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**AGRICULTURAL AND
VETERINARY CHEMICALS**



Australian Government

**Australian Pesticides and
Veterinary Medicines Authority**

The *Agricultural and Veterinary Chemical Code Act 1994* (the Act) commenced on 15 March 1995. The Agricultural and Veterinary Chemicals Code (the Agvet Code) scheduled to the Act requires notices to be published in the *Gazette* containing details of the registration of agricultural and veterinary chemical products and other approvals granted by the Australian Pesticides and Veterinary Medicines Authority. The Agvet Code and related legislation also requires certain other notices to be published in the *Gazette*. A reference to Agvet Codes in this publication is a reference to the Agvet Code in each state and territory jurisdiction.

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GENERAL INFORMATION

The *APVMA (Australian Pesticides and Veterinary Medicines Authority) Gazette* is published fortnightly and contains details of the registration of agricultural and veterinary chemicals products and other approvals granted by the APVMA, notices as required by the Agricultural and Veterinary Chemicals Code (the Agvet Code) and related legislation and a range of regulatory material issued by the APVMA.

Pursuant to section 53(1) of the Agvet Code, the APVMA has decided that it is unnecessary to publish details of applications made for the purpose of notifying minor variations to registration details. The APVMA will however report notifications activity in quarterly statistical reports.

DISTRIBUTION AND SUBSCRIPTION

The *APVMA Gazette* is published in electronic format only and is available from the APVMA website, www.apvma.gov.au/publications/gazette/.

If you would like to receive email notification when a new edition is published, please subscribe on the APVMA website.

APVMA CONTACTS

For enquiries regarding the publishing and distribution of the *APVMA Gazette*: Telephone: +61 2 6210 4870

For enquiries on the *APVMA Gazette* content, please refer to the individual APVMA contacts listed under each notice.

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Erratum Notice

The Australian Pesticides and Veterinary Medicines Authority advises that an error was published in the Commonwealth of Australia Gazette for Agricultural and Veterinary Chemicals, No. APVMA 21, 23 October 2012.

The Notice for ‘Penflufen in the product EverGol Prime Seed Treatment’ incorrectly identified the applicant as Syngenta Crop Protection Pty Limited.

The correct entry for the Notice of Registration for Penflufen in the product EverGol Prime Seed Treatment appears on page 7 of this Gazette.

NOTICE – NEW AGRICULTURAL ACTIVE CONSTITUENT

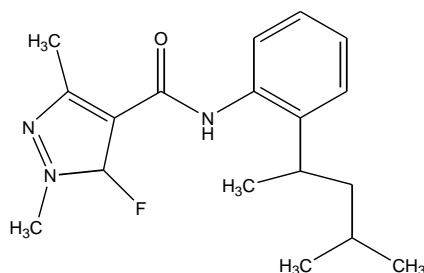
Penflufen

The Australian Pesticides and Veterinary Medicines Authority (APVMA) has before it an application for the approval of a new active constituent, penflufen.

Penflufen is a new carboxamide fungicidal active ingredient which is proposed for use as a seed treatment of both barley and wheat.

Common Name:	Penflufen
IUPAC Name:	2'-[(<i>RS</i>)-1,3-dimethylbutyl]-5-fluoro-1,3-dimethylpyrazole-4-carboxanilide
CAS Name:	<i>N</i> -[2-(1,3-dimethylbutyl)phenyl]-5-fluoro-1,3-dimethyl-1 <i>H</i> -pyrazole-4-carboxamide
CAS Registry Number:	494793-68-8
Manufacturer's Codes:	BYF 14182
Minimum Purity:	950 g/kg
Molecular Formula:	C ₁₈ H ₂₄ FN ₃ O
Molecular Weight:	317.41

Structures:



Chemical Family:	Alkylamide fungicide
Mode of Action:	Inhibition of mitochondrial respiration by blocking the electron transport in the respiratory chain of Succinate Dehydrogenase (complex II – SDH inhibitor)

SUMMARY OF THE APVMA'S EVALUATION OF PENFLUFEN ACTIVE CONSTITUENT

The Pesticides Program of the APVMA has evaluated the chemistry aspects of penflufen active constituent (manufacturing process, quality control procedures, batch analysis results and analytical methods) and found them to be acceptable.

On the basis of the data provided, and the toxicological assessment, it is proposed that the following APVMA Active Constituent Standard be established for penflufen active constituent:

Constituent	Specification	Level
Penflufen	Penflufen	950 g/kg minimum

Other compounds of toxicological significance are not expected to occur in penflufen TGAC.

The Office of Chemical Safety (OCS) has completed a toxicological evaluation of penflufen.

An Acceptable Daily Intake (ADI) of 0.02 mg/kg bw/d has been set, based on a No-Observed Effect Level (NOEL) of 4 mg/kg bw/d in a Wistar rat study, after applying a safety factor of 200. An Acute Reference Dose (ARfD) of 0.5 mg/kg bw has been set based on a NOAEL of 50 mg/kg bw in an acute neurotoxicity study, after applying a safety factor of 100. The National Medicines and Poisons Schedule Committee (NMPSC) has considered penflufen to be appropriate for inclusion in Schedule 5 (S5) of the Standard for the Uniform Scheduling of Medicines and Poisons (SUSMP).

The OCS has recommended that there are no toxicologically significant impurities in technical penflufen.

The OCS has indicated that there are no objections on toxicological grounds to the approval of the active constituent penflufen.

The APVMA accepts the findings and recommendations of its advisers on these criteria.

The APVMA is satisfied that the proposed importation and use of penflufen would not be an undue toxicological hazard to the safety of people exposed to it during its handling and use.

MAKING A SUBMISSION

In accordance with sections 12 of the Agvet Code, the APVMA invites any person to submit a relevant written submission as to whether the application for approval of penflufen should be granted. Submissions should relate only to matters that the APVMA is required by legislation to consider in deciding whether to grant the approval. These grounds include **chemistry and manufacture, and toxicity**. Submissions should state the grounds on which they are based. Comments received outside these grounds cannot be considered by the APVMA.

Submissions must be received by the APVMA within **28 days** of the date of this notice and be directed to the contact listed below. All submissions to the APVMA will be acknowledged in writing via email or by post. A summary of relevant comments and the APVMA's response will be published on the APVMA website.

When making a submission please include a:

- contact name
- company or group name (if relevant)
- postal address
- email address (if available)
- the date you made the submission.

All personal and **confidential commercial information (CCI)**¹ material contained in submissions will be treated confidentially.

¹ A full definition of 'confidential commercial information' is contained in the [Agvet Code](#).

Written submissions on the APVMA's proposal to grant approval for Penflufen that relate to the **grounds for approval** should be marked attention to the Chemistry Manager, Pesticides Program in writing to:

Pesticides Contact Officer
Pesticides Program

Australian Pesticides and Veterinary Medicines Authority
PO Box 6182
KINGSTON ACT 2604

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NOTICE – NEW AGRICULTURAL CHEMICAL PRODUCTS

Penflufen in the product EverGol Prime Seed Treatment

The Australian Pesticides and Veterinary Medicines Authority (APVMA) has before it an application from Bayer CropScience Pty Ltd, for registration of a new product containing the active constituent penflufen. The product is **EVERGOL PRIME SEED TREATMENT**. The product is for use on wheat and barley for the suppression of rhizoctonia root rot and control or suppression of smut diseases.

PARTICULARS OF THE APPLICATION

Proposed Product Name(s):	EVERGOL PRIME SEED TREATMENT
Applicant Company:	Bayer CropScience Pty Ltd
Name of Active Constituents:	Penflufen
Signal Heading:	Schedule 5
Summary of Proposed Use:	For the suppression or rhizoctonia root rot and control or suppression of smut diseases of wheat and barley.
Pack Sizes:	5 L and 10 L
Withholding Period:	Harvest: Not required when used as directed. Grazing: Do not graze plants grown from treated seed or cut for stock food within 5 weeks of sowing.

SUMMARY OF THE APVMA'S EVALUATION OF EVERGOL PRIME SEED TREATMENT IN ACCORDANCE WITH SECTION 14(3)(E) AND (F) OF THE AGRICULTURAL AND VETERINARY CHEMICALS CODE (THE 'AGVET CODE'), SCHEDULED TO THE *AGRICULTURAL AND VETERINARY CHEMICALS CODE ACT 1994*

The APVMA has evaluated the application and in its assessment in relation to human and environmental safety under section 14(3)(e) of the Agvet Code, it proposes to determine that:

- (i) The APVMA is satisfied that the proposed use of **EVERGOL PRIME SEED TREATMENT** would not be an undue hazard to the safety of people exposed to it during its handling and use.

EverGol Prime Seed Treatment will be used by commercial seed treatment operators and on-farm treaters/planters (i.e. crop growers). Workers may be exposed to the product when opening containers, conducting mixing/treating procedures, bagging or transfer of treated seed, sowing of seed, and cleaning up spills and equipment. The main route of exposure to the product will be *via* the dermal and inhalational routes, although ocular exposure is also possible.

Based on the risk assessment for workers conducting seed treatment, for both commercially and on-farm by treater/planters (growers) the margins of exposure are all considered to be acceptable (ie >100) provided the operator is wearing a single layer of clothing (cotton overalls or equivalent clothing), elbow length chemical resistant gloves and impervious foot ware. Based on the risk assessment, a First Aid Instruction and Safety Directions, along with General Safety Precautions, have been recommended for the product label.

- (ii) The APVMA is satisfied that the proposed use of **EVERGOL PRIME SEED TREATMENT** will not be an undue hazard to the safety of people using anything containing its residues if used according to the product label directions.

The highest acute dietary intake of the active constituent penflufen was estimated to be <1% of the acute reference dose. The chronic dietary exposure of penflufen was estimated to be <1% of the acceptable daily intake for the general population. Therefore, it is concluded that dietary exposure to penflufen is low and the risk from residues in food is acceptable when EverGol Prime Seed Treatment is used according to label directions.

- (iii) The APVMA is satisfied that the proposed use of **EVERGOL PRIME SEED TREATMENT**, containing the active constituent penflufen, is not likely to be harmful to human beings if used according to the product label directions.

EverGol Prime Seed Treatment is of low acute oral, dermal and inhalational toxicity. It was not a skin or eye irritant in rabbits, and was not a skin sensitiser in mice. The active constituent penflufen is of low acute oral toxicity.

The systemic toxicity of penflufen in dietary studies consisted primarily of body weight and body weight gain decreases, liver toxicity, and thyroid effects generally seen at higher dose levels. This systemic toxicity profile was observed in short-term, subchronic and chronic toxicity studies in rats, mice and dogs, with the available data indicating that the rat was the most sensitive species. No treatment related adverse effects were seen in a short-term dermal study in the rat.

Penflufen was not carcinogenic in male or female mice. In contrast, penflufen was carcinogenic in both male and female rats. An increased incidence of histiocytic sarcoma was seen in male rats only at the low, middle and high dose that was slightly greater than the laboratory control range at the low and mid dose groups and greater at the high dose group. Additionally in males, the total incidence of brain astrocytoma at the top dose level was greater than the laboratory historical control range. In female rats, an increased incidence was seen in ovarian tubulostromal adenoma at the top dose level which was greater than the laboratory historical control range.

Penflufen was not a reproductive or developmental toxicant, and tested negative *in vitro* and *in vivo* in a battery of mutagenicity and/or genotoxicity studies. Additionally, the available data was not considered to demonstrate a neurotoxic or immunotoxic hazard.

Based on an assessment of the toxicology, it was considered that there should be no adverse effects on human health from the use of EverGol Prime Seed Treatment when used in accordance with the label directions.

- (iv) The APVMA is satisfied that the proposed use of the new product **EVERGOL PRIME SEED TREATMENT**, containing the active constituent penflufen, would not be likely to have an unintended effect that is harmful to animals, plants or things or the environment if used according to the product label directions.

Penflufen is hydrolytically stable. Degradation via photolysis in natural water forms two major metabolites. In aerobic conditions penflufen degrades slowly in soil and in water/sediment systems. Under field conditions penflufen is readily to very slightly degradable. Penflufen is moderately mobile in soil.

Penflufen showed no acute or chronic toxicity to birds, and no acute toxicity to mammals. However, it showed high toxicity to fish, moderate toxicity to aquatic invertebrates and potentially to algae and aquatic plants. Bees and earthworms were not sensitive to penflufen. It also showed no adverse effects to soil micro-organisms and non-target terrestrial plants.

In assessing the application particular attention was given to the effects of buried treated seeds to avian, mammals and run-off to fish. The risk of buried seeds to birds, mammals, and the risk of run-off from treated areas to aquatic species are considered acceptable based on the assessed use pattern and application rate. The risk to bees,

earthworms, and non-target terrestrial plants is acceptable. The risk assessment determined that the chemical is unlikely to pose an environmental risk when EverGol Prime Seed Treatment is used according to label directions.

- (v) The APVMA is satisfied that the proposed use of **EVERGOL PRIME SEED TREATMENT** would not adversely affect trade between Australia and places outside Australia.

The risk to Australian trade in cereal grains and grain products is considered to be low, as quantifiable residues of penflufen are not expected to be found in cereal grains grown from treated seed or in processed cereal commodities. The export of cereal grains should therefore not affect trade between Australia and places outside Australia.

Forage and fodder of treated crops, as well as grain, may be used as livestock feed. The overall risk to trade in animal commodities is considered to be low, as quantifiable residues are not expected to be found in the meat, offal or milk of animals given feed from treated crops. All penflufen MRLs for animal commodities are proposed to be at the limit of quantitation. Hence the export of all livestock commodities derived from animals fed on wheat and barley grain, forage and straw through the use of penflufen in EverGol Prime Seed Treatment, should not affect trade between Australia and places outside Australia.

- (vi) In relation to its assessment of efficacy under section 14(3)(f), the APVMA is satisfied that data from trials supporting the efficacy of **EVERGOL PRIME SEED TREATMENT** adequately demonstrate that if used according to the product label directions, the product is effective for its proposed uses.

FURTHER INFORMATION

A Public Release Summary (PRS) of the evaluation of this product is available from the APVMA website's 'Public Consultation' page, www.apvma.gov.au/consultation/public or by contacting the APVMA as indicated below.

MAKING A SUBMISSION

In accordance with sections 12 and 13 of the Agvet Code, the APVMA invites any person to submit a relevant written submission as to whether the application for registration of **EVERGOL PRIME SEED TREATMENT** should be granted. Submissions should relate only to matters that the APVMA is required by legislation to take into account in deciding whether to grant the application. These grounds include **occupational health and safety, chemistry and manufacture, residues, safety and first aid, environmental fate and toxicity, trade and efficacy**. Submissions should state the grounds on which they are based. Comments received outside these grounds cannot be considered by the APVMA.

Submissions must be received by the APVMA within **28 days** of the date of this notice and be directed to the contact listed below. All submissions to the APVMA will be acknowledged in writing via email or by post.

Relevant comments will be taken into account by the APVMA in deciding whether the product should be registered and in determining appropriate conditions of registration and product labelling.

When making a submission please include:

- contact name
- company or group name (if relevant)
- email or postal address
- the date you made the submission.

All personal and **confidential commercial information (CCI)**² material contained in submissions will be treated confidentially.

Written submissions on the APVMA's proposal to grant the application for registration that relate to the **grounds for registration** should be addressed in writing to:

Contact Officer
Pesticides Program
Australian Pesticides and Veterinary Medicines Authority
PO Box 6182
KINGSTON ACT 2604

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² A full definition of 'confidential commercial information' is contained in the [Agvet Code](#).

OTHER NOTICES

Suspension of Certain Products Containing Fenthion, Suspension of Associated Label Approvals and Cancellation of Previous Label Approvals.

On 31 October 2012, the APVMA suspended the registrations and the most recent label approvals for two chemical products containing fenthion (one used in agricultural situations and one used in the home garden) and cancelled previous label approvals as identified in the table below. The decisions to suspend the registrations and to suspend or cancel label approvals were made under subsections 41(1) and 41(3) of the *Agricultural and Veterinary Chemicals Code Act 1994* (**Agvet Code**).

The product registrations and most recent label approvals have been suspended for a period of 12 months, ending on 30 October 2013.

The APVMA has also cancelled certain permits authorising the use of products containing fenthion.

REASONS FOR SUSPENSION

The APVMA has decided that the continued use of, or other dealings with these two products containing fenthion according to the instructions on approved labels may be an undue hazard to the safety of people using anything containing fenthion residues.

In September 2012, the APVMA published the revised toxicology component of the report prepared by the Office of Chemical Safety (**OCS**) in the Department of Health and Ageing in connection with the APVMA's review of fenthion: *Human Health Risk Assessment of Fenthion* (the **OCS Report**). The OCS Report confirmed the Acceptable Daily Intake (ADI) for fenthion of 0.002 mg/kg bw/day, and also confirmed the Acute Reference Dose (ARfD) of 0.007 mg/kg bw.

The APVMA published its *Fenthion Residues and Dietary Risk Assessment Report* (the **Residues Report**) in September 2012. The Residues Report considered all of the available information relevant to its review of fenthion, including the public health standards (ADI and ARfD) set out in the OCS Report.

The APVMA has formed the view that exposures to residues in certain crops and produce that have been treated with the products listed below may be an undue hazard to people's safety and may exceed the ARfD established by the OCS. As such, the APVMA decided to suspend the product registrations and the associated label approvals for the two products listed below. Only those products containing fenthion that had instructions for use on food producing plants have been included in this suspension. One veterinary product and five pest control products containing fenthion are currently under review, but are not affected by this decision.

Suspended products and suspended and cancelled label approvals

Product number	Product name	Registrant	Previous label approvals cancelled	Most recent label approval suspended
32996	LEBAYCID INSECTICIDE SPRAY	BAYER CROPSCIENCE PTY LTD	32996/01 32996/1297 32996/0199 32996/0699 32996/0800 32996/1100 32996/1103	32996/0110
61308	LEBAYCID FRUIT FLY & INSECT KILLER	BAYER CROPSCIENCE PTY LTD	No previous labels approved	61308/0907

INSTRUCTIONS

Subsections 45A(5) and 55(3) of the Agvet Code cease to apply in respect of the products identified in the table above. During the 12 month period of suspension, a person may not possess, have custody of, use or deal with any of the products other than in accordance with:

- the instructions set out at the end of this Notice, in Attachments 1 to 3; and
- any permits issued by the APVMA.

New permits, with modified instructions for use, have been issued under section 114 of the Agvet Code (PER 13840 and 13841 for agricultural products in WA and in other States and Territories, respectively, and PER 13843 for home garden products). The instructions for use have been reproduced at the end of this Notice.

WARNING

From 31 October 2012 a person may only possess, have custody of, use or otherwise deal with the products identified above in accordance with a permit issued by the APVMA and the instructions set out at the end of this Notice.

The APVMA may cancel one or more of these permits and issue replacement permits at any time during the 12 month suspension period. Before using, supplying or otherwise dealing with products containing fenthion, suppliers and users need to be satisfied that the instructions set out at the end of this Notice continue to apply, and that their activities are authorised by a permit. Current permits are available at www.apvma.gov.au/permits/search.php.

Failure to comply with the instructions set out at the end of this Notice attracts a penalty under section 55(4) of the Agvet Code. The penalty is 300 penalty units (\$33,000).

APVMA CONTACT

For any enquiries or further information about this matter, please contact:

Contact Officer
Chemical Review
Pesticides Program
Australian Pesticides and Veterinary Medicines Authority
PO Box 6182
KINGSTON ACT 2604

Phone: +61 2 6210 4749

Fax: +61 2 6210 4776

Email: chemicalreview@apvma.gov.au

ATTACHMENT 1: INSTRUCTIONS FOR POSSESSING, HAVING CUSTODY OF, USING OR DEALING WITH THE SUSPENDED PRODUCT NUMBER 61308 LEBAYCID FRUIT FLY & INSECT KILLER CONTAINING FENTHION

Possession and custody

A person may possess, have custody of, use or otherwise deal with the suspended fenthion product NUMBER 61308 LEBAYCID FRUIT FLY & INSECT KILLER (bearing a suspended label) only in accordance with these instructions or instructions in PER 13843 issued by the APVMA for home garden use products.

Supply

All suppliers must at the time of the supply of a product covered by these instructions provide to the person taking responsibility for the supplied product:

- a copy of the relevant PER 13843 for home garden products in full setting out the conditions and instructions for use, and
- supply the product with a copy of the instructions contained in the permit securely affixed to each container of product.

Use

Product can only be used in accordance with the instructions specified below and in any relevant permit issued by the APVMA during the period of suspension.

PERSONS who wish to use suspended products containing fenthion (as listed above) must read, or have read to them, the instructions included in the relevant APVMA permit. Users who have had the instructions read to them must confirm to the reader that they understand the instructions.

READ THESE INSTRUCTIONS before using or otherwise handling the product.

When using or otherwise handling the product, follow the instructions on the current label except for the Direction For Use which have been varied as stated below:

PROHIBITED CROP USES: HOME GARDEN PRODUCTS

The current (suspended) label may include instructions for use on fruit trees and vegetables. The use of fenthion on these crops is no longer approved and the following restraint applies.

DO NOT apply to food producing plants in the Home Garden

ATTACHMENT 2: INSTRUCTIONS FOR POSSESSING, HAVING CUSTODY OF, USING OR DEALING WITH THE SUSPENDED PRODUCT 32996 LEBAYCID INSECTICIDE SPRAY IN States and Territories other than WESTERN AUSTRALIA (SA, VIC, TAS, NSW, ACT, QLD AND NT ONLY)

Possession and custody

A person may possess, have custody of, use or otherwise deal with the suspended fenthion products 32996 LEBAYCID INSECTICIDE SPRAY (bearing a suspended label) in States and Territories other than Western Australia only in accordance with these instructions or instructions in permit PER 13841 issued by the APVMA for SA, Vic, Tas, NSW, ACT, QLD and NT ONLY.

Supply

All suppliers must at the time of the supply of a product covered by these instructions provide to the person taking responsibility for the supplied product:

- a copy of the relevant permit (currently PER 13841 for SA, Vic, Tas, NSW, ACT, QLD and NT only) in full setting out the conditions and instructions for use, and supply the product with a copy of the instructions contained in the permit securely affixed to each container of product.

Use

Product can only be used in **SA, VIC, TAS, NSW, ACT, QLD and NT** in accordance with the instructions specified below and in any relevant permit issued by the APVMA during the period of suspension.

PERSONS who wish to use suspended products containing fenthion (as listed above) must read, or have read to them, the instructions included in the relevant APVMA permit. Users who have had the instructions read to them must confirm to the reader that they understand the instructions.

READ THESE INSTRUCTIONS before using or otherwise handling the product. The Following Directions for Use have been provided for **SA, VIC, TAS, NSW, ACT, QLD and NT ONLY**. Directions for Use in WA are specified in PER 13840 and are in Attachment 3 of this Notice .

When using or otherwise handling the product, follow all the instructions of the suspended label (32996/0110) EXCEPT for those instructions contained within the DIRECTIONS FOR USE table and associated Withholding Periods on the suspended product label (32996/0110).

All use of the product during the period of suspension must only be undertaken in accordance with the following instructions. DO NOT follow the instructions as contained within the DIRECTIONS FOR USE table and associated Withholding Periods of the suspended product label.

These modified instructions include (i) Prohibited Crop Uses that may no longer be undertaken and (ii) instructions for other uses that may continue to be undertaken and which may differ from the suspended product label directions as follows:

DIRECTIONS FOR USE

(i) Prohibited Crop Uses

The existing (suspended) label may include instructions for use on the crops listed below. The use of fenthion on these crops is no longer approved and the following restraints apply.

DO NOT use fenthion on citrus (including oranges, lemons and grapefruit)

DO NOT use fenthion on any deciduous fruit trees or fruit trees other than as specified in the table below

DO NOT use fenthion on figs, loquats or quince

DO NOT use fenthion on any edible peel varieties of persimmons, kiwifruit or guava

DO NOT use fenthion on eggplant (eggfruit) or pepinos

DO NOT use fenthion on tomatoes

DO NOT use fenthion as a post harvest treatment on any fruiting vegetables (including cucurbits) other than chillies, melons and watermelons.

- (ii) **Uses that may continue to be undertaken** (and which may differ from the suspended product label directions)

Tree and Vine Crops- SA, VIC, TAS, NSW, ACT, QLD and NT only

RATE					CRITICAL COMMENTS
In the following table, all rates given are for dilute spraying . For concentrate spraying , refer to the Application section.					
CROP	PEST	STATE	RATE	WHP	
Apples and Pears	Queensland fruit fly	NSW, Vic only	150 mL/100 L	28 days	Apply full cover sprays at 7–14 day intervals until 4 weeks before picking commences.
	Codling moth	NSW, Vic, SA only	95 mL/100 L		Apply a full cover spray every 2–3 weeks during the period of moth activity until 4 weeks before picking commences.
	Lightbrown apple moth	NSW, Vic, SA only			Spray fruit trees when pests are first seen and repeat when they reinvade (at a minimum 7 days interval) until 4 weeks before picking commences. Also spray nearby weeds.
	Rutherglen bug	Qld, NSW, Vic, SA only			Apply a full cover spray if hoppers infest fruit trees. Retreat if necessary at a minimum 7 days interval until 4 weeks before picking commences.
	Wingless grasshopper	NSW, Vic	75 mL/100L		
Grapes	Fruit fly	Qld, NT only	75 mL/100 L	21 days	Apply when pest is present, as a thorough cover spray 6 weeks and 4 weeks prior to harvest.
Pawpaws (Papaya)	Yellow peach moth	Qld, NT only	75 mL/100 L	14 days	Apply a thorough cover spray as insect populations indicate.

Tree and Vine Crops—CONTINUED—SA, Vic, Tas, NSW, ACT, QLD and NT

RATE					CRITICAL COMMENTS
In the following table, all rates given are for dilute spraying . For concentrate spraying , refer to the Application section.					
CROP	PEST	STATE	RATE	WHP	
Persimmons (inedible peel varieties ONLY)	Greenhouse thrips	Qld only	90 mL/100 L	7 days	Apply as a cover spray as required. DO NOT use on edible peel varieties.
	Queensland fruit fly and mealybug	Qld, NSW only	75 mL/100 L		Thorough spray coverage of fruit is essential. Apply at 6, 4, 3, 2 and 1 week before the expected start of harvest. See Crop Safety and Compatibility . DO NOT use on edible peel varieties.
Stonefruit except Cherries	Lightbrown apple moth	NSW, Vic, SA only	75 mL/100 L	21 days	Apply every 2 to 3 weeks during the period of moth activity. DO NOT apply more than 3 sprays per season.
	Oriental fruit moth	NSW, Vic, SA only	75 mL/100 L		Apply every 2 to 3 weeks during the period of moth activity. Re-apply if necessary at a minimum 7 days interval until 3 weeks before picking commences. DO NOT apply more than 3 sprays per season.
	Wingless grasshopper	NSW, Vic	75 mL/100 L		Apply a full cover spray if hoppers infest fruit trees. Re-apply if necessary at a minimum 7 days interval until 3 weeks before picking commences. DO NOT apply more than 3 sprays per season.
	Queensland fruit fly	Qld & NSW, Vic only	75 mL/100 L	21 days	Spray fruit thoroughly. Apply full cover sprays at 7 to 14 day intervals until 3 weeks before picking commences. DO NOT apply more than 3 sprays per season.
Tropical and sub-tropical fruits (inedible peel) ³	Fruit fly	Qld, NSW, Vic, NT only	75 mL/100 L	7 days (except guavas & pawpaws 14 days)	Thorough spray coverage of fruit is essential. Apply at 6, 4, 3, 2 and 1 week (except guava and pawpaw apply at 6, 4, 3 and 2 weeks) before the expected start of harvest.
	Wingless grasshopper	NSW, Vic only			Apply a full cover spray if hoppers infest fruit trees.

³ Tropical and sub-tropical fruits (inedible peel) include avocado, banana, breadfruit, custard apple, durian, feijoa, jackfruit, lychee (litchi), longan, mango, mangosteen, pawpaw, passionfruit, pineapple, pomegranate, rambutan, sapodilla, sapote, tamarind and the inedible peel varieties ONLY of guava, kiwi fruit and persimmon.

Non-Tree/Vine Crops—SA, VIC, TAS, NSW, ACT, QLD AND NT

CROP	PEST	STATE	RATE	WHP	CRITICAL COMMENTS
Capsicums	Fruit fly	Qld, NT only	75 mL/100 L or 750 mL/ha	7 days	Spray fruit thoroughly. Apply when first fruit changes colour from dark green to light green. Repeat every 14 days.
Ornamentals	Mealybug	SA only	100 mL/100 L	–	Mealybugs may occur on all parts of the plant including roots. Thoroughly drench soil around plants. Also spray plants when pests are seen and repeat 14 days later.

Post-harvest Treatment—SA, VIC, TAS, NSW, ACT, QLD AND NT

CROP	PEST	STATE	RATE	WHP	CRITICAL COMMENTS
Tropical and sub-tropical fruits (inedible peel) ⁴ , Melons and watermelons	Queensland fruit flies (Quarantine treatment only)	Qld, NSW, NT only	75 mL/100 L	Nil (post-harvest treatment only)	DO NOT use fenthion on any cucurbits other than melons and watermelons. Dip fruit and completely submerge for 1 minute. Drain and allow to air dry. Refer to departmental guidelines for disposal of spent dips. or Apply as a flood spray of 16 L spray mixture per minute per m ² over fruit for a minimum of 10 seconds, then ensure fruit remains wet for at least 1 minute.
Hollow fruited chillies only					DO NOT dip or flood spray capsicums. Do not dip hollow chillies as dip may enter cavity. These fruit should only be flood sprayed. See above for method.

Withholding Periods—SA, VIC, TAS, NSW, ACT, QLD AND NT:

Apples, Pears

DO NOT harvest for 28 days after application

Grapes

DO NOT harvest for 21 days after application

Stone fruit except Cherries

DO NOT harvest for 21 days after application

Persimmons (inedible peel varieties ONLY)

DO NOT harvest for 7 days after application

Capsicums

DO NOT harvest for 7 days after application

⁴ Tropical and sub-tropical fruits (inedible peel) include avocado, banana, breadfruit, custard apple, durian, feijoa, jackfruit, lychee (litchi), longan, mango, mangosteen, pawpaw, passionfruit, pineapple, pomegranate, rambutan, sapodilla, sapote, tamarind and the inedible peel varieties ONLY of guava, kiwi fruit and persimmon.

Tropical and sub-tropical fruits (inedible peel)

- (i) avocado, banana, breadfruit, custard apple, durian, feijoa, jackfruit, lychee (litchi), longan, mango, mangosteen, passionfruit, pineapple, pomegranate, rambutan, sapodilla, sapote, tamarind and the inedible peel varieties ONLY of kiwifruit and persimmon.
DO NOT harvest for 7 days after application

- (ii) Pawpaw, Guava (inedible peel varieties only)
DO NOT harvest for 14 days after application

Post Harvest Dipping and Flood Sprays: Tropical and sub-tropical fruits (inedible peel varieties ONLY), melons, watermelons and hollow fruited chillies

NOT REQUIRED WHEN USED AS DIRECTED (Flood spray and dip uses only)

ATTACHMENT 3: INSTRUCTIONS FOR POSSESSING, HAVING CUSTODY OF, USING OR DEALING WITH THE SUSPENDED PRODUCT 32996 LEBAYCID INSECTICIDE SPRAY IN WESTERN AUSTRALIA ONLY

Possession and custody

A person may possess, have custody of, use or otherwise deal with the suspended fenthion products 32996 LEBAYCID INSECTICIDE SPRAY (bearing a suspended label) in Western Australia only in accordance with these instructions or instructions in permit PER 13840 issued by the APVMA for WA only.

Supply

All suppliers must at the time of the supply of a product covered by these instructions provide to the person taking responsibility for the supplied product:

- a copy of the relevant permit (currently PER 13840, WA only) in full setting out the conditions and instructions for use, and
- supply product with a copy of the instructions contained in the permits securely affixed to each container of product.

Use

Product can be used in WA only in accordance with the instructions specified below and in any relevant permit issued by the APVMA during the period of suspension.

PERSONS who wish to use suspended products containing fenthion (as listed above) must read, or have read to them, the instructions included in the relevant APVMA permit. Users who have had the instructions read to them must confirm to the reader that they understand the instructions.

READ THESE INSTRUCTIONS before using or otherwise handling the product. The Following Directions for Use in have been provided for **WA ONLY**. Directions for Use in SA, Vic, Tas, NSW, ACT, QLD and NT are specified in PER 13841 and in Attachment 2 of this Notice.

When using or otherwise handling the product, follow all the instructions of the suspended label (32996/0110) EXCEPT for those instructions contained within the DIRECTIONS FOR USE table and associated Withholding Periods on the suspended product label (32996/0110).

All use of the product during the period of suspension must only be undertaken in accordance with the following instructions. DO NOT follow the instructions as contained within the DIRECTIONS FOR USE table and associated Withholding Periods of the suspended product label.

This permit includes modified instructions for the continued use of LEBAYCID INSECTICIDE SPRAY in WA only during the suspension period.

These modified instructions include (i) Prohibited Crop Uses that may no longer be undertaken and (ii) instructions for other uses that may continue to be undertaken and which may differ from the suspended product label directions as follows;

DIRECTIONS FOR USE

(iii) Prohibited Crop Uses

The existing (suspended) label may include instructions for use on the crops listed below. The use of fenthion on these crops is no longer approved and the following restraints apply:

DO NOT use fenthion on any deciduous fruit trees or fruit trees other than as specified in the table below

DO NOT use fenthion on figs, loquats or quince

DO NOT use fenthion on any edible peel varieties of kiwifruit or guava

DO NOT use fenthion on eggplant (eggfruit) or pepinos

DO NOT use fenthion on tomatoes

DO NOT use fenthion as a post harvest treatment on any fruiting vegetables (including cucurbits) other than chillies, melons and watermelons

- (iv) Uses that may continue to be undertaken (and which may differ from the suspended product label directions)

Tree and Vine Crops—WA only

<p style="text-align: center;">RATE</p> <p style="text-align: center;">In the following table, all rates given are for dilute spraying. For concentrate spraying, refer to the Application section of the product label.</p>					<p style="text-align: center;">CRITICAL COMMENTS</p>
CROP	PEST	STATE	RATE	WHP	For all uses in this table: Apply by dilute or concentrate spraying equipment. Apply the same total amount of product to the target crop whether applying this product by dilute or concentrate spraying methods. For concentrate spraying, DO NOT use at rates greater than 5 times the dilute spraying rate.
Apples	Mediterranean fruit fly	WA only	75 mL/100 L	10 days	Cover sprays provide additional protection over fruit fly baiting. Apply a maximum of 2 sprays, 14 days apart if signs of fruit fly strike are seen or monitoring numbers indicate treatment is required. DO NOT apply more than 2 sprays per season .
Pears	Mediterranean fruit fly	WA only	90–100mL /100 L	7days	
Citrus	Mediterranean fruit fly	WA only	75 mL/100L	14 days	Apply no more than a single application per season of no more than 1000 L/ha. DO NOT apply more than 1 spray per season.
Grapes	Mediterranean fruit fly	WA only	50mL/100 L	7 days	Spray when pest is present. Thorough coverage of fruit is essential. Apply a maximum of 2 sprays per season, no less than 7 days apart if signs of fruit fly strike are seen, or monitoring numbers indicate that treatment is required. DO NOT apply more than 2 sprays per season.
Pawpaws (papaya)	Yellow peach moth	WA	75 mL/100 L	14 days	Apply a thorough cover spray as insect populations indicate.
Persimmons Edible peel varieties	Mediterranean fruit fly	WA only	75 mL/100 L	14 days	Cover sprays provide additional protection over fruit fly baiting. Apply a maximum of 2 sprays per season, no less than 10 days apart if signs of fruit fly strike are seen, or monitoring numbers indicate that treatment is required. DO NOT apply more than 2 sprays per season.

Stonefruit	Mediterranean fruit fly	WA only	75 mL/100 L	7 days	Cover sprays provide additional protection over fruit fly baiting. Apply a maximum of 2 sprays per season, no less than 10 days apart if signs of fruit fly strike are seen, or monitoring numbers indicate that treatment is required. DO NOT apply more than 2 sprays per season.
Tropical and sub-tropical fruits (inedible peel) ⁵	Mediterranean fruit fly	WA only	75 mL/100 L	7 days (except guavas & pawpaws 14 days)	Thorough spray coverage of fruit is essential. Apply at 6, 4, 3, 2 and 1 week (except guava and pawpaw apply at 6, 4, 3 and 2 weeks) before the expected start of harvest.

Non-Tree/Vine Crops—WA

CROP	PEST	STATE	RATE	WHP	CRITICAL COMMENTS
Ornamentals	Mealybug	WA	100 mL/100 L	-	Mealybugs may occur on all parts of the plant including roots. Thoroughly drench soil around plants. Also spray plants when pests are seen and repeat 14 days later.

Post-harvest Treatment—WA

CROP	PEST	STATE	RATE	WHP	CRITICAL COMMENTS
Tropical and sub-tropical fruits (inedible peel) ⁶ , Melons and watermelons	Mediterranean fruit fly (Quarantine treatment only)	WA only	75 mL/100 L	Nil (post-harvest treatment only)	DO NOT use fenthion on any cucurbits other than melons and watermelons. Dip fruit and completely submerge for 1 minute. Drain and allow to air dry. Refer to departmental guidelines for disposal of spent dips. or Apply as a flood spray of 16 L spray mixture per minute per m ² over fruit for a minimum of 10 seconds, then ensure fruit remains wet for at least 1 minute.
Hollow fruited chillies only					DO NOT dip or flood spray capsicums. Do not dip hollow chillies as dip may enter cavity. These fruit should only be flood sprayed. See above for method.

⁵ Tropical and sub-tropical fruits (inedible peel) include avocado, banana, breadfruit, custard apple, durian, feijoa, jackfruit, lychee (litchi), longan, mango, mangosteen, pawpaw, passionfruit, pineapple, pomegranate, rambutan, sapodilla, sapote, tamarind and the inedible peel varieties **ONLY** of guava, kiwi fruit and persimmon.

⁶ Tropical and sub-tropical fruits (inedible peel) include avocado, banana, breadfruit, custard apple, durian, feijoa, jackfruit, lychee (litchi), longan, mango, mangosteen, pawpaw, passionfruit, pineapple, pomegranate, rambutan, sapodilla, sapote, tamarind and the inedible peel varieties **ONLY** of guava, kiwi fruit and persimmon.

Withholding Periods: - WA ONLY

Apples (WA, 75mL/100L, Mediterranean Fruit Fly uses only)

DO NOT harvest for 10 days after application

Citrus (WA, 75mL/100L, Mediterranean Fruit Fly uses only)

DO NOT harvest for 14 days after application

Pears (WA, 90–100mL/100L, Mediterranean Fruit Fly uses only)

DO NOT harvest for 7 days after application

Grapes, (WA 50mL/100L Mediterranean Fruit fly uses only)

DO NOT harvest for 7 days after application

Stone fruit (WA Mediterranean fruit fly use ONLY)

DO NOT harvest for 7 days after application

Persimmons (edible peel varieties WA Mediterranean Fruit Fly use pattern ONLY)

DO NOT harvest for 14 days after application

Capsicums

DO NOT harvest for 7 days after application

Tropical and sub-tropical fruits (inedible peel)

- (i) avocado, banana, breadfruit, custard apple, durian, feijoa, jackfruit, lychee (litchi), longan, mango, mangosteen, passionfruit, pineapple, pomegranate, rambutan, sapodilla, sapote, tamarind and the inedible peel varieties ONLY of kiwifruit and persimmon.

DO NOT harvest for 7 days after application

- (ii) Pawpaw, Guava (inedible peel varieties only)

DO NOT harvest for 14 days after application

Post Harvest Dipping and Flood Sprays: Tropical and sub-tropical fruits (inedible peel varieties ONLY), melons and watermelons, chillies

NOT REQUIRED WHEN USED AS DIRECTED (Flood spray and dip uses only)