

— PART 2 —

HEALTH

HE401

MEDICINES AND POISONS ACT 2014

MEDICINES AND POISONS (SECTION 72) (REGISTERED PESTICIDES 1080 AND PAPP) NOTICE 2018

Made by the Chief Executive Officer under section 72 of the *Medicines and Poisons Act 2014*.

1. Citation

This notice may be cited as the *Medicines and Poisons (Section 72) (Registered Pesticides 1080 and PAPP) Notice 2018*.

2. Commencement

This notice comes into operation on the day on which it is published in the *Gazette*.

3. Interpretation

(1) In this notice, unless the context otherwise requires—

1080 means a registered pesticide that contains fluoroacetic acid;

appropriate training means training in the—

- (a) (where required) mixing and preparation of 1080 that is to be mixed and prepared before use; and
- (b) correct use of 1080 or PAPP against one or more of the prescribed pests; and
- (c) precautions necessary for the safe handling of 1080 or PAPP; and
- (d) first aid treatment appropriate to a person affected by 1080 or PAPP;

CEO DBCA means the Chief Executive Officer of DBCA or an officer of DBCA authorised by the CEO DBCA to perform the functions of the CEO DBCA under this notice;

CEO DPIRD means the Chief Executive Officer of DPIRD or an officer of DPIRD authorised by the CEO DPIRD to perform the functions of the CEO DPIRD under this notice;

CEO DoH means the Chief Executive Officer of DoH or an officer of DoH authorised by the CEO DoH to perform the functions of the CEO DoH under this notice;

Code of Practice means the “*Code of Practice for the Safe Use and Management of Registered Pesticides Containing 1080, PAPP and Strychnine*” approved by the CEO DoH and published on the DPIRD and DoH websites;

DBCA means the Department of Biodiversity, Conservation and Attractions;

DoH means the Department of Health;

DPIRD means the Department of Primary Industries and Regional Development;

Licensed Pest Management Technician means a Pest Management Technician who is licensed under the Pesticides Regulations;

Medicines and Poisons Act means the *Medicines and Poisons Act 2014*;

Medicines and Poisons Regulations means the *Medicines and Poisons Regulations 2016*;

PAPP means a registered pesticide that contains 4-aminopropiophenone;

Pesticides Regulations means the *Health (Pesticides) Regulations 2011*;

prescribed pests means wild dogs, wild pigs, rabbits, feral cats and foxes;

registered pesticide has the same meaning as it has in the Pesticides Regulations;

wild dogs means dingoes, free living domestic dogs and their hybrids.

4. Conditions relating to sale and supply of 1080

(1) 1080 can only be sold or supplied by a person licensed under the Medicines and Poisons Regulations to sell 1080 by retail to—

- (a) a person who has been given appropriate training and who is authorised in writing by the CEO DPIRD, the CEO DBCA or the CEO DoH to be sold or supplied 1080 for the purposes of destroying prescribed pests; or
- (b) a Licensed Pest Management Technician for the purposes of destroying prescribed pests.

(2) Subclause (1) does not apply to the sale or supply of 1080 that is authorised under the Medicines and Poisons Act or the Medicines and Poisons Regulations.

5. Conditions relating to use and possession of 1080

- (1) 1080 can only be used or possessed—
- (a) by a person who has been given appropriate training and is authorised in writing by the CEO DPIRD, the CEO DBCA or the CEO DoH to use or possess 1080 for the purposes of destroying prescribed pests; or
 - (b) by a Licensed Pest Management Technician for the purposes of destroying prescribed pests; or
 - (c) if the use or possession of 1080 is authorised under the Medicines and Poisons Act; the Medicines and Poisons Regulations; or the Pesticides Regulations.
- (2) The use or possession of 1080 is subject to the following conditions—
- (a) the use or possession of 1080 must comply with the Code of Practice;
 - (b) 1080 that needs to be mixed and prepared before it is used must be mixed and prepared immediately before it is used by a person who has been given appropriate training;
 - (c) before 1080 is used on any land, the person who proposes to use it is to give prior notice in writing or in a form approved by the CEO DPIRD or the CEO DoH to each occupier of adjoining land of the period during which and the place or places at which 1080 is proposed to be used;
 - (d) baits containing 1080 cannot be laid on a farm or pastoral property unless—
 - a. the relevant permit for the farm or pastoral property has been issued by DPIRD; or
 - b. the laying of baits containing 1080 is authorised by DBCA.

6. Conditions relating to sale and supply of PAPP

- (1) PAPP can only be sold or supplied by a person licensed under the Medicines and Poisons Regulations to sell PAPP by retail to—
- (a) a person who has been given appropriate training and who is authorised in writing by the CEO DPIRD, the CEO DBCA or the CEO DoH to be sold or supplied PAPP for the purposes of destroying prescribed pests; or
 - (b) a Licensed Pest Management Technician for the purposes of destroying prescribed pests.
- (2) Subclause (1) does not apply to the sale or supply of PAPP that is authorised under the Medicines and Poisons Act or the Medicines and Poisons Regulations.

7. Conditions relating to use and possession of PAPP

- (1) PAPP can only be used or possessed—
- (a) by a person who has been given appropriate training and is authorised in writing by the CEO DPIRD, the CEO DBCA or the CEO DoH to use or possess PAPP for the purposes of destroying prescribed pests; or
 - (b) by a Licensed Pest Management Technician for the purposes of destroying prescribed pests; or
 - (c) if the use or possession of PAPP is authorised under the Medicines and Poisons Act; the Medicines and Poisons Regulations; or the Pesticides Regulations.
- (2) The use or possession of PAPP is subject to the following conditions—
- (a) the use or possession of PAPP must comply with the Code of Practice;
 - (b) before PAPP is used on any land, the person who proposes to use it is to give prior notice in writing or in a form approved by the CEO DPIRD or the CEO DoH to each occupier of adjoining land of the period during which and the place or places at which PAPP is proposed to be used;
 - (c) baits containing PAPP cannot be laid on a farm or pastoral property unless the relevant permit for the farm or pastoral property has been issued by DPIRD.

8. Revocation

The *Poisons (Section 24) (Registered Pesticide 1080) Notice 2000** is revoked.

[*Published in the *Gazette*, 7 April 2000, pp. 1814-1818]

Dated the 11th day of April 2018.

Dr ANDREW ROBERTSON, Deputy Chief Health Officer
As delegate of the Chief Executive Officer.

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MEDICINES AND POISONS ACT 2014**MEDICINES AND POISONS (SECTION 72) (REGISTERED PESTICIDE STRYCHNINE ALKALOID)
NOTICE 2018**

Made by the Chief Executive Officer under section 72 of the *Medicines and Poisons Act 2014*.

1. Citation

This notice may be cited as the *Medicines and Poisons (Section 72) (Registered Pesticide Strychnine Alkaloid) Notice 2018*.

2. Commencement

This notice comes into operation on the day on which it is published in the *Gazette*.

3. Interpretation

(1) In this notice, unless the context otherwise requires—

appropriate training means training in the—

- (a) (where required) mixing and preparation of Strychnine Alkaloid that is to be mixed and prepared before use; and
- (b) correct use of Strychnine Alkaloid against one or more of the prescribed pests; and
- (c) precautions necessary for the safe handling of Strychnine Alkaloid; and
- (d) first aid treatment appropriate to a person affected by Strychnine Alkaloid;

CEO DBCA means the Chief Executive Officer of DBCA or an officer of DBCA authorised by the CEO DBCA to perform the functions of the CEO DBCA under this notice;

CEO DPIRD means the Chief Executive Officer of DPIRD or an officer of DPIRD authorised by the CEO DPIRD to perform the functions of the CEO DPIRD under this notice;

CEO DoH means the Chief Executive Officer of the Department of Health or an officer of DoH authorised by the CEO DoH to perform the functions of the CEO DoH under this notice;

Code of Practice means the “Code of Practice for the Safe Use and Management of Registered Pesticides Containing 1080, PAPP and Strychnine” approved by the CEO DoH and published on the DPIRD and the DoH websites;

damage licence has the same meaning as it has in the *Wildlife Conservation Regulations 1970*;

DBCA means the Department of Biodiversity, Conservation and Attractions;

district has the same meaning as it has in the *Local Government Act 1995*;

DoH means the Department of Health;

DPIRD means the Department of Primary Industries and Regional Development;

Licensed Pest Management Technician means a Pest Management Technician who is licensed under the Pesticides Regulations;

Medicines and Poisons Act means the *Medicines and Poisons Act 2014*;

Medicines and Poisons Regulations means the *Medicines and Poisons Regulations 2016*;

Pesticides Regulations means the *Health (Pesticides) Regulations 2011*;

prescribed pests means wild dogs and emus;

registered pesticide has the same meaning as it has in the Pesticides Regulations;

Strychnine Alkaloid means a registered pesticide that contains strychnine;

wild dogs means dingoes, free living domestic dogs and their hybrids.

4. Conditions relating to sale and supply of Strychnine Alkaloid

(1) Strychnine Alkaloid can only be sold or supplied by a person licensed under the Medicines and Poisons Regulations to sell Strychnine Alkaloid by retail to—

(a) a person who is an officer of DPIRD who—

- (i) has been given appropriate training; and
- (ii) is authorised in writing by the CEO DPIRD or the CEO DoH to be sold or supplied Strychnine Alkaloid for the purposes of destroying prescribed pests; and
- (iii) where the prescribed pests are emus, holds a damage licence issued by DBCA.

(b) a Licensed Pest Management Technician—

- (i) for the purposes of destroying wild dogs on a property in any one or more of the districts specified in the Schedule; or
- (ii) who is authorised by the CEO DPIRD to be sold or supplied Strychnine Alkaloid for the purposes of destroying prescribed pests; and
- (iii) where the prescribed pests are emus, holds a damage licence issued by DBCA.

(c) a person who is not an officer of DPIRD or a Licensed Pest Management Technician who—

- (i) has been given appropriate training; and
- (ii) is authorised in writing by the CEO DPIRD to be sold or supplied Strychnine Alkaloid for the purposes of destroying prescribed pests; and
- (iii) where the prescribed pests are emus, holds a damage licence issued by DBCA.

(2) Subclause (1) does not apply to the sale or supply of Strychnine Alkaloid that is authorised under the Medicines and Poisons Act or the Medicines and Poisons Regulations.

5. Conditions relating to use and possession of Strychnine Alkaloid

(1) Strychnine Alkaloid can only be used or possessed—

(a) by a person who is an officer of DPIRD who—

- (i) has been given appropriate training; and
- (ii) is authorised in writing by the CEO DPIRD or the CEO DoH to use or possess Strychnine Alkaloid for the purposes of destroying prescribed pests; and
- (iii) where the prescribed pests are emus, holds a damage licence issued by DBCA.

- (b) a Licensed Pest Management Technician—
 - (i) for the purposes of destroying wild dogs on a property in any one or more of the districts specified in the Schedule; or
 - (ii) who is authorised by the CEO DPIRD to use or possess Strychnine Alkaloid for the purposes of destroying prescribed pests; and
 - (iii) where the prescribed pests are emus, holds a damage licence issued by DBCA.
 - (c) a person who is not an officer of DPIRD or a Licensed Pest Management Technician who—
 - (i) has been given appropriate training; and
 - (ii) is authorised in writing by the CEO DPIRD to use or possess Strychnine Alkaloid for the purposes of destroying prescribed pests; and
 - (iii) where the prescribed pests are emus, holds a damage licence issued by DBCA.
 - (d) if the use or possession of Strychnine Alkaloid is authorised under the Medicines and Poisons Act; the Medicines and Poisons Regulations; or the Pesticides Regulations.
- (2) The use or possession of Strychnine Alkaloid is subject to the following conditions—
- (a) the use or possession of Strychnine Alkaloid must comply with the Code of Practice;
 - (b) Strychnine Alkaloid that needs to be mixed and prepared before it is used must be mixed and prepared immediately before it is used by a person who has been given appropriate training;
 - (c) before Strychnine Alkaloid is used on any land, the person who proposes to use it is to give prior notice in writing or in a form approved by the CEO DPIRD to each occupier of adjoining land of the period during which and the place or places at which Strychnine Alkaloid is proposed to be used.

6. Revocation

The *Medicines and Poisons (Section 72) (Registered Pesticide Strychnine Alkaloid) Notice 2017** is revoked.

[*Published in the *Gazette*, 21 April 2017, pp. 2182-2186]

SCHEDULE

Those areas of the State covered by the local government districts of—

PART 1 (Pastoral districts)

Ashburton	Meekatharra
Broome	Menzies
Carnarvon	Mt. Magnet
Coolgardie	Murchison
Cue	Ngaanyatjarraku
Derby—West Kimberley	Port Hedland
Dundas	Roebourne
East Pilbara	Sandstone
Exmouth	Shark Bay
Halls Creek	Upper Gascoyne
Kalgoorlie-Boulder	Wiluna
Laverton	Wyndham—East Kimberley
Leonora	Yalgoo

PART 2 (Agricultural districts)

Chapman Valley	Mukinbudin
Dalwallinu	Narembeen
Esperance	Nungarin
Kondinin	Northampton
Koorda	Perenjori
Kulin	Ravensthorpe
Lake Grace Westonia	Three Springs
Merredin	Trayning
Mingenew	Victoria Plains
Moora	Wongan-Ballidu
Morawa	Yilgarn
Mt. Marshall	

Dated the 11th day of April 2018.

Dr ANDREW ROBERTSON, Deputy Chief Health Officer
As delegate of the Chief Executive Officer.