



Victoria Government Gazette

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SPECIAL

**Agricultural and Veterinary Chemicals
(Control of Use) Act 1992
ORDER REGULATING THE USE OF
AGRICULTURAL CHEMICAL PRODUCTS
BY AUTHORISED PERSONNEL**

The Governor in Council makes the following Order—

OBJECTIVE

1. The objective of this Order is to—
 - (a) revoke the Order about the Use of Agricultural Chemical Products by Authorised Personnel made under Sections 5 and 25A of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992** dated 30 July 1996 and published in the Government Gazette on 1 August 1996; and
 - (b) regulate the use of specified agricultural chemical products.

AUTHORISING PROVISION

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

COMMENCEMENT

3. This Order comes into operation on 1 August 1997.

REVOCATION

4. The Order about the Use of Agricultural Chemical Products by Authorised Personnel made under Sections 5 and 25A of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992** dated 30 July 1996 and published in the Government Gazette on 1 August 1996 (Page 2011) is revoked.

DEFINITION

5. In this Order—

“the Act” means the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**.

**USE OF SPECIFIED AGRICULTURAL
CHEMICAL PRODUCTS**

6. A person must not use an agricultural chemical product (other than a home garden product) that contains a constituent referred to in the Table unless—

- (a) the use is specified in a permit issued under Section 25A (2) (b) of the Act; or
- (b) the use is specified in a permit issued under Part 7 of the Schedule to the **Agricultural and Veterinary Chemicals Code Act 1994** of the Commonwealth; or
- (c) the person is registered as a pest control operator under Division 2A of Part 5 of the **Health Act 1958** and is operating in accordance with the provisions of that Act and the Health (Pest Control Operators) Regulations 1992; or
- (d) the person holds and operates in accordance with a current agricultural chemical user permit issued under Section 25A (2) (b) of the Act, or is acting under the direct and immediate supervision of a person who holds such a permit; and
 - (i) the use is not other than in accordance with the directions contained on the label for the agricultural chemical product which has been approved by the National Registration Authority for Agricultural and Veterinary Chemicals; and
 - (ii) the use is not subject to any prohibitions made under the Act; or
- (e) the person holds a current Pilot (Chemical Rating) Licence issued under Schedule 1 to the Act and—
 - (i) the agricultural chemical product is used by aerial spraying; and
 - (ii) the use is not other than in accordance with the directions

contained on the label for the agricultural chemical product which has been approved by the National Registration Authority for Agricultural and Veterinary Chemicals; and

- (iii) the use is not subject to any prohibitions made under the Act; or
- (f) the person holds a current Commercial Operator Licence issued under Schedule 1 to the Act or is an employee of a person holding a current Commercial Operator Licence and—
 - (i) the use is not other than in accordance with the directions contained on the label of the agricultural chemical product which has been approved by the National Registration Authority for Agricultural and Veterinary Chemicals; and
 - (ii) the use is not subject to any prohibitions made under the Act; or
- (g) the person—
 - (i) has completed a course in farm chemical use that is listed on the State Register of Accredited Courses under Section 78A of the **Vocational Education and Training Act 1990** or any other course in farm chemical use accredited by the State Training Board under Section 74 of that Act or is under the direct and immediate supervision of a person who has completed such a course; and
 - (ii) is accredited under a quality assurance program that requires—
 - A that the use is not other than in accordance with the directions contained on the label for the agricultural chemical product which has been approved by the National Registration Authority for Agricultural and Veterinary Chemicals; and

- B the person to be independently audited at regular intervals of less than 2 years.

TABLE

Constituent
A Schedule 7 poison within the meaning of the Drugs Poisons and Controlled Substances Act 1981 .
Atrazine
Metham Sodium
Ester formulations of: (4-Chloro-2-methyl phenoxy) acetic acid (MCPA); 2,4-Dichlorophenoxy acetic acid (2,4-D); 4-(2,4-Dichlorophenoxy)butyric acid (2,4-DB); Triclopyr.

Dated 15 July 1997

Responsible Minister:
PATRICK McNAMARA
Minister for Agriculture and Resources
SHARNE BRYAN
Clerk of the Executive Council

NOTICE

Agricultural and Veterinary Chemicals (Control of Use) Act 1992
ORDER—REGULATING THE USE OF
AGRICULTURAL CHEMICAL PRODUCTS
BY AUTHORISED PERSONNEL

The material referred to in this Order with respect to the State Register of Accredited Courses under Section 78A of the **Vocational Education and Training Act 1990**, may be inspected at the Office of Training and Further Education in the Department of Education, Rialto South Tower, 525 Collins Street, Melbourne 3000.

All material, other than that specified above, that is referred to in the Order may be inspected at the office of the Department of Natural Resources and Environment in its Chemical Standards Branch, 240 Victoria Parade, Melbourne 3002.



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