



## THE POISONS REGULATIONS 1964, AMENDMENT NO. 16

DAVID BEATTIE, Governor-General

### ORDER IN COUNCIL

At the Government House at Wellington this 18th day of May 1981

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Poisons Act 1960, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

#### ANALYSIS

1. Title and commencement	9. Further amendments to First Schedule to principal regulations
2. Exemptions	10. New Second Schedule poisons
3. Sale of chloral hydrate by retail	11. New restricted poisons
4. Use of dieldrin restricted	12. Further amendments to Third Schedule to principal regulations
5. Conditions under which dentists may prescribe poisons	13. New poisonous substances
6. Restrictions on sale of blackboard chalk and crayons	14. New prescription poisons
7. Special restrictions relating to paints	15. New restricted drugs
8. New First Schedule poisons	16. Further amendments to Seventh Schedule to the principal regulations
	Schedules

#### REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Poisons Regulations 1964, Amendment No. 16, and shall be read together with and deemed part of the Poisons Regulations 1964\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of June 1981.

#### \*S.R. 1964/64

Amendment No. 1:	S.R. 1966/84
Amendment No. 2:	S.R. 1967/250
Amendment No. 3:	S.R. 1969/95
Amendment No. 4:	S.R. 1969/193
Amendment No. 5:	S.R. 1971/55
Amendment No. 6:	S.R. 1972/53
Amendment No. 7:	S.R. 1972/163
Amendment No. 8:	S.R. 1973/111
Amendment No. 9:	S.R. 1974/93
Amendment No. 10:	S.R. 1974/133
Amendment No. 11:	S.R. 1975/25
Amendment No. 12:	S.R. 1977/130
Amendment No. 13:	S.R. 1978/52
Amendment No. 14:	S.R. 1979/37
Amendment No. 15:	S.R. 1979/273

**2. Exemptions**—Regulation 9 (1) of the principal regulations is hereby amended by inserting, after the expression “section 22”, the words “and section 30”.

**3. Sale of chloral hydrate by retail**—(1) Regulation 10A of the principal regulations (as inserted by regulation 4 of the Poisons Regulations 1964, Amendment No. 3) is hereby revoked.

(2) Regulation 4 of the Poisons Regulations 1964, Amendment No. 3 is hereby consequentially revoked.

**4. Use of dieldrin restricted**—Regulation 11A of the principal regulations (as inserted by regulation 4 of the Poisons Regulations 1964, Amendment No. 9) is hereby amended by revoking subclause (3), and substituting the following subclause:

“(3) No person shall use dieldrin in any place where food for human or animal consumption is prepared, packed, or stored, nor in any hayshed, woolshed, barn, grain silo, poultry house, cow byre, pig sty, or drafting or marshalling yard.”

**5. Conditions under which dentists may prescribe poisons**—(1) Regulation 16 of the principal regulations is hereby amended by revoking subclause (2) (as substituted by regulation 5 (2) of the Poisons Regulations 1964, Amendment No. 12), and substituting the following subclause:

“(2) No dentist shall prescribe any prescription poison otherwise than for the dental treatment of a patient under his care, and no dentist shall prescribe for any patient a quantity of any prescription poison exceeding 10 days' supply, or, if the prescription provides for a repeat for consecutive days, exceeding 10 days' supply in the aggregate.”

(2) Regulation 5 (2) of the Poisons Regulations 1964, Amendment No. 12 is hereby consequentially revoked.

**6. Restrictions on sale of blackboard chalk and crayons**—(1) Regulation 64 of the principal regulations is hereby amended by revoking subclause (3), and substituting the following subclause:

“(2) No person shall pack, store, or sell any blackboard chalk or crayon that has a lead or cadmium content of more than 100 parts per million.”

(2) The following regulations are hereby consequentially revoked:

(a) Regulation 6 of the Poisons Regulations 1964, Amendment No. 1:

(b) Regulation 4 of the Poisons Regulations 1964, Amendment No. 2.

**7. Special restrictions relating to paints**—Regulation 64A of the principal regulations (as inserted by regulation 4 of the Poisons Regulations 1964, Amendment No. 14) is hereby amended by omitting from subclause (5) the expression “2500”, and substituting the expression “200”.

**8. New First Schedule poisons**—(1) The substances named in the First Schedule to these regulations are hereby declared to be poisons.

(2) The First Schedule to the principal regulations (as amended from time to time) is hereby further amended by inserting, in their appropriate alphabetical order, the names of the substances declared to be poisons by subclause (1) of this regulation.

**9. Further amendments to First Schedule to principal regulations—**The First Schedule to the principal regulations (as so amended) is hereby further amended—

(a) By omitting the item “Benzoyl peroxide” (as inserted by regulation 5 (2) of the Poisons Regulations 1964, Amendment No. 2):

(b) By omitting the item “Ethylene dibromide”.

**10. New Second Schedule poisons—**(1) The substances named in the Second Schedule to these regulations are hereby declared to be poisons.

(2) The Second Schedule to the principal regulations (as amended from time to time) is hereby further amended by inserting, in their appropriate alphabetical order, the names of the substances declared to be poisons by subclause (1) of this regulation.

**11. New restricted poisons—**(1) The substances named in the Third Schedule to these regulations, except when included in preparations for human therapeutic use, are hereby declared to be restricted poisons.

(2) Part II of the Third Schedule to the principal regulations (as amended from time to time) is hereby further amended by inserting, in their appropriate alphabetical order, the names of the substances declared to be restricted poisons by subclause (1) of this regulation.

**12. Further amendments to Third Schedule to principal regulations—**(1) Part I of the Third Schedule to the principal regulations is hereby amended by adding the following subclause:

“(3) Preparations of such of the poisons for the time being named in the First Schedule or the Second Schedule to these regulations as are not intended for human therapeutic use.”

(2) Part II of the Third Schedule to the principal regulations (as from time to time amended) is hereby further amended by adding to the item that begins with the words “Organic phosphorous compounds” (as substituted by regulation 17 (3) of the Poisons Regulations 1964, Amendment No. 12 and amended by regulation 13 (6) of the Poisons Regulations 1978, Amendment No. 13) the following paragraph:

“(z) Prothiofos.”

**13. New poisonous substances—**(1) The substances named in the Fourth Schedule to these regulations are hereby declared to be poisonous substances.

(2) The Fourth Schedule to the principal regulations (as amended from time to time) is hereby further amended by inserting, in their appropriate alphabetical order, the names of the substances declared to be poisonous substances by subclause (1) of this regulation.

**14. New prescription poisons—**(1) Subject to the proviso to regulation 7 of the principal regulations (as substituted by regulation 2 (1) of the Poisons Regulations 1964, Amendment No. 13), the substances

named in the Fifth Schedule to these regulations are hereby declared to be prescription poisons which may be sold by retail only pursuant to a prescription of a medical practitioner, dentist, or veterinary surgeon.

(2) Part I of the Seventh Schedule to the principal regulations (as amended from time to time) is hereby further amended by inserting, in their appropriate alphabetical order, the names of the substances declared to be prescription poisons by subclause (1) of this regulation.

**15. New restricted drugs**—(1) Subject to the proviso to regulation 7 of the principal regulations (as substituted by regulation 2 (1) of the Poisons Regulations 1964, Amendment No. 13), the substances named in the Sixth Schedule to these regulations are hereby declared to be prescription poisons which may be sold by retail only pursuant to a prescription of a medical practitioner, dentist, or veterinary surgeon.

(2) Part II of the Seventh Schedule to the principal regulations (as amended from time to time) is hereby further amended by inserting, in their appropriate alphabetical order, the names of the substances declared to be prescription poisons by subclause (1) of this regulation.

**16. Further amendments to Seventh Schedule to the principal regulations**—(1) Part I of the Seventh Schedule to the principal regulations (as amended by regulation 14 (2) of these regulations) is hereby further amended—

- (a) By omitting the item “Clotrimazole” (as inserted by regulation 10 of the Poisons Regulations 1964, Amendment No. 11), and substituting the item “Clotrimazole; except in dermatological preparations”:
- (b) By omitting the item “Econazole; its salts” (as inserted by regulation 20 of the Poisons Regulations 1964, Amendment No. 12), and substituting the item “Econazole; its salts; except in dermatological preparations”:
- (c) By omitting the item “Indoprofen” (as inserted by regulation 11 of the Poisons Regulations 1964, Amendment No. 15), and substituting the item “Indoprofen”:
- (d) By omitting the item “Miconazole; its salts” (as inserted by regulation 10 of the Poisons Regulations 1964, Amendment No. 11), and substituting the item “Miconazole; its salts; except in dermatological preparations”:
- (e) By omitting the item “Ritrodrene; its salts” (as inserted by regulation 11 of the Poisons Regulations 1964, Amendment No. 15), and substituting the item “Ritrodrene; its salts”:
- (f) By omitting the item that begins with the words “Zinc sulphate” (as inserted by regulation 20 of the Poisons Regulations 1964, Amendment No. 12).

(2) Part II of the Seventh Schedule to the principal regulations (as substituted by regulation 18 of the Poisons Regulations 1964, Amendment No. 3 and amended from time to time and by regulation 15 (2) of these regulations) is hereby further amended by adding to the exceptions to the item that begins with the words “any antimicrobial substance” (as substituted by regulation 12 (3) of the Poisons Regulations 1964, Amendment No. 15) the following exception:

- “(iv) Tiamulin hydrogen fumarate, when in soluble powder form and incorporated in animal feed additives for the treatment of diseases of poultry, or growth promotion in poultry or pigs.”

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## SCHEDULES

### FIRST SCHEDULE

Reg. 8 (1)

#### NEW POISONS

Chloral hydrate, its molecular compounds and complexes, except those mentioned elsewhere in the Schedules to these regulations, where not more than 2 grams of these substances is present in the total amount of any preparations sold to a person on any 1 day.  
Nitrofen.

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### SECOND SCHEDULE

Reg. 10 (1)

#### NEW POISONS

Adrenal extract, in dermatological preparations containing not more than 0.02 percent of ketosteroids.  
Benzoyl peroxide, in preparations for human therapeutic use containing 10 percent or less of benzoyl peroxide.  
Clotrimazole, in dermatological preparations.  
Dithranol.  
Econazole; its salts; in dermatological preparations.  
Glutaraldehyde, for human therapeutic use.  
Isoconazole; its salts; in dermatological preparations.  
Miconazole; its salts; in dermatological preparations.

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### THIRD SCHEDULE

Reg. 11 (1)

#### NEW RESTRICTED POISONS

Cyhalothrin, in preparations containing 20 percent or more of cyhalothrin.  
Ethylene dibromide.  
Ethylene oxide.  
Triazbutil, in all liquid preparations containing 25 percent or more of triazbutil.

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## FOURTH SCHEDULE

Reg. 13 (1)

## NEW POISONOUS SUBSTANCES

- Cyhalothrin, in preparations containing 20 percent or less of cyhalothrin.  
Prothiofos.  
Red squill.  
Triazbutil, in all solid preparations and in all liquid preparations containing less than 25 percent of Triazbutil.
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## FIFTH SCHEDULE

Reg. 14 (1)

## NEW PRESCRIPTION POISONS

- Azapropazone.  
Benzoyl peroxide, in preparations for human therapeutic use containing more than 10 percent of benzoyl peroxide.  
Captopril.  
Cinoxacin.  
Chloral hydrate; its molecular compounds and complexes, except those mentioned elsewhere in the Schedules to these regulations.  
Dipivefrin; its salts.  
Fenclofenac.  
1  $\alpha$ -Hydroxycholecalciferol.  
Isoconazole; its salts; except in dermatological preparations.  
Lormetazepam; its salts.  
Motretinide.  
Nalbuphine; its salts.  
Piroxicam.  
Probucol.  
Rabies vaccine.  
Sulphametrole.  
Tocainide; its salts.  
Zimelidine; its salts.  
Zinc, for internal human therapeutic use, in preparations containing 15 milligrams or more of elemental zinc per dose.
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## SIXTH SCHEDULE

Reg. 15 (1)

## NEW RESTRICTED DRUGS

- Cefotiam; its salts.  
Cefsulodin; its salts.  
Gonadotrophic hormones, for parenteral use.

P. G. MILLEN,  
Clerk of the Executive Council.

## EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations are made pursuant to the Poisons Act 1960, and amend the Poisons Regulations 1964.

*Regulation 1* relates to the Title and commencement.

*Regulation 2* amends regulation 9 of the principal regulations, which provides, in part, that Parts I and II of the Poisons Act 1960 do not apply to substances, compounds, articles, and mixtures specified in the Fifth Schedule to the principal regulations even though they may be manufactured from or may include substances specified in certain other Schedules to those regulations. However, section 22 (1) (d) of the Act is expressly excluded from this exemption, and this amendment further excludes section 30. The effect is to authorise any officer to exercise his powers of entry, inspection, and segregation under that section in respect of any substance, compound, article, or mixture specified in the Fifth Schedule to the principal regulations.

*Regulation 3* revokes regulation 10A of the principal regulations which imposed restrictions on the retail sale of chloral hydrate. Regulations 8 and 14 of these regulations make new provision in respect of this substance.

*Regulation 4* tightens present restrictions on the use of dieldrin.

*Regulation 5* amends regulation 16 (1) of the principal regulations which permits a dentist to prescribe a maximum of 7 days' supply of a prescription drug. This maximum is increased to 10 days.

*Regulation 6* substitutes a new restriction on the sale of blackboard chalk or crayons containing lead or cadmium. At present, any level is permitted, but where it exceeds 250 parts per million the package must be appropriately labelled. Under the new provision, a maximum permitted level of 100 parts per million is prescribed.

*Regulation 7* reduces from 2500 parts per million to 200 parts per million the maximum permitted level of mercury in paints used on toys, furniture, and other household items.

*Regulations 8 to 16* make miscellaneous amendments to certain Schedules to the principal regulations.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 21 May 1981.

These regulations are administered in the Department of Health.