

HE304

POISONS ACT 1964

POISONS AMENDMENT REGULATIONS (No. 4) 1990

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Poisons Amendment Regulations (No. 4) 1990*.

Commencement

2. These regulations shall come into operation on 1 January 1991.

Principal regulations

3. In these regulations the *Poisons Regulations 1965** are referred to as the principal regulations.

[*Reprinted in the Gazette of 5 August, 1984 at pp. 2987-3078. For amendments to 14 November, 1990 see pp. 322-23 of 1989 Index to Legislation of Western Australia and the Gazettes of 8 and 22 June and 17 August, 1990.]

Regulation 2 amended

4. Regulation 2 of the principal regulations is amended by inserting after the definition of "Sale" the following definition—

" "SUSDP" means the "Standard for the Uniform Schedule of Drugs and Poisons No. 4" published by the Australian Government Publishing Service, Canberra, being a consolidation of the recommendations of the National Health and Medical Research Council up to its 107th Session, June 1989 plus Amendments Nos. 1 and 2 adopted by the Public Health Committee acting on delegation given by the Council; "

Regulation 19 repealed and regulations 19 and 19AA substituted

5. Regulation 19 of the principal regulations is repealed and the following regulations are substituted—

Adoption of SUSDP for containers and labels

" 19. (1) Except as provided by these regulations a person shall not store, supply or transport a poison or hazardous substance unless the immediate container in which the poison or hazardous substance is stored, supplied or transported complies with Part 2 of the SUSDP.

(2) Except as provided by these regulations a person shall not store, supply or transport a poison or hazardous substance unless the container referred to in subregulation (1) bears or has securely affixed to it a label which complies with Part 2 of the SUSDP.

(3) For the purposes of this regulation a reference in the SUSDP to an expression specified in column 1 of the Table to this regulation shall have the same meaning as the corresponding expression in column 2 of that Table has under the Act.

Table	
Column 1	Column 2
SUSDP	Poisons Act 1964
Schedule 1	First Schedule
Schedule 2	Second Schedule
Schedule 3	Third Schedule
Schedule 4	Fourth Schedule
Schedule 5	Fifth Schedule
Schedule 6	Sixth Schedule
Schedule 7	Seventh Schedule
Schedule 8	Eighth Schedule
Schedule 5 poison	hazardous substance

Certain containers prohibited

19AA. (1) An immediate container on which the name of any poison or hazardous substance is embossed or otherwise permanently marked shall not be used except to contain that poison or hazardous substance.

(2) A paper or plastic bag or envelope, or a cardboard box shall not be used as a container for a Second, Third, Fourth or Eighth Schedule poison whether dispensed or not, unless the poison is also presented to the purchaser in foil or in individually sealed, measured amounts, commonly described as strip packaging, or unless the container is approved by the chief executive officer.

(3) A paper bag shall not be used as the sole container of any poison or hazardous substance unless it has been approved by the chief executive officer. "

Regulation 21 repealed and a regulation substituted

6. Regulation 21 of the principal regulations is repealed and the following regulation is substituted—

Labels on medicines or preparations

" 21. Notwithstanding regulation 19 a medicine or preparation containing any poison or hazardous substance dispensed or supplied—

(a) by a pharmaceutical chemist for human internal use shall comply with that regulation if it is labelled according to the instructions given on the prescription together with the identifying number of

- the prescription and the name and address of the pharmacy at which it is supplied;
- (b) by a pharmaceutical chemist for human external therapeutic use shall comply with that regulation if it is labelled with the words "not to be taken" together with the directions, prescription identification number and the name and address of the pharmacy at which it is supplied; and
- (c) for use in or on any animal shall comply with that regulation if it is labelled—
- (i) with the owner's surname and species of animal;
 - (ii) with instructions for use;
 - (iii) with the date of dispensing or the identifying number for that prescription or supply;
 - (iv) with the name and address of the pharmacy or veterinary practice at which it is supplied; and
 - (v) with the words "For veterinary use only" or "For animal treatment only".

Various regulations repealed

7. The principal regulations are amended by repealing the regulations referred to in the Table to this regulation.

Table

Regulation 20
Regulation 22
Regulation 23
Regulation 24
Regulation 27
Regulation 28

By His Excellency's Command,

G. PEARCE, Clerk of the Council.
