

Authorised Version No. 003
Agricultural and Veterinary Chemicals
(Control of Use) (Fertilisers) Regulations
2005

S.R. No. 122/2005

Authorised Version incorporating amendments as at
13 February 2013

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PART 1—PRELIMINARY

1 Objectives

The objectives of these Regulations are to prescribe—

- (a) the requirements for labels and advice notes for fertilisers sold in Victoria; and
- (b) standards for maximum levels of contaminants in fertilisers sold in Victoria.

2 Authorising provisions

These Regulations are made under sections 24, 27 and 76 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**.

3 Definitions

In these Regulations—

biuret means a substance with the chemical name Imidodicarbonic diamide and having the chemical formula $C_2H_5N_3O_2$;

trace elements means the elements boron (B), cobalt (Co), copper (Cu), iron (Fe), manganese (Mn), molybdenum (Mo), or zinc (Zn).

4 Concentrations and weight by reference to dry mass

In these Regulations, a reference to concentration or weight of a substance per kilogram of a fertiliser or other substance must be calculated and stated by reference to the mass of the substance in a kilogram of the dry fertiliser or other substance.

PART 2—LABELS AND ADVICE NOTES

5 Labels for packaged fertilisers

- (1) A fertiliser that is sold in a packaged form must have a label affixed in a secure and durable manner to each package covering or containing the fertiliser.
- (2) A label referred to in subregulation (1) must—
 - (a) state the name of the fertiliser; and
 - (b) state the quantity (by weight or volume) of the fertiliser covered by or contained in the package; and
 - (c) state the name and full business address of the Australian wholesale dealer or the seller of the fertiliser; and
 - (d) contain the warning statements prescribed by regulation 8.
- (3) The information on the label must—
 - (a) be in English and may also be given in a language other than English; and
 - (b) be in letters and figures not less than 2 millimetres high.

6 Advice notes for bulk fertilisers

- (1) If a fertiliser is sold in an unpackaged form, the seller must provide the buyer with an advice note as follows—
 - (a) if the fertiliser is collected by the purchaser or purchaser's agent, the advice note must be handed to the purchaser or purchaser's agent at the time the fertiliser is collected;

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- (b) if the fertiliser is delivered to the purchaser or purchaser's agent, the advice note accompanying the fertiliser must be handed to the purchaser or purchaser's agent at the time of delivery;
 - (c) if the fertiliser is delivered to premises where the purchaser or purchaser's agent is not present, the seller must take reasonable steps to ensure that the advice note is provided to the purchaser within 2 days of the delivery date.
 - (2) An advice note provided under subregulation (1)(c) must identify the fertiliser to which it relates and the date and location of delivery of that fertiliser.
 - (3) An advice note referred to in subregulation (1) must—
 - (a) state the name of the fertiliser; and
 - (b) state the quantity (by weight or volume) of the fertiliser sold; and
 - (c) state the name and full business address of the seller of the fertiliser; and
 - (d) contain the warning statements prescribed by regulation 8.
 - (4) The information on the advice note must—
 - (a) be in English and may also be given in a language other than English; and
 - (b) be in letters and figures not less than 2 millimetres high.

7 Fertilisers containing cadmium, mercury and lead

The concentration of cadmium (Cd), mercury (Hg), or lead (Pb) present in a fertiliser must be stated on the label or advice note in the following circumstances—

- (a) if the concentration of cadmium (Cd) or its derivatives is greater than 1.0 milligram of cadmium (Cd) per kilogram; or
- (b) if the concentration of mercury (Hg) or its derivatives is greater than 0.2 milligrams of mercury (Hg) per kilogram; or
- (c) if the concentration of lead (Pb) or its derivatives is greater than 20.0 milligrams of lead (Pb) per kilogram.

8 Warning statements on labels or advice notes for fertilisers

The following warning statements must be shown on labels or advice notes—

- (a) for fertilisers containing biuret—
 - (i) if the fertiliser contains more than 10.0 grams but not more than 20.0 grams biuret per kilogram of total nitrogen (N)—

"WARNING—repeated foliar applications of this fertiliser to citrus trees may cause damage.";
 - (ii) if the fertiliser contains more than 20.0 grams but not more than 30.0 grams biuret per kilogram of total nitrogen (N)—

"WARNING—repeated foliar application of this product to horticultural crops is not recommended.";

- (iii) if the fertiliser contains more than 30.0 grams biuret per kilogram of total nitrogen (N)—

"WARNING—this product is not recommended for foliar application.";

- (b) for fertilisers containing molybdenum (Mo) in excess of 10.0 milligrams per kilogram, other than fertilisers containing molybdenum which also contain copper in an equivalent or greater amount than molybdenum—

"WARNING—excessive application of molybdenum to pasture can be harmful to stock animals. Plant levels of molybdenum can be high for up to 4 weeks after application. It is advisable to keep stock animals off areas to which this product has been applied for 4 weeks.";

- (c) for fertilisers containing selenium (Se) in excess of 10.0 milligrams per kilogram—

"WARNING—this product must not be applied at a rate greater than that stated on the label or advice note. Excessive use of this product can be toxic to livestock. It is not advisable to use this product unless a selenium deficiency is known to exist in the stock animals that are to graze the area treated with this product.";

- (d) for fertilisers containing cadmium (Cd) in excess of 1.0 milligrams per kilogram—

"WARNING—this product contains cadmium. Continued use of this product in agricultural situations may lead to residue levels in plant and animal products in excess of the maximum level specified by the Australia New Zealand Food Standards Code and the accumulation of cadmium in soils.";

- (e) for fertilisers containing mercury (Hg) in excess of 0.2 milligrams per kilogram—

"WARNING—this product contains mercury. Continued use of this product in agricultural situations may lead to residue levels in plant and animal products in excess of the maximum level specified by the Australia New Zealand Food Standards Code and the accumulation of mercury in soils.";

- (f) for fertilisers containing lead (Pb) in excess of 20.0 milligrams per kilogram—

"WARNING—this product contains lead. Continued use of this product in agricultural situations may lead to residue levels in plant and animal products in excess of the maximum level specified by the Australia New Zealand Food Standards Code and the accumulation of lead in soils.";

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Part 2—Labels and Advice Notes

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- (g) for fertilisers sold in bulk or in a solid form in a package containing more than 5 kilograms—

"WARNING—the dust from this product may irritate the eyes and skin—avoid contact and inhalation of dust."

PART 3—STANDARDS

9 Cadmium

- (1) The concentration of cadmium (Cd) in a fertiliser that contains 20 grams or more of phosphorus in a kilogram must not exceed 300·0 milligrams for each kilogram of phosphorus (P) in the fertiliser.
- (2) The concentration of cadmium (Cd) in a fertiliser that only contains trace elements or their derivatives must not exceed 50·0 milligrams for each kilogram of the fertiliser.
- (3) The concentration of cadmium (Cd) in any other fertiliser must not exceed 10·0 milligrams for each kilogram of the fertiliser.

10 Mercury

The concentration of mercury (Hg) in a fertiliser must not exceed 5·0 milligrams for each kilogram of the fertiliser.

11 Lead

- (1) The concentration of lead (Pb) in a fertiliser partially constituted by trace elements must not exceed 500·0 milligrams for each kilogram of the fertiliser.
 - (2) The concentration of lead (Pb) in a fertiliser that only contains trace elements or their derivatives must not exceed 2·0 grams for each kilogram of the fertiliser.
 - (3) The concentration of lead (Pb) in a fertiliser that does not contain trace elements must not exceed 100·0 milligrams for each kilogram of the fertiliser.
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ENDNOTES

1. General Information

The Agricultural and Veterinary Chemicals (Control of Use) (Fertilisers) Regulations 2005, S.R. No. 122/2005 were made on 4 October 2005 by the Lieutenant-Governor as the Governor's Deputy with the advice of the Executive Council under sections 24, 27 and 76 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**, No. 46/1992 and came into operation on 4 October 2005.

The Agricultural and Veterinary Chemicals (Control of Use) (Fertilisers) Regulations 2005 will sunset 10 years after the day of making on 4 October 2015 (see section 5 of the **Subordinate Legislation Act 1994**).

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Endnotes

2. Table of Amendments

There are no amendments made to the Agricultural and Veterinary Chemicals (Control of Use) (Fertilisers) Regulations 2005 by statutory rules, subordinate instruments and Acts.

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Endnotes

3. Explanatory Details

No entries at date of publication.