

Authorisation and record-keeping requirements for farm chemical retailers

This information note summarises the authorisation types required and the records that must legally be kept for the retail sale / supply of farm agricultural chemicals in Victoria.

The primary legislation governing who is authorised to be supplied with agricultural chemicals is the Commonwealth *Agricultural and Veterinary Chemicals Code Act 1994*.

The Victorian *Drugs, Poisons and Controlled Substances Act 1981* defines the record keeping requirements for the sale / supply of Schedule 7 agricultural chemicals, which must be kept for a minimum of three years. Additional records, that may need to be kept as part of store accreditation programs are not covered in this information note.

The legal requirements vary according to the classification of agricultural chemical and the risks associated with its handling and use. Agricultural chemicals can be summarised into six groups with respect to the legal requirements. The six groups are arranged according to a scale with agricultural chemicals that have the ‘highest level’ of legal requirement in Group 1.

1/ Schedule 7 Restricted Chemical Products (RCPs) [includes 1080 and PAPP products]

2/ Pindone concentrate products

3/ Other Schedule 7 chemical products

4/ Restricted Use chemical product

5/ Schedule 6 RCPs [excluding Pindone concentrate products]

6/ Other agricultural chemical products

Some agricultural chemical products fall into more than one group. For example, 1080 and PAPP products fit into Groups 1, 3 and 4. In these situations, the group with the highest level of legal requirement applies (i.e. Group 1 for 1080 and PAPP products).

RCPs have a greater level of risk and can only be handled by, supplied to and used by people who hold relevant authorisation. A full list of RCPs is available on [the Australian Pesticides and Veterinary Medicines Authority (APVMA)](https://apvma.gov.au/node/988) website.

While there are a number of Schedule 7 RCPs, this information note only refers to 1080 and PAPP products as these are the most common Schedule 7 RCPs supplied by farm chemical retailers.

All Schedule 7 products have the signal heading ‘Dangerous Poison’ at the top of the label. The majority are agricultural chemicals but there are a small number of Schedule 7 veterinary chemical products (such as some products containing selenium). Retailers need to ensure they are keeping the required records for both agricultural and veterinary Schedule 7 chemical products.

In Victoria, there are high-risk chemicals that are restricted in terms of who can use them and what they can be used for. These are known as ‘Restricted Use’ chemicals. They are products that contain atrazine, metham sodium and ester formulations of 2,4-D, 2,4-DB, MCPA and triclopyr, as well as all Schedule 7 chemical products.

The relevant authorisation required to be held by people is dependent on the product being sold/supplied.

Further information about the various authorisations can be found on the [Agriculture Victoria website](http://www.agriculture.vic.gov.au/licencesandpermits).

Refer to the tables below for a summary of the authorisation and record keeping requirements for the retail supply of agricultural chemicals.

# Retail supply of farm agricultural chemicals in Victoria

## Authorisation requirements for users

|  |  |  |  |
| --- | --- | --- | --- |
| **Description of product** | **Person must hold relevant authorisation to be sold / supplied product.** | **Person must hold relevant authorisation to use product** | **Person must be 18 years of age or over to be sold / supplied and use product** |
| **1/ Schedule 7 RCPs (1080 and PAPP**)  *e.g. 1080 and PAPP baits, Magnacide H Herbicide (contains acrolein), Copper Chrome Arsenic (CCA) products.*  Note: 1080 and PAPP products can only be sold / supplied by staff that hold valid completion of the Agsafe 1080 and PAPP personnel course in an Agsafe 1080 and PAPP accredited store. Recording the staff person’s name when 1080 and PAPP products are sold / supplied is not a legal requirement but can demonstrate that the store is meeting this obligation. | Yes | Yes | Yes |
| **2/ Pindone concentrate products**  e.g. Rabbait Aqueous Pindone Concentrate  Note: It is illegal to supply pindone concentrate products to unauthorised people, and as such the best way to comply with this requirement is to sight their authorisation prior to supply. Recording the authorisation details is not a legal requirement but it can demonstrate that the person’s authorisation was sighted and checked by the store. | Yes | Yes | No |
| **3/ Other schedule 7 products**  e.g. Gramoxone 250 Herbicide (contains paraquat), Howzat SC Fungicide (contains carbendazim), Sumitomo Sumisclex 500 Fungicide (contains procymidone), Quickphos Fumigation Tablets (contains aluminium phosphide). | No  Note: While a person is not required to hold authorisation to be sold / supplied these products, suppliers are encouraged to check and remind the purchaser that the person who will ultimately use the product must hold the relevant authorisation. | Yes | Yes |
| **4/ Restricted use chemicals**  *e.g.* Garlon 600 Herbicide and Grazon Extra Herbicide (contain triclopyr ester), 2,4-D ester products, Tigrex Selective Herbicide (contains MCPA ester). | No  Note: While a person is not required to hold authorisation to be sold / supplied these products, suppliers are encouraged to check and remind the purchaser that the person who will ultimately use the product must hold the relevant authorisation. | Yes | No |
| **5/ Schedule 6 RCPs (excluding Pindone Concentrate Products)**  *e.g. Products containing a*lphachloralose. | No | No | No |
| **6/ Other agricultural chemicals**  *e.g.* glyphosate products, 2,4-D amine products, Rovral Liquid Fungicide (contains iprodione), Rabbait Pindone Oat Bait (contains pindone salt), Profume Gas Fumigant (contains sulfuryl fluoride). | No | No | No |

## Sale/supply record requirements

Note: The name of the poison in the product must be recorded (e.g. 3 mg 1080 per bait; 250g/L paraquat) or sufficient information to enable the identification of the poison, such as the full product trade name (e.g. *Foxoff Econobait*, *Gramoxone 250 Herbicide*).

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Description of product** | **Name and address** | **Date of sale / supply** | **Name of the poison sold / supplied** | **Quantity of the poison sold / supplied** |
| **1/ Schedule 7 RCPs (1080 and PAPP**)  *e.g. 1080 and PAPP baits, Magnacide H Herbicide (contains acrolein), Copper Chrome Arsenic (CCA) products.*  Note: 1080 and PAPP products can only be sold / supplied by staff that hold valid completion of the Agsafe 1080 and PAPP personnel course in an Agsafe 1080 and PAPP accredited store. Recording the staff person’s name when 1080 and PAPP products are sold / supplied is not a legal requirement but can demonstrate that the store is meeting this obligation. | Yes.  - Person who collected the product from the store; and  - User of product (if the product is collected by another person (i.e. an ‘agent’) | Yes | Yes | Yes |
| **2/ Pindone concentrate products**  e.g. Rabbait Aqueous Pindone Concentrate  Note: It is illegal to supply pindone concentrate products to unauthorised people, and as such the best way to comply with this requirement is to sight their authorisation prior to supply. Recording the authorisation details is not a legal requirement but it can demonstrate that the person’s authorisation was sighted and checked by the store. | No | No | No | No |
| **3/ Other schedule 7 products**  e.g. Gramoxone 250 Herbicide (contains paraquat), Howzat SC Fungicide (contains carbendazim), Sumitomo Sumisclex 500 Fungicide (contains procymidone), Quickphos Fumigation Tablets (contains aluminium phosphide). | Yes  - Person who collected the product from the store; and  - User of product (if the product is collected by another person, (i.e. an ‘agent’) | Yes | Yes | Yes |
| **4/ Restricted use chemicals**  *e.g.* Garlon 600 Herbicide and Grazon Extra Herbicide (contain triclopyr ester), 2,4-D ester products, Tigrex Selective Herbicide (contains MCPA ester). | No | No | No | No |
| **6/ Other agricultural chemicals**  *e.g.* glyphosate products, 2,4-D amine products, Rovral Liquid Fungicide (contains iprodione), Rabbait Pindone Oat Bait (contains pindone salt), Profume Gas Fumigant (contains sulfuryl fluoride). | No | No | No | No |

# Tips for retail record keeping

## Name and address of person sold / supplied product

The full name and address of the person who obtained the product needs to be identifiable from the sales records. This may be different to the person who is paying for the product or who intends to use the product. Most retail record keeping systems contain account details for sales, but generally not the details of the *individual* who was handed the product on the day. Retailers need to be aware that they must record the individual’s details to meet their record keeping obligations.

## Name of the poison sold / supplied

Where there is a requirement to record the name of the poison sold / supplied, the name of the poison in the product must be recorded (e.g. 3 mg 1080 per bait; 250g/L paraquat) or sufficient information to enable the identification of the poison, such as the full product trade name (e.g. *Foxoff Econobait*, *Gramoxone 250 Herbicide*).

## Cash Sales

The required records of sale / supply must be made for all sales. Where a chemical product is not purchased by an account holder it is particularly important for stores to either add the name and address of the individual who was handed the product to the invoice or capture these details in a separate record.

## Agents

An ‘agent’ is a person who obtains a chemical product on behalf of another chemical user.

It is a requirement for retailers to ensure that 1080 and PAPP products (and all other RCPs) are only supplied to authorised persons. If an ‘agent’ obtains 1080 or PAPP product on behalf of the user, the retailer must ensure that both the agent and user are authorised persons and makes the necessary records for both persons (i.e. full name and address).

Record keeping templates are available from [Record keeping format and templates](http://www.agriculture.vic.gov.au/recordkeeping) on the Agriculture Victoria website.