

# Agricultural and Veterinary Chemicals (Control of Use) Regulations 2007 – Overview



## Introduction

The use of agricultural and veterinary chemicals has brought significant benefits to primary producers in Victoria. Unfortunately, the misuse of these chemicals has the potential to impose significant costs to the environment, human health, animal welfare and trade.

This makes it important to have an effective framework in place to manage chemical use and minimise any adverse impacts.

## Why are there new Regulations?

As a general rule, Regulations made by Government are reviewed after 10 years to ensure they remain relevant and reflect the most up-to-date framework to manage risk.

As the old Regulations were made in 1996, their review was required by July 2006. The 1996 Regulations were extended for 12 months to ensure government had sufficient time to consult with industry and the broader community in framing the 2007 Regulations.

## The new Agricultural and Veterinary Chemicals (Control of Use) Regulations 2007

**From 24 July 2007, the *Agricultural and Veterinary Chemicals (Control of Use) Regulations 2007* took effect.**

The *Agricultural and Veterinary Chemicals (Control of Use) Regulations 2007* provide an operational framework for monitoring the use of agricultural and veterinary chemicals, and support the administration of the *Agricultural and Veterinary Chemicals (Control of Use) Act 1992*, the head of power for controlling agricultural and veterinary chemical use in Victoria.

The new Regulations seek to minimise the risks and maximise the benefits associated with the use of agricultural and veterinary chemical use in Victoria.

## Who is affected by the changes?

The most significant change to the Regulations is in relation to record keeping for agricultural and veterinary chemical use. However, there are other changes that chemical users need to be aware of.

The major groups of chemical users affected by these changes are:

- agricultural chemical users;
- users of veterinary chemical products that are classified as a Schedule 4 Poison or which have an applicable withholding period; and
- veterinary practitioners who treat stock animals.

There are also new notification requirements affecting both landholders and spray contractors who intend to conduct agricultural chemical spraying using aircraft or mister application within 200 metres of schools, hospitals, aged care services and children's services (e.g. kindergartens or child care centres).

Separate fact sheets are available, which outline the changes impacting on these groups.

## Effect of the new Regulations

The new Regulations are quite different to the old Regulations they replace. A number of provisions in the old Regulations have been deleted, some provisions have been revised, and as new risks have been identified, new provisions have been developed.

For example, there is no longer any regulation prohibiting the possession of heptachlor or chlordane as the passage of time has made this provision irrelevant. Records of chemical use are now required for all chemical use, not just for 'restricted use' chemicals, and aerial spraying and mister spraying in the vicinity of schools, hospitals, aged care services and children's services now requires prior notification.

The list below details the major effects of the new Regulations on chemical users in Victoria. The new Regulations:

- (a) prescribe the records to be made and kept by users and sellers of certain chemical products;
- (b) prescribe requirements for labels and advice notes accompanying certain veterinary chemical products sold by veterinary practitioners for the treatment of stock;
- (c) prescribe information to be provided in relation to certain agricultural spraying to be carried out on land near schools, hospitals, aged care services or children's services (e.g. kindergartens or child care centres);
- (d) prescribe the equipment to be used when carrying out aerial spraying; and
- (e) prescribe other matters authorised by the *Agricultural and Veterinary Chemicals (Control of Use) Act 1992*.

### Penalties

In accordance with the *Victorian Premier's Guidelines*, penalties outlined in the 2007 Regulations have decreased, and are now no greater than 20 penalty units. From 1 July 2007 to 30 June 2008, one Penalty Unit is equivalent to \$110.12. Penalties exceeding this value are contained in the *Agricultural and Veterinary Chemicals (Control of Use) Act 1992* rather than in the Regulations.

### Further information

***For further information on the new Regulations, including a free record keeping template, contact the DPI Customer Service Centre on 136 186 or visit the DPI website at [www.dpi.vic.gov.au/chemicalstandards](http://www.dpi.vic.gov.au/chemicalstandards).***

***Copies of the Regulations can be downloaded from the Victorian Legislation and Parliamentary Documents website at [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au).***

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