Australian State & Territory regulatory controls on Schedule 7 poisons

Scheduling medicines & poisons

November 2017

Notes

South Australia

Schedule 7 agricultural and veterinary chemicals can only be purchased by persons who hold a current licence under the Controlled Substances (Pesticides) Regulations 2017 or a current chemical users accreditation. Schedule 7 poisons for research and analysis can only be purchased by persons who hold a permit issued under section 56 of the Controlled Substances Act 1984.

* Section 22 Poisons

Section 22 of the Controlled Substances Act 1984 (the Act) prohibits any person possessing the following poisons (listed under regulation 25 of the Controlled Substances (Poisons) Regulations 2011) unless holding a licence for this purpose:

- 4-aminopropiophenone
- Acrolein
- Arsenic (when included in Schedule 7)
- Chloropicrin (when included in Schedule 7)
- Cyanides (when included in Schedule 7)
- Cyanogen
- DDT
- Fluoroacetamide
- Fluoroacetic acid
- Hydrocyanic acid (when included in Schedule 7)
- Methyl bromide
- Mirex
- Sodium fluoroacetate (1080)
- Strychnine (when included in Schedule 7)
- Thallium

**exemptions -**

A person is exempt from section 22 of the Act in respect of the possession of 4-aminopropiophenone if—

a) the 4-aminopropiophenone is a constituent of baits designed for destroying vertebrate animals; and
b) the concentration of 4-aminopropiophenone in each bait does not exceed 2%; and

c) the total amount of 4-aminopropiophenone in the particular quantity of baits for destroying vertebrate animals does not exceed 5 kilograms; and

d) the person—
   i. has the written approval of the Minister to acquire and possess those baits; and
   ii. acquires the baits from a supplier approved by the Minister.

A person is exempt from section 22 of the Act in respect of the possession of sodium fluoroacetate if—

   a) —
      i. in the case of sodium fluoroacetate that is contained in a capsule for use with a Pest Canid Ejector designed for destroying foxes or wild dogs—the concentration of sodium fluoroacetate in each capsule does not exceed 0.8%; or
      ii. in the case of sodium fluoroacetate that is a constituent of baits designed for destroying vertebrate animals—the concentration of sodium fluoroacetate in each bait does not exceed 0.04%; and

   b) the total amount of sodium fluoroacetate present in the particular quantity of capsules or baits does not exceed 50 grams; and

   c) the person—
      i. has the written approval of the Minister to acquire and possess those capsules or baits; and
      ii. acquires the capsules or baits from a supplier approved by the Minister.

A person is exempt from section 22 of the Act in respect of the possession of strychnine if—

   a) the person is the owner or occupier, or an agent or employee of an owner or occupier, of land that is situated outside a township and outside Metropolitan Adelaide; and

   b) the strychnine is a constituent of baits designed for destroying mice; and

   c) the quantity of baits in the person's possession does not exceed 5 kilograms; and

   d) the amount of strychnine present in any quantity of the baits does not exceed 0.5%.

(5) A person lawfully in possession of baits containing strychnine under this regulation must not use those baits except for the purpose of destroying mice in or around storage areas on land situated outside a township and outside Metropolitan Adelaide.

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

The Minister may exempt a person who is licensed under the Controlled Substances (Pesticides) Regulations 2017 from the requirement to hold a licence under section 22 of the Act in respect of the use of a pesticide that is a section 22 poison.

**Victoria**

Under the Drugs, Poisons and Controlled Substances Regulations 2017, a "listed regulated poison" means a SUSMP 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 SUSMP Schedule 7 poisons (referred to as listed regulated Schedule 7 poisons) are:

- ACRYLONITRILE
- ARSENIC
AZO DYES that are derivatives by diazotisation of any of the following substances:
- p-aminoazobenzene (CAS No. 60-09-3)
- o-aminoazotoluene (CAS No. 97-56-3)
- o-anisidine (CAS No. 90-04-0)
- p-chloroaniline (CAS No. 106-47-8)
- 4-chloro-o-toluidine (CAS No. 95-69-2)
- 6-methoxy-m-toluidine (p-cresidine) (CAS No. 120-71-8)
- 2-naphthylamine (CAS No. 91-59-8)
- 5-nitro-o-toluidine (CAS No. 99-55-8)
- 2,4-toluenediamine (CAS No. 95-80-7)
- o-toluidine (CAS No. 95-53-4)
- 2,4,5-trimethylaniline (CAS No. 137-17-7)

BENZENE

BENZIDINE-BASED AZO DYES being:
- 2,2'-[[1,1'-biphenyl]-4,4'-diylbis(azo)]bis[N-(4-chlorophenyl)-3-oxobutanamide]
  CAS No. 94249-03-3
- Acid Red 85 (Acid Fast Red A)
  1,3-Naphthalenedisulfonic acid, 7-hydroxy-8-[[4'-[[4-[[4-methylphenyl]sulfonyloxy]phenyl]azo][1,1'-biphenyl]-4-yl]azo]-, disodium salt
  CAS No. 3567-65-5
- C.I. Acid Black 29
  CAS No. 12217-14-0
- C.I. Direct Orange 1
  CAS No. 54579-28-1
- Direct Black 38
  2,7-Naphthalenedisulfonic acid, 4-amino-3-[[4'-[(2,4-diaminophenyl)azo][1,1'-biphenyl]-4-yl]azo]-5-hydroxy-6-(phenylazo)-, disodium salt
  CAS No. 1937-37-7
- Direct Blue 2
  2,7-Naphthalenedisulfonic acid, 5-amino-3-[[4'-[(7-amino-1-hydroxy-3-sulfo-2-naphthalenyl)azo][1,1'-biphenyl]-4-yl]azo]-4-hydroxy-, trisodium salt
  CAS No. 2429-73-4
- Direct Blue 6
  2,7-Naphthalenedisulfonic acid, 3,3'-[[1,1'-biphenyl]-4,4'-diylbis(azo)]bis[5-amino-4-hydroxy-, tetrasodium salt
  CAS No. 2602-46-2
- Direct Brown 2
  5-[[4'-[(7-amino-1-hydroxy-3-sulfo-2-naphthalenyl)azo][1,1'-biphenyl]-4-yl]azo]-2-hydroxy- benzoic acid disodium salt
  CAS No. 2429-82-5
- Direct Brown 95
  Cuprate(2-), [5-[[4'-[[2,6-dihydroxy-3-[(2-hydroxy-5-sulfophenyl)azo]phenyl]azo][1,1'-biphenyl]-4-yl]azo]-2-hydroxybenzoato(4-)], disodium salt
  CAS No. 16071-86-6
- Direct Green 1
  2,7-Naphthalenedisulfonic acid, 4-amino-5-hydroxy-3-[[4'-[(4-hydroxyphenyl)azo][1,1'-biphenyl]-4-yl]azo]-6-(phenylazo)-, disodium salt
  CAS No. 3626-28-6
- Direct Green 6
  2,7-Naphthalenedisulfonic acid, 4-amino-5-hydroxy-6-[[4'-[(4-
hydroxyphenyl)azo][1,1'-biphenyl]-4-yl]azo]-3-[(4-nitrophenyl)azo]-, disodium salt  
CAS No. 4335-09-5
- Direct Red 28 (Congo Red)  
1-Naphthalenesulfonic acid, 3,3'-[[1,1'-biphenyl]-4,4'-diylbis(azo)]bis[4-amino-, disodium salt  
CAS No. 573-58-0
- Direct Red 37  
1,3-Naphthalenedisulfonic acid, 8-[[4'-[(4-ethoxyphenyl)azo][1,1'-biphenyl]-4-yl]azo]-7-hydroxy-, disodium salt  
CAS No. 3530-19-6

- BENZIDINE-CONGER (3,3'-DISUBSTITUTED) AZO DYES
- CACODYLIC ACID
- CYANIDES, METALLIC
- 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'-METHYLENEBIS[2-CHLOROANILINE]
- NICOTINE for human use when it is a Schedule 7 poison
- 2-NITROTOLUENE for cosmetic use when it is included in Schedule 7
- SPECIAL SCHEDULE 7 SUBSTANCES, the following
  - the substances listed in Schedule 10 of Part 4 of the Poisons Standard as in force from time to time.
  - STRYCHNINE
  - THALLIUM
  - VINYL CHLORIDE

Changes to this list may occur at any time. See 'Drugs, Poisons and Controlled Substances Act 1981 Section 12 and 12E' on the Victorian Drugs and Poisons website for more information.

**New South Wales**

Highly dangerous substances include:

- arsenic
- cyanides
- fluoroacetamide
- fluoroacetic acid
- hydrocyanic acid
- strychnine
- thallium

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

**Enquiries**

Enquiries are to be directed to the relevant State or Territory Drugs and Poisons Unit.
**Table**

Note: please use the scroll bar at the bottom of this table to see the right hand columns.

**Large table warning**

- This table is large, and may need to be scrolled sideways to view all its content.
- You can also [open this table in a new window](#).
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<th>Licence Premises</th>
<th>Domestic can:</th>
<th>Charges</th>
<th>Exemption</th>
<th>Appendix J - Implementation</th>
<th>notes</th>
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</thead>
<tbody>
<tr>
<td>QLD</td>
<td>Yes, Appendix 7 of the Health (Drugs and Poisons) Regulation 1996</td>
<td>Yes, Appendix 7 of the Health (Drugs and Poisons) Regulation 1996</td>
<td>Secured or specified by Chief Executive</td>
<td>Yes, provided not listed in Appendix 7 of the Health (Drugs and Poisons) Regulation 1996</td>
<td>Authorised only</td>
<td>Yes, except strychnine and cyanide permits</td>
<td>Certain exemptions for industrial, manufacturing uses and use in research</td>
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<td>NSW</td>
<td>Yes</td>
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<td>Obtain, Use, Sell, Storage, Obtain, Use</td>
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<td>scientific research; use for non-domestic purposes (other than highly dangerous substances)</td>
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<td>VIC</td>
<td>Yes for listed regulated Schedule 7 poisons</td>
<td>Yes for listed regulated Schedule 7 poison</td>
<td>Wholes ale for all Schedule 7 poisons</td>
<td>Could for Schedule 7 poisons, but not for listed</td>
<td>Could for Schedule 7 poisons, but not for listed</td>
<td>Yes</td>
<td>Non listed regulated Schedule 7 products may have controls under AgVet</td>
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<td>control of use legislation and dangerous goods legislation.</td>
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<td>TAS</td>
<td>Yes (Appendix J)</td>
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<td>Yes (Appendix J)</td>
<td>No</td>
<td>No</td>
<td>Yes (Appendix J)</td>
<td>Restriction s only apply to Appendix J substance s. Non Appendix J Schedule 7 not for domestic use.</td>
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## Table of states and territory controls

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<td>No*</td>
<td>Yes</td>
<td>Supervised access in accordance with Part 2 Section 3.1 of the SUSMP</td>
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<td>WA</td>
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<td>Yes</td>
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<td>Specified groups eg primary producers</td>
<td>Implemented where appropriate</td>
<td>in which the poison is consumed by the process or is converted to a product not classified as a poison</td>
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