

**1967/250**

## THE POISONS REGULATIONS 1964, AMENDMENT NO. 2

RICHARD WILD, Administrator of the Government  
ORDER IN COUNCIL

At the Government House at Wellington this 15th day of November  
1967

Present:

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL  
PURSUANT to the Poisons Act 1960, His Excellency the Administrator of  
the Government, acting by and with the advice and consent of the  
Executive Council, hereby makes the following regulations.

### REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Poisons Regulations 1964, Amendment No. 2, 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 seventh day after the date of their notification in the *Gazette*.

**2. Interpretation**—Regulation 2 of the principal regulations is hereby amended by inserting, after the word “birds” in the definition of the term “Commercial user”, the words “or from the use of that land for recreational purposes”.

**3. Time within which prescription may be dispensed**—Regulation 17 of the principal regulations is hereby amended by omitting from paragraph (i) the word “three”, and substituting the word “six”.

**4. Crayons containing lead**—Regulation 64 of the principal regulations (as amended by regulation 6 of the Poisons Regulations 1964, Amendment No. 1) is hereby further amended by adding to subclause (3) the following proviso:

“Provided that this subclause shall not apply to crayons where the lead content is less than 250 parts per million.”

**5. 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 by regulations 7 and 8 of the Poisons Regulations 1964, Amendment No. 1) 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.

**6. Further amendment to First Schedule to principal regulations**—The First Schedule to the principal regulations (as so amended) is hereby further amended by omitting the item "Tolbutamide".

**7. 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 by regulations 9 and 10 of the Poisons Regulations 1964, Amendment No. 1) 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.

**8. Further amendment to Second Schedule to principal regulations**—The Second Schedule to the principal regulations (as so amended) is hereby further amended by omitting from the item that commences with the word "Propylhexedrine", the words "except when contained in an appliance for inhalation in which the poison is absorbed in inert solid material".

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

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

**10. Further amendments to Part II of the Third Schedule to the principal regulations**—Part II of the Third Schedule to the principal regulations is hereby amended—

(a) By revoking paragraph (f) of the exempted compounds in the item that commences with the words "Organic phosphorous compounds" and substituting the following paragraph:

"(f) Dichlorvos (0,0-dimethyl-2,2-dichlorovinyl phosphate), also known as D.D.V.P., in preparations containing 0.5 percent or less of dichlorvos and in inert synthetic resins incorporating not more than 20 percent of dichlorvos intended and represented for use only in the destruction of flies and other insect pests:"

(b) By adding to the exempted compounds in the item that commences with the words "Organic phosphorous compounds" the following paragraph:

"(m) Fenitrothion (0,0-dimethyl 0-(3-methyl-4-nitro-phenyl) phosphorothioate in pellets or prills containing not more than 5 percent of fenitrothion."

**11. 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 by regulation 11 of the Poisons Regulations 1964, Amendment No. 1) 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.

**12. Further amendments to the Fourth Schedule to the principal regulations**—The Fourth Schedule to the principal regulations is hereby further amended—

- (a) By omitting the item “0,0-dimethyl-2,2-dichlorovinyl phosphate, in preparations not exceeding 0.4 percent D.D.V.P.”;
- (b) By inserting after the word “disinfectants”, in the item that commences with the words “liquid preparations of carbolic acid”, the words “rust inhibitors,”.

**13. New prescription poisons**—(1) 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 by regulations 12 and 13 of the Poisons Regulations 1964, Amendment No. 1) 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.

**14. Further amendment to Seventh Schedule to the principal regulations**—Part I of the Seventh Schedule to the principal regulations (as so amended) is hereby further amended by omitting the item “Bromelain”.

**15. New restricted drug**—(1) The substance named in the Sixth Schedule to these regulations is hereby declared to be a prescription poison.

(2) Part II of the Seventh Schedule to the principal regulations is hereby amended by inserting, after the item that commences with the words “Any antimicrobial substance”, the name of the substance declared to be a prescription poison by subclause (1) of this regulation.

**16. Further amendments to list of restricted drugs**—Part II of the Seventh Schedule to the principal regulations is hereby further amended by omitting the item that commences with the words “preparations containing”, and substituting the following items:

“Preparations of Vitamin D if the recommended daily dose exceeds 1,000 i.u.:

“Preparations of Vitamin A if the recommended daily dose exceeds 10,000 i.u.”

**17. New prohibited substances**—The Eighth Schedule to the principal regulations (as amended by regulation 14 of the Poisons Regulations 1964, Amendment No. 1) is hereby further amended by inserting, in their appropriate alphabetical order, the names set out in the Seventh Schedule to these regulations.

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S C H E D U L E S

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FIRST SCHEDULE

Reg. 5

NEW POISONS

Benzoyl peroxide.  
Nicocodine (6-nicotinylcodeine).

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SECOND SCHEDULE

Reg. 7

NEW POISONS

Anaesthetics, local; except in preparations intended for external use and containing not more than 2 percent of any local anaesthetic.  
9:amino-acridine undecylenate (Cenasert).  
4-benzothienyl-N-methyl carbamate.  
Bromelain (Ananase).  
5,6-dichloro-1-phenoxy carbonyl-2-trifluoromethyl-benzimidazole.  
4,5-dichlor-2-trifluoromethyl benzimidazole (Chlorflurazole).  
Fenitrothion (0,0-dimethyl 0-(3 methyl-4-nitro-phenyl) phosphorothioate in pellets or prills containing not more than 5 percent of fenitrothion.  
4-hydroxy-3, 5-dibromobenzonitrile (Bromoxynil).  
N-(2-methyl-4-chlorophenyl)-N', N-dimethyl formamidine (Chlorphenamidine).  
3-methyl-4-0-chlorophenyl hydrazone-5-isoxazolone.  
Nitrofurazone (Furacin).  
Phenoflurazole.

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THIRD SCHEDULE

Reg. 9

NEW RESTRICTED POISONS

3-chloro-6-cyano-2-norbornanone-o-(methylcarbamoyl) oxime.  
2-(1,3-dioxolane-2-yl)-phenyl-N-methyl-carbamate.  
O-iso-butyl-S-phthalimidomethyl-ethyl phosphonodithioate.  
Methyl-o-(methylcarbanyl) thiolacetohydroxamate.  
N-methyl-(3-dimethylaminomethylene-iminophenyl)-carbamate.

Reg. 11

## FOURTH SCHEDULE

## NEW POISONOUS SUBSTANCES

Dichlorvos (0,0-dimethyl-2,2-dichlorovinyl phosphate), also known as D.D.V.P., in preparations containing 0.5 percent or less of dichlorvos and in inert synthetic resins incorporating not more than 20 percent of dichlorvos intended and represented for use only in the destruction of flies and other insect pests.

Quaternary ammonium compounds, in preparations containing 5 percent or more of quaternary ammonium compounds.

Formaldehyde solution, in preparations containing more than 5 percent of formaldehyde solution.

Reg. 13

## FIFTH SCHEDULE

## NEW PRESCRIPTION POISONS

Cantharidin; except preparations containing less than 0.01 percent of cantharidin.

Coumarins, heparins, phenindiones, and similar anti-coagulants except when included in substances used as rodenticides.

Dapsone (di (p-aminophenyl) sulphone).

3-(B-diethylamine-ethyl)-4-methyl-7-carbethoxy-methoxy-2-oxo-(1,2-chromene)-hydrochloride (Intensain).

Dimethyltryptamine (DMT).

Diphenadol (Vontril).

Echthiophate iodide (Phospholine Iodide).

Fenfluramine; its salts and esters (Ponderax).

Flumoperone; its salts and esters (Psychoperidol).

Furaltadone.

Furazolidone (Furoxone).

Ibufenac (Dytransin).

Lysergic Acid Diethylamide.

Mebeverine Hydrochloride (Duspatalin).

Mescaline; peyote.

Methyl-2-ortho-chlorophenyl 3 quinazolone 1:4 (Nubarene).

Metoclopramide (Maxolon).

Nitrofurantoin (Furadantin).

Phencyclidine.

Piperidine benzilate.

Polynoxylin (Ponoxylan).

Propanidid (Epontol).

Prothionamide (Treventix).

Pyrazinamide.

Psylocybin.

Psilocin.

Thalidomide; its salts.

## SIXTH SCHEDULE

Reg. 15

NEW PRESCRIPTION POISON KNOWN AS A RESTRICTED DRUG  
Clomiphen; its salts and esters (Clomid).

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## SEVENTH SCHEDULE

Reg. 17

## NEW PROHIBITED SUBSTANCES

Dimethyltryptamine (DMT).  
Phencyclidine.  
Psilocin.

P. J. BROOKS,  
Clerk of the Executive Council.

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## EXPLANATORY NOTE

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

These regulations make a number of amendments to the Poisons Regulations 1964.

Regulation 2 extends the definition of the term "commercial user" to include an occupier of land who derives a substantial proportion of his income from the use of land for recreational purposes.

Regulation 3 enables a prescription for any prescription poison to be dispensed up to six months after the date on which it was written. At present a prescription may not be dispensed when it is more than three months old.

Regulation 4 exempts crayons which have a lead content of less than 250 parts per million from the provisions of subclause (3) of regulation 64 of the principal regulations. This exemption will allow such crayons to be packed, stored, and sold other than in containers that are conspicuously labelled with the words "Contains Lead".

Regulations 5 to 17 make miscellaneous amendments to the schedules of poisons, restricted poisons, poisonous substances, prescription poisons, restricted drugs, and prohibited substances.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 16 November 1967.

These regulations are administered in the Department of Health.