

PESTICIDE ACT 1999 – PESTICIDE CONTROL ORDER UNDER SECTION 38

Name

1. This Order is to be known as Pesticide Control (1080 Livestock Protection Collar) Order 2007

Commencement

2. This Order commences on 5 October 2007.

Authority

3. This Order is made by the Environment Protection Authority under Part 4 of the Pesticides Act 1999 with the approval of the Minister for Climate Change, Environment and Water.

Objects

4. The objects of this Order are to –
 - (a) authorise persons described in condition 8 to use ACTA 1080 Concentrate in Livestock Protection Collars; and
 - (b) impose conditions on the use of Livestock Protection Collars containing ACTA 1080 Concentrate in NSW.

Background

5. A chemical product containing sodium mono-fluoroacetate (also known as 1080) has been prescribed by the AgVet Code Regulation of the Commonwealth to be a “restricted chemical product” under Regulation 45 of the Agricultural and Veterinary Chemicals Code Regulations.

Section 94 of the AgVet code provides that “A person must not, without reasonable excuse, supply a restricted chemical product, or cause or permit a restricted chemical product to be supplied to a person who is not authorised to use the product under another law of this jurisdiction.”

In NSW section 4 of the Pesticides Act provides that a “restricted pesticide” means a pesticide that is a restricted chemical product within the meaning of the Agvet Code.

Application

6. This Order applies to ACTA 1080 Concentrate being used in Livestock Protection Collars for the control of wild dogs at locations approved by the Australian Pesticides and Veterinary Medicines Authority (APVMA) in accordance with conditions stated in APVMA permit PER9881.

Definitions

7. In this Order -

Agvet Code means the provisions applying because of section 5 of the Agricultural and Veterinary Chemicals (New South Wales) Act 1994.

Authorised control officer means a person who: –

- (a) holds a current:
 - (i) certificate of completion issued by the NSW Department of Primary Industries (NSW DPI) for the vertebrate pest management course consistent with the current edition of the Vertebrate Pest Control Manual (published by NSW DPI); and
 - (ii) statement of attainment issued by a Registered Training Provider certifying competency at Australian Qualifications Framework level 4 with respect to the chemical, vertebrate pest and OH&S national units of competency; and

- (b) is currently employed by a Rural Lands Protection Board, NSW DPI, Wild Dog Destruction Board, NSW Department of Environment and Climate Change (DECC), or other NSW public authority.

ACTA 1080 Concentrate means the registered agricultural chemical product ACTA 1080 Concentrate (APVMA Product Registration Number 57956) that has an active constituent comprising 30 grams per litre of sodium fluoroacetate (1080).

APVMA means the Australian Pesticides and Veterinary Medicines Authority established by the *Agricultural and Veterinary Chemicals (Administration) Act 1992* of the Commonwealth.

Public Authority has the same meaning as under the Pesticides Act 1999 (NSW).

“the Act” means the *Pesticides Act 1999*

Use has the same meaning as defined under the Pesticides Act and includes possession.

Persons authorised

8. (1) Only the following persons are authorised to use, subject to condition 9, ACTA 1080 Concentrate:-
- (a) Authorised Control Officers
- (2) Only the following persons are authorised to use Livestock Protection Collars containing ACTA 1080 Concentrate:-
- (a) Authorised Control Officers; and
 - (b) Any person who is directly supervised by an Authorised Control Officer and is an employee (including contractors and sub-contractors) of a Rural Lands Protection Board (RLPB), the DECC or NSW DPI; or
 - (c) Any person who is directly supervised by an Authorised Control Officer and is the landholder or authorised agent of the landholder whose stock are being fitted with Livestock Protection Collars.

Conditions of use

9. (1) A person using ACTA 1080 Concentrate and Livestock Protection Collars containing ACTA 1080 Concentrate must comply with the conditions of use specified in APVMA permit PER9881. This permit is set out in the Schedule to this Order; and
- (2) A person shall not use Livestock Protection Collars on a property unless the person first notifies anyone whose property boundary lies within one kilometre of the paddock where Livestock Protection Collars containing 1080 are to be used (“notification”). This notification can be given by telephone or in person or where this is not possible, by mail (including letter box drop). This notice must be given prior to use of Livestock Protection Collars which contain 1080. Use of collars may be conducted for longer than 7 days but must commence within 7 days of this notification otherwise further notification of intended trial work is required; and
- (3) 1080 poisoning notices must be erected before Livestock Protection Collars (containing 1080) are used on a property. These notices must remain posted for the duration of time that the Livestock Protection Collars are being used on a property. Notices must be placed at:
- (i) The main entrance to the property; and
 - (ii) Every entrance to the paddock where the Livestock Protection Collars are being used.

Notes

Words used in an Order have the same meaning as in the Pesticides Act 1999.

A person must not contravene this Order – maximum penalty \$120 000 in the case of a corporation and \$60 000 in the case of an individual.

A pesticide control order remains in force until it is revoked by another pesticide control order.

Any permit issued by the APVMA which is set out in this Order has effect in NSW until such time as this Order is revoked.

LISA CORBYN
Director – General
Environment Protection Authority

VERITY FIRTH, M.P
Minister Assisting the Minister for Climate Change,
Environment and Water (Environment)

SCHEDULE

PERMIT FOR RESEARCH USE AND SUPPLY OF LIVESTOCK PROTECTION COLLARS CONTAINING A REGISTERED AGVET CHEMICAL PRODUCT

PERMIT NUMBER -PER9881

This permit is issued to the Permit Holder in response to an application granted by the APVMA under section 112 of the Agvet Codes of the jurisdictions set out below. This instrument permits any person who is authorised under the *NSW Pesticides Act 1999* (not the Agvet Code of their jurisdiction) to do the following things in respect of the registered product ACTA 1080 Concentrate (57956) and the unregistered Livestock Protection Collar containing ACTA 1080 Concentrate (containing sodium monofluoroacetate) for use as a vertebrate pest poison:

- (a) Use ACTA 1080 Concentrate in accordance with the instructions provided in this permit;
- (b) Have in their possession or custody for the purposes of supply the unregistered Livestock Protection Collars, to the extent that such possession or custody would be an offence under section 75 of the Agvet Codes;
- (c) Subject to the conditions below, supply or cause or permit to be supplied, the Livestock Protection Collar in a container with a label securely attached to the container, to the extent that such supply would be an offence under section 78 of the Agvet Codes;
- (d) Use the Livestock Protection Collar in accordance with the instructions provided in this permit. *

THIS PERMIT IS IN FORCE FROM 4 JULY 2007 TO 31 MARCH 2010.

Permit Holder and Supplier of the unregistered Livestock Protection Collar:

NSW DEPARTMENT OF ENVIRONMENT AND CLIMATE CHANGE
6 Rutledge Street
QUEANBEYAN NSW 2620

CONDITIONS OF SUPPLY

The supplier of the Livestock Protection Collar must inform the user that the Livestock Protection Collar may only be used in accordance with the instructions that are supplied with the Livestock Protection Collar and which are consistent with the terms of this permit.

The supplier must supply the product in a container that complies with the requirements of section 18(1) of the Agricultural and Veterinary Chemicals Code Regulations. Attached to this container must be a label which is identical in content and format to the relevant label in Attachment 1.

CONDITIONS OF USE

Directions for Use:

ACTA 1080 Concentrate:

Pest	Dose
WILD DOG	Large Collars – use 60 mL solution per collar Small Collars – use 30 mL solution per collar

Livestock Protection Collar:

Situation	Pest	Rate
SHEEP AND GOATS	WILD DOG	1 collar (small or large) per sheep or goat

Critical Use Comments:

- Attach Livestock Protection Collar to the neck of sheep or goats. Use in accordance with the trial protocol and Animal Ethics Committee approval AEC 060327/01.
- Remove all collars from sheep / goats that have been killed during the trial and remaining stock at completion of the trial.
- Regular monitoring of collared sheep / goats must be undertaken.
- Use of the collars must be strictly in accordance with the trial protocol.

Jurisdiction:

NSW only.

Disposal:

Damaged Livestock protection Collars must be disposed of in accordance with instructions on the currently approved ACTA 1080 Concentrate product label or in accordance with the relevant label in Attachment 1. Undamaged collars must be removed and securely stored in the NSW Department of Environment and Climate Change (DECC) 1080 room located at 40 Bayldon Road Queanbeyan NSW.

Damaged collars must be handled using rubber gloves and triple rinsed and disposed as per label directions.

Excess 1080 solution on the ground must be diluted with water.

Contaminated carcasses of sheep/goats must be rinsed with water around the contaminated area. Rubber gloves must be worn when handling contaminated carcasses.

Fate of 1080 contaminated sheep and goat carcasses:

Sheep and goats exposed to 1080 during the trial must not be supplied to or otherwise made available for human or animal consumption. The carcasses must therefore be disposed of appropriately.

Landholder Awareness:

Users must ensure that the owner of the sheep or goats to be used in the trial provide consent for the conduct of the trial with their livestock. The landholder/manager must be advised to keep non-authorised persons from handling the sheep or goats whilst the subject of the trial.

Use:

This permit provides for the use of ACTA 1080 Concentrate in a manner other than specified on the approved label of the product. Unless otherwise stated in this permit, the use of the ACTA 1080 Concentrate in the Livestock Protection Collar must be in accordance with instructions on its label.

PERSONS who wish to prepare for use and/or use products for the purposes specified in this permit must read, or have read to them, the details and conditions of this permit and be provided with a copy of the permit to retain.

Trial records

The permit holder must maintain records of the trials performed under this permit. Specifically details must include the date and location where the trials were conducted, commodities treated, rates and frequency of application, total amount of product used and the names and addresses of the persons conducting the trial. These details must be maintained for a minimum period of two years from the date of expiry of this permit and must be made available to the APVMA upon request.

Trial Restrictions:

A maximum of 300 collars may be trial across 6 trial sites with only 50 collars to be used on any one property at any one time.

Issued by

Delegated Officer

*ACTA 1080 Concentrate (57956) and the Livestock Protection Collars to which this permit applies are restricted chemical products. A person must not supply, or cause or permit the Livestock Protection Collars to be supplied, to a person who is not authorised to use ACTA 1080 Concentrate or loaded Livestock Protection Collar under the *NSW Pesticides Act 1999*. A person wishing to use either product must be authorised under the *NSW Pesticides Act 1999*. This permit does not and cannot provide that authorisation – contact the NSW Department of Environment and Conservation (phone 02 9995 5791).

DANGEROUS POISON S7

LIVESTOCK PROTECTION COLLARS

1080 LIVESTOCK PROTECTION COLLARS TO BE TRIALED FOR THE HUMANE CONTROL OF PREDATING WILD DOGS

RESTRICTED CHEMICAL PRODUCT – ONLY TO BE SUPPLIED TO OR USED BY AN AUTHORISED PERSON

KEEP OUT OF REACH OF CHILDREN

READ SAFETY DIRECTIONS BEFORE OPENING

**TRIAL PRODUCT
FOR EXPERIMENTAL USE ONLY**

**THIS PRODUCT IS NOT REGISTERED
NOT FOR RESALE**

THIS PACKAGE CONTAINS 10 LIVESTOCK PROTECTION COLLARS FOR THE CONTROL OF PREDATING WILD DOGS

EACH LIVESTOCK PROTECTION COLLAR CONTAINS:

Active ingredients: Sodium Monofluoroacetate (1080) at 30 ml

Directions for use: Experimental use only. Collars to be fitted under supervision of an Authorised Control Officer (ACO).

Safety directions: Very dangerous. Poisonous if swallowed. May irritate eyes, nose and throat and skin. Do not touch or rub eyes, nose or mouth with hand. Avoid contact with eyes and skin. When handling and fitting Livestock Protection Collars wear wrist-length rubber disposable gloves. If product gets on skin, immediately wash area with soap and water. After use and before eating, drinking or smoking, wash hands, arms and face thoroughly with soap and water. After each day's use, dispose of gloves and wash any contaminated clothing.

First Aid: Speed in treatment is essential. If poisoning occurs, contact a doctor or Poisons Information Centre. Phone Australia 13 11 26. If skin contact occurs, remove contaminated clothing and wash skin thoroughly. Remove from the contaminated area. Apply artificial respiration if not breathing. If in eyes, hold eyes open, flood with water for at least 15 minutes and see a Doctor.

Storage and Disposal: Store Livestock Protection Collars in their original container away from direct sunlight in a lockable room or cupboard away from children, animals, food, foodstuffs, seeds and fertilizers. Ruptured or damaged Livestock Protection Collars should be triple rinsed and buried along with rinsate in a local authority landfill.

If no landfill is available, bury capsules and rinsate below 0.5m in a disposal pit specifically marked and set up for this purpose clear of waterways, desirable vegetation and tree roots. Ruptured or damaged collars should not be burnt.

Enquires contact: NSW Department of Environment and Climate Change
Parks and Wildlife Division Queanbeyan Office ph: 02 62989730

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EACH LIVESTOCK PROTECTION COLLAR CONTAINS:

Active ingredients: Sodium Monofluoroacetate (1080) at 60 ml

Directions for use: Experimental use only. Collars to be fitted under supervision of an Authorised Control Officer (ACO).

Safety directions: Very dangerous. Poisonous if swallowed. May irritate eyes, nose and throat and skin. Do not touch or rub eyes, nose or mouth with hand. Avoid contact with eyes and skin. When handling and fitting Livestock Protection Collars wear wrist-length rubber disposable gloves. If product gets on skin, immediately wash area with soap and water. After use and before eating, drinking or smoking, wash hands, arms and face thoroughly with soap and water. After each days use, dispose of gloves and wash any contaminated clothing.

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