Reprinted under the *Reprints Act 1984*
as at 18 November 1986

WESTERN AUSTRALIA

POISONS ACT 1964

ARRANGEMENT

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POISONS ACT 1964

AN ACT to regulate and control the Possession, Sale and Use of Poisons and other Substances; to constitute a Poisons Advisory Committee; and for incidental and other purposes.

PART I—INTRODUCTORY PROVISIONS

Short title

1. This Act may be cited as the *Poisons Act 1964*[1].

Commencement

2. This Act shall come into operation on a date to be fixed by proclamation[1].

Arrangement

3. [*Section 3 omitted under Reprints Act 1984 s. 7 (4) (d).*]

Savings

4. Without limiting the provisions of the *Interpretation Act 1918*[2], generally, and in particular the provisions of sections 15 and 16 of that Act, and subject to the provisions of this Act, it is hereby declared that the repeal by the *Pharmacy Act 1964*, of any provision of the *Pharmacy and Poisons Act 1910*[3], or by the *Police Act Amendment Act 1964*, of any provision of Part VIA of the *Police Act 1892*, so far as that provision relates to poisons or drugs, does not affect any licence or permit granted or issued, or any document made or anything whatsoever done under the provisions so repealed. Any such licence, permit, document or thing so far as it is subsisting or in force at the time of the repeal and could have been granted, issued, made or done under this Act, shall on and after the commencement of this Act continue and have effect for the purposes of this Act (but in the case of a licence or permit only until the date of its expiry), except where this Act expressly or by necessary implication provides otherwise, as if such licence, permit, document or thing had been granted, issued, made or done under a corresponding provision of this Act and that corresponding provision had been in force when the licence, permit, document or thing was granted, issued, made or done, but so that any reference in the provision so repealed to the Council of the Pharmaceutical Society of Western Australia shall be read and construed as a reference to the Commissioner of Health[3] appointed under the *Health Act 1911*.

[*Section 4 amended by No. 28 of 1984 s. 89.*]

Interpretation

5. In this Act unless the context requires otherwise—

"Advisory Committee" means the Poisons Advisory Committee constituted under Part II;

"automatic machine" means any machine or mechanical device used or capable of being used for the purpose of selling or supplying goods without the personal manipulation or attention of the seller or supplier or his employee or other agent at the time of the sale or supply;

"dentist" means a dentist registered under the provisions of the *Dental Act 1939*;

"department" means the department of the Public Service of the State principally assisting the Minister in the administration of this Act;

"drug of addiction" means any substance specified in the Eighth Schedule or added to that Schedule by Order in Council;

"Executive Director" means the Executive Director, Public Heath and Scientific Support Services in the department;

"hazardous substance" means any substance specified in the Fifth Schedule or added to that Schedule by Order in Council;

"label" includes any tag, brand, mark or statement in writing, that is on or attached to or used in connection with any container or package containing any poison; and "labelled" has a corresponding meaning;

"licence" means a licence granted under this Act that is valid and unexpired;

"licensee" means a person who holds or is entitled to exercise a licence under this Act;

"medical practitioner" means a medical practitioner registered under the *Medical Act 1894*, or any previous corresponding enactment;

"member" means a person occupying any of the offices of the Advisory Committee, including that of chairman;

"pharmaceutical chemist" means a pharmaceutical chemist registered under the provisions of the *Pharmacy Act 1964*; or any previous corresponding enactment;

"poison" means any substance specified in any of the First, Second, Third, Fourth, Sixth, Seventh and Eighth Schedules or added to any of those Schedules by Order in Council;

"prohibited plant" means any plant from which a drug of addiction may be obtained, derived or manufactured, or such other plant as the Governor declares and is hereby authorized to declare from time to time to be a prohibited plant for the purposes of this Act; and includes any part of such a plant, except in the case of the plant Papaver somniferum, the non-viable seed of that plant;

"public institution" means—

(a) any Government Department, public hospital, university, or technical college or school; or

(b) any other institution or establishment that is not carried on for private gain and that the Governor by Order in Council declares to be a public institution for the purposes of this interpretation;

"sale" includes exposing or offering for sale or having in possession for sale, whether by wholesale or retail, and also delivery with or without consideration, in any shop or store or premises appurtenant thereto by the keeper thereof or by his servant or agent; and the verb "to sell" has a corresponding meaning;

"Schedule" means a Schedule in Appendix "A";

"specified drug" means any substance that is declared to be a specified drug for the purposes of this Act;

"substance" includes substance, material, compound, preparation, and admixture;

"to cultivate" in relation to a plant includes to sow and to plant;

"veterinary surgeon" means a registered veterinary surgeon under the provisions of the *Veterinary Surgeons Act 1960*;

"wholesale dealing" means sale or supply by a wholesale dealer in the ordinary course of wholesale business to persons licensed or otherwise expressly authorized by or pursuant to the provisions of this or any other Act, to be in possession of or to sell poisons or other substances specified in any Schedule or added thereto by Order in Council; and includes sale or supply to other persons in wholesale quantities in the ordinary course of wholesale business for use in connection with any prescribed profession, business, trade or industry or any public institution but not for resale.

[*Section 5 amended by No. 23 of 1966 s. 2; No. 6 of 1969 s. 3; No. 28 of 1984 s. 90.*]

Construction

6. (1) Except as otherwise expressly provided, this Act shall be read and construed as being in aid and not in derogation of the provisions of the *Health Act 1911*, and of the *Misuse of Drugs Act 1981*, but those provisions shall be read and construed subject to the express provisions of this Act and where there is any inconsistency between those provisions and the provisions of this Act, the latter provisions shall prevail.

(2) Any reference in any other Act, or in any regulation, rule or by-law made under any other Act, to any narcotic drug to which the *Misuse of Drugs Act 1981* applies shall be deemed and be taken to be a reference to any drug of addiction or specified drug within the meaning of this Act.

[*Section 6 amended by No. 57 of 1981 s. 14.*]

Administration

7. (1) Subject to the Minister and the provisions of this Act, the Permanent Head shall be responsible for the administration of this Act.

(2) The cost of the administration of this Act shall be paid out of moneys appropriated by Parliament for the purpose.

[*Section 7 amended by No. 28 of 1984 s. 92.*]

PART II—POISONS ADVISORY COMMITTEE

Constitution of Poisons Advisory Committee

8. (1) For the purposes of this Act an Advisory Committee consisting of 12 members and having the functions prescribed by this Act is constituted under the name of the "Poisons Advisory Committee".

(2) The 12 members of the Advisory Committee shall be comprised of 2 *ex officio* members and 10 nominee members, and of those members—

(a) the *ex officio* members shall be the Executive Director, or a medical practitioner employed in the department nominated for the purpose by the Permanment Head, and the Government Analyst of the State, each by virtue of his office; or while any of those offices is vacant, the person acting in that office; and

(b) the nominee members shall be 10 persons appointed by the Governor for terms of tenure of office in accordance with the provisions of section 10.

(3) Of the 10 nominee members referred to in subsection (2) (b)—

(a) one shall be a pharmacologist nominated by the Senate of the University of Western Australia;

(b) one shall be a medical practitioner employed in the department specializing in occupational health, nominated by the Minister;

(c) 2 shall be medical practitioners, one of whom is a specialist physician, nominated by the body known as The Western Australian Branch of the Australian Medical Association (Incorporated);

(d) one shall be an officer of the Department of Agriculture, nominated by the Minister for Agriculture;

(e) 2 shall be persons, one of whom shall represent the wholesale dealers within the State engaged in wholesale dealing, nominated by the body known as The West Australian Chamber of Manufactures (Incorporated);

(f) one shall be a veterinary surgeon nominated by the body known as the Veterinary Surgeons' Board constituted under the *Veterinary Surgeons Act 1960*;

(g) one shall be a person nominated by the body known as The Council of the Pharmaceutical Society of Western Australia; and

(h) one shall be a person nominated by the body known as The Federated Pharmaceutical Service Guild of Australia (W.A. Branch).

(4) The Executive Director, or the medical practitioner nominated pursuant to subsection (2) (a) if one be so nominated, shall be the Chairman of the Advisory Committee.

[*Section 8 amended by No. 63 of 1981 Schedule; No. 28 of 1984 s. 91.*]

Procedure on default of nomination

9. The Minister shall, as the occasion requires, by notice in writing to the registrar or secretary of any body referred to in subsection (3) of section 8, require that body to submit the name of its nominee as provided in that subsection within a period of 42 days after receipt by the registrar or secretary of such notice, and if upon the expiration of that period, or such extension thereof as the Minister thinks fit and is hereby authorized to grant, he has not received the required name of the nominee, the Minister shall nominate such person to be a nominee member of the Advisory Committee as, having regard to the category in respect of which a person was required to be nominated, he thinks fit.

Term of office of nominee member

10. (1) Subject to subsection (2) the term of tenure of office of a nominee member expires by effluxion of time on the expiration of a period of 3 years commencing on the date of his appointment by the Governor.

(2) The respective terms of tenure of office of the persons first appointed to office of nominee member expire by effluxion of time—

(a) in the case of the 4 nominee members referred to in paragraphs (a), (b) and (c) of subsection (3) of section 8, at the expiration of one year;

(b) in the case of the 3 nominee members referred to in paragraphs (d) and (e) of that subsection, at the expiration of 2 years; and

(c) in the case of the 3 nominee members referred to in paragraphs (f), (g) and (h) of that subsection, at the expiration of 3 years,

commencing on the date of his appointment by the Governor to that office.

(3) The term of tenure of an *ex officio* member continues until the member ceases to occupy the office by virtue of which he is an *ex officio* member or until terminated by the Minister.

(4) A person is not rendered ineligible for appointment to the office of member or deputy member because he has previously occupied office as such, unless his appointment has been terminated under the provisions of section 12.

(5) A nominee member or the deputy of any member may resign his office of member or deputy member if he sends to the Minister written notice under his hand of his resignation and the Minister accepts such resignation.

Vacation of office

11. (1) The office of a member becomes vacant if—

(a) he becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, or compounds with his creditors;

(b) he is absent, except on leave granted by the Minister, from 3 consecutive meetings of the Advisory Committee;

(c) he becomes permanently incapable of performing his duties;

(d) he resigns his office in accordance with the provisions of this Act;

(e) he dies;

(f) the term of his tenure of office expires by effluxion of time;

(g) in the case of an *ex officio* member, the term of tenure is terminated pursuant to section 10 (3); or

(h) he is convicted of an indictable offence.

(2) On the occurrance of any vacancy in an office of member, a person eligible to be appointed to that office under the provisions of this Part shall in accordance with those provisions be appointed by the Governor to fill the vacancy, and a person so appointed holds office, subject to those provisions, for the remainder of the term of office of the person in whose place he is appointed.

(3) The performance or exercise of the functions, powers, duties or liabilities of the Advisory Committee is not affected by reasons only of there being a vacancy in the office of a member.

Dismissal of members

12. The Governor may terminate the appointment of a member of the Advisory Committee for inability, inefficiency or misbehaviour.

Leave of absence

13. The Minister may grant leave of absence to a member of the Advisory Committee upon such terms as to remuneration or otherwise as the Governor from time to time determines.

Deputies of members

14. (1) The Governor may in respect of any member of the Advisory Committee, appoint a person to be the deputy of that member to act in his office during his absence, and the provisions of section 8 (3) and of section 9 apply as well to the nomination and appointment of deputies of nominee members as to the nomination and appointment of the nominee members.

(2) Any person so appointed is entitled, in the absence from a meeting of the Advisory Committee of the member for whom he is the deputy, to attend that meeting, and when so attending shall be deemed to be a member and is authorized to carry out any function that the member of whom he is the deputy could, if present, exercise under this Act.

Acceptance of office

15. Acceptance of or acting in the office of member or deputy member of the Advisory Committee by any person shall not of itself render the provisions of the *Public Service Act 1978*, or any other Act applying to persons as officers of the public service of the State, applicable to that member or deputy member, or affect or prejudice the application to him of those provisions if they applied to him at the time of the acceptance of or acting in such office.

Remuneration of members

16. The members of the Advisory Committee and their deputies, other than those members and deputies who are officers in the public service of the State, are entitled, in respect of their attendances at meetings and carrying out their functions under this Act, to such remuneration and allowances as the Governor determines and is hereby authorized to determine from time to time.

Meetings of Advisory Committee

17. (1) The Chairman shall convene the first meeting of the Advisory Committee to be held at a time and place appointed by him, and the Advisory Committee shall meet accordingly and shall hold such further meetings as it considers necessary for the conduct of its affairs.

(2) At a meeting of the Advisory Committee—

(a) 7 members form a quorum;

(b) the Chairman, or in his absence, the person appointed to be his deputy, shall preside;

(c) if both the Chairman and his deputy are absent, the members present shall elect one of their number present at the meeting to be Chairman thereof;

(d) all questions shall be decided by a majority of votes of the members present and voting;

(e) each member, including the Chairman, shall be entitled to one vote only on the determination of any question;

(f) in the event of an equality of votes, the question shall be determined in the negative.

(3) The Advisory Committee shall cause to be kept minutes of all its proceedings in such manner as the Minister may direct or approve.

Officers of Advisory Committee

18. (1) The Governor may appoint a secretary to the Advisory Committee and any other officers and servants of the Advisory Committee necessary for carrying out the provisions of this Act.

(2) Any person so appointed may, if required by the terms of his appointment to devote the whole of his time to the service of the Advisory Committee, be appointed under and be subject to the provisions of the *Public Service Act 1978*.

Functions of Advisory Committee

19. The functions of the Advisory Committee are to advise the Minister and the Permanent Head upon and to make recommendations in relation to—

(a) the necessity to amend any of the Schedules;

(b) the necessity to make, amend or revoke any regulation under this Act;

(c) any matter or thing with regard to the manufacture, distribution, sale, supply, possession, use or labelling of poisons and hazardous substances, or prohibiting the use of any poison or hazardous substance that the Advisory Committee thinks fit or that the Minister or the Permanent Head may refer to it; and

(d) any proposals or questions that may be referred to it with regard to any of the matters mentioned in paragraphs (a), (b) and (c)

[*Section 19 amended by No. 28 of 1984 s. 92.*]

PART III—POISONS AND OTHER SUBSTANCES

Division 1—Classification

Declaration of poisons or hazardous substances

20. (1) For the purposes of this Act the substances specified in the First, Second, Third, Fourth, Sixth, Seventh and Eighth Schedules and

referred to in subsection (2) are declared to be poisons, and the substances specified in the Fifth Schedule so referred to are declared to be hazardous substances.

(1a) Without limiting the operation of subsection (1), a substance may be specified in a Schedule, and, pursuant to subsection (2), declared to be a poison or hazardous substance, as the case requires by reference to—

(a) the manner in which or the purpose for which, it is used or intended for use;

(b) the quantity in which it is supplied;

(c) the nature of the package, including the labelling thereof, in which it is supplied; or

(d) the physical or chemical state or form in which it is supplied.

(2) The substances specified in the Schedules referred to in subsection (1) shall be classified by inclusion in the respective Schedules as follows—

(a) First Schedule: Substances that are of such extreme danger to human life as to warrrant distribution thereof being limited to qualified persons;

(b) Second Schedule: Substances that are dangerous to human life if misused or carelessly handled but of necessity are required to be available to the public for medicinal or other purposes without undue restriction;

(c) Third Schedule: Substances that are for therapeutic use, and—

(i) in respect to which personal advice may be required by the purchaser concerning dosage, frequency of administration, and general toxicity;

(ii) with which excessive unsupervised self-medication is unlikely; and

(iii) for which there may exist such urgent need that the supply thereof on prescription only would cause hardship;

(d) Fourth Schedule: Substances the supply of which in the public interest should be restricted to medical, dental or veterinary prescription; and also potentially harmful substances pending evaluation of their toxic or deleterious nature;

(e) Fifth Schedule (Hazardous Substances): Substances of a dangerous nature that are commonly used for domestic purposes and are required to be readily available to the public but in respect of which caution is necessary in their handling, use and storage;

(f) Sixth Schedule: Substances that are required to be readily available to the public for agricultural, pastoral, horticultural or veterinary purposes, or for the control or destruction of pests and vermin, or for industrial purposes;

(g) Seventh Schedule: Substances of exceptional danger that require the taking and exercise of special precautions in their manufacture and use; and

(h) Eighth Schedule (Drugs of Addiction): Substances that are addiction producing drugs or potentially addiction producing drugs, including drugs so classified by the United Nations Organization or its agencies.

[*Section 20 amended by No. 28 of 1967 s. 2.*]

Amendment of Schedules

21. The Governor may from time to time by Order in Council, notice of which shall be published in the *Government Gazette*, amend any of the Schedules referred to in section 20 by—

(a) the addition thereto or the deletion therefrom of any substance;

(aa) the deletion and substitution of all of the items in any Schedule;

(b) the transference of any substance from any Schedule to any other Schedule; or

(c) the alteration of any item in any Schedule,

and every order made under this section shall take effect on and from the day specified for that purpose in the notice, or if no day is so specified, upon the expiration of 7 days after the date of publication in the *Government Gazette*, and thereupon the Schedule as so amended shall have the same force and effect as if the amendment effected by the order had been enacted in this Act.

[*Section 21 amended by No. 28 of 1967 s. 3.*]

Substances controlled by other laws may be exempted from Act

21A. Where the Minister is of opinion that sufficient provision is made by other laws of the State regulating the supply, sale or use of any substance containing any poison or hazardous substance, he may certify in writing to that effect, and thereupon the Governor may by proclamation exempt that substance from all or any of the provisions of this Act and the regulations.

[*Section 21A inserted by No. 28 of 1967 s. 4.*]

Sale of any poison may be prohibited

22. (1) The Governor, on the recommendation of the Advisory Committee, may at any time and from time to time by proclamation prohibit the sale, supply or use of any poison or substance, whether specified in a Schedule or not, either absolutely or except upon and subject to such conditions and for such period or periods as the Governor may think fit[1].

(2) A proclamation made under this section may be cancelled or from time to time varied, or an error in a proclamation may be rectified, by a subsequent proclamation.

Specified drugs

22A. (1) The Governor may, by Order in Council, declare any substance to be a specified drug for the purposes of this Act.

(2) Any substance that was, before the coming into operation of the *Poisons Act Amendment Act 1969*[1], declared to be a specified drug for the purposes of this Act continues, subject to subsection (3), to be a specified drug for the purposes of this Act and the *Misuse of Drugs Act 1981*.

(3) The Governor may, by Order in Council, vary or revoke any Order in Council made under subsection (1) and may in like manner vary or revoke any Order in Council made before the coming into operation of the *Poisons Act Amendment Act 1969*[1], declaring any substance to be a specified drug for the purposes of this Act.

[*Section 22A inserted by No. 6 of 1969 s. 4; amended by No. 57 of 1981 s. 15.*]

Division 2—Sale of Poisons.

Persons authorized to sell poisons

23. (1) Except as provided by subsection (2), a person shall not manufacture, distribute, supply, or sell by wholesale or retail any poison unless he is licensed pursuant to the provisions of section 24 to do so.

(1a) Except as provided by subsection (2), a person shall not write, issue or authorize any prescription or document prescribing the use, sale or supply of a drug of addiction or a specified drug by, to, or in relation to any person.

(2) Subject to this Act—

(a) a pharmaceutical chemist is authorized to manufacture, have in his possession, and to use, supply or sell at his pharmacy in the ordinary course of his retail business any preparation, admixture or extract containing any poison;

(b) a medical practitioner or veterinary surgeon is authorized to have in his possession and to use, supply or sell in the lawful practice of his profession any poison;

(c) any dentist is authorized to have in his possession and to use in the lawful practice of his profession any poison; and

(d) a medical practitioner, veterinary surgeon or dentist is authorized to write, issue or authorize a prescription or document prescribing the use, sale or supply of a drug of addiction or a specified drug in the lawful practice of his profession,

but subject however to such conditions and restrictions as may be prescribed and subject to any notice given by the Permanent Head pursuant to the regulations made under section 64 (2) (ha).

(3) The provisions of subsection (2) do not authorize any medical practitioner, veterinary surgeon or dentist to sell any poison in an open shop unless he is licensed under this Act to do so.

[*Section 23 amended by No. 6 of 1969 s. 5; No. 43 of 1978 s. 3; No. 28 of 1984 s. 92.*]

Licences to sell poisons.

24. (1) Subject to this Act the Permanent Head may grant a licence—

(a) to manufacture any poison;

(b) to manufacture and distribute or sell by wholesale any poison;

(c) to sell by wholesale any poison; or

(d) to sell by retail any poison,

in or at any pharmacy or other premises or place of business specified in the licence, to any person who satisfies the Permanent Head that he is a fit and proper person to be the holder of such a licence.

(2) An application for a licence under this section shall be made in the prescribed manner to the Permanent Head, who may in his discretion grant or refuse the licence.

(3) The Permanent Head shall not grant any licence under this section unless and until he is satisfied that the premises of the applicant are suitable for the purpose in respect of which application is made for the licence, and are properly and hygienically equipped for that purpose.

(4) The Permanent Head may grant—

(a) to a pharmaceutical chemist, a licence to sell by retail any poison;

(b) to a person who satisfies the Permanent Head that he is carrying on a *bona fide* business in such circumstances as may be prescribed, a licence to sell by retail all or any of the poisons specified in the Sixth Schedule;

(c) to a person who satisfies the Permanent Head that his place of business is distant at least 5 miles from the nearest place at which a pharmaceutical chemist conducts a pharmacy, and in such other circumstances as may be prescribed, a licence to sell by retail all or any of the poisons specified in the First, Second and Sixth Schedules;

(d) to such persons and under and subject to such conditions as may be prescribed a licence to sell all or any of the poisons specified in the Seventh Schedule.

(5) The Permanent Head may from time to time, by notice, impose such conditions, restrictions and limitations on the sale, supply, use and possession of any poison specified in the Seventh Schedule as he considers necessary for safeguarding the public health.

(6) A notice given by the Permanent Head under subsection (5)—

(a) has effect according to its tenor, notwithstanding any other provision of this Act or the terms or conditions of any licence or permit in force thereunder;

(b) may be of general application or apply to a particular person or class of persons, in a particular case or class of cases, or to particular circumstances or localities;

(c) has effect, if expressed to apply to any particular person, when served on that person and if not so expressed, when published in the *Government Gazette*; and

(d) may be varied or revoked by the Permanent Head by subsequent notice.

(7) Any person who—

(a) having been served with notice under subsection (5) that is expressed to apply to him, fails to comply with or contravenes any condition, limitation or restriction contained in the notice; or

(b) fails to comply with or contravenes any condition, limitation or restriction contained in a notice published in the *Government Gazette*,

commits an offence and is liable on conviction to a penalty not exceeding $200.

[*Section 24 amended by No. 6 of 1969 s. 6; No. 28 of 1984 s. 92.*]

Permits to purchase poisons for specified purposes

25. The Permanent Head may permit fit and proper persons to purchase or otherwise obtain from manufacturers or wholesale dealers poisons for use for industrial, educational, advisory or research purposes, but not for re-sale.

(2) An application for a permit under this section shall be made in the prescribed manner to the Permanent Head who may in his discretion grant or refuse the application.

[*Section 25 amended by No. 23 of 1966 s. 3; No. 28 of 1984 s. 92.*]

Form of licences and permits and renewal thereof

26. (1) every licence or permit issued pursuant to the provisions of this Act shall—

(a) be in the prescribed form;

(b) specify the pharmacy or other premises or place of business in or at which the licence may be exercised, and be limited to one pharmacy or other premises or place of business only:

(c) be subject to such conditions, limitations and restrictions as may be prescribed and as the Permanent Head thinks fit;

(d) be issued to the applicant upon payment of the prescribed fee (if any);

(e) remain in force until the 30 June next following the day of its issue, unless sooner cancelled, suspended or revoked; and

(f) be renewable from year to year.

(2) The holder of a licence or permit under this Act may at least one month prior to the date of the expiration thereof apply to the Permanent Head for a renewal of his licence or permit as the case may be, and subject to this Act and payment of the prescribed fee (if any), the Permanent Head may renew any licence or permit for the next ensuing year and issue to the applicant a renewed licence or permit as the case may require.

(3) Every renewal of a licence or permit under this section shall take effect from 1 July in the year to which the renewal relates and shall continue in force until 30 June next following that date unless sooner cancelled, suspended or revoked.

[*Section 26 amended by No. 28 of 1984 s. 92.*]

Fees for licences, permits and renewals.

27. Every applicant for a licence or permit under this Act or for any renewal thereof shall pay to the Permanent Head such fees therefor as are prescribed.

[*Section 27 amended by No. 28 of 1984 s. 92.*]

Permanent Head may cancel or suspend licence or permit

28. The Permanent Head may in his discretion cancel, suspend or revoke at any time any licence or permit issued pursuant to the provisions of this Act, and any licence or permit so cancelled, suspended or revoked shall thereupon cease forthwith to have effect and shall be surrendered to the Permanent Head on demand.

[*Section 28 amended by No. 29 of 1984 s. 92.*]

Appeal against order of Permanent Head

29. (1) Any person aggrieved by the refusal of the Permanent Head to grant or renew any licence or permit under this Act, or by an order of the Permanent Head cancelling, suspending or revoking any licence or permit, may within 6 months after notice of such refusal or of such order appeal against the same to a stipendiary magistrate sitting as a court of summary jurisdiction.

(2) The stipendiary magistrate hearing the appeal shall enquire into and decide upon the appeal and may make such order in the matter as he may think just, and his decision shall be final and conclusive.

(3) Every appeal brought pursuant to the provisions of this section shall be brought and conducted in accordance with the regulations.

[*Section 29 amended by No. 28 of 1984 s. 92.*]

Licence not to be granted to company or friendly society

30. (1) A licence under this Part shall not be granted to a company or friendly society although the company or friendly society is lawfully carrying on business as a pharmaceutical chemist; but such a licence may be granted to any pharmaceutical chemist entitled thereto for his own use, who is *bona fide* employed by or engaged with that company or friendly society in the business of a pharmaceutical chemist and may be used by him for the benefit of that company or friendly society.

(2) Where in accordance with the provisions of subsection (1) a licence is used by a pharmaceutical chemist for the benefit of a company or friendly society, that company or friendly society, and the manager or other officers thereof respectively and such pharmaceutical chemist, are jointly and severally liable in respect of any offence under this Act committed by any servant or other agent of that company or friendly society in relation to the possession, sale or use of poisons.

Division 3—General Provisions.

Sales of poison to be recorded in a book

31. (1) Every person who sells by retail any poison or class of poison prescribed by regulation for the purposes of this section, shall make a true record of each sale in a book to be kept as prescribed.

(2) A person shall not sell any poison, a record of the sale of which is required to be made in a book pursuant to subsection (1), on an order by letter, telegram or radiogram unless the purchaser is known to the vendor and the letter, telegram or radiogram is preserved by the vendor and particulars of the date and sender of the order are entered in the book referred to.

Unauthorized sales of poisons

32. A person shall not—

(a) sell any poison by wholesale unless he is licensed under this Act to do so;

(b) sell any poison by wholesale to any person who is not authorized by or licensed or permitted under this Act to have in his possession or to sell such poison;

(c) except as provided by section 130 of the *Vermin Act 1918*[5], sell or supply any poison unless he is authorized by or licensed under this Act to do so; or

(d) sell or supply any poison except in accordance with the authority of his licence or permit and the terms and conditions thereof.

Wholesaler not to sell by retail

33. A wholesale dealer shall not sell any poison by retail unless he is authorized by or licensed under this Act to do so.

Sales to certain persons prohibited

34. (1) A person shall not sell any poison or class of poison prescribed by regulation for the purposes of this section to any person—

(a) who is apparently under the age of 18 years; or

(b) who is unknown to the vendor, unless the sale is made in the presence of an adult witness who is known to the vendor and who knows the purchaser.

(2) The witness in whose presence the sale is made pursuant to subsection (1) (b) shall, before the delivery of the poison to the purchaser, sign the entry (including the entry of his own name and place of residence) in the book required to be kept under section 31.

[*Section 34 amended by No. 23 of 1966 s. 4.*]

Making false declarations

35. A person who for the purpose of obtaining for himself or for any other person the grant, issue or renewal of a licence or permit under this Act—

(a) makes any declaration or statement that is false in any material particular; or

(b) knowingly produces or makes use of any such declaration or statement,

commits an offence against this Part.

Drugs not to be used for self administration

36. A person shall not use or attempt to use, or prescribe, any drug of addiction or specified drug for the purpose of self administration; but a person for whom a medical practitioner has prescribed a drug of addiction or a specified drug in the course of treatment of that person as a patient may take or use that drug to the extent and for the purpose for which it was so prescribed.

New drugs to be classified

37. (1) Before any new drug is first offered for sale to the public the manufacturer, importer or distributor, as the case may require, of the new drug shall make application to the Permanent Head as provided in this section to classify the new drug by determining the Schedule (if any) in which it is to be included and specified and to determine the percentage exemption limit (if any) to be permitted in respect to the new drug.

(2) Every application under this section shall be made in the prescribed manner and on the prescribed form to the Permanent Head who shall submit the application to the Advisory Committee for its consideration and for reference by it to the Poisons Advisory Panel of the body known as the National Health and Medical Research Council.

(3) The Advisory Committee shall forward in writing to the Permanent Head its recommendations in relation to the application and the Permanent Head upon receipt of and after having regard to those recommendations, shall classify the new drug and determine in which Schedule (if any) it shall be included and specified and may, if he thinks it necessary to do so, determine the percentage exemption limit to be permitted in respect to the new drug.

(4) The Permanent Head shall notify in writing the applicant of the classification of the new drug and his determinations in relation thereto pursuant to subsection (3) and thereupon cause the new drug to be added to the Schedule (if any) in which he has determined that it is to be included and specified, in accordance with the provisions of section 21.

(5) The decision of the Permanent Head in respect to any application made to him under the provisions of this section shall be final and conclusive.

(6) In and for the purposes of this section—

"new drug" means a therapeutic substance for use in human therapy that is not included in the latest edition for the time being of any of the respective books called the British Pharmacopoeia, the British Pharmaceutical Codex and the United States

Pharmacopoeia, or a substance specified in a Schedule for which the method of manufacture, composition, route of administration or indications for use is changed.

[*Section 37 amended by No. 28 of 1984 s. 92.*]

Offence in respect of a new drug

38. A person who offers for sale or sells, or causes or permits to be offered for sale or sold, to the public any new drug referred to in section 37 before an order made under section 21 has taken effect to add that new drug to a Schedule, except where the Permanent Head has determined that the new drug does not require to be placed in a Schedule, commits an offence against this Act.

[*Section 38 amended by No. 28 of 1984 s. 92.*]

Sale of new drug may be prohibited

39. (1) Every new drug, whether specified in a Schedule or not, is deemed to be a poison within the meaning of this Act pending notification by the Permanent Head of the classification of that new drug and his determinations in relation thereto pursuant to the provisions of section 37 but where in respect of any new drug the Permanent Head so determines that such new drug does not require to be placed in a Schedule, that new drug shall no longer be deemed to be such a poison.

(2) Nothwithstanding the provisions of sections 37 and 38, where application is made for classification of a new drug the Permanent Head may before the new drug is so classified, if the Advisory Committee so recommends, authorize the sale or supply of that new drug to any person or institution approved by the Advisory Committee, but any such sale or supply shall be made only upon and subject to such conditions as the Advisory Committee thinks fit.

[*Section 39 amended by No. 23 of 1966 s. 5; No. 28 of 1984 s. 92.*]

Offences against this Part

40. Except where by this Act it is expressly enacted otherwise, every person who—

(a) contravenes or fails to comply with any of the provisions of this Part;

(b) contravenes or fails to comply with any conditions, limitation or restriction to which any authority, licence or permit issues under this Part is subject;

(ba) contravenes or fails to comply with any conditions, limitation or restriction of any notice given by the Permanent Head pursuant to the regulations made under section 64 (2) (ha);

(c) purchases any poison and gives false information in answer to inquiries that by or under this Act are required to be made by the vendor; or

(d) signs his name as a witness to the sale of any poison to a person unknown to him,

commits an offence against this Part.

Penalty: For a first offence, $500; for a second or subsequent offence, $3 000.

[*Section 40 amended by No. 23 of 1966 s. 6; No. 43 of 1978 s. 4; No. 28 of 1984 s. 92.*]

PART IV—DRUGS OF ADDICTION

Manufacture of heroin permitted in certain cases

41. (1) Notwithstanding anything in the *Misuse of Drugs Act 1981*, it shall not be unlawful for a person to manufacture or prepare heroin for educational, experimental or research purposes—

(a) in any university, college, school or institution that the Governor by Order in Council approves for that purpose; and

(b) under and subject to such conditions as the Governor by Order in Council imposes, and is hereby authorized to impose, in the case of any such approved university, college, school or institution.

(2) In this section "heroin" means diacetylmorphine and includes its salts and any preparation, admixture, extract or other substance containing it.

[*Section 41 amended by No. 23 of 1966 s. 7; No. 57 of 1981 s. 16.*]

Licence to cultivate prohibited plants

41A. (1) Subject to this Act the Permanent Head may grant to any person a licence to cultivate, sell, purchase or have in his possession any prohibited plant.

(2) A licence granted pursuant to this section shall be subject to such conditions as may be prescribed and as the Permanent Head may in his discretion impose.

[*Section 41A inserted by No. 23 of 1966 s. 8; amended by No. 57 of 1981 s. 17; No. 28 of 1984 s. 92.*]

[***42.*** *Section 42 repealed by No. 57 of 1981 s. 18.*]

[***43.*** *Section 43 repealed by No. 57 of 1981 s. 19.*]

[***43A.*** *Section 43A repealed by No. 43 of 1978 s. 5.*]

Offences generally against this Part

44. (1) A person who—

(a) contravenes or fails to comply with any provision of this Part; or

(b) within the State aids and abets, counsels or procures the commission in any place outside the State of any offence punishable under the provisions of any corresponding law in force in that place or does any act preparatory to or in furtherance of any act which if committed within the State would constitute an offence against this Part,

commits an offence against this Part.

(2) A person who commits an offence against this Part, not being an offence for which a penalty is otherwise in this Part expressly provided, is liable upon conviction to a fine of $3 000, or imprisonment for a term of 3 years, or to both the fine and imprisonment.

(3) A person convicted of an offence against this Part shall forfeit to Her Majesty all articles in respect of which the offence was committed, and the court before which the offender is convicted may order any forfeited articles to be destroyed or otherwise disposed of as the court thinks fit.

(4) A person who—

(a) attempts to commit an offence under this Part; or

(b) solicits or incites another person to commit such an offence,

is, without prejudice to any other liability, liable on summary conviction to the same punishment and forfeiture and to be dealt with as if he had been convicted of the offence which he attempted to commit, or the offence which he solicited or incited another to commit.

[*Section 44 amended by No. 23 of 1966 s. 9; No. 51 of 1967 s. 2; No. 87 of 1970 s. 4; No. 43 of 1978 s. 6.*]

Interpretation of "corresponding law"

45. (1) In this Part the expression, "corresponding law" means any law stated in a certificate that purports to have been issued by or on behalf of the Government of—

(a) any British possession (including any territory under Her Majesty's protection, or governed under a trusteeship agreement by the Government or any part of Her Majesty's dominions) outside the State; or

(b) any foreign country (including any protectorate thereof or any territory governed under a trusteeship agreement by the Government thereof),

to be a law providing for the regulation and control in that possession or country of the manufacture, sale, use, export or import of drugs in accordance with the provisions of any of the Conventions referred to in Appendix "B".

(2) Any statement in a certificate referred to in subsection (1) as to the effect of the law mentioned in that certificate, or any statement in any such certificate that any facts constitute an offence against that law, shall be conclusive.

PART V—MISCELLANEOUS PROVISIONS

Containers of poisons to be marked or labelled

46. A person shall not sell any poison or hazardous substance unless the container immediately containing it is marked or labelled in such manner and with such particulars as are prescribed.

Medicines for internal use not to be sold in certain containers

47. (1) A person shall not sell any drug or medicine that is for internal use or any food, drink or condiment in a container—

(a) of like description to that prescribed by the regulations for a container in which any poison intended for external use may be sold; or

(b) of such a description as not to be readily distinguishable by sight and touch, or by either sight or touch, from a container in which a poison intended for external use may be sold.

(2) Nothing in this section affects any other requirement of this Act relating to the containers in which drugs or medicines that are or contain poisons within the meaning of this Act may be sold.

Prohibition against hawking, etc.

48. A person shall not, except pursuant to a licence issued by the Permanent Head—

(a) sell or attempt to sell; or

(b) hawk or peddle, or distribute or cause to be distributed as a sample,

any poison in any street or public place or from house to house.

Penalty: $100.

[*Section 48 amended by No. 23 of 1966 s. 10; No. 28 of 1984 s. 92.*]

Prohibition against selling by automatic machines

49. A person shall not—

(a) install or permit to be installed on or about his premises or elsewhere any automatic machine for the sale or supply of any poison;

(b) sell or supply any poison by means of any automatic machine;

(c) place or permit to be placed, any poison in any automatic machine that is on or about his premises or under his control; or

(d) permit or suffer any person to purchase or be supplied with or otherwise obtain any poison by means of any automatic machine.

(2) A person who contravenes or fails to comply with any provision of subsection (1) commits an offence against this Act and is liable on conviction to a fine of $100 or to imprisonment for a term not exceeding 6 months, and in addition to a daily penalty of $10 during the time that the offence is continued after conviction.

(3) Any automatic machine in respect of which any person is convicted of an offence under this section may in the discretion of the court before which proceedings for the offence are taken be forfeited to Her Majesty.

[*Section 49 amended by No. 23 of 1966 s. 11.*]

Leaving poisons unlabelled an offence

50. (1) A person who being in charge or possession of any poison leaves it in any place (whether that place is or is not ordinarily accessible to other persons), unless the bottle or container in which the poison is contained is marked clearly and legibly with the word, "Poison" or with other prescribed words, and otherwise duly labelled in the manner provided by section 46, commits an offence against this Act.

Penalty: $100.

(2) This section does not apply to pharmaceutical chemists in the conduct of their business or to persons granted exemption pursuant to subsection (3).

(3) The Permanent Head may exempt any person from the provisions of this section where he is of opinion, having regard to the circumstances of the case, that such exemption is warranted.

[*Section 50 amended by No. 23 of 1966 s. 12; No. 28 of 1984 s. 92.*]

Calculation of percentages for liquid preparations

51. For the purposes of this Act percentages in the case of liquid preparations shall (unless other provision in that behalf is made by regulation under this Act) be calculated on the basis that a preparation containing one per centum of any substance means a preparation in which—

(a) one gramme of the substance, if a solid; or

(b) one millilitre of the substance, if a liquid,

is contained in every 100 millilitres of the preparation, and so in proportion for any greater or less percentage.

PART VI—SUPPLEMENTARY PROVISIONS

Orders in Council may be cancelled or amended

52. An Order in Council made under the provisions of this Act may be cancelled or from time to time varied or amended, or an error in any such Order may be rectified, by a subsequent Order in Council.

Apprehension of offenders

53. (1) Any officer or constable of the Police Force and all persons whom he shall call to his assistance, may take into custody with or without a warrant any person found committing any offence—

(a) against section 48; or

(b) against any provision of Part IV or any regulation made thereunder prohibiting the sale of any drug of addiction or specified drug, or the cultivation, sale, purchase or possession of any prohibited plant,

whose name and residence are unknown to and cannot readily be ascertained by that officer or constable, or who on demand neglects or refuses to give his name and address or either of them, or gives a false name or address.

(2) The powers conferred by this section upon officers and constables of the Police Force are in addition to and not in diminution of the powers conferred on those officers and constables by the provisions of the *Police Act 1892*, or of any other Act.

[*Section 53 amended by No. 23 of 1966 s. 13.*]

Powers to enter, etc.

54. (1) Any inspector appointed under the *Health Act 1911*, or other person authorized in that behalf in writing by the Minister, may at any reasonable time, for the purpose of ascertaining whether the provisions of this Act and the regulations are being complied with,—

(a) enter upon any premises occupied by any person licensed or otherwise authorized under this Act to have in his possession any poison or prohibited plant;

(b) inspect and examine any room or part of the premises entered upon, and any goods or records in those premises;

(c) take an account of any poisons and any prohibited plants in those premises; or

(d) on payment or tender of a reasonable price, demand, take and obtain any sample of any poison or prohibited plant in or upon those premises.

(2) Any person who—

(a) refuses or fails to admit any inspector or authorized person demanding to enter upon premises pursuant to the provisions of this section;

(b) refuses to permit any inspector or authorized person to take or obtain any sample pursuant to the provisions of this section; or

(c) delays or obstructs, or causes or permits to be delayed or obstructed, any inspector or authorized person in the exercise of his powers under this section,

commits an offence against this Act.

[*Section 54 amended by No. 23 of 1966 s. 14.*]

Search warrant may be granted

55. (1) If it appears to a justice on complaint made on oath before him that there is reasonable grounds for suspecting—

(a) that there is in any house or premises any poison or prohibited plant in contravention of this Act or the regulations; or

(b) that any person has in his possession or under his control in any house or premises—

(i) any poison, substance or prohibited plant or any preparation thereof in contravention of this Act or the regulations; or

(ii) any document directly or indirectly relating to or connected with any transaction or dealing that is or would, if carried out, be an offence against any provision of this Act or the regulations, or against the provisions of any corresponding law in force in any place outside the State,

the justice may give to any member of the Police Force a search warrant in the form in Appendix "C".

(2) A warrant given under subsection (1) authorizes the member of the Police Force named in the warrant, within one month from the date of the warrant, and with such assistants as may be necessary—

(a) to enter into and upon and search the house or premises specified in the warrant at any time during the day or night, and to open and break open if necessary and search all things found therein or thereon;

(b) to use force if necessary in making entry whether by breaking open doors or otherwise;

(c) to arrest and bring before a stipendiary magistrate or 2 justices any person found committing any offence in such house or premises against the provisions of Part IV;

(d) to search all persons found in or upon the house or premises;

(e) to seize, or seize and carry away—

(i) any substance or preparation that may be reasonably suspected of being or containing a poison, or any prohibited plant, found in the house or premises, or in the possession or under the control of any person therein, or that is in that house or premises or under such control in contravention of any provision of this Act or the regulations;

(ii) any article used or capable of being used for the purpose of preparing, taking or administering any drug of addiction or specified drug for the purposes of addiction; and

(iii) any document referred to in subsection (1) (b) (ii).

(3) All articles seized under subsection (2) (e) (ii) shall on conviction of the person in whose possession those articles were found be forfeited to Her Majesty, and the court before which such person was convicted may order all or any of those articles to be destroyed or otherwise disposed of as the court thinks fit.

(4) Subject to subsection (3), any poison (not being a drug of addiction or a specified drug) seized under the provisions of this section may, at the request of the owner thereof and with the approval in writing of the

Minister, be returned to such owner subject to such conditions or limitations as to its use or otherwise as the Minister may in his discretion impose.

(5) The provisions of this section shall be in addition to and not in derogation of the provisions of the *Misuse of Drugs Act 1981*.

[*Section 55 amended by No. 23 of 1966 s. 15; No. 57 of 1981 s. 20.*]

Sales by employees, etc.

56. For the purposes of this Act any person on whose behalf a sale is made is deemed to be the person who sells, and every employee, assistant or apprentice of such person is liable to the like penalties as the person on whose behalf he makes any sale.

Persons deemed to have sold poisons

57. (1) Where any poison or hazardous substance is sold in an unopened package to an inspector or authorized person and in respect of the sale thereof there is a contravention of or failure to comply with any provision of this Act, each of the persons referred to in paragraphs (a) and (b) shall, in addition to the person who actually sold the package to the inspector or authorized person, be liable in respect of such contravention or failure, namely—

(a) if the package has a label on or attached to it, any person who appears from that label to have manufactured or prepared such poison or hazardous substance, or to have imported it into the State, or to have enclosed or caused to be enclosed in that package such poison or hazardous substance, or to have been the wholesale supplier thereof; or

(b) if the package has a label on or attached to it but such label does not disclose any of the particulars referred to in paragraph (a), or if the package has no label on or attached to it, any person who has previously sold the unopened package.

(2) A person to whom the provisions of subsection (1) apply is deemed to have sold the unopened package to the inspector or authorized person as on the day when and at the place where the inspector or authorized person purchased it, and that person is liable to the same penalty as if he had actually sold such package to the inspector or authorized person on that day and at that place.

(3) It shall be a defence to a charge under this section if the person charged shows—

(a) that the contravention or non-compliance is due to the act or default of some subsequent seller;

(b) that the contravention or non-compliance is due to deterioration or other causes beyond his control; or

(c) where the package has a label on or attached to it, that he did not in fact affix or attach the label or cause it to be affixed or attached or enclose or cause to be enclosed the poison or hazardous substance in the package.

(4) Nothing in this section shall affect the liability of any person selling any such unopened package to an inspector or authorized person with respect to any contravention or non-compliance due to his default or to other causes within his control; and the conviction of any person under the provisions of this section shall not exonerate the person selling such unopened package or any other person from liability with respect to any such contravention or non-compliance.

(5) Without affecting the generality of the application of this or any other provisions of this Act to firms or the members of them, where a firm appears from any such label to have imported, manufactured or prepared any poison, or as the case may be, hazardous substance, or to have been the wholesale supplier thereof or to have enclosed the same in a package—

(a) proceedings under this section may be taken (whether in a court of petty sessions or otherwise) and penalties recovered accordingly against any member or members of the firm; and

(b) this section shall be read and construed and have effect as though the name or names of the member or members of the firm had appeared on such label.

(6) In this section—

"authorized person" means a person authorized in writing by the Minister for the purposes of this Act;

"inspector" means an inspector appointed under the *Health Act 1911*;

"wholesale supplier" means a person who sells or supplies poisons or hazardous substances to any other person for the purpose of resale.

Evidence on prosecutions

58. Whenever in any prosecution for a contravention of or failure to comply with any provision of this Act or any regulations made under this Act it is necessary or proper to prove in respect of any particular article or substance that it is a poison, or as the case may be, hazardous substance, then in every such case—

(a) evidence that any substance commonly sold under the same name or description as that particular article or substance is a poison or hazardous substance shall be *prima facie* proof that such particular article or substance also conforms to the same description accordingly; and

(b) evidence that any particular article or substance or the container thereof is labelled, "Poison" or with other prescribed words,

shall be *prima facie* proof that such particular article or substance is a poison or, as the case may be, hazardous substance.

Publication of list of licensed persons

59. The Permanent Head shall in the month of August in each year cause to be published in the *Government Gazette* a list of the names and places of business of all persons who hold licences or permits under this Act, and the production of a copy of the *Government Gazette* containing any such list as last published shall be *prima facie* proof in all courts and in all legal proceedings that the persons specified in such list hold such licences or permits.

[*Section 59 amended by No. 28 of 1984 s. 92.*]

Proof of certificate of analysts

60. (1) In any legal proceedings for offences against this Act—

(a) the production of a certificate purporting to be signed by an analyst with respect to any analysis made by him shall, without proof of the signature of the person appearing to have signed the certificate or that he is an analyst, be sufficient evidence—

(i) of the identity of the thing analysed;

(ii) of the result of the analysis; and

(iii) of the matters relevant to such proceedings stated in the certificate,

unless the defendant by not less than 3 days' notice in writing delivered to the complainant and by a like 3 days' notice delivered to the analyst (opportunity to deliver which notices shall be afforded the defendant) requires the analyst to attend as a witness; and

(b) the court may, in addition to any other order as to costs, make such order as it thinks just as to the conduct money of the analyst and the expenses and remuneration to be paid for any analysis.

(2) For the purposes of this section, "analyst" means an analyst appointed under the provisions of the *Health Act 1911*.

Evidence of qualifications

61. In any legal proceedings under this Act—

(a) the production of a copy of the *Government Gazette* containing the several registers or lists as last published in relation to the time in question of medical practitioners, pharmaceutical chemists, dentists or veterinary surgeons and of persons holding licences or permits under this Act shall, if the name of the defend-

ant does not appear in any of such registers or lists, be *prima facie* proof that he is not a medical practitioner or a registered pharmaceutical chemist, dentist, veterinary surgeon or a person who holds a licence or permit under this Act;

(b) a certificate that any person is or is not, or was or was not, on a certain date or for a certain period a medical practitioner or a registered pharmaceutical chemist, dentist, veterinary surgeon or a person who holds a licence, permit or authority under this Act shall be *prima facie* proof of the fact therein stated if the certificate purports to be signed—

(i) in the case of a medical practitioner by the registrar of the Medical Board constituted under the *Medical Act 1894*;

(ii) in the case of a registered pharmaceutical chemist, by the registrar of the Pharmaceutical Council of Western Australia, constituted under the *Pharmacy Act 1964*;

(iii) in the case of a registered dentist, by the registrar of The Dental Board of Western Australia, constituted under the *Dental Act 1939*;

(iv) in the case of a registered veterinary surgeon, by the registrar of the Veterinary Surgeons' Board, constituted under the *Veterinary Surgeons Act 1960*; and

(v) in the case of a person who holds a licence, permit or authority under this Act, by the Permanent Head.

[*Section 61 amended by No. 28 of 1984 s. 92.*]

General penalty

62. Every person who contravenes or fails to comply with any provision of this Act or any regulation made under this Act commits an offence against this Act and if no penalty is expressly provided with respect to that offence is liable on conviction to a penalty not exceeding $100.

[*Section 62 amended by No. 23 of 1966 s. 16.*]

Protection from liability

63. (1) No act, matter or thing done or omitted to be done in good faith by the Minister or by the Permanent Head, or by the Advisory Committee or by any member thereof or by the secretary or any other officer thereof, or by any inspector or authorized person or by any member of the Police Force, in the administration or intended administration of this Act, or in the exercise or performance or intended exercise or performance of any of his or its powers, functions or duties under this Act, shall subject the Minister or the Permanent Head, or the Advisory

Committee or any member or the secretary or other officer thereof, or any inspector, authorized person or member of the Police Force, to any liability in respect thereof.

(2) In this section inspector and authorized persons have the same respective meanings as are given to them in section 57.

[*Section 63 amended by No. 28 of 1984 s. 92.*]

Regulations

64. (1) The Governor may make regulations prescribing all matters that by this Act are required or permitted to be prescribed, or that are necessary or convenient to be prescribed, for carrying out or giving effect to this Act.

(2) Without limiting the generality of the powers conferred by subsection (1), the Governor may make regulations for or with respect to—

(a) the possession, sale and safe custody of poisons and hazardous substances including the specifications of cupboards and other receptacles and the manner of storage of any poison or hazardous substance;

(b) specifying the containers in which any poison or hazardous substance may be sold, and the shape, size and materials of such containers, and prohibiting the use of such containers for other substances;

(c) marking and labelling, and specifying the particulars (including antidotes) to be included in labels on or attached to, containers of poisons and hazardous substances;

(d) prohibiting or regulating the possession, manufacture, distribution, supply, sale, handling or use of any poisons or hazardous substances either absolutely or except under such circumstances or conditions as may be prescribed;

(da) prohibiting or regulating the cultivation possession, sale or purchase of any prohibited plant either absolutely or subject to such conditions as may be prescribed, and prescribing those conditions;

(e) prescribing precautions to be taken in the manufacture, storage, handling or use of any poisons or hazardous substances;

(f) the application for and the granting, issue, renewal, cancellation and suspension of licences, permits and authorities under this Act;

(g) prescribing the persons to whom and the circumstances and conditions in and under which licences to sell by retail poisons specified in the First, Second, Sixth or Seventh Schedules may be granted under section 24;

(h) the application for classification under section 37 of new drugs and the procedure to be followed in relation to such application and to the determination and notice in respect thereof;

(ha) authorizing the Permanent Head, by notice given to any such person as is referred to in section 23 (2), to revoke, in whole or in part, the authority conferred by that subsection on that person in relation to drugs of addiction and specified drugs;

(i) prescribing conditions, limitations and restrictions to which licences and permits under this Act shall be subject;

(j) prescribing the form of, and the particulars to be recorded in, the book required to be kept pursuant to section 31, and the procedure to be followed in relation to the sale and recording of poisons;

(ja) requiring persons engaged in the cultivation, sale, distribution or supply of any prohibited plant, or the manufacture, sale, distribution or supply of any poison or hazardous substance, to keep such books, records or documents, and furnish such information, relating to such prohibited plant, poison or hazardous substance as the Permanent Head may require from time to time, and providing for production of those books, records or documents and the furnishing in writing or otherwise of that information to the Permanent Head at such times and in such manner as he may direct;

(k) prescribing the manner in which appeals against decisions of the Permanent Head under this Act shall be brought and the procedure to be followed in the conduct of such appeals;

(l) prescribing the precautions to be observed in respect to the sale of poisons or hazardous substances ordered by letter, telegram or radiogram;

(m) the inspection of premises, stocks, books, and documents relating to poisons, hazardous substances and prohibited plants;

(n) prohibiting or regulating the sale of any poison or hazardous substance by methods of self-service other than any such methods prescribed;

(o) providing for the forfeiture of any poison, hazardous substance or prohibited plant unlawfully in the possession of any person and for the disposal of any poison, hazardous substance or prohibited plant so forfeited;

(p) specifying the persons or classes of persons authorized or entitled to purchase, use or be in possession of any poison;

(q) exempting from all or any of the provisions of this Act and the regulations, substances containing any poison that by their nature are not capable of being used in evasion of this Act and the regulations, or that are supplied or sold by a pharmaceutical

chemist or in accordance with the prescription of a medical practitioner, dentist or veterinary surgeon for an individual and specific case;

(r) authorizing medical practitioners, and pharmaceutical chemists dispensing medicines and drugs at any public hospital or institution, or persons in charge of laboratories for the purpose of research or instruction, dentists, veterinary surgeons, and such other persons as to the Permanent Head may seem proper, to be in possession of any poison or hazardous substance for the purposes of their respective professions or employments, and prescribing the conditions and restrictions upon and subject to which such authority may be given;

(s) regulating the issue by medical practitioners, dentists or veterinary surgeons of prescriptions containing any poison, the dispensing of such prescriptions, and the supply of any such poisons thereunder;

(sa) prohibiting and regulating the issue by medical practitioners, dentists or veterinary surgeons of prescriptions containing any drug of addiction or any specified drug, or any class of drug of addiction or any class of specified drug, the dispensing of such prescriptions and the supply of drugs of addiction or specified drugs thereunder;

(t) prescribing the colouring of any poison or hazardous substance;

(u) providing for the disposal of automatic machines forfeited pursuant to the provisions of this Act;

(v) prescribing fees to be paid for the issue and renewal of licences and permits under this Act;

(w) prescribing forms to be used for the purposes of this Act;

(x) prescribing a penalty of not more than $100 for any contravention of or failure to comply with the regulations;

(y) any other matter or thing in any manner relating to poisons, hazardous substances or prohibited plants;

(z) any other purpose that the Governor deems necessary for safeguarding the public and the public health in relation to poisons, hazardous substances and prohibited plants.

(2a) Regulations may be made under this section requiring any person who is licensed or otherwise authorized under this Act to have in his possession, manufacture, supply or sell any poison, drug of addiction or specified drug to—

(a) retain any document, writing, prescription or authorization or record thereof relating to the sale or supply of any drug of addiction or specified drug;

(b) maintain such records relating to the sale or supply of drugs of addiction or specified drugs as may be prescribed;

(c) deliver up any document, prescription, authorization or record thereof relating to the sale or supply of a drug of addiction or specified drug upon request made by any inspector appointed under the *Health Act 1911* or to any other person authorized in that behalf by the Minister.

(2b) Regulations made under subsection (2a) may be made so as to apply—

(a) generally, or to a particular drug of addiction or particular specified drug or to particular classes thereof;

(b) generally, or to particular classes of persons,

and may make differing provisions as regards classes of persons and classes of drugs of addiction or specified drugs.

(3) Regulations made under the provisions of this section are in addition to and not in derogation of any regulations made under the *Health Act 1911*, and under the *Misuse of Drugs Act 1981*, but where and to the extent that inconsistency exists between the regulations made under this section and any regulations made under the *Health Act 1911* or the *Misuse of Drugs Act 1981*, as referred to in this subsection, the regulations made under this section shall prevail.

[*Section 64 amended by No. 23 of 1966 s. 17; No. 6 of 1969 s. 8; No. 43 of 1978 s. 7; No. 57 of 1981 s. 21; No. 28 of 1984 s. 92.*]

APPENDIX "A"

1. A substance specified in a schedule, unless the contrary intention appears, includes—
   (a) every salt, active principle or derivative of the substance and every salt of such an active principle or derivative;
   (b) except where the substance is opium, every alkaloid of the substance and every salt of such an alkaloid;
   (c) except where the substance is levomethorphan or levorphanol—every stereoisomer of the substance and every salt of such a stereoisomer;
   (d) a preparation or admixture containing any proportion thereof of the substance; and
   (e) in the case of an Eight Schedule substance every ester and ether of the substance and every salt of such an ester or ether.
2. In a schedule "designated solvent" means—
   (a) ACETONE;
   (b) DIMETHYLFORMAMIDE;
   (c) HYDROCARBONS (liquid);
   (d) METHANOL;
   (e) METHYL ETHYL KETONE;
   (f) METHYL ISOAMYL KETONE;
   (g) METHYL ISBOBUTYL KETONE;
   (h) STYRENE;
   (i) TETRACHLOROETHYLENE;
   (j) 1, 1, 1-TRICHLOROETHANE;
   (k) TOLUENE; or
   (l) XYLENE.

First Schedule.

ACONITE (ROOT OF ACONITUM NAPELLUS).

ANTIMONY, compounds of, except—

(a) when included in the Fourth Schedule; or

(b) antimony chloride in polishes.

ATROPINE, except when included in the Second or Fourth Schedule.

BELLADONNA HERB, except when included in the Second Schedule.

BROMINE (excluding its salts and derivatives).

BRUCINE, except when used in concentrations of 0.02 per cent or less for the denaturation of alcohol.

COMFREY (Symphytum) being any part of the dried plant, its extracts and preparations, for human internal use.

CONIINE.

COTARNINE.

CROTON OIL.

CYANIDES—see hydrocyanic acid.

HOMATROPINE, except when included in the Second Schedule.

HYDROCYANIC ACID and CYANIDES in preparations for thereapeutic use except when included in the Second Schedule.

HYOSCINE, except when included in the Second or Fourth Schedule.

HYOSCYAMINE, except when included in the Second Schedule.

HYOSCYAMUS, except when included in the Second Schedule.

LOBELIA, except—

(a) when included in the Second Schedule; or

(b) in preparations for smoking or burning.

MERCURIC CHLORIDE except when included in the Second or Seventh Schedule.

MERCURIC IODIDE, except when included in the Second or Sixth Schedule.

MERCURIC NITRATE, except when included in the Second Schedule.

MERCURIC-POTASSIUM IODIDE, except when included in the Second Schedule.

MERCURIC THIOCYANATE, except when included in the Sixth Schedule.

MERCURY, organic compounds of, except—

(a) when included in the Second, Fourth or Sixth Schedule;

(b) ethoxyethyl mercury chloride and ethyl mercury chloride in the Seventh Schedule; or

(c) in preparations containing 0.01 per cent or less of mercury as a preservative.

NUX VOMICA.

PHOSPHORUS YELLOW (excluding its salts and derivatives), except when included in the Sixth Schedule.

SAVIN, oil of.

STRAMONIUM, except—

(a) when included in the Second Schedule; or

(b) in preparations for smoking or burning.

TANSY, oil of.

VERATRUM, except for therapeutic use.

Excluding however, the substances hereinbefore mentioned when contained in the products listed as exemptions, set out after the Eighth Schedule in this Appendix.

Second Schedule.

ACETIC ACID (excluding its salts and its derivatives), for therapeutic use in preparations containing more than 80 per cent of acetic acid.

ACETYLDIHYDROCODEINE when compounded with one or more other medicaments, in preparations containing 1 per cent or less of acetyldihydrocodeine.

ALOXIPRIN.

AMMONIATED MERCURY.

ANTAZOLINE in preparations labelled and packed as eye drops.

ASPIRIN and its preparations and derivatives, except—

(a) tablets or capsules each containing 325 milligrams or less of aspirin as the only therapeutically active constituent when—

(i) the pack is labelled with either of the following warning statements—

" WARNING—THIS MEDICATION MAY BE DANGEROUS WHEN USED IN LARGE AMOUNTS OR FOR A LONG PERIOD. "; or

" CAUTION—THIS PREPARATION IS FOR THE RELIEF OF MINOR AND TEMPORARY AILMENTS AND SHOULD BE USED STRICTLY AS DIRECTED. PROLONGED USE WITHOUT MEDICAL SUPERVISION COULD BE HARMFUL. ";

(ii) packed in blister or strip packaging or in containers with a child-resistant closure; and

(iii) in a primary pack containing not more than 25 such tablets or capsules;

(b) in individually wrapped powders or sachets of granules each containing 650 milligrams or less of aspirin as the only therapeutically active consistituent when—

(i) the pack is labelled with either of the following warning statements—

" WARNING—THIS MEDICATION MAY BE DANGEROUS WHEN USED IN LARGE AMOUNTS OR FOR A LONG PERIOD. "; or

" CAUTION—THIS PREPARATION IS FOR THE RELIEF OF MINOR AND TEMPORARY AILMENTS AND SHOULD BE USED STRICTLY AS DIRECTED. PROLONGED USE WITHOUT MEDICAL SUPERVISION COULD BE HARMFUL. ";

(ii) in a primary pack containing not more than 12 such powders or sachets of granules;

(c) when included in the Fourth Schedule.

ATROPINE—

(a) in preparations containing 0.25 per cent or less of atropine, except when included in the Fourth Schedule; and

(b) atropine sulphate, 0.6 mg tablets in packs of 6, when labelled for treatment of organophosphorus poisoning.

BELLADONNA HERB in preparations containing 0.25 per cent or less of the alkaloids of belladonna, calculated as hyoscyamine.

BANZAMINE when included in—

(a) lozenges, pastilles, tablets and capsules containing 30 mg or less of benzamine in each;

(b) suppositories or bougies containing 200 mg or less of benzamine in each;

(c) preparations for external use, other than eyedrops, containing 10 per cent or less of benzamine.

BENZOCAINE when included in—

(a) lozenges, pastilles, tablets and capsules containing 30 mg or less of benzocaine in each;

(b) suppositories or bougies containing 200 mg or less of benzocaine in each;

(c) preparations for external use, other than eye drops, containing 10 per cent or less of benzocaine.

BENZOYL PEROXIDE in preparations for external human therapeutic use containing 5 per cent or less benzoyl peroxide.

BROMHEXINE

BROMPHENIRAMINE when compounded with one or more of the following medicaments—

(a) an antitussive, except codeine;

(b) an expectorant; or

(c) a sympathomimetic amine,

except in preparations indicating a dosage for the treatment of children under 2 years of age.

BUCLIZINE in primary packs of 10 doses or less, labelled and packed for the prevention or treatment of motion sickness.

BUFEXAMAC in preparations containing 5 per cent or less of bufexamac for external human therapeutic use, and in suppositories.

BUTYLAMINOBENZOATE when included in—

(a) lozenges, pastilles, tablets and capsules containing 30 mg or less of butylaminobenzoate in each;

(b) suppositories or bougies containing 200 mg or less of butylaminobenzoate in each;

(c) preparations for external use, other than eye drops, containing 10 per cent or less of butylaminobenzoate.

CARBARYL in preparations for external human thereapeutic use containing 2 per cent or less of carbaryl.

CARBENOXOLONE for topical oral use.

CARBETAPENTANE, except in preparations containing 0.5 per cent or less of carbetapentane.

CHLOROFORM (excluding its derivatives), for therapeutic use except—

(a) when included in the Fourth Schedule; or

(b) in preparations containing 10 per cent or less of chloroform where the chloroform content is declared on the label.

CHLORPHENIRAMINE when compounded with one or more of the following medicaments—

(a) an antitussive, except codeine;

(b) an expectorant; or

(c) a sympathomimetic amine,

except in preparations indicating a dosage for the treatment of children under 2 years of age.

CINNAMEDRINE.

CLIOQUINOL and other halogenated derivatives of 8 - Hydroxyquinoline for external human use.

CODEINE—

(a) when compounded with aspirin, paracetamol or salicylamide, or any one of their derivatives, in tablets or capsules each containing 10 mg or less of codeine, and no other analgesic substance, when—

(i) packed in blister or strip packaging or in containers with child resistant closures; and

(ii) in a primary pack containing 25 or less dosage units;

(b) when compounded with aspirin, paracetamol or salicylamide, or any one of their derivatives, in individually wrapped powders each containing 10 mg or less of codeine, and no other analgesic substance, when enclosed in a primary pack containing 12 or less individually wrapped powders; or

(c) when compounded with one or more other therapeutically active substances—

(i) in divided preparations containing 10 mg or less of codeine per dosage unit; or

(ii) in undivided preparations containing 0.25 per cent or less of codeine.

CREOSOTE, for therapeutic use, except in preparations containing 3 per cent or less of phenols included in this Schedule.

CYANIDES—see hydrocyanic acid.

DEXCHLORPHENIRAMINE, when compounded with one or more of the following medicaments—

(a) an antitussive, except codeine;

(b) an expectorant; or

(c) a sympathomimetic amine,

except in preparations indicating a dosage for the treatment of children under 2 years of age.

DEXTROMETHORPHAN in preparations containing 1 per cent or less of dextromethorphan when compounded with one or more other medicaments in such a way that the dextromethorphan contained therein cannot readily be extracted.

DEXTRORPHAN in preparations containing 1 per cent or less of dextrorphan.

DICOPHANE (DDT) in preparations for human therapeutic use.

DICYCLOMINE in preparations containing 0.1 per cent or less of dicyclomine.

DIMENHYDRINATE, in primary packs of 10 or less doses, labelled and packed for the prevention or treatment of motion sickness.

DIMETHISOQUIN in preparations for topical use.

DIPHEMANIL METHYLSULPHATE in preparations for topical use.

DIPHENHYDRAMINE—

(a) in primary packs of 10 or less doses, labelled and packed for the prevention or treatment of motion sickness; or

(b) when compounded with one or more of the following medicaments—

(i) an antitussive, except codeine;

(ii) an expectorant; or

(iii) a sympathomimetic amine,

except in preparations indicating a dosage for the treatment of children under 2 years of age.

DIPHENYLPYRALINE, when compounded with one or more of the following medicaments—

(a) an antitussive, except codeine;

(b) an expectorant; or

(c) a sympathomimetic amine,

except in preparations indicating a dosage for the treatment of children under 2 years of age.

DOXYLAMINE, when compounded with one or more of the following medicaments—

(a) an antitussive, except codeine;

(b) an expectorant; or

(c) a sympathomimetic amine,

except in preparations indicating a dosage for the treatment of children under 2 years of age.

EPHEDRINE, except—

(a) when included in the Third Schedule;

(b) when compounded with one or more medicaments in liquid preparations containing 10 mg or less of ephedrine per recommended dose; or

(c) in preparations for topical use containing 1 per cent or less of ephedrine.

ERYTHRITYL TETRANITRATE for therapeutic use.

ETAFEDRINE.

ETHER for therapeutic use, except—

(a) when included in the Fourth Schedule; or

(b) in preparations containing 10 per cent or less of ether.

ETHOHEPTAZINE in preparations containing 1 per cent or less of ethoheptazine.

ETHYLMORPHINE when compounded with one or more other medicaments, in preparations containing 1 per cent or less of ethylmorphine.

FLUORIDES in—

(a) sodium fluoride in preparations for human ingestion containing 2.2 mg or less of sodium fluoride per dosage unit;

(b) other metallic fluoride substances, including ammonium fluoride when intended for therapeutic purposes, except—

(i) in dentrifices containing 1 000 mg/kg or less of fluoride ion; or

(ii) in substances containing 15 mg/kg or less of fluoride ion.

GELSEMIUM.

GLUTARALDEHYDE for human therapeutic use.

GLYCERYL TRINITRATE for therapeutic use except when included in the Fourth Schedule.

GUAIPHENESIN—

(a) in liquid preparations containing 2 per cent (200 mg/10 ml) or less of guaiphenesin;

(b) in divided preparations containing 120 mg or less of guaiphenesin in each dosage unit.

HEXACHLOROPHANE in preparations for human skin cleansing purposes containing 3 per cent or less of hexachlorophane except in preparations for use on infants as specified in the Fourth Schedule.

HOMATROPINE in preparations containing 0.25 per cent or less of homatrophine.

HYDROCYANIC ACID and CYANIDES in preparations for therapeutic use containing the equivalent of 0.15 per cent or less of hydrocyanic acid.

8-HYDROXYQUINOLINE and its non-halogenated derivatives for human therapeutic use except in preparations for external use containing 1 per cent or less of such substances.

HYOSCINE, in preparations containing 0.25 per cent or less of hyoscine, except when included in the Fourth Schedule.

HYOSCYAMINE in preparations containing 0.25 per cent or less hyoscyamine.

HYOSCYAMUS in preparations containing 0.25 per cent or less of the alkaloids of hyoscyamus calculated as hyoscyamine.

IODINE (excluding its salts, derivatives and iodophors), in preparations for human therapeutic use containing more than 2.5 per cent of available iodine.

IRON COMPOUNDS for human internal use except—

(a) when included in the Fourth Schedule;

(b) in divided preparations containing 5 mg or less of iron per unit dose;

(c) in liquid oral preparations containing 0.1 per cent or less of iron.

ISOPROPAMIDE in preparations containing 2 per cent or less of isopropamide for cutaneous use.

ISOSORBIDE DINITRATE for therapeutic use.

LIGNOCAINE when included in—

(a) lozenges, pastilles, tablets and capsules containing 30 mg or less of lignocaine in each;

(b) suppositories or bougies containing 200 mg or less of lignocaine in each;

(c) preparations for external use, other than eye drops, containing 10 per cent or less of lignocaine.

LINDANE in preparations for external human therapeutic use containing 2 per cent or less of lindane.

LOBELIA in preparations containing 0.5 per cent or less of the alkaloids of lobelia, except preparations for smoking or burning.

MALDISON in preparations for external human therapeutic use containing 2 per cent or less of maldison.

MEBENDAZOLE for human therapeutic use.

MERCURIC CHLORIDE in preparations containing 0.5 per cent or less of mercuric chloride, except when included in the Seventh Schedule.

MERCURIC IODIDE in preparations for therapeutic use containing 2 per cent or less of mercuric iodide.

MERCURIC NITRATE in preparations containing the equivalent of 3 per cent or less of mercury (Hg), in such form.

MERCURIC OXIDE and all oxides of mercury.

MERCURIC-POTASSIUM IODIDE in preparations containing the equivalent or 2 per cent of less of mercuric iodide, in such form.

MERCURY (METALLIC)for therapeutic use.

MERCURY, organic compounds of, for topical therapeutic use in preparations containing 0.5 per cent or less of mercury.

METHOXAMINE, except—

(a) preparations containing 0.5 per cent or less of methoxamine;

(b) preparations for external use containing 1 per cent or less of methoxamine.

METHOXYPHENAMINE.

METHYLEPHEDRINE.

NAPHAZOLINE.

NICLOSAMIDE for human therapeutic use.

NICOCODINE when compounded with one or more other medicaments, in preparations containing 1 per cent or less of nicocodine.

NICODICODINE when compounded with one or more other medicaments in preparations containing 1 per cent or less of nicodicodine.

NITRIC ESTERS of polyhydric alcohols for therapeutic use.

NORCODEINE when compounded with one or more other medicaments, in preparations containing 1 per cent or less of norcodeine.

OXETHAZAINE in preparations for internal use only.

OXOLAMINE.

OXYMETAZOLINE.

PAPAVERINE.

PARACETAMOL and its preparations and derivatives, except—

(a) tablets or capsules each containing 500 mg or less of paracetamol as the only therapeutically active constituent when—

(i) the pack is labelled with either of the following warning statements—

" WARNING—THIS MEDICATION MAY BE DANGEROUS WHEN USED IN LARGE AMOUNTS OR FOR A LONG PERIOD. "; or

" CAUTION—THIS PREPARATION IS FOR THE RELIEF OF MINOR AND TEMPORARY AILMENTS AND SHOULD BE USED STRICTLY AS DIRECTED, PROLONGED USE WITHOUT MEDICAL SUPERVISION COULD BE HARMFUL. ";

(ii) packed in blister or strip packaging or in containers with a child-resistant closure; and

(iii) in a primary pack containing not more than 25 such tablets or capsules;

(b) in individually wrapped powders or sachets of granules each containing 1 000 milligrams or less of paracetamol as the only therapeutically active constituent when—

(i) the pack is labelled with either of the following warning statements—

" WARNING—THIS MEDICATION MAY BE DANGEROUS WHEN USED IN LARGE AMOUNTS OR FOR A LONG PERIOD. "; or

" CAUTION—THIS PREPARATION IS FOR THE RELIEF OF MINOR AND TEMPORARY AILMENTS AND SHOULD BE USED STRICTLY AS DIRECTED. PROLONGED USE WITHOUT MEDICAL SUPERVISION COULD BE HARMFUL ";

(ii) in a primary pack containing not more than 12 such powders or sachets or granules;

(c) when included in the Fourth Schedule.

PHEDRAZINE.

PHENAMAZOLINE.

PHENAZONE for external use.

PHENIRAMINE—

(a) in primary packs of 10 or less doses, labelled and packed for the prevention or treatment of motion sickness; or

(b) when compounded with one or more of the following medicaments—

(i) an antitussive, except codeine;

(ii) an expectorant; or

(iii) a sympathomimetic amine,

except in preparations indicating a dosage for the treatment of children under 2 years of age.

PHENOL and any homologue of phenol boiling below 220°C, for therapeutic use, except in preparations containing 3 per cent or less by weight of such substances.

PHENYLENEDIAMINES and alkylated phenylenediamines for therapeutic use.

PHENYLEPHRINE, except—

(a) preparations containing 0.5 per cent or less of phenylephrine;

(b) preparations for external use containing 1 per cent or less of phenylephrine.

PHOLCODINE when compounded with one or more other medicaments, in preparations containing 1 per cent or less of pholcodine.

PODOPHYLLUM RESIN (Podophyllin) for external human use in preparations containing 10 per cent or less of podophyllin.

POTASSIUM CHLORATE for therapeutic use, except in preparations containing 10 per cent or less of potassium chlorate.

PRAMOXINE when included in preparations for external use, other than eye drops, containing 1 per cent or less of pramoxine.

PROCYCLIDINE in preparations containing 5 per cent or less of procyclidine for cutaneous use.

PROMETHAZINE—

(a) in primary packs of 10 or less doses, labelled and packed for the prevention or treatment of motion sickness; or

(b) when compounded with one or more of the following medicaments—

(i) an antitussive, except codeine;

(ii) an expectorant; or

(iii) a sympathomimetic amine.

except in preparations indicating a dosage for the treatment of children under 2 years of age.

PROPANTHELINE in preparations for topical use.

PROPOXUR in preparations for external human therapeutic use containing 0.2 per cent or less of propoxur.

PROPYLHEXEDRINE in appliances for inhalation in which the substance is absorbed upon an inert solid material.

PROPYPHENAZONE.

PSEUDOEPHEDRINE—

(a) in divided preparations containing 60 mg or less of pseudoephedrine per dosage unit; or

(b) in liquid preparations containing 60 mg or less of pseudoephedrine per recommended adult dose.

PYRANTEL for human therapeutic use.

PYRITHIONE ZINC for human therapeutic use, except in preparations containing 2 per cent or less of pyrithione zinc when—

(a) in semisolid hair preparations; or

(b) in shampoos labelled with either of the statements "keep out of eyes" or "if in eyes, rinse well with water".

SALICYLAMIDE and its preparations and derivatives except—

(a) tablets or capsules each containing 500 mg or less of salicylamide as the only therapeutically active constituent when—

(i) the pack is labelled with either of the following warning statements—

" WARNING—THIS MEDICATION MAY BE DANGEROUS WHEN USED IN LARGE AMOUNTS OR FOR A LONG PERIOD. "; or

" CAUTION—THIS PREPARATION IS FOR THE RELIEF OF MINOR AND TEMPORARY AILMENTS AND SHOULD BE USED STRICTLY AS DIRECTED. PROLONGED USE WITHOUT MEDICAL SUPERVISION COULD BE HARMFUL. ";

(ii) packed in blister or strip packaging or in containers with a child resistant closure; and

(iii) in a primary pack containing not more than 25 such tablets or capsules;

(b) in individually wrapped powders or sachets of granules each containing 1 000 mg or less of salicylamide as the only therapeutically active constituent when—

(i) the pack is labelled with either of the following warning statements—

" WARNING—THIS MEDICATION MAY BE DANGEROUS WHEN USED IN LARGE AMOUNTS OR FOR A LONG PERIOD "; or

" CAUTION—THIS PREPARATION IS FOR THE RELIEF OF MINOR TEMPORARY AILMENTS AND SHOULD BE USED STRICTLY AS DIRECTED. PROLONGED USE WITHOUT MEDICAL SUPERVISION COULD BE HARMFUL. ";

(ii) in a primary pack containing not more than 12 such powders or sachets of granules;

(c) when included in the Fourth Schedule.

SILVER NITRATE for therapeutic use.

SODIUM NITRITE for therapeutic use.

STAPHISAGRIA, except in preparations containing 0.2 per cent or less of staphisagria.

STRAMONIUM in preparations containing 0.25 per cent or less of the alkaloids calculated as hyoscyamine, except preparations for smoking or burning.

TETRAHYDROZOLINE.

THENYLDIAMINE—

(a) when labelled and packed as nasal preparations for tropical use; or

(b) when compounded with one or more of the following medicaments—

(i) an antitussive, except codeine;

(ii) an expectorant; or

(iii) a sympathomimetic amine,

except in preparations indicating a dosage for the treatment of children under 2 years of age.

TRAMAZOLINE.

TRIMEPRAZINE, when compounded with one or more of the following medicaments—

(a) an antitussive, except codeine;

(b) an expectorant; or

(c) a sympathomimetic amine,

except—

(i) in preparations indicating a dosage for the treatment of children under 2 years of age; or

(ii) in liquid preparations containing more than 10 mg trimeprazine per 5 ml.

TRIMIZOLINE.

TRIPROLIDINE, when compounded with one or more of the following medicaments—

(a) an antitussive, except codeine;

(b) an expectorant; or

(c) a sympathomimetic amine,

except in preparations indicating a dosage for the treatment of children under 2 years of age.

TYMAZOLINE.

XYLOMETAZOLINE.

Excluding however, the substances hereinbefore mentioned when contained in the products listed as exemptions, set out after the Eighth Schedule in this Appendix.

Third Schedule.

ACEPIFYLLINE in liquid oral preparations.

ADRENALINE in preparations containing 1 per cent or less of adrenaline, except in preparations containing 0.02 per cent or less of adrenaline.

AMINOPHYLLINE in liquid oral preparations.

AMYL NITRITE.

BENZOYL PEROXIDE in preparations containing 10 per cent or less benzoyl peroxide for external human therapeutic use, except when included in the Second Schedule.

BROMPHENIRAMINE in oral preparations except when included in the Second Schedule.

BUCLIZINE in oral preparations except when included in the Second Schedule.

BUTYL NITRITE

CHLORAL HYDRATE for human internal therapeutic use in preparations containing 5 per cent or less chloral hydrate when packed in containers of 100 ml or less.

CHLOROFLUOROCARBONS—see FLUOROCARBONS.

CHLOPHENIRAMINE in oral preparations except when included in the Second Schedule.

CLEMASTINE in oral preparations.

CLOTRIMAZOLE, for human use in preparations containing 1 per cent or less of clotrimazole, for treatment of fungal infections of the skin.

CODEINE in capsules, tablets or individually wrapped powders, each containing 10 mg or less of codeine, when compounded with asprin, paracetamol or salicylamide or any one of their derivatives and no other analgesic substance, except when included in the Second Schedule.

CYPROHEPTADINE in oral preparations.

DEXCHLORPHENIRAMINE in oral preparations except when included in the Second Schedule.

5,5 DIBROMO-O-CRESOLSULFONPHTHALEIN in solutions for testing for pregnancy.

DIHYDROCODEINE when compounded with one or more therapeutically active medicaments in substances containing 1 per cent or less of dihydrocodeine.

DIMENHYDRINATE in oral preparations except when included in the Second Schedule.

DIMETHINDENE in oral preparations.

DIPHENHYDRAMINE in oral preparations, except when included in the Second Schedule.

DIPHENYLPYRALINE in oral preparations, except when included in the Second Schedule.

DITHRANOL for human therapeutic use.

DOXYLAMINE in oral preparations, except when included in the Second Schedule.

ECONAZOLE for human use in preparations containing 1 per cent or less of econazole for treatment of fungal infections of the skin.

EPHEDRINE—

(a) when combined with no other therapeutically active substance;

(b) in combination with caffeine; or

(c) when compounded with one or more therapeutically active ingredients in preparations containing more than 30 mg ephedrine per recommended adult dose.

FENOTEROL in metered aerosals delivering 200 micrograms or less of fenoteral per metered dose.

FLAVOXATE.

FLUOROCARBONS and CHLOROFLUOROCARBONS alone or in combination with other propellants or refrigerants in liquefied gas form for therapeutic use.

FOLIC ACID for human therapeutic use, except in preparations containing 500 micrograms or less of folic acid per recommended daily dose.

FOLINIC ACID for human therapeutic use, except in preparations containing 500 micrograms or less of folinic acid per recommended daily dose.

IDOXURIDINE in preparations containing 0.5 per cent or less idoxuridine for cutaneous use.

INSULIN and preparations containing the specific hypoglycaemic principle of the pancreas.

ISOCONAZOLE, for human use in preparations containing 1 per cent or less of isoconazole, for the treatment of fungal infections of the skin.

MEFENAMIC ACID in packs of 30 capsules or less when labelled for treatment of spasmodic dysmenorrhea.

MEPYRAMINE in oral preparations.

METHDILAZINE in oral preparations.

MICONAZOLE, for human use in preparations containing 2 per cent or less of miconazole for treatment of fungal infections of the skin.

NAPROXEN, in packs of 12 individual dosage units, tablets or capsules, for treatment of spasmodic dysmenorrhea.

NITROFURAZONE, in preparation for cutaneous use containing 0.2 per cent or less of nitrofurazone.

NOSCAPINE.

OCTYL NITRITE.

PHENIRAMINE in oral preparations, except when included in the Second Schedule.

PHENYLPROPANOLAMINE in preparations for relief of coughs or colds, containing 25 mg or less per dose of phenylpropanolamine.

PHENYLTOLOXAMINE in oral preparations.

PODOPHYLLUM RESIN (podophyllin) for external human use in preparations containing 20 per cent or less of podophyllin except when included in the Second Schedule.

PREGNANCY TESTING KITS.

PROMETHAZINE in oral preparations, except when included in the Second Schedule.

PSEUDOEPHEDRINE, except when included in the Second Schedule.

QUININE for human internal therapeutic use.

SALBUTAMOL—

(a) in metered aerosols delivering 100 micrograms or less of salbutamol per metered dose; or

(b) in dry powders for inhalation capsules delivering 200 micrograms or less of salbutamol per dose.

SANTONIN.

SODIUM CROMOGLYCATE in nasal preparations, topically applied.

TERBUTALINE in metered aerosols delivering 250 micrograms or less of terbutaline per metered dose.

THENYLDIAMINE in oral preparations, except when included in the Second Schedule.

THEOPHYLLINE in liquid oral preparations.

TRETINOIN for external human therapeutic use.

TRIMEPRAZINE—

(a) in oral solid preparations; or

(b) in oral liquid preparations containing 10 mg or less of trimeprazine per 5 ml,

except when included in the Second Schedule.

TRIPROLIDINE in oral preparations, except when included in the Second Schedule.

Fourth Schedule

ACEDAPSONE.

ACEPIFYLLINE except when included in the Third Schedule.

ACETANILIDE and alkyl acetanilides, for human therapeutic use.

ACETAZOLAMIDE.

ACETOHEXAMIDE.

ACETYLCHOLINE and other choline esters.

ACETYLCYSTEINE.

ACETYLDIHYDROCODEINE when compounded with one or more other medicaments—

(a) in divided preparations containing not more than 100 mg of acetyldihydrocodeine per dosage unit; or

(b) in undivided preparations with a concentration of not more than 2.5 per cent of acetyldihydrocodeine,

except when included in the Second Schedule.

ACETYLMETHYLDIMETHYLOXIMIDOPHENYLHYDRAZINE.

ACYCLOVIR.

ADIPHENINE.

ADRENALINE, except—

(a) when included in the Third Schedule; or

(b) in preparations containing 0.02 per cent or less of adrenaline.

ALCURONIUM.

ALPHADOLONE.

ALPHA-RECEPTOR BLOCKING AGENTS including phentolamine and phenoxybenzamine.

ALPHAXALONE.

ALPRAZOLAM.

AMANTADINE.

AMBENONIUM.

AMBUCETAMIDE.

AMBUTONIUM.

AMETHOCAINE.

AMIKACIN.

AMILORIDE.

AMINOCAPROIC ACID.

AMINOGLUTETHIMIDE.

AMINOMETRADINE.

AMINOPHENAZONE and derivatives therefrom for the treatment of animals.

AMINOPHYLLINE except when included in the Third Schedule.

AMINOPTERIN.

AMINOREX.

AMIODARONE.

AMIPHENAZOLE.

AMISOMETRADINE.

AMITRIPTYLINE and other compounds not elsewhere specified in these schedules structurally derived therefrom by substitution in the side chain.

AMODIAQUINE.

AMOXYCILLIN.

AMPHOMYCIN.

AMPHOTERICIN.

AMPICILLIN.

AMSACRINE.

AMYGDALIN (Laetrile)

AMYLOBARBITONE when packed and labelled for injection.

AMYLOCAINE.

ANABOLIC steroidal agents.

ANGIOTENSINAMIDE.

ANTAZOLINE, except when included in the Second Schedule.

ANTIBIOTICS not elsewhere specified, except—

(a) AVOPARCIN when intended for use as an animal feed additive;

(b) NISIN.

ANTIFOLIC ACID substances not elsewhere specified in these Schedules.

ANTIHISTAMINES except—

(a) when included in the Second or Third Schedule; or

(b) when separately specified in this Schedule.

ANTIMALARIAL SUBSTANCES not elsewhere specified.

ANTIMONY, organic compounds of, for therapeutic use.

ANTITUBERCULAR SUBSTANCES not elsewhere in these Schedules including isoniazid and its derivatives, para aminosalicylic acid and thiacetazone.

APOMORPHINE.

APROTININ.

ARSENIC—see THIACETARSAMIDE.

ASPIRIN when combined with caffeine, paracetamol or salicylamide or any derivative of these substances.

ATENOLOL.

ATROPINE METHONITRATE.

AURANOFIN.

AZAPERONE.

AZAPETINE.

AZATADINE.

AZLOCILLIN.

BACITRACIN except—

(a) when included in the Sixth Schedule;

(b) in animal feeds for growth promotion containing 50 mg/kg or less of antibiotic principles;

(c) in milk replacers for calves and starter rations for pigs, containing 100 mg/kg or less of antibiotic principles.

BACLOFEN.

BAMIPINE.

BARBITURIC ACID and its derivatives, except when included in the Eighth Schedule or when separately specified in this Schedule.

BECLAMIDE.

BEMEGRIDE.

BENACTYZINE and other substances structurally derived from diphenylmethane with ataractic properties when used for therapeutic purposes.

BENORYLATE.

BENSERAZIDE.

BENZAMINE, except when included in the Second Schedule.

BENZHEXOL.

BENZILONIUM.

BENZOCAINE, except when included in the Second Schedule.

BENZOLYL PEROXIDE in preparations for external human therapeutic use, except when included in the Second or Third Schedule.

BENZPHETAMINE and other substances structurally derived from beta-aminopropylbenzene or beta-aminopropylbenzene by substitution in the side chain or by ring closure therein (or by both such substitution and closure), except—

(a) when separately specified in this or any other Schedule;

(b) ephedrine and pseudoephedrine in preparations exempted from the Second Schedule.

BENZTROPINE.

BENZYDAMINE.

BENZYLPENICILLIN (including procaine pencillin), except when included in the Sixth Schedule.

BETAHISTINE.

BETA-RECEPTOR BLOCKING AGENTS including alprenolol, propranolol and practolol.

BETHANIDINE.

BIPERIDEN.

BISMUTH, compounds of, for human therapeutic or cosmetic use except—

(a) bismuth citrate when incorporated in hair colourant preparations in concentrations of 0.5 per cent w/w or less;

(b) bismuth oxychloride in cosmetics;

(c) bismuth formic iodide or bismuth subiodide in dusting powders containing 3 per cent or less of bismuth.

BLEOMYCIN.

BORON COMPOUNDS for human therapeutic or cosmetic use except—

(a) in dusting powders or cosmetics containing 1 per cent or less of boron;

(b) in unit dose preparations for periodontal disease containing 100 mg or less of boron.

BRETYLIUM.

BROMIDES, inorganic, for therapeutic use.

BROMOCRIPTINE.

BROMOFORM for therapeutic use.

BROMPHENIRAMINE except when included in the Second or Third Schedule.

BROMVALETONE.

BUCLIZINE, except when included in the Second or Third Schedule.

BUFEXAMAC, except when included in the Second Schedule.

BUMETANIDE.

BUPIVACAINE.

BUPRENORPHINE.

BUSULPHAN.

BUTACAINE.

BUTYLAMINOBENZOATE, except when included in the Second Schedule.

BUTYLCHLORAL HYDRATE.

CALCITONIN.

CALCITRIOL.

CALCIUM CARBIMIDE for therapeutic use.

CAMPHORATED OIL excluding admixtures.

CAMPHOTAMIDE.

CANDICIDIN.

CANTHARIDIN.

CAPREOMYCIN.

CAPTODIAME.

CAPTOPRIL.

CAPURIDE.

CARAMIPHEN.

CARBACHOL.

CARBAMAZEPINE.

CARBARYL for human therapeutic use, except when included in the Second Schedule.

CARBAZOCHROME.

CARBENICILLIN.

CARBENOXOLONE, except when included in the Second Schedule.

CARBIDOPA.

CARBIMAZOLE.

CARBOCROMEN.

CARBROMAL.

CARDIAC GLYCOSIDES not elsewhere specified in these Schedules.

CARINDACILLIN.

CARMUSTINE.

CEFACLOR.

CEFOPERAZONE.

CEFOTAXIME.

CEFOXITIN.

CEPHACETRILE.

CEPHALEXIN.

CEPHALORIDINE.

CEPHALOTHIN.

CEPHAMANDOLE.

CEPHAPIRIN.

CEPHAZOLIN.

CEPHRADINE.

CHENODEOXYCHOLIC ACID.

CHLORAL FORMAMIDE.

CHLORAL HYDRATE, except—

(a) when included in the Third Schedule;

(b) in preparations for topical use containing 2 per cent or less of chloral hydrate.

CHLORAMPHENICOL.

CHLORAZANIL.

CHLORBUTOL in preparations for human oral use, except in preparations containing 0.5 per cent or less of chlorbutol as a preservative.

CHLORCYCLIZINE.

CHLORDIAZEPOXIDE and other substances structurally derived from benzo-diazepine with ataractic properties when used for therapeutic purposes.

CHLORMERODRIN.

CHLORMETHIAZOLE.

CHLORMEZANONE.

CHLOROFORM for use in anaesthesia.

1-(4-CHLOROPHENOXY)-1-IMIDAZOL-1-YL-3,3-DIMETHYL-2-BUTA-NONE for human use.

2-(4-CHLOROPHENYL)-1,2, 4-TRIAZOLE [5, 1a]-ISOQUINOLINE for the treatment of animals.

CHLOROQUINE.

CHLOROTHIAZIDE and other substances structurally derived from benzothiadiazine for therapeutic use.

CHLORPHENIRAMINE, except when included in the Second or Third Schedule.

CHLORPHENTERMINE.

CHLORPROMAZINE and other substances structurally derived from phenothiazine with ataractic properties when used for therapeutic purposes.

CHLORPROPAMIDE.

CHLORPROTHIXENE.

CHLORTETRACYCLINE, except when included in the Sixth Schedule.

CHLORTHALIDONE.

CHLORZOXAZONE.

CHOLESTYRAMINE for human therapeutic use.

CHYMOPAPAIN by injection for human therapeutic use.

CICLACILLIN.

CIMETIDINE.

CINCHOCAINE.

CINOXACIN.

CISPLATIN.

CLANOBUTIN by injection for the treatment of animals.

CLAVULANIC ACID.

CLEMASTINE, except when included in the Third Schedule.

CLEMIZOLE

CLENBUTEROL for the treatment of animals.

CLIDINIUM.

CLIMABAZOLE for human use.

CLINDAMYCIN.

CLOBAZAM.

CLOBETASONE-17-BUTYRATE.

CLOFENAMIDE.

CLOFIBRATE.

CLOMIPHENE and other products specifically prepared to stimulate ovulation.

CLOMIPRAMINE.

CLOMOCYCLINE.

CLONAZEPAM.

CLONIDINE.

CLOPAMIDE.

CLOPROSTENOL for treatment of animals.

CLORAZEPATE.

CLOREXOLONE.

CLORPRENALINE.

CLOTRIMAZOLE except when included in the Third Schedule.

CLOXACILLIN.

CLOZAPINE.

CODEINE except when included in the Second or Third Schedule, when compounded with one or more other therapeutically active substances—

(a) in divided preparations containing 30 mg or less of codeine per dosage unit; or

(b) in undivided preparations containing 1 per cent or less of codeine.

COLASPASE.

COLCHICINE.

COLESTIPOL for human therapeutic use.

COLISTIN.

CORTISONE and steriod suprarenal cortical hormones, either natural or synthetic.

COUMARIN and phenylindanedione derivatives for therapeutic use except where separately specified in this Schedule.

CURARE, TUBOCURARINE, d-TUBOCURARINE, d-TUBOCURARINDEDIMETHYLETHER, and all synthetic quaternary ammonium compounds, and other compounds having curarising properties.

CYCLANDELATE.

CYCLIZINE.

CYCLOFENIL.

CYCLOPENTOLATE.

CYCLOPROPANE for therapeutic use.

CYCLOSERINE.

CYCLOSPORIN.

CYCRIMINE.

CYPROHEPTADINE, except when included in the Third Schedule.

DACARBAZINE.

DANAZOL.

DANTROLENE.

DAPSONE and all derivatives of 4, 4-diaminodiphenylsulphone.

DEANOL.

DEBRISOQUINE.

DEMECARIUM BROMIDE.

DEMECLOCYCLINE.

DESIPRAMINE.

DESMOPRESSIN (D.D.A.V.P.).

DEXCHLORPHENIRAMINE, except when included in the Second or Third Schedule.

DEXTROMETHORPHAN, except when included in the Second Schedule.

DEXTROPROPOXYPHENE.

DEXTRORPHAN except when included in the Second Schedule.

DIBENZEPIN.

DICHLORALPHENAZONE.

DICHLORPHENAMIDE.

DICLOFENAC.

DICYCLOMINE, except in preparations containing 0.1 per cent or less of dicyclomine.

DIETHAZINE.

DIETHYLCARBAMAZINE for human therapeutic use.

DIETHYLPROPION.

DIFENOXIN in preparations containing, per dosage unit, 0.5 mg or less of difenoxin and a quantity of atropine sulphate equivalent to at least 5 per cent of the dose of difenoxin.

DIFLUNISAL.

DIGITALIS and its glycosides.

DIHYDRALAZINE.

DIHYDROCODEINE when compounded with one or more other medicaments—

(a) in divided preparations containing not more than 100 mg of dihydrocodeine per dosage unit; or

(b) in undivided preparations with a concentration of not more than 2.5 per cent of dihydrocodeine,

except when included in the Third Schedule.

DIHYDROSTREPTOMYCIN, except when included in the Sixth Schedule.

DIISOPROPYLAMINE DICHLOROACETATE.

DIMENTHYDRINATE, except when included in the Second or Third Schedule.

DIMETHINDENE, except when included in the Third Schedule.

DIMETHISOQUIN, except when included in the Second Schedule.

DIMETHOXANATE.

DIMETHYL SULPHOXIDE for therapeutic use, except when included in the Sixth Schedule.

DINITROCRESOLS for therapeutic use.

DINITRONAPHTHOLS for therapeutic use.

DINITROPHENOLS for therapeutic use.

DINITROTHYMOLS for therapeutic use.

DINOPROST.

DIPERODON.

DIPHEMANIL METHYLSULPHATE, except when included in the Second Schedule.

DIPHENYDRAMINE, except when included in the Second or Third Schedule.

DIPHENIDOL.

DIPHENOXYLATE in preparations containing per dosage unit 2.5 mg or less of diphenoxylate calculated as base, and a quantity of atropine sulphate equivalent to at least 1 per cent of the dose of diphenoxylate.

DIPHENYLPYRALINE, except when included in the Second or Third Schedule.

DIPIVEFRIN.

DIPYRIDAMOLE.

DISOPHENOL.

DISOPYRAMIDE.

DISULFIRAM for therapeutic use.

DITHIAZANINE except when included in the Sixth Schedule.

DITOPHAL.

DOBUTAMINE.

DOMPERIDONE.

DOPAMINE.

DOTHIEPIN.

DOXAPAM.

DOXEPIN.

DOXORUBICIN.

DOXYCYCLINE.

DOXYLAMINE, except when included in the Second or Third Schedule.

DROPERIDOL.

DROSTANOLONE.

ECONAZOLE, except when included in the Third or Sixth Schedule.

EDETIC ACID for human therapeutic use in preparations for injection or infusion.

EMETINE, except in preparations containing 0.2 per cent or less of emetine.

ENFLURANE for therapeutic use.

EPICILLIN.

ERGOT.

ERYTHROMYCIN except—

(a) when included in the Sixth Schedule;

(b) in animal feeds for growth promotion containing 50 mg/kg or less of antibiotic principles;

(c) in milk replacers for calves and starter rations for pigs, containing 100 mg/kg or less of antibiotic principles.

ETHACRYNIC ACID.

ETHAMBUTOL.

ETHAMIVAN.

ETHCHLORVYNOL.

ETHER for use in anaesthesia.

ETHINAMATE.

ETHOGLUCID.

ETHOHEPTAZINE except when included in the Second Schedule.

ETHOPROPAZINE.

ETHOXZOLAMIDE.

ETHYL CHLORIDE for inhalation anaesthesia.

ETHYLMORPHINE when compounded with one or more other medicaments—

(a) in divided preparations containing not more than 100 mg of ethylmorphine per dosage unit; or

(b) in undivided preparations with a concentration of not more than 2.5 per cent of ethylmorphine,

except when included in the Second Schedule.

ETHYLOESTRENOL.

ETIDOCAINE.

ETIDRONATE.

ETRETINATE.

ETOPOSIDE.

FELYPRESSIN.

FENCAMFAMIN.

FENFLURAMINE.

FENOPROFEN.

FENOTEROL, except when included in the Third Schedule.

FENPIPRAMIDE.

FENPIPRANE.

FENPROSTALENE for the treatment of animals.

FLAVOPHOSPHOLIPOL except—

(a) when included in the Sixth Schedule;

(b) in animal feeds for growth promotion in concentrations of 50 mg/kg or less of antibiotic principles.

FLECAINIDE.

FLUCLOXACILLIN.

FLUCYTOSINE.

FLUFENAMIC ACID.

FLUNISOLIDE.

FLUNITRAZEPAM.

FLUNIXIN MEGLUMINE, for the treatment of animals.

FLUOROURACIL and other substances structurally derived from uracil with cytotoxic properties when used for therapeutic purposes.

FLUOXYMESTERONE.

FLUPROSTANOL for treatment of animals.

FLURAZEPAM.

FLUROXENE when specifically prepared and packed as a therapeutic agent for the induction of inhalation anaesthesia.

FLUSPIRILENE.

FOLLICULAR STIMULATING HORMONE—see Gonadotrophins.

FRAMYCETIN.

FRUSEMIDE.

FUSIDIC ACID.

GALANTHAMINE.

GALLAMINE.

GENTAMICIN.

GLIBENCLAMIDE.

GLIBORNURIDE.

GLICLAZIDE.

GLUCAGON.

GLUTETHIMIDE.

GLYCERYL TRINITRATE in preparations for injection.

GLYCOPYRROLATE.

GLYMIDINE.

GONADORELIN.

GONADOTROPHINS except when included in the Third Schedule (Pregancy testing kits).

GRAMICIDIN.

GRISEOFULVIN.

GROWTH HORMONE.

GUAIPHENSIN except when included in the Second Schedule.

GUANACLINE.

GUANETHIDINE.

HALCINONIDE.

HALOPERIDOL and other substances structurally derived from butyrophenone with ataractic properties when used for therapeutic purposes.

HALOTHANE for therapeutic use.

HEPARIN.

HETACILLIN.

HEXACHLOROPHANE—

(a) in preparations for use on infants; and

(b) in other preparations, except when included in the Second or Sixth Schedule.

HEXAMETHONIUM.

HEXOCYCLIUM.

HUMAN CHORIONIC GONADOTROPHIN except when included in the Third Schedule.

HYDRALAZINE.

HYDROQUINONE for human therapeutic use, except in preparations containing 2 per cent or less of hydroquinone.

HYDROXYCHLOROQUINE.

1—HYDROXYPYRIDO (3,2,a)—5—PHENOXAZONE—3—CARBOXYLIC ACID.

HYDROXYUREA.

HYDROXYZINE.

HYGROMYCIN except—

(a) when included in the Sixth Schedule;

(b) in preparations in concentrations of 50 mg/kg or less of hygromycin.

HYOSCINE BUTYLBROMIDE.

HYPOTHALMIC RELEASING FACTORS when used for diagnostic purposes.

IBUFENAC.

IBUPROFEN.

IDOXURIDINE, except when included in the Third Schedule.

IMIPRAMINE.

INDAPAMIDE.

INDOMETHACIN.

INOSITOL NICOTINATE for internal use.

ION-EXCHANGE RESINS, anionic and cationic, for internal use in humans.

IOPAMIDOL.

IPRATROPIUM.

IRON compounds, injectable preparations for human therapeutic use.

ISOAMINILE.

ISOCONAZOLE except when included in the Third Schedule.

ISOETHARINE.

ISOMETHEPTENE.

ISOPRENALINE.

ISOPROPAMIDE, except when included in the Second Schedule.

ISOTRETINOIN.

ISOXUPRINE.

KANAMYCIN.

KETAMINE.

KETOPROFEN.

KHELLIN.

KITASAMYCIN, except—

(a) when included in the Sixth Schedule;

(b) in animal feeds for growth promotion containing 100 mg/kg or less of antibiotic principles.

LABETALOL.

LATAMOXEF.

LAUDEXIUM METHYLSULPHATE.

LEAD COMPOUNDS for human therapeutic use.

LEFETAMINE.

LEPTAZOL.

LEVALLORPHAN.

LEVAMISOLE—

(a) for human therapeutic use;

(b) in preparations for the prevention or treatment of heartworm in dogs.

LEVODOPA.

LIDOFLAZINE.

LIGNOCAINE, except when included in the Second Schedule.

LINCOMYCIN.

LINDANE—for human therapeutic use except when included in the Second Schedule.

LIOTHYRONINE SODIUM (Triiodothyronine).

LITHIUM salts for therapeutic use, except in preparations containing 0.01 per cent or less of lithium.

LOPERAMIDE.

LORAZEPAM.

LOXAPINE.

LUTEINIZING HORMONE—see Gonadotrophins.

LYMECYCLINE.

MAFENIDE.

MALDISON—for human therapeutic use except when included in the Second Schedule.

MAPROTILINE.

MAZINDOL.

MEBEVERINE.

MEBHYDROLIN.

MECAMYLAMINE.

MECLOFENOXATE.

MECLOZINE.

MEDAZEPAM.

MEFENAMIC ACID, except when included in the Third Schedule.

MEFLOQUINE.

MEFRUSIDE.

MEPACRINE.

MEPENZOLATE.

MEPHENESIN and its derivatives except guaiphenesin where specified in the Second or Fourth Schedule.

MEPHENTERMINE.

MEPIVACAINE.

MEPROBAMATE.

MEPYRAMINE, except when included in the Third Schedule.

MERCAPTOPURINE and other substances structurally derived therefrom with cytotoxic properties when used for therapeutic purposes.

MERCUROUS CHLORIDE for internal therapeutic use.

MERCURY, organic compounds of, for therapeutic use except when included in the Second Schedule.

METARAMINOL.

METFORMIN.

METHACYCLINE.

METHANDIENONE.

METHANDRIOL.

METHANTHELINIUM.

METHAZOLAMIDE.

METHDILAZINE, except when included in the Third Schedule.

METHENOLONE.

METHICILLIN.

METHIMAZOLE.

METHIXENE.

METHOCARBAMOL.

METHOTREXATE.

METHOXSALEN.

METHOXYFLURANE for therapeutic use.

METHYLANDROSTANOLONE.

METHYLDOPA.

METHYLPENTYNOL and other substituted alkynes for internal use.

METHYPRYLONE.

METOCLOPRAMIDE.

METOLAZONE.

METOPROLOL.

METRIZAMIDE.

METRONIDAZOLE including benzoylmetronidazole.

METYRAPONE.

MEXILETINE.

MEZLOCILLIN.

MIANSERIN.

MIBOLERONE.

MICONAZOLE, except when included in the Third Schedule.

MINOCYCLINE.

MINOXIDIL.

MITHRAMYCIN.

MITOBRONITOL.

MITOMYCIN.

MITOZANTRONE.

MONENSIN except—

(a) when included in the Sixth Schedule.

(b) in animal feeds containing 33 mg/kg or less of antibiotic principles.

MONOAMINE OXIDASE INHIBITORS, including iproniazid, isocarboxazid, nialamide, phenelzine, pheniprazine and other preparations for which monoamine oxidase inhibition is claimed, except triparanol.

MONOBENZONE for human therapeutic use, except in preparations containing 2 per cent or less of monobenzone.

MOPERONE.

MUSTINE and other substances structurally derived therefrom with cytotoxic properties, when used for therapeutic purposes.

NALBUPHINE.

NALIDIXIC ACID.

NALORPHINE.

NALOXONE.

NANDROLONE.

NAPROXEN, except when included in the Third Schedule.

NARASIN except—

(a) when included in the Sixth Schedule;

(b) in animal feedstuffs containing 100 mg/kg or less of narasin.

NATAMYCIN.

NEOMYCIN, except when included in the Sixth Schedule.

NEOSTIGMINE.

NETILMICIN.

NICOCODINE when compounded with one or more other medicaments—

(a) in divided preparations containing not more than 100 mg of nicocodine per dosage unit; or

(b) in undivided preparations with a concentration of not more than 2.5 per cent of nicocodine,

except when included in the Second Schedule.

NICODICODINE when compounded with one or more other medicaments—

(a) in divided preparations containing not more than 100 mg of nicodicodine per dosage unit; or

(b) in undivided preparations with a concentration of not more than 2.5 per cent of nicodicodine,

except when included in the Second Schedule.

NICOTINE, in chewing tablets containing 4 mg or less of nicotine per tablet, for use as an aid in withdrawal from tobacco smoking.

NICOTINIC ACID, where the recommended daily dose exceeds 250 mg.

NICOTINYL ALCOHOL for internal use.

NICOUMALONE for therapeutic use.

NIFEDIPINE.

NIFENAZONE.

NIKETHAMIDE.

NIRIDAZOLE.

NITRAZEPAM.

NITROFURAN and its derivatives for human therapeutic use, except when included in the Third Schedule.

NITROUS OXIDE for therapeutic use.

NOMIFENSINE.

NORADRENALINE (excluding its derivatives).

NORCODEINE when compounded with one or more other medicaments—

(a) in divided preparations containing not more than 100 mg of norcodeine per dosage unit; or

(b) in undivided preparations with a concentration of not more than 2.5 per cent of norcodeine,

except when included in the Second Schedule.

NORETHANDROLONE.

NORTRIPTYLINE.

NOVOBIOCIN, except when included in the Sixth Schedule.

NYSTATIN.

OCTAMYLAMINE.

OCTATROPINE.

OLEANDOMYCIN except—

(a) when included in the Sixth Schedule;

(b) in animal feeds for growth promotion containing 50 mg/kg or less of antibiotic principles.

OPIPRAMOL.

ORCIPRENALINE.

ORGANOPHOSPHORUS COMPOUNDS with anticholinesterase activity for human therapeutic use, except amounts allowed by and specified in the Schedules.

ORNIDAZOLE.

ORNIPRESSIN.

ORPHENADRINE.

ORTHOCAINE.

ORTHOPTERIN.

OXACILLIN.

OXANDROLONE.

OXAZEPAM.

OXPRENOLOL.

OXYBUPROCAINE.

OXYMESTERONE.

OXYMETHOLONE.

OXYPHENBUTAZONE.

OXYPHENCYCLIMINE.

OXYPHENONIUM.

OXYTETRACYCLINE, except when included in the Sixth Schedule.

OXYTOCIN.

PAMAQUINE.

PANCURONIUM.

PARACETAMOL when combined with aspirin, caffeine or salicylamide or any derivative of these substances.

PARALDEHYDE.

PARAMETHADIONE.

PAROMOMYCIN.

PEMOLINE.

PEMPIDINE.

D-PENICILLAMINE.

PENTAMETHONIUM.

PENTHIENATE.

PENTOBARBITONE when packed and labelled for injection.

PENTOLINIUM.

PERHEXILENE.

PHENACEMIDE and other substances structurally derived from acetylurea with anticonvulsant properties when used for therapeutic purposes.

PHENACETIN for therapeutic use.

PHENAZONE for internal use.

PHENAZOPYRIDINE.

PHENETHICILLIN, except when included in the Sixth Schedule.

PHENFORMIN.

PHENGLUTARIMIDE.

PHENINDIONE, for therapeutic use.

PHENIRAMINE, except when included in the Second or Third Schedule.

PHENOXYBENZAMINE.

PHENOXYMETHYLPENICILLIN, except when included in the Sixth Schedule.

PHENSUXIMIDE and other substances structurally derived from succinamide with anticonvulsant properties when used for therapeutic purposes.

PHENTERMINE.

PHENTHIMENTONIUM.

PHENYAPIN.

PHENYLBUTAZONE.

PHENYLPROPANOLAMINE, except when included in the Third Schedule.

PHENYLTOLOXAMINE, except when included in the Third Schedule.

PHENYTOIN and other substances structurally derived from hydantoin with anticonvulsant properties when used for therapeutic purposes.

PHOLCODINE when compounded with one or more other medicaments—

(a) in divided preparations containing not more than 100 mg of pholcodine per dosage unit; or

(b) in undivided preparations with a concentration of not more than 2.5 per cent of pholcodine,

except when included in the Second Schedule.

PHYSOSTIGMINE.

PICROTOXIN.

PILOCARPINE, except in preparations containing 0.025 per cent or less of pilocarpine.

PIMOZIDE.

PINDOLOL.

PIPENZOLATE.

PIPERACILLIN.

PIPERIDOLATE.

PIPOBROMAN.

PIPRADROL.

PIROXICAM.

PITUITARY, its extracts and active principles or their synthetic substitutes, except when separately specified in this Schedule.

PIZOTIFEN.

PODOPHYLLUM RESIN (Podophyllin)—

(a) for internal human use;

(b) for external human use except when included in the Second or Third Schedules.

POLYMETHYLENE BISTRIMETHYL AMMONIUM COMPOUNDS.

POLYMYXIN.

POTASSIUM PERCHLORATE for therapeutic use.

PRAMOXINE, except when included in the Second Schedule.

PRAZEPAM.

PREGNENOLONE ACETATE, except in preparations for topical use.

PRENYLAMINE.

PRILOCAINE.

PRIMAQUINE.

PRIMIDONE.

PROBENECID.

PROBUCOL.

PROCAINAMIDE.

PROCAINE.

PROCARBAZINE.

PROCHLORPERAZINE.

PROCYCLIDINE, except when included in the Second Schedule.

PROGUANIL.

PROLINTANE.

PROMETHAZINE, except when included in the Second or Third Schedule.

PROPANIDID.

PROPANTHELINE, except in preparations for topical use.

PROPOXUR—for human therapeutic use except when included in the Second Schedule.

PROPYLHEXEDRINE, except when included in the Second Schedule.

PROQUAZONE.

PROSTAGLANDINS, except where separately specified in this Schedule.

PROSTIANOL, for treatment of animals.

PROTHIONAMIDE.

PROTIRELIN (thyrotrophin releasing factor).

PROTRIPTYLINE.

PROXYMETACAINE.

PYRIDOSTIGMINE.

PYRIMETHAMINE.

QUINETHAZONE.

QUINIDINE.

RANITIDINE.

RAUWOLFIA SERPENTINA.

RIFAMPICIN.

RITODRINE.

ROLITETRACYCLINE.

ROSOXACIN.

SALBUTAMOL, except when included in the Third Schedule.

SALICYLAMIDE when combined with aspirin, caffeine or paracetamol or any derivative of these substances.

SALINOMYCIN, except—

(a) in animal feedstuffs containing 60 mg/kg or less of the total active principal;

(b) when included in the Sixth Schedule.

SELENIUM except—

(a) when included in the Fifth or Sixth Schedule;

(b) when included in animal feedstuffs containing 0.1 g/tonne or less of selenium in total feed;

(c) in compressed pellets for control of selenium responsive conditions in sheep;

(d) in fertilizers containing 200 g/tonne or less of selenium.

SEX HORMONES and all substances having sex hormonal activity not elsewhere specified in these Schedules.

SILVER SULPHADIAZINE.

SISOMYCIN.

SODIUM CELLULOSE PHOSPHATE for human internal use.

SODIUM CROMOGLYCATE, except when included in the Third Schedule

SODIUM FLUORIDE, in preparations for human ingestion, except when included in the Second Schedule.

SODIUM NITROPRUSSIDE for human therapeutic use.

SODIUM VALPROATE.

SONTOQUINE.

SOTALOL.

SPARTEINE.

SPECTINOMYCIN.

SPIRAMYCIN, except—

(a) when included in the Sixth Schedule;

(b) in animal feeds for growth promotion in pigs or poultry containing 50 mg/kg or less of antibiotic principles.

SPIRONOLACTONE.

STANOLONE.

STANOZOLOL.

STREPTOMYCIN, except when included in the Sixth Schedule.

STROPHANTUS and its glycosides.

STRYCHNINE in preparations containing 1.5 per cent or less of strychnine for the treatment of animals.

SULFAMETROLE.

SULINDAC.

SULPHANILAMIDE, and its derivatives except—

(a) when included in the Sixth Schedule;

(b) sulphaquinoxaline when incorporated in baits for the destruction of vermin and in animal feedstuffs containing 200 mg/kg or less of sulphaquinoxaline;

(c) Oryzalin;

(d) when specifically named in this or any other schedule.

SULPHATROXAZOLE for the treatment of animals.

SULPHINPYRAZONE.

SULPHOMYXIN.

SULPHONAL and alkyl sulphonals.

SULTHIAME.

SUXAMETHONIUM.

TACRINE.

TAMOXIFEN.

TEMAZEPAM.

TENIPOSIDE.

TERBUTALINE, except when included in the Third Schedule.

TEROPTERIN.

TETRABENAZINE.

TETRACOSACTRIN.

TETRACYCLINE, except when included in the Sixth Schedule.

THALIDOMIDE.

THENYLDIAMINE, except when included in the Second or Third Schedule.

THEOPHYLLINE, except when included in the Third Schedule.

THIACETARSAMIDE, in preparations for the prevention or treatment of heart worm in dogs.

THIAMBUTOSINE.

THIAZOSULPHONE.

THIOTEPA and other substances structurally derived therefrom with cytotoxic properties when used for therapeutic purposes.

THIOTHIXENE.

THIOURACIL and substances structurally derived therefrom with antithyroid properties when used for therapeutic purposes.

THIOUREA for therapeutic use.

THYROID, its extracts, and its active principles, except when separately specified in this Schedule.

THYROTROPHIN (T.S.H.).

THYROXINE SODIUM.

TIAMULIN except—

(a) when included in the Sixth Schedule;

(b) in prepared animal feedstuffs.

TICARCILLIN.

TIEMONIUM.

TIGLOIDINE.

TIMOLOL.

TINIDAZOLE.

TIPEPIDINE.

TOBRAMYCIN.

TOCAINIDE.

TOLAZAMIDE.

TOLAZOLINE for internal use.

TOLBUTAMIDE.

TOLPROPAMINE.

TRANEXAMIC ACID.

TRETAMINE.

TRIAMTERENE.

TRIAZIQUONE.

TRIAZOLAM.

TRICHLOROETHYLENE for therapeutic use.

TRICLOFOS.

TRICYCLAMOL.

TRIDIHEXETHYL.

TRIFLUPERIDOL.

TRIMEPRAZINE, except when included in the Second or Third Schedule.

TRIMETAPHAN.

TRIMETHOPRIM.

TRIMIPRAMINE and other compounds structurally derived therefrom by substitution in the side chain.

TRIMUSTINE.

TRIOXYSALEN.

TRIPELENNAMINE.

TRIPROLIDINE, except when included in the Second or Third Schedule.

TROXIDONE and other substances structurally derived from oxazolidinone with anticonvulsant properties when used for therapeutic purposes.

TYLOSIN except—

(a) when included in the Sixth Schedule;

(b) in animal feed for growth promotion containing 50 mg/kg or less of antibiotic principles;

(c) in milk replacers for calves and starter rations for pigs containing 100 mg/kg or less of antibiotic principles.

URETHANE (excluding its derivatives), for therapeutic use.

URETHANES AND UREIDES having or purporting to have soporific hypnotic or narcotic properties not specifically included in this or any other schedule.

VACCINES, sera, toxoids, and antigens for human parenteral use.

VACCINES, veterinary live virus.

VALNOCTAMIDE.

VASOPRESSIN.

VERAPAMIL.

VERATRUM for therapeutic use.

VERCURONIUM.

VIDARABINE.

VINCA ALKALOIDS, including semi-synthetic derivatives.

VIPRYNIUM.

VIRGINIAMYCIN except—

(a) when included in the Sixth Schedule.

(b) in animal feed for growth promotion containing 50 mg/kg or less of antibiotic principles.

VISNADINE.

VITAMIN A in preparations containing more than 10 000 IU per recommended daily dosage for human use.

VITAMIN D in preparations containing more than 25 micrograms per recommended daily dosage for human use.

WARFARIN for therapeutic use.

XANTHINE OXIDASE INHIBITORS including allopurinol.

XANTHINOL NICOTINATE.

XYLAZINE.

YOHIMBINE.

ZERANOL, except when included in the Sixth Schedule.

Excluding however, the substances hereinbefore mentioned when contained in the products listed as exemptions, set out after the Eighth Schedule in this Appendix.

Fifth Schedule.

ACETIC ACID (excluding its salts and derivatives) in preparations containing more than 30 per cent of acetic acid except—

(a) when included in the Second or Sixth Schedule;

(b) for therapeutic use.

ACETIC ANHYDRIDE (excluding its salts and derivatives) in preparations containing more than 30 per cent of acetic anhydride except—

(a) when included in the Sixth Schedule; or

(b) for therapeutic use.

ACETONE except—

(a) in preparations containing 25 per cent or less of designated solvents included in the Fifth Schedule;

(b) in containers having a capacity of more than 20 litres provided the containers are marked with the name(s) and proportion(s) of ketones included in the Fifth Schedule.

AKLOMIDE.

ALKALINE SALTS, being the carbonate, orthosilicate, metasilicate or tribasic phosphate salts of sodium or potassium, and in any combination, except—

(a) in preparations containing 10 per cent or less of combined substances;

(b) in solid preparations the pH of which in 1 per cent (w/w) aqueous solution is 11.5 or less;

(c) in liquid preparations having a pH of 11.5 or less.

ALLOXYDIM.

AMETRYNE.

AMINES—see epoxy resins.

AMITROLE.

AMMONIA and AMMONIUM HYDROXIDE (excluding their salts and derivatives) in preparations containing 5 per cent or less of free ammonia, except—

(a) in preparations for human internal therapeutic use;

(b) in preparations for inhalation when absorbed in an inert solid material;

(c) in preparations containing 0.5 per cent or less of free ammonia.

AMMONIUM THIOCYANATE.

ANHYDRIDES—see epoxy resins.

ARSENIC, organic compounds of, not elsewhere specified in this Schedule, in herbicides or defoliant preparations containing 3 per cent or less of arsenic.

AZAMETHIPHOS.

BARIUM SILICOFLUORIDE when coated on paper in an amount not exceeding 8 mg per sq. cm.

BENDIOCARB in preparations containing 2 per cent or less of bendiocarb.

BENTAZONE.

BENZOYL PEROXIDE except—

(a) when included in the Second, Third or Fourth Schedule;

(b) in preparations containing 2 per cent or less of benzoyl peroxide.

S-BENZYL N,N-DI-(SEC-BUTYL)-THIOLOCARBAMATE.

BHC (excluding the gamma-isomer) in preparations containing 10 per cent or less of BHC.

BIOALLETHRIN, including sinbioallethrin, except in preparations containing 10 per cent or less of bioallethrin.

BIORESMETHRIN, except in preparations containing 10 per cent or less of bioresmethrin.

BORIC ACID (excluding its salts) and BORAX except—

(a) when included in the Fourth Schedule;

(b) in preparations, other than insect baits, containing 1 per cent or less of boron; or

(c) in hand cleaning preparations.

BUTHIDAZOLE.

BUTOXYCARBOXIM in solid preparations containing 10 per cent or less.

2-iso-BUTYLAMINO-4-ETHYLAMINO-6-METHOXY-1,3,5-TRIAZINE.

CADMIUM SULPHIDE in preparations containing 2.5 per cent or less of cadmium sulphide for human therapeutic use.

CALCIUM HYPOCHLORITE and preparations containing more than 4 per cent of available chlorine.

CAMPHOR, except—

(a) in preparations containing 10 per cent or less of camphor;

(b) when included in the Fourth Schedule.

CARBARYL—

(a) in preparations containing 10 per cent or less of carbaryl except when included in the Second or Fourth Schedule; or

(b) when impregnated in plastic resin material containing 20 per cent or less of carbaryl.

CHLORDECONE in preparations containing 5 per cent or less of chlordecone.

CHLORFENAC.

CHLORFENSON.

CHLORINATING COMPOUNDS and BLEACHES containing more than 4 per cent of available chlorine, not elsewhere specified in these Schedules.

CHLORNIDINE.

CHLOROCRESOL, except in preparations containing 3 per cent or less chlorocresol.

1-(4-CHLOROPHENOXY)-1-IMIDAZOL-1-YL-3,3-DIMETHYL-2-BUTA-NONE in concentrations of more than 2 per cent, except when included in the Fourth or Sixth Schedule.

CHLOROPROPYLATE.

CHLOROTHALONIL.

CHLORSULFURON.

CLANOBUTIN for the treatment of animals except when included in the Fourth Schedule.

CLIMBAZOLE in concentrations of more than 2 per cent, except when included in the Fourth or Sixth Schedule.

CLOFENTEZINE.

CLOPYRALID.

COPPER SULPHATE, except for internal human therapeutic use.

4-CPA.

CUPRIMYXIN for the treatment of animals.

CURING AGENTS—see epoxy resins.

CYANATRYN.

CYANOACRYLIC ACID ESTERS.

(ALPHA-CYANO-4-FLUORO-3-PHENOXY)
BENZYL 3-[2-(4-CHLOROPHENYL)-2-CHLOROVINYL]-2, 2-DIMETHYL CYCLOPROPANE-CARBOXYLATE (FLUMETHRIN), in oil base preparations containing 1 per cent or less of flumethrin.

CYANURIC ACID (excluding its salts and derivatives).

CYCLOHEXANONE PEROXIDE.

CYFLUTHRIN—
(a) in wettable powders containing 10 per cent or less of cyfluthrin;
(b) in emulsifiable concentrates containing 2 per cent or less of cyfluthrin.

CYPERMETHRIN in preparations containing 10 per cent or less of cypermethrin.

2,4-D.

2-4-DB.

DDT in preparations containing 10 per cent or less of DDT except dicophane when included in the Second Schedule.

2,4-DES.

N,N-DIALLYLDICHLOROACETAMIDE, except in preparations containing 10 per cent or less of N,N-diallyldichloroacetamide.

DICAMBA.

DICHLONE.

DICLOBUTRAZOL.

DICHLOROISOCYANURATES and their preparations containing more than 4 per cent of available chlorine.

1-[2-(2,4-DICHLOROPHENYL)-2-(2-PROPENYLOXY)ETHYL]-1H-IMIDAZOLE.

DICHLORVOS—

(a) when impregnated in plastic resin material containing 20 per cent or less of dichlorvos;

(b) in sustained release resin pellets containing 20 per cent or less of dichlorvos for the treatment of animals; or

(c) in pressurized spray packs containing 10 grams or less of dichlorvos.

DICLOBUTRAZOL.

DICLORAN.

DICOFOL.

DIMETHIRIMOL.

DIMETHYLFORMAMIDE in preparations containing 10 per cent or less of dimethylformamide.

DINITRAMINE.

DIPHENAMID.

DODINE.

DSMA in herbicides or defoliant preparations containing 3 per cent or less of arsenic.

EPOXY RESINS LIQUID and all amines and organic anhydrides used as curing agents for epoxy resins except when specifically included in any other schedule.

EPTC.

ETHEPHON (excluding its salts and derivatives).

ETHER in preparations containing more than 10 per cent of ether for use in internal combustion engines.

ETHOFUMESATE.

ETHOXYQUIN, except in preparations containing 10 per cent or less of ethoxyquin.

ETHYLENE GLYCOL when packed and labelled as a boiling point or freezing point modifier and containing 10 mg/kg of denatonium benzoate as a bittering agent.

FENARIMOL.

FENBUTATIN-OXIDE.

FENOPROP.

FENSON.

FENTHION in preparations containing 20 per cent or less of fenthion when packed in single-use containers having a capacity of 1.0 ml or less.

FLAMPROP-METHYL.

FLUCHLORALIN.

FORMIC ACID (excluding its salts and derivatives).

FOSPIRATE when impregnated in plastic resin strip material containing 20 per cent or less of fospirate.

FURALAXYL.

GLUTARALDEHYDE, in preparations containing 5 per cent or less of glutaraldehyde, except when included in the Second Schedule.

GLYPHOSATE.

HEXAZINONE.

HYDROCARBONS, LIQUID, including kerosene, mineral turpentine, white petroleum spirit, toluene, xylene and light mineral and paraffin oils (but excluding their derivatives) distilling under 300°C, except—

(a) toluene and xylene when included in the Sixth Schedule;

(b) in containers having a capacity of more than 20 litres provided the containers are marked with the name and proportion of all hydrocarbons;

(c) in solid or semi-solid cleaning and polishing preparations;

(d) in preparations containing 25 per cent or less of designated solvents included in the Fifth Schedule;

(e) in preparations packed in pressurised aerosol containers;

(f) in adhesives packed in containers each containing 50 grams or less of adhesive.

HYDROCHLORIC ACID (excluding its salts and derivatives) in preparations containing 10 per cent or less of hydrochloric acid (HCL) except—

(a) in preparations containing 0.5 per cent or less of hydrochloric acid (HCL);

(b) for thereapeutic use.

HYDROFLUORIC ACID and HYDROSILICOFLUORIC ACID in preparations containing 0.5 per cent or less of hydrofluoric acid or hydrosilicofluoric acid except in substances containing 15 mg/kg or less of fluoride ion.

HYDROGEN PEROXIDE (excluding its salts and derivatives), except in preparations containing 6 per cent (20 vol) or less of hydrogen peroxide.

IODOFENPHOS.

ISOPROPYL-N-(3-N-ETHYL-N-PHENYLCARBAMOYLOXY) PHENYLCARBAMATE.

KEROSENE, see HYDROCARBONS LIQUID.

LEAD COMPOUNDS, in preparations for use as hair cosmetics.

LEVAMISOLE in preparations containing 15 per cent or less of levamisole for the treatment of animals, except when included in the Fourth Schedule.

LINDANE in preparations containing 10 per cent or less of lindane, except when included in the Second Schedule.

MALDISON in preparations containing 10 per cent or less maldison except—

(a) when included in the Second or Fourth Schedule;

(b) in dust preparations containing 2 per cent or less of maldison.

MANCOZEB.

MANEB.

MCPA.

MCPB.

MECOPROP.

MEPIQUAT.

METALAXYL.

METALDEHYDE in preparations containing 2 per cent or less of metaldehyde.

METHABENZTHIAZURON.

METHANOL (excluding its derivatives) in preparations containing 10 per cent or less of methanol except in preparations containing 2 per cent or less of methanol.

METHAZOLE.

METHIOCARB in pelleted preparations containing 2 per cent or less of methiocarb.

METHOXYCHLOR.

METHYLATED SPIRIT INDUSTRIAL, as defined by the *Spirits Act 1906* of the Parliament of the Commonwealth or any Act in substitution for that Act, except in containers having a capacity of more than 5 litres, and except in preparations containing 75 per cent or less methylated spirits industrial.

METHYLENE CHLORIDE except when used in aerosols.

METHYL ETHYL KETONE except—

(a) in preparations containing 25 per cent or less of designated solvents included in the Fifth Schedule;

(b) in containers having a capacity of more than 20 litres provided the containers are marked with the name and proportion of all ketones included in the Fifth Schedule.

METHYL ETHYL KETONE PEROXIDE.

METHYL ISO-AMYL KETONE except—

(a) in preparations containing 25 per cent or less of designated solvents included in the Fifth Schedule;

(b) in containers having a capacity of more than 20 litres provided the containers are marked with the name and proportion of all ketones included in the Fifth Schedule.

METHYL ISO-BUTYL KETONE except—

(a) in preparations containing 25 per cent or less of designated solvents included in the Fifth Schedule;

(b) in containers having a capacity of more than 20 litres provided the containers are marked with the name and proportion of all ketones included in the Fifth Schedule.

METHYL SALICYLATE in liquid preparations containing 25 per cent or more of methyl salicylate except when included in the Sixth Schedule.

N-(3-METHYL-4-THIAZOLIN-2-XYLIDENE)-2,4-XYLIDENE (Cymiazole).

METIRAM.

METOLACHLOR.

METRIBUZIN.

MEZINEB.

MINERAL TURPENTINE, see HYDROCARBONS LIQUID.

MSMA in herbicides or defoliant preparations containing 3 per cent or less of arsenic.

NAA see NAPHTHALENE ACETIC ACID.

NALED when impregnated in plastic resin strip material containing 20 per cent or less of naled.

NAPHTHALENE as such.

NAPHTHALENE ACETIC ACID, except in preparations containing 25 per cent or less of naphthalene acetic acid.

NAPTALAM.

NITRIC ACID (excluding its salts and derivatives) in preparations containing 10 per cent or less of nitric acid as such, except preparations containing 0.5 per cent or less of nitric acid.

NORBORMIDE.

OFURACE.

ORGANO-TIN COMPOUNDS—see TIN ORGANIC COMPOUNDS.

OXADIXYL.

OXYCARBOXIN.

OXYTHIOQUINOX.

PARADICHLOROBENZINE.

PEBULATE.

PENCONAZOLE.

PENDIMETHALIN.

PERACETIC ACID in concentrations of 10 per cent or less.

PETROL when packed in containers of 20 litres or less, except preparations containing 25 per cent or less of petrol.

ortho-PHENYLPHENOL, except in preparations containing 3 per cent or less of the phenylphenol.

PHOSPHONIC ACID, except in preparations containing 10 per cent or less phosphonic acid.

PHOSPHORIC ACID (excluding its salts and derivatives) except—

(a) when packed in containers with a capacity of not less than 10 litres and labelled with the word "CORROSIVE", in bold face *sans serif* capital letters of a height of not less than 1 cm;

(b) in preparations containing 350 g/litre or less of phosphoric acid;

(c) in solid and semi—solid preparations;

(d) in professional dental kits.

PIRIMICARB in preparations containing 0.5 per cent or less pirimicarb.

POLY (HEXAMETHYLENE BIGUANIDE), except in preparations containing 5 per cent or less of poly hexamethylene biguanide.

POTASSIUM CHLORATE except—

(a) when included in the Second Schedule; or

(b) in preparations containing 10 per cent or less of potassium chlorate.

POTASSIUM HYDROXIDE (excluding its salts and derivatives) in preparations containing 5 per cent or less of potassium hydroxide except in preparations containing 0.5 per cent or less of potassium hydroxide.

POTASSIUM SULPHIDE in preparations for metal treatment in containers each containing 50 g or less of potassium sulphide.

PROMETRYNE.

PROPANIL.

PROPICONAZOLE in concentrations of 20 per cent or less.

PROPIONIC ACID (excluding its salts and derivatives) in preparations containing more than 30 per cent propionic acid, except—

(a) when included in the Sixth Schedule;

(b) for therapeutic use.

PROPOXUR—

(a) in dust preparations containing 3 per cent or less of propoxur;

(b) in granular sugar-based fly baits containing 1 per cent or less of propoxur providing that the preparation also contains a dark colouring agent and a separate bittering agent.

(c) in aerosol packs containing 10 g or less of propoxur.

(d) in printed paper sheets for pest control containing 0.5 per cent or less of propoxur and in any case not more than 100 mg of propoxur per sheet.

PRYNACHLOR.

PYRETHRINS, naturally occurring, being pyrethrolene, cinerolone or jasomline esters of chrysanthemic or pyrethric acids, except in preparations containing 10 per cent or less of such substances.

PYRINURON in preparations containing 10 per cent or less of pyrinuron.

QUATERNARY AMMONIUM COMPOUNDS and in preparations containing more than 10 per cent quaternary ammonium compounds, except when included in any other schedule.

QUINTOZENE.

SALICYLANILIDE.

SECBUMETON.

SELENIUM SULPHIDE in preparations containing 2.5 per cent or less of selenium sulphide for topical therapeutic use.

SETHOXYDIM.

SODIUM CHLORATE.

SODIUM HYDROGEN SULPHATE.

SODIUM HYDROXIDE (excluding its salts and derivatives) in preparations containing 5 per cent or less of sodium hydroxide, except in preparations containing 0.5 per cent or less of sodium hydroxide.

SODIUM HYPOCHLORITE and preparations containing more than 4 per cent of available chlorine.

SODIUM NITRITE except—

(a) in preparations containing 1 per cent or less of sodium nitrite; or

(b) when included in the Second Schedule.

SODIUM SULPHIDE in preparations for metal treatment in containers each containing 50 g or less of sodium sulphide.

STYRENE (excluding its derivatives) except in containers having a capacity of more than 20 litres provided the containers are marked with the name and proportion of styrene.

SULPHAMIC ACID, except in preparations containing 10 per cent or less of sulphamic acid.

2,3,6-TBA.

TCA—see TRICHLOROACETIC ACID.

TDE in preparations containing 10 per cent or less TDE.

TERBUMETON.

TERBUTRYN.

TETRACHLOROETHYLENE in preparations containing 5 per cent or less tetrachloroethylene except—

(a) when prepared for use for the treatment of humans or for the treatment of animals; or

(b) when absorbed into an inert solid material.

TETRACHLORVINPHOS, except in animal feedstuffs containing 0.2 per cent or less of tetrachlorvinphos.

TETRAMETHRIN, except in aerosol packs.

TIN ORGANIC COMPOUNDS not elsewhere included in this schedule in preparations containing 1 per cent or less of such compounds.

THIOBENCARB.

TRIADIMEFON, in wettable powders containing 25 per cent or less of triadimefon.

TRIADIMENOL.

TRI-ALLATE.

TRICHLOROACETIC ACID, alkali salts of.

1,1,1-TRICHLOROETHANE except—

(a) in preparation containing 25 per cent or less of designated solvents included in the Fifth Schedule;

(b) when used in aerosols other than for therapeutic use; or

(c) in containers having the capacity of more than 20 litres provided the containers are marked with the name and proportion of 1, 1, 1-trichloroethane.

TRICHLOROISOCYANURIC ACID in compressed block form for use in swimming pools or toilet cisterns.

TRIETAZINE.

TURPENTINE OIL when packed in containers of 20 litres or less except in preparations containing 25 per cent or less of turpentine oil.

VERNOLATE.

WARFARIN, in rodent baits containing 0.1 per cent or less of warfarin.

ZINEB.

ZIRAM.

Excluding however, the substances hereinbefore mentioned when contained in the products listed as exemptions, set out after the Eighth Schedule in this Appendix.

Sixth Schedule.

ACEPHATE.

ACETIC ACID (excluding its salts and derivatives) and preparations containing more than 80 per cent of acetic acid, except when included in the Second Schedule.

ACETIC ANHYDRIDE (excluding its salts and derivatives) and preparations containing more than 80 per cent of acetic anhydride, except for therapeutic use.

ACIFLUORFEN.

ALDRIN.

ALLIDOCHLOR.

ALPHA-CHLOROHYDRIN.

AMIDITHION.

2-AMINO-BUTANE.

AMINOCARB in preparations containing 25 per cent or less of aminocarb.

AMITRAZ.

AMMONIA and AMMONIUM HYDROXIDE (excluding their salts and derivatives) except—

(a) when included in the Fifth Schedule;

(b) in preparations for human internal therapeutic use;

(c) in preparations for inhalation when absorbed in an inert solid material;

(d) in preparations containing 0.5 per cent or less of free ammonia.

ANILINE (excluding its salts and derivatives), except in preparations containing 1 per cent or less of aniline.

ARECOLINE.

ARSENIC (except when separately specified in this Schedule)—

(a) in ant poisons containing 0.4 per cent or less of arsenic;

(b) in organic compounds of arsenic in herbicides or defoliant preparations except when included in the Fifth Schedule;

(c) in animal food premixes containing 4 per cent or less of arsenic;

(d) in preparations for the treatment of animals, except thiacetarsamide when included in the Fourth Schedule; or

(e) in paints containing more than 0.1 per cent of arsenic when calculated on the basis of the nonvolatile content of the paint.

AVERMECTIN B1 in preparations containing 10 mg/ml or less of avermectin B1, for the treatment of animals, when supplied in sealed containers for use in automatic injection equipment.

AZOBENZENE.

AZOCYCLOTIN.

BACITRACIN in animal feed premixes for growth promotion containing 2 per cent or less of antibiotic principles.

BARBAN.

BARIUM, salts of (except barium sulphate) except—

(a) paint containing barium metaborate;

(b) when included in the Fifth Schedule.

BENDIOCARB—

(a) in wettable powders containing 80 per cent or less of bendiocarb and when packed in containers or primary packs containing not less than 100 g of bendiocarb;

(b) in wettable powders containing 20 per cent or less of bendiocarb and not less than 0.002 per cent of denatonium benzoate, when packed in containers or primary packs containing not less than 48 g of bendiocarb and labelled for use as a fly control preparation; or

(c) in insoluble granular preparations containing 5 per cent or less of bendiocarb,

except when included in the Fifth Schedule.

BENOMYL.

BENQUINOX.

BENSULIDE.

5-BENZYLFUR-3-YLMETHYL(1'R,3'S.E)-2',2'-DIMETHYL-3'-(2-OXO-2,3,4,5-TETRAHYDROTHIENYLIDENEMETHYL)-CYCLOPROPANE CARBOXYLATE.

BENSYLPENICILLIN including procaine penicillin in preparations for intramammary infusion in animals, containing not more than 100 000 international units per dose of benzylpenicillin or procaine penicillin, when suitably coloured with Brilliant Blue FCF or other approved colour as a marker and when packed in applicator devices specially designed for the purpose.

BERYLLIUM.

BHC (excluding the gamma-isomer) except when included in the Fifth Schedule.

BINAPACRYL.

BITHIONOL for treatment of animals.

BRODIFACOUM in preparations containing 0.25 per cent or less.

BROMADIOLONE in preparations containing 0.25 per cent or less of bromadiolone.

BROMOFORM, except for therapeutic use.

BROMOPHOS.

BROMOPHOS-ETHYL.

BROMOXYNIL.

BROTIANIDE.

BUNAMIDINE.

BUTACARB.

BUTOXYCARBOXIM except when included in the Fifth Schedule.

2-BUTOXY-2'-THIOCYANO-DIETHYL ETHER.

BUTYNORATE.

CACODYLIC ACID in animal feed premixes containing 4 per cent or less of arsenic.

CADMIUM, compounds of, except when included in the Fifth Schedule.

CALCIFEROL in rodent baits.

CAMBENDAZOLE.

CARBARYL, except when included in the Second, Fourth or Fifth Schedule.

CARBENDAZIM.

CARBON DISULPHIDE.

alpha-CHLORALOSE, when prepared for use as a pesticide.

CHLORDANE.

CHLORDECONE except when included in the Fifth Schedule.

CHLORFENETHOL.

CHLORMEQUAT.

N-[5-CHLORO-4-[(4-CHLOROPHENYL)-CYANOMETHYL]-2-METHYL-PHENYL]-2-HYDROXY-3,5-DIIODOBENZAMIDE.

CHLOROFORM (excluding its derivatives) except—

(a) when included in the Second or Fourth Schedule; or

(b) in preparations containing 10 per cent or less of chloroform where the chloroform content is declared on the label.

CHLOROMETHIURON.

CHLOROPHACINONE.

1-(4-CHLOROPHENOXY)-1-IMIDAZOL-1-YL-3,3-DIMETHYL-2-BUTANONE in concentrations of more than 40 per cent, except when included in the Fourth Schedule.

CHLOROPICRIN in preparations containing 5 per cent or less of chloropicrin.

CHLORPYRIFOS.

CHLORPYRIFOS-METHYL.

CHLORTETRACYCLINE in preparations—

(a) for topical application to animals for ocular use only;

(b) in preparations for intramammary infusion in animals, containing not more than 100 000 international units per dose of chlortetracycline when suitably coloured with Brilliant Blue FCF or other approved colour as a marker and when packed in applicator devices specially designed for the purpose.

CHLORTHIAMID.

5[2-CHLOR-4(TRIFLUOROMETHYL)-PHENOXY]-Z-NITROBENZOATE-4.

CHROMATES AND DICHROMATES.

CHROMIUM TRIOXIDE (excluding its salts and derivatives).

CLIMBAZOLE in concentrations of more than 40 per cent, except when included in the Fourth or Fifth Schedule.

COUMAPHOS in preparations containing 5 per cent or less of coumaphos.

COUMARIN and phenylindanedione derivatives except—

(a) when included in the Fourth Schedule;

(b) where separately specified in this Schedule.

COUMATETRALYL.

CREOSOTE except—

(a) when included in the Second Schedule;

(b) in preparations containing 3 per cent or less of phenols included in the Sixth Schedule.

CROTOXYPHOS.

CRUFOMATE.

CYANAZINE.

(ALPHA-CYANO-4-FLUORO-3-PHENOXY) BENZYL 3-[2-(4-CHLOROPHENYL)-2-CHLOROVINYL]-2,2-DIMETHYL CYCLOPROPANE-CARBOXYLATE (FLUMETHRIN) except when included in the Fifth Schedule.

CYFLUTHRIN except—

(a) when included in the Fifth Schedule;

(b) in pressurized spray packs containing 1 per cent or less of cyfluthrin.

CYHEXATIN.

CYOMETRINIL.

CYPERMETHRIN, except when included in the Fifth Schedule.

CYTHIOATE.

DAZOMET.

DDT and its preparations containing more than 10 per cent of DDT except dicophane when included in the Second Schedule.

DELTAMETHRIN in aqueous formulation containing 1 per cent or less of deltamethrin, when no other organic solvent, other than a glycol, is present.

DEMETON-O-METHYL AND DEMETON-S-METHYL in preparations containing 50 per cent or less of one or both demeton-O-methyl and demeton-S-methyl.

DI-ALLATE.

DIAZINON.

DICHLOFENTHION.

DICHLOFLUANID.

DICHLOROETHYLENE.

DICHLOROETHYL ETHER.

N-(3,4-DICHLOROPHENYL)-N'-[2-(2"SULFOXY-4'-CHLORPHENOXY)-5 CHLORPHENYL] UREA (SODIUM SALT).

1,2-DICHLOROPROPANE.

1,3-DICHLOROPROPENE.

DICHLORVOS in preparations containing 50 per cent or less dichlorvos, except when included in the Fifth Schedule.

DICLOFOP-METHYL.

DIELDRIN.

DIETHYLENE DIOXIDE.

DIFENACOUM in preparations containing 0.25 per cent or less of difenacoum.

DIFENZOQUAT.

2,3-DIHYDRO-5,6-DIMETHYL-1,4-DITHIIN-1,1,4,4-TETRAOXIDE.

DIHYDROSTREPTOMYCIN in preparations for intramammary infusion in animals containing not more than 100 000 international units per dose of dihydrostreptomycin when suitably coloured with Brilliant Blue FCF or other approved colour as a marker and when packed in applicator devices specially designed for the purpose.

DIMETHANONAPHTHALENE and all substitution or addition, or substitution and addition products of Dimethanonaphthalene not elsewhere specified in these Schedules.

DIMETHOATE.

1,3-DI(METHOXYCARBONYL)-1-PROPEN-2-YL-DIMETHYL PHOSPHATE in preparations containing 25 per cent or less of 1,3-di(methoxycarbonyl)-1-propen-2-yl-dimethyl phosphate.

DIMETHYL FORMAMIDE, except when included in the Fifth Schedule.

DIMETHYL SULPHOXIDE—

(a) when not for therapeutic use;

(b) for the treatment of animals—

(i) when combined with no other therapeutic substance; or

(ii) in preparations containing copper salicylate as the only other therapeutic substance.

DIMETILAN in preparations containing 25 per cent or less of dimetilan.

DIMETRIDAZOLE

DINITROCRESOLS and their homologues, not elsewhere specified in this Schedule, in preparations containing 5 per cent or less of such compounds except when included in the Fourth Schedule.

DINITROPHENOLS and their homologues, not elsewhere specified in this Schedule, in preparations containing 5 per cent or less of such compounds except when included in the Fourth Schedule.

DINOCAP.

DINOSEB in preparations containing 5 per cent or less of dinoseb.

DIOXACARB.

DIPHACINONE.

DIQUAT.

DISULFIRAM except when included in the Fourth Schedule.

DISULFOTON in granular preparations containing 5 per cent or less of disulfoton.

DITHIANON.

DITHIAZANINE in preparations containing 2 per cent or less of dithiazanine for the treatment of animals.

DITHIOCARBAMATES when prepared for agricultural or horticultural purposes, except when specified in the Fifth Schedule.

3,3'-DI-(TRIFLUOROMETHYL)-4,4'-DICHLORO-N,N'-DIPHENYLUREA.

DIUREDOSAN.

DSMA in herbicides or defoliant preparations except when included in the Fifth Schedule.

ECONAZOLE for the external treatment of animals.

ENDOSULFAN.

ENDOTHAL.

EPICHLOROHYDRIN except in preparations containing 2 per cent or less of epichlorohydrin.

ERYTHROMYCIN—

(a) in preparations for intramammary infusion in animals, containing not more than 100 000 international units per dose of erythromycin, when suitably coloured with Brilliant Blue FCF or other approved colour as a marker and when packed in applicator devices specially designed for the purpose;

(b) in animal feed premixes for growth promotion containing 2 per cent or less of antibiotic principles.

ETACONAZOLE.

ETHER except—

(a) when included in the Second, Fourth or Fifth Schedule; or

(b) in preparations containing 10 per cent or less of ether.

ETHIOFENCARB.

ETHOATE-METHYL.

ETHOPROPHOS in granular formulations containing 10 per cent or less of ethoprophos.

ETHYL BROMIDE.

ETHYLENE CHLOROHYDRIN.

ETHYLENE DICHORIDE.

ETHYLENE GLYCOL, when packed and labelled as an anti-freeze, except when included in the Fifth Schedule.

ETHYLENE GLYCOL MONOALKYL ETHERS and their ACETATES except—

(a) in preparations containing 10 per cent or less of such substances; or

(b) in containers of a capacity of 20 litres or more provided the container is labelled with the warning "POISON", the name and quantity of the ether, the name of the manufacturer or the trade mark and the warning statement "Avoid contact with skin and eyes and avoid breathing the vapour".

ETHYLENE OXIDE.

ETRIDIAZOLE.

ETRIMFOS.

EUCALYPTUS OIL, except in preparations containing 25 per cent or less of eucalyptus oil.

FAMPHUR in preparations containing 20 per cent or less of famphur.

FENAMINOSULF in preparations containing 10 per cent or less of fenaminosulf when labelled and packed as dry seed dressings.

FENAMIPHOS in granular preparations containing 5 per cent or less of fenamiphos.

FENAZAFLOR.

FENCHLORPHOS.

FENITROTHION.

FENTHION, except when included in the Fifth Schedule.

FENVALERATE.

FERBAM.

FLAVOPHOSPHOLIPOL in animal feed premixes for growth promotion containing 2 per cent or less of antibiotic principles.

FLUAZIFOP-BUTYL, racemate and R-enantiomer.

FORMALDEHYDE (excluding its derivatives), except in preparations containing 5 per cent or less of formaldehyde.

FORMOTHION.

FOSPIRATE, except when included in the Fifth Schedule.

FUMAGILLIN.

GLUTARALDEHYDE, except when included in the Second Schedule or in the Fifth Schedule.

GUAZATINE.

HALOXON.

HCB.

HEPTACHLOR.

HEXACHLOROPHANE in preparations for the treatment of animals.

HYDRAZINE.

HYDROCHLORIC ACID (excluding its salts and derivatives) except in preparations containing 10 per cent or less of hydrochloric acid (HCl).

HYDROFLUORIC ACID AND HYDROSILICOFLUORIC ACID AND OTHER FLUORINE COMPOUNDS except—

(a) when used for human therapeutic purposes;

(b) in dentifrices containing 0.1 per cent or less of fluoride ion;

(c) in preparations containing 3 per cent or less of sodium fluoride or sodium silicofluoride when used as preservatives;

(d) when included in the Second, Fourth, Fifth or Seventh Schedule;

(e) in substances containing 15 mg/kg or less of fluoride ion;

(f) ammonium fluosilicate in preparations containing 3.2 per cent or less of ammonium fluosilicate for pesticide purposes.

HYDROQUINONE except—

(a) when included in the Fourth Schedule;

(b) in preparations containing 10 per cent or less hydroquinone.

8-HYDROXYQUINOLINE for topical use on animals.

HYGROMYCIN in animal feed premixes for use as an anthelmintic containing 2 per cent or less of antibiotic principles.

IMIDOCARB.

IODINE (excluding its salts, derivatives and iodophors) except—

(a) when included in the Second Schedule; or

(b) in solid or semi-solid preparations containing 2.5 per cent or less of available iodine.

IODOPHORS except in preparations containing 1.5 per cent or less of available iodine.

IOXYNIL.

IRON COMPOUNDS for the treatment of animals, except—

(a) in liquid preparations containing 0.1 per cent or less of iron;

(b) in animal feeds and feed premixes.

ISOCYANATES free organic, except in paints containing 0.1 per cent or less of free organic isocyanates.

KITASAMYCIN in animal feed premixes for growth promotion containing 2 per cent or less of antibiotic principles.

LASALOCID, except in animal feeds containing 100 mg/kg or less of antibiotic principles.

LAURYLISOQUINOLINIUM BROMIDE.

LEAD COMPOUNDS except—

(a) when included in the Fourth or Fifth Schedule;

(b) in preparations for cosmetic use containing 250 mg/kg or less of lead; or

(c) in pencil cores, finger colours, show card colours, pastels, crayons, poster paints or colours or coloured chalks containing 100 mg/kg or less of lead.

LEVAMISOLE for the treatment of animals except when included in the Fourth or Fifth Schedule.

LINDANE, except when included in the Second or Fifth Schedule.

MALDISON except—

(a) when included in the Second, Fourth or Fifth Schedules; or

(b) in dust preparations containing 2 per cent or less of maldison.

MEBENDAZOLE for the treatment of animals.

MECLOFENAMIC ACID for the treatment of animals.

MENAZON.

MERCURIC IODIDE when prepared for agricultural, horticultural, pastoral or industrial use.

MERCURIC THIOCYANATE when prepared for use for photographic purposes.

MERCUROUS CHLORIDE except when included in the Fourth Schedule.

MERCURY, organic compounds of, in preparations for agricultural, pastoral or horticultural use, except ethoxyethyl mercury chloride and ethyl mercury chloride in the Seventh Schedule.

METACRESOLSULPHONIC ACID AND FORMALDEHYDE CONDENSATION PRODUCT for the treatment of animals.

METALDEHYDE, except when included in the Fifth Schedule.

METAXAMINE.

METHACRIFOS.

METHAM.

METHANOL (excluding its derivatives) except—

(a) when included in the Fifth Schedule; or

(b) in preparations containing 2 per cent or less of methanol.

METHIOCARB, except when included in the Fifth Schedule.

METHOMYL in fly-baits containing one per cent or less of methomyl and not less than 0.002 per cent of denatonium benzoate as a bittering agent.

N-METHYL CARBAMATES (as pesticides except when specifically included in any other Schedule).

METHYL CHLORIDE.

METHYLENE BISTHIOCYANATE, except in preparations containing one per cent or less of methylene bisthiocyanate.

METHYL ISOTHIOCYANATE.

METHYL SALICYLATE excluding admixtures (see also Fifth Schedule.).

1-(B METHYL SULPHONANMIDE ETHYL)-2-AMINO-3-N,N-DIETHYLAMINO BENZENE.

MICONAZOLE for the external treatment of animals.

MOLINATE.

MONENSIN in animal feed premixes containing 12.5 per cent or less of antibiotic principles.

MSMA in herbicides or defoliant preparations except when included in the Fifth Schedule.

NABAM—see DITHIOCARBAMATES.

NALED, except when included in the Fifth Schedule.

NAPHTHALOPHOS when specifically prepared and packed for use as a sheep drench.

NARASIN in animal feed premixes containing 120 g/kg or less of narasin.

NEOMYCIN in preparations for topical application to animals for ocular use only.

NICOTINE in preparations containing 3 per cent or less of nicotine when labelled and packed for the treatment of animals.

NIMIDANE in preparations containing 25 per cent or less nimidane.

NITHIAMIDE, except in preparations containing 20 per cent or less of nithiamide.

NITRIC ACID (excluding its salts and derivates), except in preparations containing 10 per cent or less of nitric acid as such.

NITROBENZENE except—

(a) in solid or semi-solid polishes;

(b) in soaps containing 1 per cent or less of nitrobenzene;

(c) in preparations containing 0.1 per cent or less of nitrobenzene.

NITROPHONOLS, ORTHO, META AND PARA.

NITROSCANATE.

NITROXYNIL.

NOVOBIOCIN in preparations for intramammary infusion in animals, containing not more than 100 000 international units per dose of novobiocin, when suitably coloured with Brilliant Blue FCF or other approved colour as a marker and when packed in applicator devices specially designed for the purpose.

2-n-OCTYL-4-ISOTHIAZOLIN-3-ONE.

OESTRADIOL-17-beta—

(a) in ear implants for growth promotion in bovine cattle;

(b) in combination with progesterone, testosterone or trenbolone in ear implants for growth promotion in bovine cattle.

OLAQUINDOX in animal feed premixes for growth promotion.

OLEANDOMYCIN in animal feed premixes for growth promotion containing 2 per cent or less of antibiotic principles.

OMETHOATE in preparations containing 50 per cent or less of omethoate.

ORGANO-TIN COMPOUNDS—see TIN ORGANIC COMPOUNDS.

ORTHODICHLOROBENZENE.

OXADIAZON.

OXALIC ACID (excluding its salts and derivatives) and soluble oxalates.

OXANTEL EMBONATE for the treatment of animals.

OXFENDAZOLE.

OXYCLOZANIDE.

OXYTETRACYCLINE in preparations—

(a) for topical application to animals for ocular use only;

(b) for intramammary infusion in animals, containing not more than 100 000 international units per dose of oxytetracycline, when suitably coloured with Brilliant Blue FCF or other approved colour as a marker and when packed in applicator devices specially designed for the purpose.

PARAQUAT in granular preparations containing 3 per cent or less of paraquat.

PARBENDAZOLE.

PENTACHLOROPHENOL, expect in preparations containing 0.5 per cent or less of pentachlorophenol.

PERACETIC ACID, except when included in the Fifth Schedule.

PERFLUIDONE.

PERMANGANATES.

PHENETHICILLIN in preparations for intramammary infusion in animals, containing not more than 100 000 international units per dose of phenethicillin, when suitably coloured with Brilliant Blue FCF or other approved colour as a marker and when packed in applicator devices specially designed for the purpose.

PHENKAPTON in preparations containing 50 per cent or less of phenkapton.

PHENOL and any homologue of phenol boiling below 220°C, except—

(a) when included in the Second Schedule.

(b) in preparations containing 3 per cent or less by weight of such substances.

PHENOXYMETHYL PENICILLIN in preparations for intramammary infusion in animals, containing not more than 100 000 international units per dose of phenoxymethyl penicillin, when suitably coloured with Brilliant Blue FCF or other approved colour as a marker and when packed in applicator devices specially designed for the purpose.

PHENYLENEDIAMINES and alkylated phenylenediamines, not elsewhere specified in this Schedule—

(a) when used in hair dyes;

(b) in preparations packed and labelled for photographic purposes;

(c) in preparations packed and labelled for the testing of water except diethy-lor dimethyl-para-phenylenediamine in tablets containing 10 mg or less in opaque strip packaging labelled for water testing.

PHORATE in granular form containing 3% or less of phorate.

PHOSALONE.

PHOSMET.

PHOSPHIDES, METALLIC.

PHOSPHORUS YELLOW (excluding its salts and derivatives) in preparations containing 0.5 per cent or less of free phosphorous.

PHOXIM.

PICRIC ACID (excluding its derivatives), except in preparations containing 5 per cent or less of picric acid.

PINDONE.

PIPEROPHOS.

PIRIMICARB, except when included in the Fifth Schedule.

PIRIMIPHOS-ETHYL.

PIRIMIPHOS-METHYL.

POTASSIUM BROMATE, except in preparations containing 0.5 per cent or less of potassium bromate.

POTASSIUM CYANATE.

POTASSIUM HYDROXIDE, except in preparations containing 5 per cent or less of potassium hydroxide.

PROCHLORAZ.

PROFENOFOS.

PROGESTERONE—

(a) in a silicone rubber elastomer when used as a controlled-release implant for synchronisation of oestrus in cattle;

(b) in combination with oestradiol-17-beta or trenbolone in ear implants for growth promotion in bovine cattle.

PROMACYL.

PROMECARB in preparations containing 50 per cent or less of promecarb.

PROPACHLOR.

PROPARGITE.

PROPETAMPHOS.

PROPICONAZOLE except when included in the Fifth Schedule.

PROPIONIC ACID (excluding its salts and derivatives) in preparations containing more than 80 per cent propionic acid, except for therapeutic use.

PROPOXUR except when included in the Second, Fourth or Fifth Schedule.

PROTHIOPHOS.

PYRAZOPHOS.

PYRINURON except when included in the Fifth Schedule.

RAFOXANIDE.

SALINOMYCIN in animal feed premixes containing 6 per cent or less of antibiotic principles.

SELENIUM, COMPOUNDS OF—

(a) in preparations containing 2.5 per cent or less of selenium—

(i) when packed and labelled for the blueing of gun barrels;

(ii) when packed and labelled for photographic purposes;

(b) in preparations containing 2.5 per cent or less of selenium when packed and labelled as vaccines, drenches or pastes for treatment of animals;

(c) in preparations containing 0.5 per cent or less selenium when packed and labelled as other injections for treatment of animals;

(d) in premixes containing 2 per cent or less of selenium when packed and labelled for incorporation into animal feeds to provide 0.1 g/tonne or less of selenium.

SODIUM BROMATE, except in preparations containing 0.5 per cent or less of sodium bromate.

SODIUM HYDROXIDE (excluding its salts and derivatives), except—

(a) in preparations containing 0.5 per cent or less of sodium hydroxide;

(b) when included in the Fifth Schedule.

SPIRAMYCIN in animal feed premixes for growth promotion containing 2 per cent or less of antibiotic prinicples.

STREPTOMYCIN in preparations for intramammary infusion in animals, containing not more than 100 000 international units per dose of streptomycin, when suitably coloured with a Brilliant Blue FCF or other approved colour as a marker and when packed in applicator devices specially designed for the purpose.

STRYCHNINE in grain baits containing 0.5 per cent or less of strychnine and registered as a pesticide.

SULPHANILAMIDE and its derivatives unless elsewhere specified in this Schedule when packed and labelled for treatment of ornamental caged birds or ornamental fish only.

SULPHAQUINOXALINE when packed and labelled for use as a coccidiostat in poultry except preparations containing 200 mg/kg or less of sulphaquinoxaline.

SULPHURIC ACID (excluding its salts and derivatives) except—

(a) in fire extinguishers; or

(b) in preparations containing 0.5 per cent or less of sulphuric acid (H_2SO_4).

SULPROPHOS.

2,4,5-T.

TCA—see TRICHLOROACETIC ACID.

TCMTB (2-[thiocyanomethylthio]benzothiazole).

TDE, except when included in the Fifth Schedule.

TEMEPHOS.

TERBUTHYLAZINE.

TERPENES, CHLORINATED.

TESTOSTERONE—

(a) testosterone cypionate, dipropionate, enanthate and propionate in preparations labelled for treatment and prevention of pizzle (sheath) rot in wethers;

(b) in preparations labelled for masculinization of wethers for use as "teaser rams" to stimulate and detect reproductive activity in ewes;

(c) in combination with oestradiol-17-beta or trenbolone in ear implants for growth promotion in bovine cattle;

(d) in oil preparations for growth promotion purposes labelled for injection at the base of the ear in sheep.

TETRACHLOROETHYLENE except—

(a) when prepared for use for the treatment of humans or for the treatment of animals;

(b) in preparations containing 6 per cent or less when absorbed into an inert solid; or

(c) when included in the Fifth Schedule.

TETRACYCLINE in preparations—

(a) for topical application to animals for ocular use only;

(b) for intramammary infusion in animals, containing not more than 100 000 international units per dose of tetracycline, when suitably coloured with a Brilliant Blue FCF or other approved colour as a marker and when packed in applicator devices specially designed for the purpose;

(c) when packed and labelled for treatment of ornamental caged birds or ornamental fish only.

TETRADIFON.

TETRAMISOLE in preparations for the treatment of animals.

THIAZAFLURON.

THIODICARB.

THIOMETON.

THIOUREA, except for therapeutic use.

THIRAM.

TIAMULIN for the treatment of animals—

(a) in feed premixes containing 25 per cent or less of tiamulin; or

(b) in soluble concentrates containing 45 per cent or less of tiamulin.

ortho-TOLIDINE when packed and labelled in concentrations of 0.1 per cent or less of ortho-tolidine for the testing of water.

TIN ORGANIC COMPOUNDS, being di-alkyl, tri-alkyl and tri-phenyl tin compounds where the alkyl group is methyl, ethyl, propyl or butyl not elsewhere included in these schedules except—

(a) in plastics;

(b) in paints containing 3 per cent or less of such compounds calculated as tin as a proportion of the non-volatile content of the paint; or

(c) in other preparations containing 1 per cent or less of such compounds.

TOLUENE (excluding its derivatives) except—

(a) in preparations containing 50 per cent or less of toluene or both toluene and xylene; or

(b) in containers having a capacity of more than 20 litres provided the containers are marked with the name and proportion of toluene or both toluene and xylene.

TRENBOLONE—

(a) in ear implants for growth promotion in bovine cattle;

(b) in combination with oestradiol-17-beta in ear implants for growth promotion in bovine cattle.

TRIADIMEFON, except when included in the Fifth Schedule.

S,S,S-TRIBUTYLPHOSPHOROTHIOATE.

TRICHLORFON.

TRICHLOROACETIC ACID, except when included in the Fifth Schedule.

TRICHLOROETHYLENE, except—

(a) when included in the Fourth Schedule.

(b) for other human therapeutic use.

TRICHLOROPHENOL.

TRICLOPYR.

TRIDEMORPH.

TRIETHYL PHOSPHATE.

TRIFLUOROMETHANE SULPHONIC ACID.

TYLOSIN in animal feed premixes for growth promotion containing 2 per cent or less of antibiotic principles.

VAMIDOTHION.

VIRGINIAMYCIN in animal feed premixes for growth promotion containing 2 per cent or less of antibiotic principles.

WARFARIN, except when included in the Fourth or Fifth Schedule.

XYLENE (excluding its derivatives) except—

(a) in preparations containing 50 per cent or less of xylene or both xylene and toluene; or

(b) in containers having a capacity of more than 20 litres provided the containers are marked with the name and proportion of xylene or both xylene and toluene.

ZERANOL in ear implants for use as a growth promotant in steer cattle.

ZINC CHLORIDE, except in preparations containing 5 per cent or less of zinc chloride.

ZINC p-PHENOLSULPHONATE, except in preparations containing 5 per cent or less of zinc p-phenolsulphonate.

ZINC SULPHATE, except for human therapeutic use and in preparations containing 5 per cent or less of zinc sulphate.

Excluding however, the substances hereinbefore mentioned when contained in the products listed as exemptions, set out after the Eighth Schedule in this Appendix.

Seventh Schedule.

ACROLEIN.

ACRYLONITRILE.

ALACHLOR.

ALDICARB.

ALLYLALCOHOL.

AMINOCARB, except when included in the Sixth Schedule.

4-AMINOPYRIDINE.

AMITON.

ANTU.

APRINOCID.

ARSENIC, except—

(a) thiacetarsamide when included in the Fourth Schedule;
(b) when included in the Fifth or Sixth Schedule; or
(c) in animal feeds containing 75 g/tonne or less of arsenic.

AVERMECTIN B1 except when included in the Sixth Schedule.

AZINPHOS-ETHYL.

AZINPHOS-METHYL.

BENDIOCARB, except when included in the Fifth or Sixth Schedule.

BENZENE (excluding its derivatives) except—

(a) in preparations containing 1.5 per cent v/v or less of benzene;
(b) petrol containing 5 per cent v/v or less of benzene.

Note—see also "Carcinogenic Substances".

BETAHYDROXYETHYLHYDRAZINE.

BRODIFACOUM, except when included in the Sixth Schedule.

BROMADIOLONE, except when included in the Sixth Schedule.

CAMPHECHLOR.

CAPTAFOL.

CAPTAN.

CARBADOX.

CARBOFURAN.

CARBON TETRACHLORIDE.

CARBOPHENOTHION.

CARCINOGENIC SUBSTANCES—

2-Acetyl Aminofluorene
Acrylonitrile
Alphanaphthylamine
4-Aminobiphenyl

CARCINOGENIC SUBSTANCES—*continued*

Benzene, (excluding derivatives) except—

(a) preparations containing 1.5 per cent v/v or less of benzene;

(b) petrol containing 5 per cent v/v or less of benzene.

Benzidine

Benzo(a)pyrene

Betanaphthylamine

Beta Propriolactone

Bis-Chloromethyl Ether

1,2-Dibromo-3-chloropropane

3,3'-Dichlorobenzidine

4-Dimethylamino Azobenzene

Methyl Chloromethyl Ether

4,4-Methylene Bis-(2-Chloroaniline)

4-Nitrobiphenyl

N-Nitrosodimethylamine

PCBs (polychlorinated biphenyls)

Toxaphene (Camphechlor)

Vinyl Chloride monomer.

CHLORDIMEFORM.

CHLORFENVINPHOS.

CHLORINE (excluding its salts and derivates).

5-CHLORO-3-METHYL-4-NITROPYRAZOLE.

CHLOROPICRIN, except when included in the Sixth Schedule.

CHLORTHIOPHOS.

COUMAPHOS, except when included in the Sixth Schedule.

CYANIDES—see hydrocyanic acid.

CYHALOTHRIN.

DELTAMETHRIN, except when included in the Sixth Schedule.

DEMETON.

DEMETON-O-METHYL and DEMETON-S-METHYL, except when included in the Sixth Schedule.

DIALIFOS.

4, 4' DIAMINO DIPHENYL METHANE (METHYLENE DIANILINE).

1,2-DIBROMO-3-CHLOROPROPANE.

DICHLORVOS, except when included in the Fifth or Sixth Schedule.

DICROTOPHOS.

DIENOCHLOR.

DIFENACOUM except when included in the Sixth Schedule.

DIMEFOX.

1,3-DI(METHOXYCARBONYL)-1-PROPEN-2-YL-DIMETHYL PHOSPHATE, except when included in the Sixth Schedule.

DIMETILAN, except when included in the Sixth Schedule.

DINITROCRESOLS and their homologues, not elsewhere specified in this Schedule, except when included in the Fourth or Sixth Schedule.

DINITROPHENOLS and their homologues, not elsewhere specified in this Schedule, except when included in the Fourth or Sixth Schedule.

DINOSEB except when included in the Sixth Schedule.

DIOXATHION.

DISULFOTON, except when included in the Sixth Schedule.

ENDOTHION.

ENDRIN.

ETHION.

ETHOPROPHOS, except when included in the Sixth Schedule.

ETHOXYETHYL MERCURY CHLORIDE.

ETHYLENE DIBROMIDE, except in and for the preparation of motor fuels.

ETHYL MERCURY CHLORIDE.

FAMPHUR, except when included in the Sixth Schedule.

FENAMINOSULF, except when included in the Sixth Schedule.

FENAMIPHOS, except when included in the Sixth Schedule.

FENSULFOTHION.

FENTHION-ETHYL.

FLUCYTHRINATE.

FLUNIXIN MEGLUMINE, except when included in the Fourth Schedule.

FLUORACETAMIDE.

FLUOROACETIC ACID.

FOLPET.

FORMETANATE.

HALOFUGINONE, except in prepared stockfeeds containing 3 g/tonne or less of halofuginone.

HYDROCYANIC ACID and CYANIDES except when included in the First or Second Schedule.

ISOCARBOPHOS.

ISOFENPHOS.

IVERMECTIN.

LEPTOPHOS.

MAZIDOX.

MECARBAM.

MERCURIC CHLORIDE when prepared for use for agricultural, industrial, pastoral or horticultural purposes.

METHAMIDOPHOS.

METHAPYRILENE.

METHFUROXAM.

METHIDATHION.

METHOMYL, except when included in the Sixth Schedule.

METHYL BROMIDE.

METHYLENE DIANILINE see 4, 4' DIAMINO DIPHENYL METHANE.

MEVINPHOS.

MIPAFOX.

MIREX.

MONOCROTOPHOS.

NAPHTHALOPHOS, except when included in the Sixth Schedule.

NICOTINE except—

(a) when included in the Fourth or Sixth Schedule;

(b) in tobacco.

NIMIDANE, except when included in the Sixth Schedule.

NITROFEN.

OMETHOATE, except when included in the Sixth Schedule.

OXAMYL.

OXYFLUORFEN.

PARAQUAT, except when included in the Sixth Schedule.

PARATHION.

PARATHION-METHYL.

PHENKAPTON, except when included in the Sixth Schedule.

PHORATE, except when included in the Sixth Schedule.

PHOSFOLAN.

PHOSPHAMIDON.

POLYCHLORINATED BIPHENYLS see "Carcinogenic Substances".

PROMECARB, except when included in the Sixth Schedule.

PROTHOATE.

SCHRADAN.

STRYCHNINE except—

(a) *Nux vomica* included in the First Schedule; or

(b) when included in the Fourth or Sixth Schedule.

SULFALLATE.

SULFOTEP.

SULPHATROXAZOLE, except when included in the Fourth Schedule.

TEPP.

TERBUFOS.

TETRACHLOROETHANE.

THALLIUM.

THIOFANOX.

THIONAZIN.

ortho-TOLIDINE, except when included in the Sixth Schedule and in solid-state diagnostic therapeutic reagents.

TRIAMIPHOS.

TRIAZBUTIL.

TRICHLOROISOCYANURIC ACID except—

(a) in preparations containing 4 per cent or less of available chlorine;

(b) when included in the Fifth Schedule.

VINYL CHLORIDE MONOMER see "Carcinogenic Substances".

Eighth Schedule.

ACETORPHINE (0^3-acetyl-7, 8 dihydro-7a (1 (R)-hydroxy-1-methylbutyl)-0^6-methyl-6, 14-endoetheno-morphine).

ACETYLDIHYDROCODEINE, except when included in the Second or Fourth Schedule.

ACETYLMETHADOL (3-acetoxy-6-dimethylamino-4, 4-diphenylheptane).

ACETYLMORPHINES.

ALFENTANIL.

ALLYLPRODINE (3-allyl-1-methyl-4-phenyl-4-propionoxypiperidine).

ALPHACETYLMETHADOL (alpha-3-acetoxy-6-dimethylamino-4, 4-diphenylheptane).

ALPHAMERPRODINE (alpha-3-ethyl-1-methyl-4-phenyl-4-propionoxypiperidine).

ALPHAMETHADOL (alpha-6-dimethylamino-4, 4-diphenyl-3-heptanol).

ALPHAPRODINE (alpha-1, 3-dimethyl-4-phenyl-4-propionoxypiperidine).

2-AMINO-1-(2,5-DIMETHOXY-4-METHYLPHENYL) PROPANE (STP, DOM).

AMPHETAMINE.

AMYLOBARBITONE, except when included in the Fourth Schedule.

ANILERIDINE (1-para-aminophenethyl-4-phenylpiperidine-4-carboxylic acid ethyl ester).

BENZETHIDINE (1-(2-Benzyloxyethyl)-4-phenylpiperidine-4-carboxylic acid ethyl ester).

BENZYLMORPHINE (3-benzylmorphine).

BETACETYLMETHADOL (beta-3-acetoxy-6-dimethylamino-4, 4-diphenylheptane).

BETAMEPRODINE (beta-3-ethyl-1-methyl-4-pheynl-4-propionoxypiperidine).

BETAMETHADOL (beta-6-dimethylamino-4, 4-diphenyl-3-heptanol).

BETAPRODINE (beta-1,3-dimethyl-4-phenyl-4-propionoxypiperidine).

BEZITRAMIDE (1-(3-cyano-3,3-diphenylpropyl)-4-(2-oxo-3-propionyl-1-benzimidazolinyl)piperidine).

BUFOTENINE.

BUTOBARBITONE.

CANNABIS AND CANNABIS RESIN and extracts and tinctures of cannabis.

CLONITAZENE (2-para-chlorobenzyl-1-diethylaminoethyl-5-nitro-benzimidazole).

COCAINE (methyl ester of benzoylecgonine), and any solution or dilution in an inert substance whether liquid or solid in any proportion and all preparations and admixtures.

COCA LEAF.

CODEINE (3-methylmorphine), except when included in the Second, Third or Fourth Schedule.

CODEINE-N-OXIDE.

CODOXIME (dihydrocodeinone-6-carboxymethyloxime).

CONCENTRATE OF POPPY STRAW (the material arising when poppy straw has entered into a process of concentration of its alkaloids).

4-CYANO-2-DIMETHYLAMINO-4-4-DIPHENYLBUTANE (Moramide intermediate).

4-CYANO-1-METHYL-4-PHENYLPIPERIDINE (Pethidine intermediate A).

CYCLOBARBITONE.

DESOMORPHINE.

DEXAMPHETAMINE.

DEXTROMORAMIDE ((+)-4-(2-methyl-4-oxo-3, 3diphenyl-4-(1-pyrrolidinyl butyl) morpholine).

DIAMPROMIDE (N(-2-(methylphenethylamino) propyl)propionanilide).

DIETHYLTHIAMBUTENE (3-diethylamino-1,1-di(2'-thienyl)-1-butene).

N,N-DIETHYLTRYPTAMINE.

DIFENOXIN (1-(3-cyano-3,3-diphenylpropyl)-4-phenylisonipecotic acid) except when included in the Fourth Schedule.

DIHYDROCODEINE, except when included in the Third or Fourth Schedule.

DIHYDROMORPHINE.

DIMENOXADOL (2-dimethylaminoethyl-1-ethoxy-1, 1-diphenylacetate).

DIMEPHEPTANOL (6-dimethylamino-4,4-diphenyl-3-heptanol).

3-(1,2-DIMETHYLHEPTYL)-1-HYDROXY-7,8,9,10-TETRAHYDRO-6,6,9-TRIMETHYL-6H-DIBENZO(b,d) PYRAN (DMPH).

DIMETHYLTHIAMBUTENE (3-dimethylamino-1,1-di-(2'-thienyl)-1-butene).

N,N-DIMETHYLTRYPTAMINE.

DIOXAPHETYL BUTYRATE (ethyl 4-morpholino-2,2-diphenylbutyrate).

DIPHENOXYLATE (1-(3-cyano-3,3-diphenylpropyl)-4-phenylpiperidine-4-carboxylic acid ethyl ester), except when included in the Fourth Schedule.

DIPIPANONE (4,4-diphenyl-6-piperidine-3-heptanone).

DROTEBANOL (3,4-dimethoxy-17-methylmorphinan-6 B, 14 diol).

ECGONINE, its esters and derivatives which are convertible to ecgonine and cocaine.

ETHYLMETHYLTHIAMBUTENE (3-ethymethylamino-1, 1-di-(2'-thienyl-1-butene).

ETHYLMORPHINE (3-ethylmorphine), except when included in the Second or Fourth Schedule.

N-ETHYL-1-PHENCYCLOHEXYLAMINE (PCE).

ETONITAZENE (1-diethylaminoethyl-2-para-ethoxybenzyl-5-nitrobenzimidazole).

ETORPHINE (7,8-dihydro-7a-(1(R)-hydroxy-1-methyl-butyl)-0^6, methyl-6,14-endo-ethenomorphine).

ETOXERIDINE (1-(2-(2-hydroxyethoxy) ethyl)-4-phenylpiperidine-4-carboxylic acid ethyl ester).

FENTANYL (1-phenethyl 4-N-propionyl-anilino piperidine).

FURETHIDINE (1-(2-tetrahydrofurfuryloxyethyl)-4-phenylpiperidine-4-carboxylic acid ethyl ester).

HEROIN.

3-HEXYL-1-HYDROXY-7,8,9,10-TETRAHYDRO-6,6,9-TRIMETHYL-6H-DIBENZO (b,d) PYRAN (PARAHEXYL).

HYDROCODONE (dihydrocodeinone).

HYDROMORPHINOL (14-hydroxydihydromorphine).

HYDROMORPHONE (dihydromorphinone).

HYDROXYPETHIDINE (4-meta-hydroxyphenyl-1-methylpiperidine-4-carboxylic acid ethyl ester).

ISOMETHADONE (6-dimethylamino-5-methyl-4,4-diphenyl-3-heaxanone).

KETOBEMIDONE (4-meta-hydroxyphenyl-1-methyl-4-propionylpiperidine).

LEVOMETHORPHAN ((-)-3-methoxy-N-methylmorphinan).

LEVOMORAMIDE ((-)-4-(2-methyl-4-oxo-3,3-diphenyl-4-(1-pyrrolidinyl) butyl) morpholine).

LEVOPHENACYLMORPHAN ((-)-3-hydroxy-N-phenacylmorphinan).

LEVORPHANOL ((-)3-hydroxy-N-methylmorphinan).

LYSERGIC-ACID DIETHYLAMIDE (LSD).

MECLOQUALONE 3-(o-chlorophenyl)-2-methyl-4-(3H) quinazolinone.

MESCALINE, 2,5-DIMETHOXY-4-METHYLAMPHETAMINE, and other substances structurally derived from methoxyphenylethylamine having hallucinogenic properties.

METAZOCINE (2'-hydroxy-2,5,9,-trimethyl-6,7-benzomorphan).

METHADONE (6-dimethylamino-4,4-diphenyl-3-heptanone).

METHAQUALONE.

METHYLAMPHETAMINE.

METHYLDESORPHINE (6-methyl-delta-6-desoxymorphine).

METHYLDIHYDROMORPHINE (6-methyldihydromorphine).

2-METHYL-3-MOROPHOLINO-1-1-DIPHENYL PROPANE CARBOXYLIC ACID (Methadone intermediate).

METHYLPHENIDATE.

1-METHYL-4-PHENYLPIPERIDINE-4-CARBOXYLIC ACID (Pethidine intermediate C).

METOPON (5-methyldihydromorphinone).

MORPHERIDINE (1-(2-morpholinoethyl)-4-phenylpiperidine-4-carboxylic acid ethyl ester).

MORPHINE.

MORPHINE METHOBROMIDE.

MORPHINE-N-OXIDE.

MYROPHINE (myristylbenzylmorphine).

NABILONE.

NICOCODINE (6-nicotinylcodeine), except when included in the Second or Fourth Schedule.

NICODICODINE (6-nicotinoyldihydrocodeine), except when included in the Second or Fourth Schedule.

NICOMORPHINE (3,6-dinicotinylmorphine).

NORACYMETHADOL ((±)alpha-3-acetoxy-6-methylamino-4,4-diphenylheptane).

NORCODEINE (N-demnethylcodeine), except when included in the Second or Fourth Schedule.

NORLEVORPHANOL ((-)3-hydroxymorphinan).

NORMETHADONE (6-dimethylamino-4,4-diphenyl-3-hexanone).

NORMORPHINE (N-demethylated morphine).

NORPIPANONE (4,4-diphenyl-6-piperidine-3-heaxanone).

OPIUM, in any form, except the alkaloids noscapine and papaverine.

OXYCODONE (14-hydroxydihydrocodeinone).

OXYMORPHONE (14-hydroxydihydromorphinone) except when included in the Fourth Schedule.

PENTAZOCINE.

PENTOBARBITONE, except when included in the Fourth Schedule.

PETHIDINE (1-methyl-4-phenylpiperidine-4-carboxylic acid ethyl ester).

PHENADOXONE (6-morpholino-4,4-diphenyl-3-heptanone).

PHENAMPROMIDE (N(1-methyl-2-piperidinoethyl) propionanilide).

PHENAZOCINE (2-hydroxy-5,9-dimethyl-2-phenethyl-6,7-benzomorphan).

PHENCYCLIDINE.

1-(1-PHENCYCLOHEXYL) PYRROLIDINE (PHP or PCPY).

PHENMETRAZINE.

PHENONORPHAN (3-hydroxy-N-phenethylmorphinan).

PHENOPERIDINE (1-(3-hydroxy-3-phenylpropyl)-4-phenylpiperidine-4-carboxylic acid ethyl ester).

4-PHENYLPIPERIDINE-4-CARBOXYLIC ACID ETHYL ESTER (Pethidine intermediate B).

PHOLOCODINE (morpholinylethyl morphine), except when included in the Second or Fourth Schedule.

PIMINODINE (4-phenyl-1-(-3-phenylaminopropyl) piperidine-4-carboxylic acid ethyl ester).

PIRITRAMIDE (1-(3-cyano-3,3-diphenylpropyl)-4-(1-piperindino) piperidine-4-carboxylic acid amide).

PROHEPTAZINE (1-,3-dimethyl-4-phenyl-4-propionoxyazacycloheptane).

PROPERIDINE (1-methyl-4-phenylpiperidine-4-carboxylic acid isopropyl ester).

PROPIRAM.

PSILOCIN.

PSILOCYBIN.

QUINALBARBITONE.

RACEMETHORPHAN ((±)-methoxy-N-methylmorphinan).

RACEMORAMIDE ((±)-4-(2-methyl-4-oxo-3,3-diphenyl-4-(1-pyrrolidinyl) butyl) morpholine).

RACEMORPHAN ((±)-3-hydroxy-N-methylmorphinan).

SECBUTOBARBITONE.

SUFENTANIL N-(4-(methoxymethyl)-1-(2-thienyl)-ethyl-4-piperidyl) propionanilide.

TETRAHYDROCANNABINOLS and 3- AND 4'-ALKYL homologues, including DMPH and PARAHEXYL, within one of those structural designations.

THEBACON (acetyl dihydrocodeinone).

THEBAINE.

1-(1-(2-THIENYL)CYCLOHEXYL) PIPERIDINE (TCP).

TILIDINE (±) ethyl-trans-2-(dimethylamine)-1-phenyl-3-cyclohexene-1-carboxylate.

TRIMEPERIDINE (1,2,5-trimethyl-4-phenyl-4-propionoxypiperidine).

Exemptions.

The requirements of the Poisons Act 1964 and regulations made under that Act do not apply to the following products when containing a scheduled poison—

Timber and wallboard

Ceramics

Electrical components and electric lamps

Electrical accumulators and batteries.

Vitreous enamels

Explosives

Glazed pottery

Matches

Motor fuels, other than those containing methyl alcohol, unless specified in any of the Schedules.

Lubricants, unless specified in the Schedules.

Paper.

Photographic paper and film.

Inorganic pigments unless specified in the Sixth Schedule.

Paints, other than prepared for medicinal or cosmetic purposes.

Blankets moth proofed with dieldrin in the mill during finishing as directed by C.S.I.R.O.

Single-use tubes for the estimation of alcohol content of breath.

[*Appendix A substituted in Gazette 24 August 1984, pp. 2503-66; amended in Gazettes 8 February 1985, p. 517; 15 March 1985, pp. 936-41; 29 March 1985, p. 1110; 31 May 1985, p. 1883; 16 August 1985, pp. 2921-26; 18 October 1985, pp. 3989-95; 20 December 1985, p. 4833; 11 July 1986, p. 2338; 1 August 1986, pp. 2730-39; 14 November 1986 pp.4933-94.*]

APPENDIX "B"

CONVENTIONS.

S. 45.

The International Opium Convention signed at the Hague on 23 January 1912.

The Convention that is referred to as the Geneva Convention in the preamble to the *Dangerous Drugs Act 1925*, of the Parliament of the United Kingdom, and as having been signed on behalf of His Majesty on the 19 February 1925.

The Single Convention on Narcotic Drugs 1961, signed at New York on 30 March 1961.

APPENDIX "C".

FORM OF WARRANT.

S. 55.

To wit)
)
) To

WHEREAS it appears to me.....a Justice of the Peace, by the complaint on oath of (A.B.) of (address) in the State (occupation), pursuant to the provisions of section 55 of the *Poisons Act 1964*, that there is reasonable ground for suspecting that in the house or premises situated at (situation) in the State (here state the subject matter of the suspicion).

This is therefore to authorize and require you with such assistants as may be necessary to enter into and upon and search such house or premises at any time during the day or night and there to open or break open if necessary and search all things found therein or thereon and to search all persons found therein or thereon and if necessary to use force in making such entry into or upon such house or premises, whether by breaking open doors or otherwise, and to arrest and bring before a stipendiary magistrate or 2 Justices of the Peace all persons found therein or thereon and seize all substances and preparations found in or on such house or premises, or in the possession or under the control of any person therein as may reasonably be suspected of being or containing a poison or are in contravention of any provision of the *Poisons Act 1964*, or the regulations made thereunder, and all articles used or capable of being used for the purpose of preparing, taking or administering any drug of addiction or specified drug for the purposes of addiction, and all documents relating to any transaction or dealing that would if carried out be an offence against the said Act or regulations, or any corresponding law in force outside the State, to be dealt with according to law:

And for so doing this shall be your Warrant.

Given under my hand at.....

in Western Australia this.....

day of....., 19.....

NOTES

[1] This reprint is a compilation as at 18 November 1986 of the *Poisons Act 1964*[6] and includes all amendments effected by the other Acts referred to in Part I of the following Table and by the Orders in Council referred to in Part II of the following Table.

Table of Acts and Orders in Council

PART I—ACTS

Act	Number and Year	Assent	Commencement	Miscellaneous
Poisons Act 1964	70 of 1964	11 December 1964	1 July 1965 (see *Gazette* 25 June 1965 p.1836)	
Poisons Act Amendment Act 1966	23 of 1966	27 October 1966	27 October 1966	
Poisons Act Amendment Act 1967	28 of 1967	17 November 1967	17 November 1967	
Poisons Act Amendment Act (No. 2) 1967	51 of 1967	5 December 1967	5 December 1967	
Poisons Act Amendment Act 1969	6 of 1969	21 April 1969	13 June 1969 (see *Gazette* 13 June 1969 p. 1765)	
Poisons Act Amendment Act 1970	87 of 1970	30 November 1970	2 February 1971 (see *Gazette* 29 January 1971 p. 277)	
Poisons Act Amendment Act 1978	43 of 1978	29 August 1978	1 October 1980 (see *Gazette* 29 August 1980 p. 3015)	
Acts Amendment (Misuse of Drugs) Act 1981, Part IV	57 of 1981	13 October 1981	1 September 1982	
Acts Amendment (Statutory Designations) and Validation Act 1981, Schedule	63 of 1981	13 October 1981	13 October 1981	
Health Legislation Administration Act 1984, Part XX	28 of 1984	31 May 1984	1 July 1984	

PART II—ORDERS IN COUNCIL

ORDERS	GAZETTAL	COMMENCEMENT	MISCELLANEOUS
For Orders prior to 24 August 1984 see Index to Legislation of Western Australia; Table 1			
Poisons (Scheduled Substances) Amendment Order 1984	24 August 1984 pp. 2503-66	24 September 1984	
Poisons (Scheduled Substances) Amendment Order 1985	8 February 1985 p. 517	8 February 1985	

ORDERS	GAZETTAL	COMMENCEMENT	MISCELLANEOUS
For Orders prior to 24 August 1984 see Index to Legislation of Western Australia; Table 1			
Poisons (Scheduled Substances) Amendment Order 1984	24 August 1984 pp. 2503-66	24 September 1984	
Poisons (Scheduled Substances) Amendment Order 1985	8 February 1985 p. 517	8 February 1985	
Poisons (Scheduled Substances) Amendment Order (No. 2) 1985	15 March 1985 pp. 936-941	15 March 1985	
Poisons (Scheduled Substances) Amendment Order (No. 3) 1985	29 March 1985 p. 1110	29 March 1985	
Poisons (Scheduled Substances) Amendment Order (No. 4) 1985	31 May 1985 p. 1883	31 May 1985	
Poisons (Scheduled Substances) Amendment Order (No. 5) 1985	16 August 1985 pp. 2921-28	16 August 1985	
Poisons (Scheduled Substances) Amendment Order (No. 6) 1985	18 October 1985 pp. 3989-95	1 December 1985	
Poisons (Scheduled Substances) Amendment Order (No. 7) 1985	20 December 1985 p. 4833	20 December 1985	
Poisons (Scheduled Substances) Amendment Order 1986	11 July 1986 p. 2338	11 July 1986	
Poisons (Scheduled Substances) Amendment Order (No. 2) 1986	1 August 1986 pp. 2730-39	1 September 1986	
Poisons (Scheduled Substances) Amendment Order (No. 3) 1986	14 November 1986 pp. 4193-94	14 November 1986	

[2.] See the *Interpretation Act 1984*.

[3.] Under the *Reprints Act 1984* section 7 (3) (h) this title was substituted for "Commissioner of Public Health".

[4.] See *Gazettes* 4 December 1981 p. 4971; 14 January 1983 p. 199; 26 October 1984 p. 3435.

[5.] Repealed by the *Agriculture and Related Resources Protection Act 1976*.

[6.] The *Poisons Act 1964* is affected by the *Health Act 1911* and the *Police Act 1892*.

By Authority WILLIAM C BROWN Government Printer