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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 8J(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/news-and-publications/publications/gazette](http://www.apvma.gov.au/news-and-publications/publications/gazette)

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

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## CONTENTS

Affirmation of the Approval of Dimethoate Active Constituents Notice Under s 34AC(3) of the Agvet Code.....	4
Cancellation of Registration of Dimethoate Home Garden Products and Associated Labels Notice Under s 45A(1)(b) and s 45A(3) of the Agvet Code .....	5
Affirmation of Product Registration and Associated Labels Notice Under s 34AC(1)(b) of the Agvet Code .....	7
Revocation of Suspension of Certain Registered Chemical Products.....	11

## Affirmation of the Approval of Dimethoate Active Constituents Notice Under s 34AC(3) of the Agvet Code

On 6 March 2017, the APVMA affirmed the approval of each of the following active constituents under s 34(1)(a) of the Agricultural and Veterinary Chemicals Code as scheduled to the *Agricultural and Veterinary Chemicals Code Act 1994* (Agvet Code).

Approval number	Active constituent	Approval holder
44043	Dimethoate	FMC Australasia Pty Ltd
44566	Dimethoate manufacturing concentrate	FMC Australasia Pty Ltd
54320	Dimethoate manufacturing concentrate	FMC Australasia Pty Ltd
65605	Dimethoate	Sinon Australia Pty Limited
66093	Dimethoate	Farmalinx Pty Ltd
66494	Dimethoate	Farmalinx Pty Ltd
67003	Dimethoate	Agrogill Chemicals Pty Ltd
80465	Dimethoate	Shandong Rainbow International Co., Ltd

### BRIEF STATEMENT OF REASONS

APVMA made the decision to affirm the active constituents listed in the above table on the basis that the toxicology and occupational health and safety reports prepared during the dimethoate reconsideration process found there to be no objections on toxicological grounds to the ongoing approval of these active constituents. In addition, the residue report also confirmed the current residues definition of dimethoate remained appropriate for enforcement and dietary risks assessment purposes.

On that basis, the APVMA was satisfied that these active constituents met the safety criteria (as defined by s 5A, Agvet Code). It therefore affirmed their approval in accordance with the requirements of s 34(1) of the Agvet Code.

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## Cancellation of Registration of Dimethoate Home Garden Products and Associated Labels Notice Under s 45A(1)(b) and s 45A(3) of the Agvet Code

On 6 March 2017, the APVMA:

1. Cancelled the registration of the products listed below in Table 1 (the dimethoate home garden products) under s 34AA(1)(a) of the Agricultural and Veterinary Chemicals Code as scheduled to the *Agricultural and Veterinary Chemicals Code Act 1994* (Agvet Code); and
2. Cancelled the approval of the dimethoate home garden product labels (listed as *label numbers* to be cancelled in Table 1, below) under s 44(2) of the Agvet Code.

**Table1: Dimethoate home garden products**

Product number	Product name	Registration holder	Label numbers to be cancelled
55272 S	Superway Dimethoate 300 Systemic Insecticide	Superway Garden Ag & Pest Products Pty Ltd	0202
58375 S	Surefire Orchard & Garden Insecticide	PCT Holdings Pty Ltd	0104
61916 S	Richgro Fruit Fly & Garden Insecticide	A. Richards Pty Ltd T/A Richgro Garden products	53035

### PRODUCTS MAY NOT MEET SAFETY CRITERIA

The registration of these products has been cancelled because the APVMA was not satisfied that they met the safety criteria or that the relevant particulars or conditions of these products can be varied in such a way as to allow the registration to be affirmed.

### INSTRUCTIONS FOR POSSESSING, HAVING CUSTODY OF, OR USING THE PRODUCT

The APVMA has determined for the purposes of s 45A(2)(iii) of the Agvet Code that the instructions for possessing, having custody of or using the dimethoate home garden products which shall apply for twelve months after their cancellation shall be as follows:

When using or otherwise handling the product, follow the instructions appearing on the label, which is to be read as if it includes the following text:

PROHIBITED CROP USES: HOME GARDEN PRODUCTS  
DO NOT apply to food producing plants in the Home Garden

Failure to comply with these instructions may lead to prosecution for offences against the Agvet Code.

## **IMMEDIATE PROHIBITION ON SUPPLY**

The APVMA has determined that for the purposes of s 45C(2) of the Agvet Code, a person may not possess, have custody of or otherwise deal with the cancelled dimethoate home garden products with the intention of supplying those products. As a result of this determination, from the date of the decision it is an offence against the Agvet Code to supply a dimethoate home garden product or to possess or have custody of a dimethoate home garden product with the intention of supplying it.

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## Affirmation of Product Registration and Associated Labels Notice Under s 34AC(1)(b) of the Agvet Code

On 6 March 2017, the APVMA:

1. Affirmed the registration of the products listed below in Table 1 (the dimethoate products) under s 34(1) of the Agricultural and Veterinary Chemicals Code as scheduled to the *Agricultural and Veterinary Chemicals Code Act 1994* (Agvet Code); and
2. Affirmed the approval of labels for containers of the dimethoate products.
3. Determined under s 81(3)(b) of the Agvet Code that the following periods shall apply in relation to the supply of the dimethoate products (except products appearing in bold and italicized text in Table 1) bearing earlier approved labels:
  - a) for products with net contents (pack size) greater than 1 Litre—24 months from the date of this decision
  - b) for products with net contents (pack size) equal to or less than 1 Litre—12 months from the date of this decision

**Table 1: Dimethoate products and labels**

Product number	Product name	Registration holder	Label approvals varied	New distinguishing number of varied label
32962	Nufarm Dimethoate Systemic Insecticide	Nufarm Australia Limited	32962/104879	RV0317A
39239	Adama Dimethoate 400 Insecticide	Adama Australia Pty Limited	39239/61011 39239/63189	RV0317B RV0317C
49600	Saboteur Systemic Insecticide	Crop Care Australasia Pty Ltd	49600/103296	RV0317D
51545	Chemag Dimethoate Insecticide	Imtrade Australia Pty Ltd	51545/55601	RV0317E
55441	4Farmers Dimethoate 400 Systemic Insecticide	4 Farmers Pty Ltd	55441/107381	RV0317F
55495	Superway Dimethoate 400 Systemic Insecticide	Superway Garden Ag & Pest Products Pty Ltd	55495/55441	RV0317G
55704	Conquest Dimethoate 400 Systemic Insecticide	Conquest Crop Protection Pty Ltd	55704/60954	RV0317H

Product number	Product name	Registration holder	Label approvals varied	New distinguishing number of varied label
56454	Danadim Insecticide	FMC Australasia Pty Ltd	56454/55384	RV0317I
<b>57860 S</b>	<b>Halley Dimethoate 400 Systemic Insecticide</b>	<b>Halley International Enterprise (Australia) Pty Ltd</b>	<b>57860/0603</b>	<b>RV0317J</b>
58374	Cropro Stalk Insecticide	PCT Holdings Pty Ltd	58374/100973	RV0317K
<b>59469 S</b>	<b>AW Dimethoate 400 Systemic Insecticide</b>	<b>Agri West Pty Ltd</b>	<b>59469/0609</b> <b>59469/0105</b>	<b>RV0317L</b>
62511	Titan Dimethoate 400 Systemic Insecticide	Titan Ag Pty Ltd	62511/103865	RV0317M
63470	Accensi Dimethoate 400 Systemic Insecticide	Accensi Pty Ltd	63470/107888	RV0317N
<b>64309 S</b>	<b>Farmalinx Dimetholinx Insecticide</b>	<b>Farmalinx Pty Ltd</b>	<b>64309/0809</b>	<b>RV0317O</b>
65259	Rover Systemic Insecticide	Sipcam Pacific Australia Pty Ltd	65259/55757	RV0317P
<b>65260 S</b>	<b>Rogor Upgrade Insecticide</b>	<b>FMC Australasia Pty Ltd</b>	<b>65260/50541</b>	<b>RV0317Q</b>
66538	ACP Dimethoate 400 Systemic insecticide	Australis Crop Protection Pty Ltd	66538/55930	RV0317R
69555	Imtrade Dimethoate 400 EC Insecticide	Imtrade Australia Pty Ltd	69555/61124	RV0317S
70165	Apparent Decimator 400 Insecticide	Apparent Pty Ltd	70165/62662 70165/102352	RV0317T RV0317U
80540	Genfarm Dimethoate 400 Insecticide	Landmark Operations Limited	80540/101072	RV0317V



## BRIEF STATEMENT OF REASONS

### A. Decision to affirm the registration of the dimethoate products

The APVMA was not satisfied that the dimethoate products would meet the safety criteria for the purposes of s 34(1)(a) of the Agvet Code when used according to the previous instructions for use.

However, the APVMA was satisfied for the purposes of s 34A(1)(b) that the relevant particulars (specifically, the instructions for use) of the dimethoate products were capable of being varied in such a way as to allow the APVMA to affirm the registrations of these products. Having so varied those particulars, the registration of the dimethoate products was affirmed.

### B. Decision to affirm the approval of the dimethoate product labels

The APVMA was not satisfied that the previously approved labels for the dimethoate products met the labelling criteria for the purposes of s 34(1)(c) of the Agvet Code. This conclusion was based on the fact that the APVMA was not satisfied that use of the products in accordance with the previous instructions for use would meet the safety criteria.

However, the APVMA was satisfied that the particulars of the labels (specifically, the instructions for use which included removing particular use patterns, added restraints and re-entry intervals and amended safety directions) for the dimethoate products were capable of being varied in such a way, so as to allow the APVMA to affirm the approval of the labels to be affirmed. Having so varied those particulars, the APVMA affirmed the approval of the labels.

The APVMA was also satisfied that the use of the products, in accordance with the instructions as approved, would not unduly prejudice trade or commerce between Australia and places outside Australia in accordance with s 5C(1) of the Agvet Code.

## SUPPLY OF PRODUCTS BEARING PREVIOUSLY APPROVED LABELS

Section 81(1) of the Agvet Code provides that a person may only supply a registered chemical product if the label attached to the container (i) states the relevant particulars, and (ii) does not contain information contrary to the relevant particulars.

As the relevant particulars of the dimethoate products have been varied, it is more likely than not that there are products which have left the custody of the manufacturer bearing labels which were the approved label (that is, the labels stated the relevant particulars that were required to be stated on the label prior to the decisions of 6 March 2017), but which are now unapproved labels.

The APVMA has determined that, with the exception of products in bold and italics in Table 1 (previously suspended dimethoate products), the supply of products bearing the earlier approved label shall be permitted for the following periods from the 6 March 2017:

- a) for products with net contents (pack size) greater than 1 Litre—24 months from the date of this decision
- b) for products with net contents (pack size) equal to or less than 1 Litre—12 months from the date of this decision.

In making this determination, the APVMA was satisfied that the supply of such products would not pose any undue risk to the health or safety of humans, animals or the environment. Of particular relevance to that conclusion was the fact that the previously approved labels of the products subject to the determination under s 81(3)(b) did not contain any use pattern identified in the residues report as being likely to result in exposure above the health-based guidance values.

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## Revocation of Suspension of Certain Registered Chemical Products

On 6 March 2017, the APVMA revoked the suspensions which had applied to the registration of the products appearing in Table 1, below.

**Table 1: Previously suspended dimethoate products**

Product number	Product name	Registration holder	Label approvals to be varied	New distinguishing number of varied label
57860 S	Halley Dimethoate 400 Systemic Insecticide	Halley International Enterprise (Australia) Pty Ltd	57860/0603	RV0317J
59469 S	AW Dimethoate 400 Systemic Insecticide	Agri West Pty Ltd	59469/0609 59469/0105	RV0317L
64309 S	Farmalinx Dimetholinx Insecticide	Farmalinx Pty Ltd	64309/0809	RV0317O
65260 S	Rogor Upgrade Insecticide	FMC Australasia Pty Ltd	65260/50541	RV0317Q

### GROUNDS FOR REVOCATION OF SUSPENSION

Having varied the relevant particulars (namely, the instructions for use) of these products and their associated labels, the reasons which had supported their suspension no longer applied. The APVMA therefore decided to revoke the suspensions which had applied to these products.

### IT IS AN OFFENCE TO SUPPLY THESE PRODUCTS IN CONTAINERS BEARING THEIR PREVIOUSLY APPROVED LABELS

Persons who supply the previously suspended products in containers bearing labels which do not reflect the particulars as varied and affirmed on 6 March 2017 will have contravened s 81(1) of the Agvet Code and thereby committed an offence under s 81(1A) of the Agvet Code. If you wish to supply these products with their pre-6 March 2017 labels you will need to obtain a permit authorising that supply from the APVMA.

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