

1974/93



THE POISONS REGULATIONS 1964, AMENDMENT NO. 9

DENIS BLUNDELL, Governor-General
ORDER IN COUNCIL

At the Government Buildings at Wellington this 22nd day of April 1974

Present:

THE RIGHT HON. N. E. KIRK PRESIDING 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

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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Poisons Regulations 1964, Amendment No. 9, and shall be read together with and deemed part of the Poisons Regulations 1964* (hereinafter referred to as the principal regulations).

*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. 1971/35
 Amendment No. 6: S.R. 1972/33
 Amendment No. 7: S.R. 1972/163
 Amendment No. 8: S.R. 1973/111

(2) Except as provided in subclause (2) of regulation 19 of these regulations, these regulations shall come into force on the 28th day after the date of their notification in the *Gazette*.

2. Definition of "poison bottle" amended—(1) Regulation 2 (1) of the principal regulations is hereby amended by revoking paragraph (b) of the definition of the term "poison bottle" (as substituted by regulation 2 (2) of the Poisons Regulations 1964, Amendment No. 4), and substituting the following paragraph:

"(b) Is in colour blue, green, brown, black, or amber; and"

(2) Regulation 2 of the Poisons Regulations 1964, Amendment No. 4, is hereby consequentially amended by revoking subclause (2).

3. Prescription poisons—(1) Regulation 7 of the principal regulations (as amended by regulation 2 of the Poisons Regulations 1964, Amendment No. 3, and regulation 2 (3) of the Poisons Regulations 1964, Amendment No. 4) is hereby further amended by revoking the proviso, and substituting the following proviso:

"Provided that—

"(a) No animal remedy, which is sold as a food supplement or food premix and contains any substance named in the Seventh Schedule to these regulations, other than tetracycline, chlor-tetracycline, oxytetracycline, or erythromycin, shall be a prescription poison; and

"(b) No agricultural chemical registered under the Agricultural Chemicals Act 1959 shall be a restricted drug."

(2) Regulation 2 of the Poisons Regulations 1964, Amendment No. 3, and subclause (3) of regulation 2 of the Poisons Regulations 1964, Amendment No. 4, are hereby consequentially revoked.

4. Use of dieldrin restricted—The principal regulations are hereby further amended by inserting, after regulation 11, the following regulation:

"11A. (1) In this regulation, 'dieldrin' includes the poison aldrin and the poison endrin.

"(2) No person shall use dieldrin except—

"(a) As permitted by and under the Agricultural Chemicals Regulations 1968; or

"(b) In an oil-based formulation while destroying pests for reward in the capacity of an independent contractor or an employee of an independent contractor; or

"(c) By application to wool or other protein fibres and blends during scouring or dyeing processes; or

"(d) In the processing of timber products to the extent that dieldrin is incorporated in glue used in such processing.

"(3) No person shall use dieldrin in any hayshed, woolshed, barn, grain silo, food store, poultry house, cow byre, pig sty, or in any drafting or marshalling yard.

"(4) No person shall use dieldrin so as to cause or to be likely to cause the deposit of residues, otherwise than in amounts permitted under the Food and Drug Act 1969, on primary produce intended for human or animal consumption.

"(5) No person shall discharge effluent containing dieldrin into any waterway or drainage system or so as to contaminate animal life."

5. Age of child on prescription—Regulation 15 of the principal regulations (as amended by regulation 2 of the Poisons Regulations 1964, Amendment No. 1) is hereby amended by adding to paragraph (d) the words “and, in the case of a child under the age of 2 years, the age in years and months, and, in the case of a child over 2 years of age but under 12 years of age, the age in years”.

6. Lettering—Regulation 37 of the principal regulations is hereby amended by revoking paragraph (b) of subclause (1), and substituting the following paragraph:

“(b) Where the height (in the case of a bottle or jar) or the length (in the case of any other type of container)—

“(i) Is 50 cm or more, in letters not less than 25 mm in height; or

“(ii) Is 13 cm or more, but less than 50 cm, in letters not less than 6 mm in height; or

“(iii) Is less than 13 cm, in letters not less than 3 mm in height:

“Provided that in no case need the letters be larger than one-twentieth of the said height or length; and”.

7. On containers of di-isocyanates—(1) The principal regulations are hereby amended by inserting, after regulation 51, the following regulation:

“51A. (1) Every container which contains the toxic substance toluene di-isocyanate, or the toxic substance hexamethylene di-isocyanate, shall bear a label setting out the words:

“TOLUENE DI-ISOCYANATE (or, if the case so requires, HEXAMETHYLENE DI-ISOCYANATE).

“WARNING: HAZARDOUS IF INHALED.

“Avoid contact with skin or clothing.

“Avoid breathing vapours.

“Use only in accordance with recommended safety procedures.

“In case of contact, immediately wash skin with plenty of soap and water; for eyes, flush with water and get medical attention.

“Remove, wash, and decontaminate clothing before re-use.”

“(2) Regulation 36 of these regulations shall apply to a label required by subclause (1) of this regulation as if for the words ‘poison or poisonous substance’, in that regulation, there were substituted the words ‘toxic substance’.

“(3) The words ‘TOLUENE DI-ISOCYANATE’ (or HEXAMETHYLENE DI-ISOCYANATE’) and the words ‘WARNING: HAZARDOUS IF INHALED’, in the label required by subclause (1) of this regulation, shall be:

“(a) Printed in conspicuous bold capital letters; and

“(b) Where the height or the length of the container—

“(i) Is 50 cm or more, in letters not less than 25 mm in height; or

“(ii) Is 13 cm or more, but less than 50 cm, in letters not less than 6 mm in height; or

“(iii) Is less than 13 cm, in letters not less than 3 mm in height:

“Provided that in no case need the letters be larger than one-twentieth of the said height or length.”

(2) Regulation 54 of the principal regulations is hereby amended by adding, as subclause (2), the following subclause:

“(2) The toxic substances toluene di-isocyanate and hexamethylene di-isocyanate shall, when imported into New Zealand or packed or consigned for transport in New Zealand, be strongly and securely packed in a container which—

“(a) Is impervious to the toxic substance; and

“(b) Is so constructed that it can be readily and effectively resealed after any portion of the contents has been used; and

“(c) Is sufficiently strong to withstand, and to protect the contents from damage due to, the ordinary risks from handling in transport.”

8. Amendments to First Schedule to principal regulations—(1) The First Schedule to the principal regulations (as amended by regulations 7 and 8 of the Poisons Regulations 1964, Amendment No. 1, by regulations 5 and 6 of the Poisons Regulations 1964, Amendment No. 2, by regulations 8 and 9 of the Poisons Regulations 1964, Amendment No. 3, by regulations 5 and 6 of the Poisons Regulations 1964, Amendment No. 5, by regulations 3 and 4 of the Poisons Regulations 1964, Amendment No. 6 and by regulation 3 of the Poisons Regulations 1964, Amendment No. 8) is hereby further amended by omitting the following items:

“Chlorpropamide.”

“Cyclandelate (Cyclospasmol).”

“Cyclophosphamide.”

“Digitalis, glycosides of; except in substances containing less than 1 unit of activity (as defined in the British Pharmacopoeia) in 2 grammes of the substance.”

“Endrin.”

“Isoniazid; its salts and esters.”

“Isosorbide; its salts.”

“Mannomustine.”

“Mephentermine; its salts.”

“Metformin; its salts.”

“Methoin.”

“Mustine; its salts.”

“Paramethadione.”

“Phenformin; its salts.”

“Procainamide; its salts and esters” (as inserted by S.R. 1969/95).

“Propoxyphene (laevo and dextro); its salts.”

“Quinidine; its salts and esters” (as inserted by S.R. 1969/95).

“Quinine; its salts and preparations, containing more than 10 per cent of quinine” (as inserted by S.R. 1969/95).

“Troloxidone.”

“Veratrum, alkaloids of; their salts; except substances containing less than 1 percent of the alkaloids of veratrum.”

(2) The said First Schedule is hereby further amended by adding to the item that begins with the words “Chloral hydrate” the words “except those mentioned elsewhere in the Schedules to these regulations”.

(3) The said First Schedule is hereby further amended by omitting the item that begins with the word "Phenazone" (as amended by regulation 7 (c) of the Poisons Regulations 1964, Amendment No. 1), and substituting the item, "Phenazone, except in preparations for external use and in preparations adapted for internal use and containing not more than 200 mg of phenazone in each adult dose".

(4) The Poisons Regulations 1964, Amendment No. 1, are hereby consequentially amended by revoking paragraph (c) of regulation 7.

9. New Second Schedule poisons—(1) The substances named in the First 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, by regulations 7 and 8 of the Poisons Regulations 1964, Amendment No. 2, by regulations 10 and 11 of the Poisons Regulations 1964, Amendment No. 3, by regulations 4 and 5 of the Poisons Regulations 1964, Amendment No. 4, by regulations 7 and 8 of the Poisons Regulations 1964, Amendment No. 5, and by regulation 5 of the Poisons Regulations 1964, Amendment No. 6), 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.

10. Further amendments to Second Schedule to principal regulations—

(1) The Second Schedule to the principal regulations (as so amended) is hereby further amended by omitting the following items:

"Aldrin, except in preparations containing 1 percent or less of aldrin."

"Aminosalicylic acid; its salts and esters."

"Dieldrin, except in preparations containing 1 percent or less of dieldrin."

"1,1'-dimethyl-4,4' bipyridylium di (methyl sulphate) (Paraquet)."

"Veratrum, alkaloids of; their salts; in substances containing less than 1 percent of the alkaloids of veratrum."

(2) The said Second Schedule is hereby further amended—

(a) By omitting the item "4-tert-Butyl 2-chlorophenyl methyl metayl-phosphoramidate (Montrel)", and substituting the item "Crufomate":

(b) By omitting the item that begins with the word "Phenazone" (as inserted by regulation 9 of the Poisons Regulations 1964, Amendment No. 1), and substituting the item "Phenazone, in preparations adapted for internal use and containing not more than 200 mg of phenazone in each adult dose."

11. New restricted poisons—(1) The substances named in the Second Schedule to these regulations, except when included in preparations for use as medicines or applications for man, are hereby declared to be restricted poisons.

(2) Part II of the Third Schedule to the principal regulations (as amended by regulations 9 and 10 of the Poisons Regulations 1964, Amendment No. 2, by regulation 13 of the Poisons Regulations 1964, Amendment No. 3, by regulations 6 and 7 of the Poisons Regulations 1964, Amendment No. 4, by regulations 9 and 10 of the Poisons Regulations 1964, Amendment No. 5, and by regulations 6 and 7 of the Poisons Regulations 1964, Amendment No. 6), 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—Part II of the Third Schedule to the principal regulations (as so amended) is hereby further amended by adding to the exempted compounds in the item that begins with the words "Organic phosphorous compounds", after paragraph (o) (as added by regulation 10 (b) of the Poisons Regulations 1964, Amendment No. 5), the following paragraph:

"(p) Chlorethephon."

13. New poisonous substances—(1) Subject to the qualification expressed in the last sentence in the Fourth Schedule to the principal regulations, the substances named in the Third 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, by regulations 11 and 12 of the Poisons Regulations 1964, Amendment No. 2, by regulations 14 and 15 of the Poisons Regulations 1964, Amendment No. 3, by regulation 8 of the Poisons Regulations 1964, Amendment No. 4, by regulation 11 of the Poisons Regulations 1964, Amendment No. 5, and by regulations 8 and 9 of the Poisons Regulations 1964, Amendment No. 6) 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. Further amendments to Fourth Schedule to principal regulations—The Fourth Schedule to the principal regulations (as so amended) is hereby further amended by omitting the following items:

"Aldrin, in preparations containing 1 percent or less of aldrin."

"Dieldrin in preparations containing 1 percent or less of dieldrin."

15. Amendment to Fifth Schedule—The Fifth Schedule to the principal regulations is hereby amended by omitting from the item that begins with the word "Fertilisers" the words "5 cw*", and substituting the words "250 kg".

16. New prescription poisons—(1) Subject to the proviso to regulation 7 of the principal regulations (as inserted by regulation 2 of the Poisons Regulations 1964, Amendment No. 3), the substances named in the Fourth 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, by regulations 13 and 14 of the Poisons Regulations 1964, Amendment No. 2, by regulations 16 and 17 of the Poisons Regulations 1964, Amendment No. 3, by regulations 9 and 10 of the Poisons Regulations 1964, Amendment No. 4, by regulations 12 and 13 of the Poisons Regulations 1964, Amendment No. 5, by regulations 10 and 11 of the Poisons Regulations 1964, Amendment No. 6, and by

regulation 4 of the Poisons Regulations 1964, Amendment No. 8), 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.

17. Further amendments to Seventh Schedule to principal regulations—Part I of the Seventh Schedule to the principal regulations (as so amended) is hereby further amended—

- (a) By omitting the following item: “Skeletal Muscle Relaxants.”:
- (b) By adding to the item that begins with the word “Coumarins” (as inserted by regulation 13 of the Poisons Regulations 1964, Amendment No. 2) the words “and except heparins when included in substances used for topical applications”:
- (c) By inserting in the item that begins with the words “Para-aminobenzene sulphonamide” (as amended by regulation 13 (a) of the Poisons Regulations 1964, Amendment No. 1), after the word “prevention” the words “and treatment”:
- (d) By adding to the item “Pyrantel; its salts” (as inserted by regulation 10 of the Poisons Regulations 1964, Amendment No. 6) the following words “; when contained in preparations for use as medicines or applications for man.”

18. Amendments to Part II of the Seventh Schedule to principal regulations—(1) Subject to the proviso to regulation 7 of the principal regulations (as inserted by regulation 2 of the Poisons Regulations 1964, Amendment No. 3), the substances named in subparagraphs (i), (ii), (iii), and (vi) of the exceptions to the item that begins with the words “Any antimicrobial substance” in Part II of the Seventh Schedule to the principal 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 and to be no longer excluded from that item.

(2) Part II of the Seventh Schedule to the principal regulations (as substituted by regulation 18 of the Poisons Regulations 1964, Amendment No. 3) is hereby amended—

- (a) By revoking subparagraphs (i), (ii), (iii), and (vi) of the exceptions to the item that begins with the words “Any antimicrobial substance”:
- (b) By omitting from paragraph (v) of the said exceptions the figure “1,500,000”, and substituting the figure “5,000,000”.

19. New prohibited substances—(1) The Eighth Schedule to the principal regulations (as amended by regulation 14 of the Poisons Regulations 1964, Amendment No. 1, by regulation 17 of the Poisons Regulations 1964, Amendment No. 2, by regulation 19 of the Poisons Regulations 1964, Amendment No. 3, by regulation 12 of the Poisons Regulations 1964, Amendment No. 6, and by regulation 3 of the Poisons Regulations 1964, Amendment No. 7) is hereby further amended by inserting, in their appropriate alphabetical order, the names set out in the Fifth Schedule to these regulations.

(2) This regulation shall come into force on the 7th day after the date of the notification of these regulations in the *Gazette*.

SCHEDULES

FIRST SCHEDULE

NEW POISONS

Reg. 9

Aminophylline.

Buclosamide.

Choline theophyllinate.

Codeine; its salts; in preparations compounded with one or more other pharmacologically active ingredients and containing not more than 2.5 per cent of codeine.

Heparins, in substances used for topical applications.

Hexachlorophane, in preparations containing less than 0.75 per cent and more than 0.1 per cent of hexachlorophane.

Isosorbide; its salts.

Paraquat, in pelleted formulations containing not more than 5 per cent paraquat.

Phenacetin.

Terbutaline; its salts.

Theophylline; its salts.

SECOND SCHEDULE

NEW RESTRICTED POISONS

Reg. 11

Aldrin.

Bendoxicarb.

Carbofuran, except when incorporated in inert solid material to the extent of 2 percent or less of carbofuran and intended for use only in the destruction of flies and other household insect pests.

Dieldrin.

Paraquat, except in pelleted formulations containing not more than 5 per cent of paraquat.

THIRD SCHEDULE

NEW POISONOUS SUBSTANCES

Reg. 13

Carbofuran, when incorporated in inert solid material to the extent of 2 percent or less of carbofuran and intended for use only in the destruction of flies and other household insect pests.

Chlorethephon.

FOURTH SCHEDULE

NEW PRESCRIPTION POISONS

Reg. 16

Acetarsol.

Acetyldigitoxin.

Acetylstrophanthidin.

Allopurinol.

Aminosalicylic acid; its salts and esters.

Azaperone.

Azathioprine.

Bufotenine (3-(2-dimethylaminoethyl)-5-indolol).

FOURTH SCHEDULE—*continued*

Bumetanide.
Calcium disodium versenate.
Carbamazepine.
Cardiac glycosides.
Chlorpropamide.
Cholinesterase inhibitors, in preparations for use as medicines or applications for man.
Cyclandelate.
Cyclofenil.
Cyclophosphamide.
Cyclopropane.
Diacetyldiphenolisatin.
Dichloralphenazone.
Digitalis, glycosides of; except substances containing less than 1 unit of activity (as defined in the British Pharmacopoeia), in 2 grams of the substance.
Digitalis leaf.
Digitoxin.
Digoxin.
Dimercaprol.
Dimethylxanthine.
Ethacrynic acid; its salts.
5-Fluorocytosine.
Frusemide.
Gitalin.
Haloperidol.
Halothane.
8-Hydroxyquinoline and its halogenated and alkyl derivatives and their salts in forms for human use, except in preparations for external use.
Indoramin hydrochloride.
Influenza vaccines for parenteral or intra-nasal administration.
Isoniazid; its salts and esters.
Lanatoside A, B, C, and D.
Mannomustine.
Mephentermine; its salts.
Methoin.
5-Methoxydimethyltryptamine.
Methoxyflurane.
Methyldimethoxymethylphenylethylamine.
3, 4-Methylenedioxyamphetamine.
Metronidazole.
Mustine; its salts.
Neuromuscular blocking agents.
Ouabain.
Oxolamine; its salts.
Oxolinic acid.
Oxyphenisatin acetate.
Paramethadone.
Phendimetrazine.
Phenylglutarimide.
Phenformin; its salts.
Pimozide.
Probenecid.

FOURTH SCHEDULE—*continued*

Procainamide; its salts and esters.
 Propoxyphene (laevo and dextro); its salts.
 Proscillaridin.
 Quinidine; its salts and esters.
 Quinine and its salts in therapeutic formulations only.
 Strophanthidin.
 Thiothixene.
 Tinidazole.
 Triacetyldiphenolisatin.
 Troxidone.
 Tuberculostatic agents.
 Vasopressin.
 Verapamil hydrochloride.
 Veratrum, alkaloids of; their salts.
 Xanthinol nicotinate.

FIFTH SCHEDULE

NEW PROHIBITED SUBSTANCES

Reg. 19

Methaqualone; its salts.
 3, 4-Methylenedioxyamphetamine.
 Methylphenidate; its salts.

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 amend the Poisons Regulations 1964.

Regulation 2 removes the qualification that "poison bottles" must be dark. They may now be blue, green, brown, black, or amber in colour.

Regulation 3, by ending an exemption, has the effect of applying to animal remedies which are sold as a food supplement or food premix and which contain tetracycline, chlortetracycline, oxytetracycline, or erythromycin the provisions relating to prescription poisons.

Regulation 4 restricts the use of dieldrin.

Regulation 5 provides that where a prescription poison is prescribed for a child under 12 years of age the age of the child is to be shown on the prescription. In the case of a child under the age of 2 years, the age is to be shown in years and months and, in the case of a child over 2 years but under 12 years, the age is to be shown in years.

Regulation 6 effects a metric conversion with regard to the size of lettering on labels.

Regulation 7 prescribes labelling and packing requirements in respect of two toxic substances, namely toluene di-isocyanate and hexamethylene di-isocyanate.

Regulations 8 to 18 make miscellaneous amendments to the Schedules to the principal regulations. One of these amendments has the effect of restricting to pharmacies the sale by retail of all codeine preparations.

Regulation 19, which comes into force on the 7th day after the date of the notification of the regulations in the *Gazette*, prescribes three new prohibited substances.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 24 April 1974.

These regulations are administered in the Department of Health.