

Agricultural and Veterinary Chemicals (Control of Use) Act 1992

**ORDER PROHIBITING AND REGULATING THE USE OF CHEMICAL PRODUCTS
CONTAINING SODIUM FLUOROACETATE (1080) OR
4-AMINOPROPIOPHENONE (PAPP)**

Order in Council

The Governor in Council makes the following Order:

1 Purpose

The purpose of this Order is to regulate the use of chemical products containing—

- (a) sodium fluoroacetate (1080); or
- (b) 4-aminopropiophenone (PAPP).

2 Authorising provision

This Order is made under section 25A of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**.

3 Commencement

This Order comes into operation on the day on 23 July 2017.

4 Revocation

The Order entitled *Order Regulating the Use of Perishable Pest Animal Baits Containing Sodium Fluoroacetate (1080)* made on 18 December 2007 and published in Government Gazette No. G51 on 20 December 2007, pages 3181-3182, is **revoked**.

5 Definitions

In this Order—

Accredited 1080 and PAPP training course means the “22275VIC Course in Minimising Risks in the Use of 1080 Pest Animal Bait Products for Vertebrate Pest Control” or the “21835VIC Course in Minimising the Risks in the Use of 1080 Pest Animal Bait Products for Vertebrate Pest Control”, accredited by the Victorian Registration and Qualifications Authority under Chapter 4 of the **Education and Training Reform Act 2006**;

Act means the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**;

AgVet Code of Victoria has the same meaning as in the **Agricultural and Veterinary Chemicals (Victoria) Act 1994**;

laid, in relation to bait, means placement of the pest animal bait product in the landscape, including burial and surface placement of bait by aerial, broadcast, trail application or the setting of a canid pest ejector;

perishable pest animal bait means a bait that has a short shelf life and is intended to be used to control a pest animal;

pest animal means a pest animal declared in accordance with Part 8 of the **Catchment and Land Protection Act 1994**;

1080 and PAPP Directions for Use means the current document entitled *Directions for the Use of 1080 and PAPP Pest Animal Bait Products in Victoria*, authorised and published by Department of Economic Development, Jobs, Transport and Resources, 1 Spring Street, Melbourne.

6 Prohibition on use of chemical products containing 1080 and PAPP

Subject to clauses 7 and 8, the use of an agricultural chemical product containing sodium fluoroacetate (1080) or 4-aminopropiophenone (PAPP) is prohibited.

7 Conditions of use of agricultural chemical products containing sodium fluoroacetate (1080) and 4-aminopropiophenone (PAPP)

(1) Clause 6 does not apply to a person who uses an agricultural chemical product containing sodium fluoroacetate (1080) or 4-aminopropiophenone (PAPP) if the person who uses that product—

- (a) is acting under and in accordance with a permit issued under section 25A(2)(b) and Schedule 1 to the Act; or
- (b) is acting under and in accordance with a permit issued under Part 7 of the Schedule to the AgVet Code; or
- (c) is manufacturing a perishable pest animal bait containing 1080, under and in accordance with a licence issued under the **Drugs, Poisons and Controlled Substances Act 1981**.

(2) Clause 6 does not apply to a person who uses an agricultural chemical product containing sodium fluoroacetate (1080) or 4-aminopropiophenone (PAPP) in accordance with the **1080 and PAPP Directions for Use** and the person—

- (a) is acting under and in accordance with a pest control licence issued under Division 2 of Part 7 of the **Public Health and Wellbeing Act 2008** and is operating in accordance with the provisions of that Act and Regulations made under that Act; or
- (b) is acting under and in accordance with a current permit authorising the use of 1080, issued under section 25A(2)(b)

and Schedule 1 to the Act, or is operating under the direct and immediate supervision of a person who holds such a permit; or

- (c) is acting under and in accordance with a current pilot (chemical rating) licence issued under section 42 and Schedule 1 to the Act and has successfully completed the accredited 1080 and PAPP training course; or
- (d) is acting under and in accordance with a current commercial operator licence issued under section 31 and Schedule 1 to the Act and has successfully completed the accredited 1080 and PAPP training course.

8 Conditions of use of perishable pest animal baits

The use of a perishable pest animal bait containing sodium fluoroacetate (1080) is subject to the following conditions—

- (a) the bait must be prepared from a base that is specified in Column 1 of the following Table; and
- (b) the bait and base specified in Column 1 of the Table may only be used to control the pest animal specified in Column 2 of the Table that corresponds to that bait base; and
- (c) each bait must have a visible coating of blue or green dye; and
- (d) the bait must be laid within 3 days of the date of manufacture of the bait, except for a bait prepared from a base of grain for the control of feral pigs.

TABLE

Bait Base	Pest Animal
Column 1	Column 2
Carrot	Rabbit
Liver	Fox Wild dog
Boneless red meat	Wild dog
Grain	Feral pig

Note: Section 25A(1) of the Act provides for a penalty of 400 penalty units in the case of a corporation, and in any other case, 200 penalty units, for contravening an Order under that section.

Dated:

Responsible Minister

JAALA PULFORD
Minister for Agriculture

Clerk of the Executive Council