



Queensland Health

**POPULATION HEALTH BRANCH**

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Mr Scott Gregson  
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Adjudication Branch  
Australian Competition and Consumer Commission  
PO Box 1199  
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FILE No:
DOC:
MARS/PRISM:

Dear Mr Gregson

Thank you for your recent letter inviting submissions on Agsafe's application for revocation and substitution A91027 and A91028 – interested party consultation.

As requested, I provide information in response to the questions contained in Appendix A:

**Question 1**

The relevant legislation is the *Health (Drugs and Poisons) Regulation 1996* made under the *Health Act 1937*. The regulation calls up the Standard for the Uniform Scheduling of Drugs and Poisons. All types of business are covered including manufacturers, wholesalers, retailers and consumers.

A Queensland Health licence is required by a person to manufacture S7 poisons, sell by wholesale a S7 poison and sell a S7 poison for other than therapeutic use. An equivalent licence for S5 and S6 poisons is not required.

There are also provisions relating to storage, labels, containers, records of sales of S7 poisons, unsafe disposal of poisons and sales to children.

**Question 2**

Audits are performed periodically and complaints are investigated.

**Question 3**

There is no legislative requirement to be accredited through the Agsafe Guardian Program.

**Question 4**

Licences can be suspended or cancelled. Other actions may include – show cause notice, notice or letter to rectify a legislative breach and prosecution.



Question 5

Compliance certificates are not issued.

Question 6

Complaints received by Queensland Health are investigated and action is taken where necessary. Corporate Office does not have a record of the source of complaints as they are received and investigated by Queensland Health Population Health Units.

Question 7

If there were complaints about Agsafe's Guardian Program, Corporate Office does not have a record. Complaints would usually be received by a Queensland Health Population Health Unit.

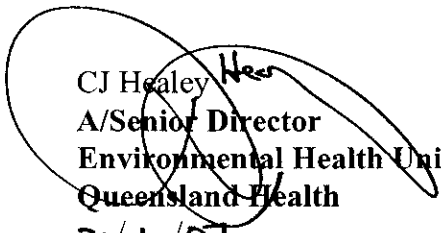
Question 8

It is always a concern when sanctions to improve or maintain safety are applied without the relevant and necessary checks and balances. In certain cases, the enforcement of sanctions in its various forms is necessary. However, marginalising sections of the agricultural and veterinary sections of the community that adopt and practise responsible safety measures, but do not wish to be part of an imposed control framework is an unfortunate consequence.

Question 9

Queensland Health's Corporate Office has had no involvement with the Agsafe accreditation scheme. If the Population Health Units have had involvement, no advice has been referred to Corporate Office. Queensland Health would see Agsafe's accreditation scheme as benefiting the community in continuing to minimise human and animal mis-adventures and affects on the environment.

Yours sincerely

  
CJ Healey  
A/Senior Director  
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31/1/01