

SOUTH AUSTRALIA

THE AGRICULTURAL CHEMICALS REGULATIONS, 1962

REGULATIONS UNDER THE AGRICULTURAL CHEMICALS ACT, 1955

The Agricultural Chemicals Regulations, 1962

being

Gaz. 8 March 1962, p. 492

2.

Short Title

1. These regulations may be cited as *The Agricultural Chemicals Regulations, 1962*.

2. These regulations are a consolidation of the following regulations made under the *Agricultural Chemicals Act, 1955-1975*, in accordance with section 14 of the *Subordinate Legislation Act, 1978*, and published in the *Government Gazette* on the dates and at the pages stated below.

"Gazette" References

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8th March, 1962	492
10th September, 1964	926
27th May, 1965	1305
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Interpretation

3. In these regulations—

"additional particulars" means additional particulars stated in an application under section 12 of the Act:

"the Act" means the *Agricultural Chemicals Act, 1955-1975*, including any amendments thereof or additions thereto:

the expression "B.S. test sieve" preceded by a number (e.g. No. 100 B.S. test sieve) means a test sieve which has a nominal mesh number equal to the number so specified and complies with the requirements for a test sieve of that nominal mesh number as set out in the booklet published by the British Standards Association, and entitled "British Standard 410: 1943 Test Sieves":

"label" means a label in respect of which an application for registration is made under section 12 of the Act.

Forms

4. Application, statutory declarations, and certificates of registrations under the Act shall be in the forms set out in the schedule to these regulations.

Descriptions in Labels and Particulars

5. The following rules shall apply in relation to descriptions and other matters in labels additional particulars:—

- (a) When the agricultural value of a substance depends on the presence in it of a particular chemical or chemical element, the ratio or proportion of relative amounts shall be given in metric units of mass/mass, volume/volume or mass/volume except that in the case of a label relating to a fertilizer the percentage of the particular chemical element shall be stated.
- (b) When the words "fine material" (or the abbreviation FM) followed by a number are used to describe a substance (other than a substance described as "ground" or a fungicidal or insecticidal dust) it shall mean that the percentage of the substance indicated by that number will pass through a No. 16 B.S. test sieve.
- (c) When the word "ground" is used to describe a substance the percentage of fine material shall be stated and shall be the percentage of the substance that will pass a No. 100 B.S. test sieve.
- (d) When the words "fine material" (or the abbreviation FM) followed by a number are used to describe a fungicidal or insecticidal dust, it shall mean that the percentage of that dust indicated by that number will pass through a No. 200 B.S. test sieve.
- (e) When the word "micro" "colloidal" or any term implying a greater degree of fineness than that indicated by the word "ground" is used to describe a substance the whole shall pass a No. 200 B.S. test sieve and, in addition, the average particle size in microns shall be given in the particulars.
- (f) The preferred terminology will be g/kg, ml/l or g/l and will be whichever the Minister directs is most appropriate to the substance. If the relative amounts are given by reference to volume or mass to volume the specific gravity of the substance at 20°C must also be stated.
- (g) Numerals or abbreviations shall not be used so as to be likely to mislead persons as to the composition of any substance. Numerals and abbreviations which obviously have no reference to percentage composition, or which form part or the whole of a scientifically recognized name for the substance, may be used.
- (h) (i) The following abbreviations or symbols may be used with the meanings shown:—

F.M. means "fine material" defined as above.

N.V. means "neutralizing value" defined as the number of kilograms of pure limestone (CaCo₃) that are equivalent in neutralizing value to 100 kilograms of the substance.

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(ii) The following qualifying suffixes may be used with the meanings shown:—

A means "as ammonia"
O means "as organic material"
U means "as urea"
N means "as nitrate"
T means "total"
AS means "acid soluble"
CS means "citrate soluble"
WS means "water soluble"

A qualifying suffix shall be printed or written in letters approximately two-thirds of the height of the symbols they qualify, and if printed be in the same face type as such symbols.

Description in Labels

6. The following provisions (in addition to the provisions of regulation 5) shall apply in relation to labels:—

- (a) A constituent substance shall be described in a label by its well known common name or an abbreviated name approved by the Minister, with or without the correct chemical name; but if such substance has no such common name or approved abbreviated name, the correct chemical name shall be used. If there is no common name and the chemical composition is unknown or complex, the Minister may approve the use of a new coined name.
- (b) Where a label relates to a fertilizer, or to a fertilizer to which an insecticide has been added, or to a substance which is sold in bulk the particulars shown on a label need not state—
- (i) the purpose or purposes for which the applicant claims or intends that the substance may be used or
- (ii) directions for use of the substance.

For the purposes of this paragraph a substance shall be deemed to be sold in bulk if at the time of delivery to the buyer it is in a container which holds 25 kilograms or more, or has a capacity of 20 litres or more.

- (c) Where a label relates to an agricultural chemical containing bone, or to rock phosphate, basic slag or agricultural lime, the percentage of fine material shall be stated. For the purpose of this paragraph "fine material" means—
- (i) in relation to an agricultural chemical containing bone, or to rock phosphate, basic slag or agricultural lime, not described as "ground"—material which will pass a No. 16 B.S. test sieve:
- (ii) in relation to an agricultural chemical containing bone, or to rock phosphate, basic slag or agricultural lime described as "ground" material which will pass a No. 100 B.S. test sieve.

5.

- (d) Where a label relates to urea, or to any agricultural chemical containing urea, the maximum proportion biuret shall be stated.

Descriptions in Additional Particulars

7. The following provisions (in addition to the provisions of regulation 5) shall apply in relation to additional particulars:—

- (a) In every case the additional particulars shall contain a statement of the composition of the substances in the form of a prescription setting out the common name and the correct chemical name of each active constituent and the percentage of every constituent substance as well as any statement of the percentage of an element as required by paragraph (a) of regulation 5.
- (b) In the addition particulars of bone manure, phosphatic fertilizers other than superphosphate, agricultural lime, gypsum, and other substances whose degree of fineness affects their agricultural value, the percentage of fine material shall be stated as specified in paragraphs (b) (c) and (d) of regulation 5.
- (c) If solubility, stability of emulsion, suspension or any other property affects the agricultural value of a substance the Minister may require such information as to those properties to be stated as he deems necessary.

*Cases where a Substance does not Comply with Label
or Particulars*

8. A substance shall be deemed not to comply with particulars stated in a label or supplied in any additional particulars supplied under the Act:—

- (a) If the proportion of any active constituent contained in a substance (such constituent not being nitrogen, phosphorus, potassium a trace element addition to a fertilizer, or an insecticide addition to a fertilizer) is less than the proportion indicated in the particulars by more than two per cent of that proportion.
- (b) If the proportion of any nitrogen, phosphorus, potassium, trace element addition to a fertilizer, or insecticide addition to a fertilizer is less than the quantity indicated in the particulars by an amount greater than that stated below, namely:—
- (i) Where the quantity of nitrogen, phosphorus, potassium, trace element or insecticide indicated in the particulars is one per cent or less of the substance—10 per cent of the proportion so indicated.
- (ii) Where the quantity of nitrogen, phosphorus, potassium, trace element or insecticide indicated in the particulars is more than one per cent and less than 16 per cent of the substance—a percentage of the whole substance determined by the following formula:

$$\text{Percentage} = 0.1 + (0.0433 \times (\text{indicated percentage} - 1))$$

- (iii) Where the quantity of nitrogen, phosphorus, potassium, trace element or insecticide indicated in the particulars is 16 per cent or more of the substance—0.75 per cent of the whole substance. Provided that—
- (1) an excess of water soluble or citrate soluble phosphorus;
 - (2) an excess of water soluble phosphorus may be set off against a deficiency of citrate soluble phosphorus;
 - (3) where the proportion of citrate soluble phosphorus does not exceed 25 per cent of the total of the quantities of citrate soluble phosphorus and water soluble phosphorus combined, an excess of citrate soluble phosphorus may be set off against a deficiency of water soluble phosphorus.

The provisions in this paragraph applying to nitrogen, phosphorus and potassium shall apply also to the several forms of nitrogen, phosphorus and potassium.

- (c) If the proportion of any active constituent contained in the substance is greater than the proportion indicated in the particulars by 25 per cent or more of the proportion so indicated: Provided that fertilizers may contain any excess of phosphorus, nitrogen, or potassium, and lime may contain any excess of calcium, and gypsum may contain any excess of calcium sulphate and shall not thereby be deemed not to comply with such particulars.

Standards of Certain Agricultural Chemicals

9. (1) Copper dusts for seed treatment, copper dusts for foliage treatment, copper sulphate and other copper preparations for fungicidal sprays, shall comply with the standards (other than those relating to sampling) set out in the booklet published by the Standards Association of Australia and entitled "Australian Standard No. N23-1956 Copper Preparations for Agricultural Fungicides".

(2) Chlorates for Agricultural Weed Killers shall comply with the standards (other than those relating to sampling) set out in the booklet published by the Standards Association of Australia and entitled "A.S. No. N. 24-1955 Australian Standards Specification for Chlorates for Agricultural Weed Killers".

(3) Lead, arsenate powder, lead arsenate paste, calcium arsenate, arsenic trioxide, sodium arsenite, arsenic pentoxide, arsenical weed destroyers, and paris green shall comply with the standards (other than those relating to sampling and appendices A1 and A2) set out in the booklet published by the Standards Association of Australia and entitled "A.S. No. 25-1955 Australian Standard Specification for Arsenical Preparations for Agricultural Insecticides and Pest Destroyers".

(4) Fungicidal and insecticidal dusts shall be of such fineness that at least 95 per cent thereof shall pass through a No. 200 B.S. test sieve.

(5) Cyanide pest destroyers shall comply with the standards set out in the booklet published by The Standards Association of Australia and entitled "Australian Standard N30-1963 Cyanide Pest Destroyers".

7.

(6) Lime, lime-sulphur and sulphur for use as agricultural pesticides shall comply with the standards set out in the booklet published by The Standards Association of Australia and entitled "Australian Standard N44-1963 Lime, Lime-Sulphur and Sulphur for use as Agricultural Pesticides".

Identifying Marks on Packages

10. A person who has sold an agricultural chemical shall not deliver such chemicals to the buyer in any package holding 25 kilograms or more, or having a capacity of 20 litres or more, unless such package is clearly and indelibly marked with a distinguishing mark enabling the buyer to identify the agricultural chemical delivered in the package. Penalty: Forty dollars.

Fees for Analysis

11. The fee for an analysis under section 26 of the Act shall be at the rate of twenty-eight dollars for each separate item to be determined by the analysis.

Procedure

12. Proceedings for offences against any of these regulations shall be disposed of summarily.

THE SCHEDULE

Form 1.

Registered Number:

SOUTH AUSTRALIA
Agricultural Chemicals Act, 1955, as amended
**APPLICATION FOR REGISTRATION OF THE LABEL AND ADDITIONAL
 PARTICULARS OF AN AGRICULTURAL CHEMICAL**

Minister of Agriculture,
 Box 668, G.P.O.,
 Adelaide.

Application is hereby made by the undersigned
(Name of Applicant)
 of For the registration
(Place of Business)

of the label submitted herewith and of the additional particulars set out below of the agricultural chemical to which the label applies.
 Distinctive name of agricultural chemical
 Name of manufacturer
 Place of manufacture
 Agricultural chemical at present registered in the State(s) of
 Address from which samples can be obtained in South Australia
 Name and address of registered office or agent in South Australia

Additional Particulars

List of Constituents claimed to be active	*Proportion	Other	*Proportion

*As to mode of stating proportion see regulation 5(f). A proportion should as a rule be stated as mass/mass. If volume/volume or mass/volume is stated, reasons must be attached and specific gravity of the agricultural chemical at 20 degrees Celsius stated.

Fineness—Described in accordance with Regulations 5(b), (c), (d) and (e).	}	
Other particulars as directed by the Minister (see Regulation 7(c)).	}	
Meaning of any abbreviation for which approval is sought.	}	
Net weights or volumes of substance in packages to be sold under above label.	}	
Is exemption under Section 13 claimed? (Yes or No.)	}	

Enclosed (a) Prescribed fee of \$5
 (b) Sample label

Date

(Signature of applicant or a person
 authorized by the applicant to sign this
 application.)

Seen by Chemistry Dept. C.B. of H.

Form 2.

SOUTH AUSTRALIA
Agricultural Chemicals Act, 1955, as amended
DECLARATION VERIFYING PARTICULARS IN APPLICATIONS AND
SPECIMEN COPY OF LABELS

I,
(Name of applicant or person making declaration on behalf of applicant)

do solemnly and sincerely declare that the particulars contained in the attached applications for registration of labels and of additional particulars of the agricultural chemicals named in such applications, are the true particulars of the substances intended to be sold by

(Name of Applicant)

under the distinctive names mentioned in such applications. And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act, 1936*, as amended.

Declared at
this day of }
..... }
Before me
J.P. }

20c Duty Stamp

Form 3.

SOUTH AUSTRALIA
Agricultural Chemicals Act, 1955, as amended
APPLICATION FOR RENEWAL OF REGISTRATION OF AGRICULTURAL
CHEMICALS

Minister of Agriculture,
Box 668, G.P.O.,
Adelaide.

I/We
(Name of Applicant)

of
(Place of Business)

hereby apply for the renewal of the registration of the label(s) and additional particulars of the undermentioned agricultural chemicals until 30th June, 19 ..

Prescribed fee. is enclosed, being for each agricultural chemical. N.B.—Fee of \$1 for each agricultural chemical if renewal application is lodged on or before 31st May next, or \$5 each if lodged after that date.

.....
(Signature of applicant or a person
authorized by the applicant to sign.)

Date.19 ..

Registration No.	Distinctive Name	Registration No.	Distinctive Name

Form 4.

SOUTH AUSTRALIA
Agricultural Chemicals Act, 1955, as amended
CERTIFICATE OF REGISTRATION

This is to certify that the label(s) and additional particulars of the agricultural chemicals enumerated below have been registered until 30th June, 19 , under the *Agricultural Chemicals Act, 1955*, as amended, on the application of

 of
 Fees of received on
 Date,

Minister of Agriculture,
 per.
 Chief Inspector

Registration No.	Distinctive Name	Registration No.	Distinctive Name