



Section 72 Notices for Schedule 7 poisons

Schedule 7 (S7) poisons are dangerous poisons, which require additional precautions when they are handled and used. These poisons are not available for domestic use. They are used in various industries, particularly primary production and mining. Many S7 poisons are pesticides and will be purchased by farmers, pastoralists and pest management technicians from licensed S7 Retailers.

Under the *Medicines and Poisons Act 2014* (the Act), a Notice can be issued under Section 72 to impose restrictions on the supply, use or possession of particular S7 poisons. The general Notice was last issued in 2005. Under the previous legislation, this Notice was known as the Section 24 Notice. Since the Notice was last issued, a number of new S7 pesticides have been approved for use in Australia, by the Australian Pesticides and Veterinary Medicines Authority (APVMA).

The Section 72 Notice has been updated to include these pesticides and to remove Schedule 7 substances that are no longer in use. A number of other amendments have been made to improve readability of the Notice and to match terminology with the current legislation. The Notice was published in the [Western Australian Government Gazette](#) on 21 June 2022 and a link is available on the WA Health website at [Notices issued under Section 72 of the Medicines and Poisons Act 2014 \(health.wa.gov.au\)](#) (https://ww2.health.wa.gov.au/Articles/N_R/Notices-Section-72).

There are separate Notices issued under Section 72 for fluoroacetic acid (1080), 4-amino propiophenone (PAPP) and strychnine. These were last updated in April 2018.

Amended definition of primary producer

The definition of a 'primary producer' has been amended to make it clearer that, for the purpose of accessing S7 pesticides, a person is only considered to be a primary producer where their land is used for a commercial operation. Essentially this means small landholders, who are undertaking agricultural type activities without the intention of making a profit, are not authorised to purchase S7 poisons. However, a hobby farmer could use the services of a licensed Pest Management Technician.

When supplying primary producers, sellers of S7 poisons should check that the purchaser will be using the pesticides on land on which a commercial primary production operation is being undertaken. This is particularly important when the address at which the pesticides will be used is a peri-urban location.

Note: Many pesticides are not scheduled or are in Schedules 5 and 6. Any adult can purchase pesticides in these categories.

Primary producers are limited to APVMA registered pesticidal products

The Notice only allows primary producers to be supplied with pesticidal products registered by the APVMA. Products must be sold or supplied with all APVMA approved labelling intact.

Section 16 of the Act also allows these S7 poisons to be supplied to employees of the Department of Primary Industries and Regional Development (DPIRD), for use under the Biosecurity and Agriculture Management Act 2007 (BAM Act). This authority is separate and additional to the supply restrictions detailed in Table 1 of the Section 72 Notice.

Restrictions on S7 poisons that are not APVMA registered products

Generally, these S7 poisons can only be supplied to holders of a Licence or Permit, issued under the *Medicines and Poisons Act 2014*. Applicable Licences include a Manufacturer/Wholesaler Licence or a Schedule 7 Retail Licence. Applicable Permits include an Industrial Permit or a Research/Education Permit.

The seller should check any conditions on the purchaser's Licence or Permit to ensure the supply is made in accordance with the Licence or Permit. For example, a Permit may limit the concentration, quantity or volume of a S7 poison that a Permit holder can purchase.

A DPIRD employee can also be supplied with a non-APVMA registered product for use under the BAM Act. A DPIRD employee does not require a Licence or Permit under the Medicines and Poisons Act.

Some S7 poisons are restricted to analytical or research use

There is a limited list of higher risk S7 poisons which have been nationally agreed as only being suitable for analytical or research use. Some of these poisons are obsolete pesticides and others are carcinogens. These higher risk S7 poisons require specialised training and equipment for safe use.

These poisons are listed in Appendix J of the [national Poisons Standard](#).

The Notice limits possession and use of these particular S7 poisons to holders of a Permit issued for analytical or research use. These poisons are listed in Table 2 of the Notice.

For further information

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