(4) In this section—

"supervision" includes travelling time for the inspector to travel to and from the place of supervision if the travelling time was for the supervision.

"working hours" means the inspector's working hours under any relevant industrial instrument under the *Industrial Relations Act 1999*.

28 Overnight absence expenses

(1) The person must pay the expense for each overnight absence by the inspector for the supervision.

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20 See section 33 (Supervision by inspector) of the Act.

(2) The expense for each overnight absence is the amount that is, or would be, payable under the *Public Service Act 1996* to the inspector as if the inspector is or were a public service officer travelling on official duty.

PART 7—MISCELLANEOUS PROVISIONS

29 Approval of forms

(1) The chief executive may approve forms for use under the Act.

(2) If a form is approved for a purpose, the approved form is the prescribed form for the purpose.

SCHEDULE 1

PRESCRIBED AND PROSCRIBED CHEMICALS

sections 2 and 3

Common name	**Chemical name or composition**
aldrin	a product containing 95% HHDN
BHC (excluding the gamma isomer)	Mixed isomers of 1,2,3,4,5,6-hexachlorocyclohexane excluding gamma-1, 2,3,4,5,6-hexachlorocyclohexane
chlordane	1,2,4,5,6,7,8,8-octachloro-3a,4,7,7a-tetrahydro-4,7-methanoindane
DDT	Mixed isomers of 1,1,1-trichloro-2,2-bis (chlorophenyl)ethane in which *pp'*-DDT, 1,1,1-trichloro-2,2-bis(4-chlorophenyl)= ethane, predominates
dieldrin	a product containing 85% HEOD
endrin	1,2,3,4,10,10-hexachloro-6,7-epoxy-1,4,4a, 5,6,7,8,8a-octahydro-*exo*-1,4-*exo*-5,8-dimethanonaphthalene
HCB	hexachlorobenzene
HEOD	1,2,3,4,10,10-hexachloro-6,7-epoxy-1,4,4a, 5,6,7,8,8a-octahydro-*endo*-1,4-*exo*-5,8-dimethanonaphthalene
heptachlor	1,4,5,6,7,8,8-heptachloro-3a,4,7,7a-tetrahydro-4,7-methanoindene

SCHEDULE 1 (continued)

Common name	**Chemical name or composition**
HHDN	1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro-*exo*-1,4-*endo*-5,8-dimethanonaphthalene
TDE	1,1-dichloro-2,2-bis(4-chlorophenyl)ethane

SCHEDULE 2

MRLS FOR CHEMICALS FOR ANIMAL FOOD

section 8

PART 1—MRLS FOR PRESCRIBED CHEMICALS

Common name	**Level (in mg/kg)**
aldrin, dieldrin or any total combination of aldrin and dieldrin	0.01
BHC (excluding the gamma isomer)	0.02
chlordane	0.01
DDT	0.1
endrin	0.03
HCB	0.01
heptachlor	0.02

PART 2—MRLS FOR CHEMICAL PRODUCTS

Chemical product	**Level (in mg/kg)**
alloxydim-sodium	0.2
benfluralin	0.02

SCHEDULE 2 (continued)

Chemical product	**Level (in mg/kg)**
bensulfuron-methyl	0.05
bioresmethrin	5
bitertanol	0.1
carbaryl	20
carbofuran	2
chlorpyrifos-methyl	20
chlorsulfuron	10
clopyralid	100
cyhalothrin	0.01
dichlorvos	20
dithiocarbamates (except propineb)	30
endosulfan	0.3
ethephon	10
fenamiphos	1
fenitrothion	20
fenvalerate	10
fluroxypyr	25
glyphosate	0.3
haloxyfop	3
inorganic bromide	125
iprodione	5

SCHEDULE 2 (continued)

Chemical product	**Level (in mg/kg)**
lindane (gamma BHC)	0.1
maldison	100
methoxychlor	1
methyl bromide	50
metolachlor	5
metribuzin	0.2
metsulfuron-methyl	0.05
monocrotophos	0.2
pirimiphos-methyl	20
sethoxydim	2
thiodicarb	30
tralkoxydim	0.02
triadimefon	10
triasulfuron	5

ENDNOTES

1 Index to endnotes

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 25 June 2004. Future amendments of the Chemical Usage (Agricultural and Veterinary) Control Regulation 1999 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key		Explanation	Key		Explanation
AIA	=	**Acts Interpretation Act 1954**	**(prev)**	=	**previously**
amd	=	**amended**	**proc**	=	**proclamation**
amdt	=	**amendment**	**prov**	=	**provision**
ch	=	**chapter**	**pt**	=	**part**
def	=	**definition**	**pubd**	=	**published**
div	=	**division**	**R[X]**	=	**Reprint No.[X]**
exp	=	**expires/expired**	**RA**	=	**Reprints Act 1992**
gaz	=	**gazette**	**reloc**	=	**relocated**
hdg	=	**heading**	**renum**	=	**renumbered**
ins	=	**inserted**	**rep**	=	**repealed**
lap	=	**lapsed**	**(retro)**	=	**retrospectively**
notfd	=	**notified**	**rv**	=	**revised edition**
o in c	=	**order in council**	**s**	=	**section**
om	=	**omitted**	**sch**	=	**schedule**
orig	=	**original**	**sdiv**	=	**subdivision**
p	=	**page**	**SIA**	=	**Statutory Instruments Act 1992**
para	=	**paragraph**	**SIR**	=	**Statutory Instruments Regulation 2002**
prec	=	**preceding**	**SL**	=	**subordinate legislation**
pres	=	**present**	**sub**	=	**substituted**
prev	=	**previous**	**unnum**	=	**unnumbered**

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

TABLE OF REPRINTS

Reprint No.	Amendments included	Effective	Reprint date
1	none	27 August 1999	2 September 1999
1A	to 2000 SL No. 169	1 July 2000	3 July 2000
1B	to 2001 SL No. 177	28 September 2001	12 October 2001 (Column discontinued) Notes
1C	to 2002 SL No. 351	13 December 2002	
1D	to 2003 SL No. 201	20 September 2003	
1E	to 2003 SL No. 239	4 November 2003	
1F	to 2003 SL No. 335	14 December 2003	
1G	to 2004 SL No. 100	25 June 2004	

5 List of legislation

Chemical Usage (Agricultural and Veterinary) Control Regulation 1999 SL No. 203
made by the Governor in Council on 26 August 1999
notfd gaz 27 August 1999 pp 2224–7
commenced on date of notification
exp 1 September 2009 (see SIA s 54)
Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

Primary Industries Legislation Amendment Regulation (No. 1) 2000 SL No. 169 pts 1, 4
notfd gaz 30 June 2000 pp 736–48
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2000 (see s 2)

Primary Industries Legislation Amendment Regulation (No. 1) 2001 SL No. 177 pts 1, 5
notfd gaz 28 September 2001 pp 328–30
commenced on date of notification

Primary Industries Legislation Amendment Regulation (No. 2) 2002 SL No. 351 pts 1, 5
notfd gaz 13 December 2002 pp 1266–69
commenced on date of notification

Pest Management Regulation 2003 SL No. 201 ss 1, 2(3), 33 sch 1
notfd gaz 5 September 2003 pp 57–8
ss 1–2 commenced on date of notification
remaining provisions commenced 20 September 2003 (see s 2(3))

Primary Industries Legislation Amendment Regulation (No. 1) 2003 SL No. 239 pts 1, 4
notfd gaz 3 October 2003 pp 382–5
ss 1–2 commenced on date of notification
remaining provisions commenced 4 November 2003 (see s 2)

Primary Industries Legislation Amendment Regulation (No. 2) 2003 SL No. 335 pts 1, 4
notfd gaz 12 December 2003 pp 1203–7
ss 1–2 commenced on date of notification
remaining provisions commenced 14 December 2003 (see s 2)

Chemical Usage (Agricultural and Veterinary) Control Amendment Regulation (No. 1) 2004 SL No. 100
notfd gaz 25 June 2004 pp 573–81
commenced on date of notification

6 List of annotations

Proscribed chemicals—Act, s 11C(2)
prov hdg amd 2003 SL No. 335 s 20(1)
s 3 amd 2003 SL No. 335 s 20(2)–(3)

Purpose of pt 3
s 4 amd 2003 SL No. 335 s 21

Definitions for pt 3
s 5 amd 2003 SL No. 335 s 22

PART 4—USE OF CHEMICAL PRODUCTS
Division 1—Restricted chemical products
Definitions for div 1
s 9 def **"prescribed qualification"** ins 2003 SL No. 335 s 23
def **"registered training organisation"** ins 2003 SL No. 335 s 23

Restricted chemical products containing bifenthrin or chlorpyrifos
s 10 amd 2003 SL No. 201 s 33 sch 1

Restricted chemical products containing endosulfan
s 11 amd 2003 SL No. 335 s 24

Restricted chemical products containing pindone
s 11A ins 2003 SL No. 335 s 25

Other restricted chemical products
s 12 amd 2003 SL No. 335 s 26

Division 2—Unregistered chemical products
div 2 (ss 12A–12L) ins 2004 SL No. 100 s 4

Division 3—Records of chemical product use
div hdg (prev div 2 hdg) renum 2004 SL No. 100 s 3

Record requirement
s 13 amd 2004 SL No. 100 s 5

Hourly fee
s 27 amd 2000 SL No. 169 s 8; 2001 SL No. 177 s 9; 2002 SL No. 351 s 10; 2003 SL No. 239 s 8

PART 8—REPEAL AND TRANSITIONAL PROVISIONS
pt 8 (ss 30–34) exp 28 August 1999 (see s 34)