



**Australian Government**  
**Department of Health and Ageing**  
**Therapeutic Goods Administration**

## **Australian state and territory regulatory controls on Schedule 7 poisons**

*September 2008*

### **Notes**

#### **South Australia**

##### **\* excluding Section 22 (Schedule H) Poisons**

Section 22 of the Controlled Substances Act 1984 (the Act) prohibits any person possessing the following poisons unless holding a licence for this purpose:

- Acrolein
- Arsenic (when included in Schedule 7)
- Chloropicrin (except quantities of 7 litres or less or products containing 5% or less of chloropicrin)
- Cyanides (when included in Schedule 7)
- DDT
- Fluroacetamide
- Fluoroacetic acid
- Hydrocyanic acid (when included in Schedule 7)
- Methyl bromide
- Mirex
- Sodium fluoroacetate (1080)
- Strychnine (when included in Schedule 7)
- Thallium

##### **\*\* exemptions –**

(2) Exemption-A person is exempt from section 22 of the Act in respect of possession of-

- a. strychnine, if-
  - i. the person is the owner or occupier, or an agent or employee of an owner or occupier, of land situated outside Metropolitan Adelaide and outside any township; and
  - ii. the strychnine is a constituent of baits designed for destroying mice; and
  - iii. the quantity of baits in the person's possession does not exceed 5 kilograms; and
  - iv. the amount of strychnine present in any quantity of the baits does not exceed 0.5 per cent; or
- b. chloropicrin, if-
  - i. in the case of pure chloropicrin, the quantity in the person's possession does not exceed 7 litres;
  - ii. in the case of chloropicrin in a compound preparation, the concentration of chloropicrin does not exceed 5 per cent; or

c. sodium fluoroacetate if-

(ai) the sodium fluoroacetate is a constituent of baits designed for destroying dingoes or foxes; and

- i. the concentration of sodium fluoroacetate in each bait does not exceed 0.03 per cent; and
- ii. the total amount of sodium fluoroacetate present in the particular quantity of baits does not exceed 10 grams; and
- iii. the person-
  - A. has the written approval of the Animal and Plant Control Commission (APCC) to acquire and possess those baits; and
  - B. acquires the baits from a supplier approved by the APCC; and
  - C. complies with any conditions imposed by the APCC on granting the approval to acquire and possess baits.

Exemption from section 22 of the Act may be granted to certain pest controllers.

17. (1) The Minister may exempt a person who is licensed under the Controlled Substances (Pesticide) Regulations 1988 from the requirement to hold a licence under section 22 of the Act in respect of the use of a pesticide that is a schedule F poison.
- (2) The Minister may, by notice in writing to an exempted person, vary or revoke the exemption.

## **Victoria**

Under the Drugs, Poisons and Controlled Substances Regulations 2006, a “listed regulated poison” means a SUSDP Schedule 7 poison included in Part 2 of Chapter 1 of the Poisons Code in the list of substances that are not for general sale by retail. Listed regulated poisons that are SUSDP Schedule 7 poisons (referred to as listed regulated Schedule 7 poisons) are:

acrylonitrile

arsenic

benzene

cacodylic acid

metallic cyanides

1,2-dibromo-3-chloropropane

4-dimethylaminoazobenzene

fluoroacetamide

fluoroacetic acid except when included as sodium monofluoroacetate or sodium fluoroacetate (commonly known as “1080” or “ten-eighty”) in ready-to use bait products that are:

- a. registered by the Australian Pesticides and Veterinary Medicines Authority (“the Authority”) under Part 2 of the Agvet Code; or
- b. permitted to be possessed or supplied under a ‘permit for supplying a perishable bait treated with a registered chemical product’ issued by the Authority under Part 7 of the Agvet Code.

hydrocyanic acid

4,4’-methylene bis[2-chloroaniline]

strychnine

thallium

vinyl chloride

## ***New South Wales***

Highly dangerous substances include:

arsenic

cyanides

fluoroacetamide

fluoroacetic acid

hydrocyanic acid

strychnine

thallium

substances in Appendix C of the SUSDP (NSW adopts SUSDP Appendix C into its Schedule 7).

Refer clause 20 of the NSW Poisons and Therapeutic Goods Regulation 2008.

## ***Enquiries***

Enquiries are to be directed to:

The Secretary

National Drugs and Poisons Schedule Committee

PO Box 100

WODEN ACT 2606

Or by email: [NDPSC@health.gov.au](mailto:NDPSC@health.gov.au)

State or Territory	Permit, licence, authority required for person, business, institution to:			Licence Premises	Domestic can:		Charges	Exemptions	Appendix J - Implementation	notes
	Obtain	Use	Sell	Storage	Obtain	Use				
QLD	Yes, Appendix 7 of the Health (Drugs and Poisons) Regulation 1996	Yes, Appendix 7 of the Health (Drugs and Poisons) Regulation 1996	Yes	Secured or specified by Chief Executive	Yes, provided not listed in Appendix 7 of the Health (Drugs and Poisons) Regulation 1996	Authorised only	Yes, except strychnine and cyanide permits	Certain exemptions for industrial, manufacturing uses and use in research	Not by reference, however Appendix J provisions are largely mirrored in Appendix 7 of the Health (Drugs and Poisons) Regulation 1996	Intent of Queensland legislation is not to impose restrictions on the use of Schedule 7 poisons in the industrial, manufacturing or research areas
NSW	Yes	Yes	Yes	In a room or enclosure to which the public does not have access.	No	No	No	Registered pesticides; scientific research; use for non-domestic purposes (other than highly dangerous substances)	No	
VIC	Yes for listed regulated Schedule 7 poisons	Yes for listed regulated Schedule 7 poison	Wholesale for all Schedule 7 poisons		Could for Schedule 7 poisons, but not for listed regulated Schedule 7 poisons	Could for Schedule 7 poisons, but not for listed regulated Schedule 7 poisons	Yes	Non listed regulated Schedule 7 products may have controls under AgVet control of use legislation and dangerous goods legislation.	No	
TAS	Yes (Appendix J)	Yes (Appendix J)	Yes (Appendix J)	Yes (Appendix J)	No	No	Wholesaler-Yes User-No (Appendix J)	If Dangerous Goods or pesticides permit issued	Yes	Restrictions only apply to Appendix J substances. Non Appendix J Schedule 7 not for domestic use.
ACT	Yes	Yes	Yes	Specified by Minister	No	No	No	Registered Pesticides	No	N/A

State or Territory	Permit, licence, authority required for person, business, institution to:			Licence Premises	Domestic can:		Charges	Exemptions	Appendix J - Implementation	notes
	Obtain	Use	Sell	Storage	Obtain	Use				
NT	Yes	Yes	Yes	Yes	No	No	\$20 per annum for retail licence, \$50 per annum for manufacturer or wholesaler, User Nil		Yes	
SA	No*	No*	Yes	Locked cage denying access to public	No	No	Yes	Yes **	Not by reference, however Appendix J provisions are largely mirrored in section 22 of the <i>Controlled Substances Act 1984</i> .	
WA		Yes	Yes				Yes	Specified groups eg primary producers	Implemented where appropriate	