

*Health
(Drugs and Poisons)
Regulation 1996*

What Veterinary Surgeons Need to Know



Queensland Government

Queensland Health

FOREWORD

The *Health (Drugs and Poisons) Regulation 1996* is made under the provisions of the *Health Act 1937*. *What Veterinary Surgeons Need to Know* aims to assist veterinary surgeons by defining current policy and providing legislative interpretations for the management of drugs and poisons.

This document will help members of the Queensland veterinary profession to understand what is needed to comply with the requirements of the *Health (Drugs and Poisons) Regulation 1996*.

Queensland Health looks forward to further promoting and maintaining a strong working relationship with the Queensland veterinary profession to realise our mission of working together for a healthier Queensland.

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STATUS OF THE DOCUMENT

This document has been developed by Queensland Health to provide guidance on the administration of the *Health (Drugs and Poisons) Regulation 1996*. It is not subordinate legislation.

This document will be reviewed and amended as necessary. Readers are invited to provide feedback to Queensland Health's Drugs and Poisons Policy and Regulation Unit, Environmental Health Branch, if they have suggestions that may improve the document or believe additional explanation should be included to enhance the document.

Drugs and Poisons Policy and Regulation Unit

Environmental Health Branch

QUEENSLAND HEALTH

PO Box 2368

Fortitude Valley BC 4006

Phone +61 7 3328 9310

Fax +61 7 3328 9354

Email dppr@health.qld.gov.au

Website www.health.qld.gov.au/ph/ehu/drugs_poisons.asp

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Glossary of terms

<i>Administer:</i>	means to cause an animal to take a single treatment dose of the drug or poison immediately.
<i>Controlled drug:</i>	means a substance listed in schedule 8 of the Standard.
<i>Dispense:</i>	means to sell on prescription.
<i>Inspector:</i>	means an inspector appointed under section 137 of the <i>Health Act 1937</i> .
<i>Poison:</i>	means a substance listed in schedule 2, schedule 3, schedule 5, schedule 6, schedule 7 or schedule 9 of the Standard, and includes a substance in Appendix C of the Standard.
<i>Prescribe:</i>	means make a written direction (other than a purchase order) authorising a dispenser to dispense a stated controlled or restricted drug or a stated poison.
<i>Prescription:</i>	means a prescriber's written direction (other than a purchase order) to dispense a stated controlled or restricted drug or a stated poison, and includes for sections 79, 80, 81, 190, 191 and 192 of the regulation, a duplicate of a prescription attached to a repeat authorisation, under the National Health Act, issued by a dispenser.
<i>Purchase order:</i>	means an order for the supply of a controlled or restricted drug or a poison, placed by an endorsed person under chapter 2, 3 or 4 of the regulation.
<i>Restricted drug:</i>	means a substance listed in schedule 4 of the Standard.
<i>Standard</i>	means the <i>Standard for the Uniform Scheduling of Medicines and Poisons</i> (SUSMP) set out in schedule 1 of the <i>Poisons Standard 2011</i> (Cwlth).
<i>Supply:</i>	for a controlled or restricted drug or a poison, means give, or offer to give, a person 1 or more treatment doses of the drug or poison, to be taken by the person's animal during a certain period.

Schedule classifications for drugs and poisons

Schedule	Description
Schedule 1.	(This schedule is intentionally blank)
Schedule 2. Pharmacy Medicine	Substances, the safe use of which may require advice from a pharmacist and which should be available from a pharmacy or, where a pharmacy service is not available, from a licensed person.
Schedule 3. Pharmacist Only Medicine	Substances, the safe use of which requires professional advice but which should be available to the public from a pharmacist without a prescription.
Schedule 4. Prescription Only Medicine/ Prescription Animal Remedy	Substances, the use or supply of which should be by or on the order of persons permitted by State or Territory legislation to prescribe and should be available from a pharmacist on prescription.
Schedule 5. Caution	Substances with a low potential for causing harm, the extent of which can be reduced through the use of appropriate packaging with simple warnings and safety directions on the label.
Schedule 6. Poison	Substances with a moderate potential for causing harm, the extent of which can be reduced through the use of distinctive packaging with strong warnings and safety directions on the label.
Schedule 7. Dangerous Poison	Substances with a high potential for causing harm at low exposure and which require special precautions during manufacture, handling or use. These poisons should be available only to specialised or authorised users who have the skills necessary to handle them safely. Special regulations restricting their availability, possession, storage or use may apply.
Schedule 8. Controlled Drug	Substances which should be available for use but require restriction of manufacture, supply, distribution, possession and use to reduce abuse, misuse and physical or psychological dependence.
Schedule 9. Prohibited Substance	Substances which may be abused or misused, the manufacture, possession, sale or use of which should be prohibited by law except when required for medical or scientific research, or for analytical, teaching or training purposes with approval of Commonwealth and/or State or Territory Health Authorities.

Introduction

The practice of veterinary medicine frequently requires the use of drugs and poisons subject to regulatory controls under State or Territory legislation. In Queensland, the *Health (Drugs and Poisons) Regulation 1996* (the regulation) is the legislation which provides controls on drugs and poisons.

This document is part of Queensland Health's range of information documents for health professionals. It will assist in providing an understanding of the legislative requirements and their impact on the practice of veterinary medicine.

Where the obligations of a veterinary surgeon in relation to the regulation remain unclear, the local Public Health Unit should be contacted. Contact details are available on the Queensland Health website available at www.health.qld.gov.au/ph/ehu/drugs_poisons.asp.

Overview

Veterinary surgeons registered in Queensland have several responsibilities under the provisions of the regulation. This document explains those responsibilities and obligations, with particular emphasis on controlled (Schedule 8) drugs and restricted (Schedule 4) drugs.

This document is not an extract from the regulation. The regulation should be used if legal interpretations are required. It is available on the Office of the Queensland Parliamentary Counsel website available at www.legislation.qld.gov.au.

Many provisions of the *Standard for the Uniform Scheduling of Medicines and Poisons* (SUSMP) have been adopted under the regulation to become law in Queensland. Parts of the SUSMP which have been adopted are referred to in individual sections of the regulation.

Structure of the regulation

The regulation consists of five chapters, each comprised of divisions, sections and subsections. Chapters 2, 3 and 4 contain many provisions, which are replicated in each chapter in terms of controlled drugs, restricted drugs and poisons respectively.

The regulation also contains twelve appendices, cross-referenced to specific provisions in the regulation. Of particular importance to veterinary surgeons are the following appendices:

- Appendix 4 - Computer-Generated Paper Prescriptions
- Appendix 6 - Minimum Requirements for Controlled Drug Receptacles
- Appendix 7 - Regulated Poisons
- Appendix 9 - Dictionary

General authorities in relation to drugs and poisons

A person must not have a controlled or restricted drug in his or her possession unless he or she is endorsed to possess that drug.

Similarly, a person must not administer, dispense, prescribe, manufacture or sell a controlled or restricted drug or schedule 2, schedule 3 or schedule 7 poison without endorsement under the regulation.

Failing to comply with these requirements of the regulation is unlawful and significant penalties can be imposed for non-compliance.

NB: Licensed pharmaceutical representatives may give samples of restricted drugs and schedule 2 and schedule 3 poisons to veterinary surgeons.

Specific authorities for veterinary surgeons

Controlled and restricted drugs

Veterinary surgeons are authorised, to the extent necessary to practise veterinary medicine, to:

- (a) obtain controlled and restricted drugs, and possess them at a place where they practise veterinary medicine; and
- (b)
 - (i) administer a drug to an animal;
 - (ii) dispense or prescribe a drug for an animal;
 - (iii) obtain a drug for an animal; and
 - (iv) sell a controlled or restricted drug to a person for that person's animal.

This authority applies only where the veterinary surgeon is reasonably satisfied that the animal the veterinary surgeon is treating needs the controlled or restricted drug for a therapeutic use as part of the animal's veterinary treatment.

Veterinary surgeons are also authorised to obtain, possess or use a controlled or restricted drug (other than a regulated controlled drug or regulated restricted drug) for a genuine research or teaching purpose.

Schedule 2, schedule 3 and schedule 7 poisons

Veterinary surgeons are authorised, to the extent necessary to practise veterinary medicine, to administer, dispense, prescribe or sell schedule 2, schedule 3 and schedule 7 poisons.

NB: The chief executive, Queensland Health, may suspend or cancel a veterinary surgeon's endorsement in relation to controlled or restricted drugs or schedule 2, schedule 3 or schedule 7 poisons when considered necessary.

What does 'to the extent necessary' mean?

Veterinary surgeons are authorised to do certain things in relation to drugs and poisons, to the extent necessary to practise veterinary medicine. In order to satisfy this, a number of criteria must be met:

- (i) the animal must be under the veterinary surgeon's care;
- (ii) the treatment recommended must be recorded; and
- (iii) the agent or owner must be advised of the correct usage of the drug and, if for a food producing animal, withholding times must be explained.

To establish whether an animal is under the care of the veterinary surgeon in accordance with criteria (i) above, Queensland Health refers to the definition of this phrase in the *Guide to Professional Conduct for Veterinary Surgeons* issued by the Royal College of Veterinary Surgeons. This guide assumes that "under the care" means that:

- (a) the veterinary surgeon must have been given responsibility for the health of the animal or herd [in question] by the owner or the owner's agent;
- (b) responsibility must be real and not nominal;
- (c) the animal or herd must have been seen immediately before prescription; or
- (d) recently enough or often enough for the veterinary surgeon to have personal knowledge of the condition of the animal or current health status of the herd or flock to make a diagnosis and prescribe; and
- (e) the veterinary surgeon must maintain clinical records of that herd/flock/individual.

What amounts to "recent enough" must be a matter for the professional judgement of the veterinary surgeon according to the circumstances of each case.

Specific authorities for trained veterinary nurses

Restricted drugs

Veterinary nurses who have successfully completed a certified training course regarding the use of restricted drugs with animals are authorised, to the extent necessary to practise veterinary nursing, to:

- (a) possess restricted drugs at the place where they practise veterinary nursing; and
- (b) administer a restricted drug to an animal:
 - (i) under a veterinary surgeon's supervision; or
 - (ii) if the restricted drug is a dispensed medicine, in accordance with the directions on the label.

Schedule 2 and schedule 3 poisons

Veterinary nurses who have successfully completed a certified training course regarding the use of schedule 2 or schedule 3 poisons with animals are authorised, to the extent necessary to practise veterinary nursing, to administer a schedule 2 or schedule 3 poison to an animal:

- (a) under a veterinary surgeon's supervision; or
- (b) if the poison is a dispensed medicine, in accordance with the directions on the label.

Regulated drugs and poisons

The regulation refers to regulated controlled drugs and regulated poisons. There are additional requirements in relation to the possession, prescribing, dispensing, sale and use of these substances.

Regulated controlled drugs

Veterinary surgeons must not dispense, obtain, prescribe, sell or use the following regulated controlled drugs without the approval of the chief executive:

- amphetamine;
- dexamphetamine;
- methylamphetamine;
- methylphenidate; or
- phenmetrazine.

The chief executive may only give an approval to a veterinary surgeon for a regulated controlled drug if the drug is to be used for a genuine analytical or research purpose.

Veterinary surgeons cannot dispense, obtain, prescribe, sell or use dronabinol.

Regulated poisons

Veterinary surgeons must not destroy, dispense, manufacture, obtain, possess, prescribe, use or sell a regulated poison unless authorised by the chief executive to destroy, dispense, manufacture, obtain, possess, prescribe, use or sell that poison. Regulated poisons are listed in Appendix 7 of the regulation.

Drugs and poisons for animals

Veterinary surgeons must not, without an approval from the chief executive, dispense, prescribe, sell or use for human therapeutic use, a controlled or restricted drug or a poison which is labelled, manufactured, packed or prepared for use for animal treatment.

Similarly, veterinary surgeons must not, without an approval, administer to themselves or someone else, a controlled or restricted drug, or poison, which is labelled, manufactured, packed or prepared for use for animal treatment.

Self-administration of controlled drugs

Veterinary surgeons must not self-administer a controlled drug unless that drug was prescribed for, or supplied to them for a medical or dental purpose, by a doctor, dentist or nurse practitioner.

Prescriptions for drugs

Writing prescriptions

The following information must be included on a veterinary surgeon's prescription for a controlled or restricted drug:

- (a) the veterinary surgeon's name, address and professional qualifications;
- (b) the date it is written;
- (c) the name and address of the owner of the animal for which the drug is prescribed;
- (d) the description of the drug or the name of the preparation, and the quantity or volume (in words and figures) of the drug or preparation *NB: A prescription for a controlled drug must not contain more than one item, unless it's for the same controlled drug (including different forms of the drug);*
- (e) adequate directions for use of the drug;
- (f) the dose to be taken or administered;
- (g) the words "for animal treatment only"; and
- (h) if the veterinary surgeon intends that the **controlled drug** be dispensed more than once, a direction stating:
 - the number of times (after the first) that the drug may be dispensed; and
 - the time that must elapse between each dispensing of the drug; or
- (i) if the veterinary surgeon intends that the **restricted drug** be dispensed more than once, a direction stating the number of times (after the first) the drug may be dispensed.

NB: A veterinary surgeon must not write a repeat prescription for a controlled or restricted drug, which authorises the dispensing of the drug under the prescription more than twice.

These details must be hand-written on the prescription, except for the veterinary surgeon's name, address and qualifications which may be pre-printed on the prescription form.

The veterinary surgeon must sign the prescription.

Any alterations to a prescription must be initialled and dated by the veterinary surgeon.

Veterinary surgeons must not write on a prescription in code without approval from the chief executive to do so.

Computer generated prescriptions

A prescription may be generated by computer if the generated prescription complies with Appendix 4 of the regulation – *Computer-generated paper prescriptions*.

Printed information about computer-generated prescriptions is available from the local Public Health Unit.

The chief executive may approve other methods of generating prescriptions.

Oral prescriptions

Veterinary surgeons may give a dispenser an oral prescription for a controlled or restricted drug, but it must be followed by a paper prescription sent by facsimile within 24 hours after giving the oral prescription. A paper prescription for the drug must be sent by post or hand, or an electronic prescription sent, within 7 days after giving the oral prescription.

Faxed prescriptions

Veterinary surgeons may give a dispenser a faxed prescription for a controlled or restricted drug, but it must be followed by telephone confirmation from the veterinary surgeon within 24 hours after giving the faxed prescription. A paper prescription for the drug must be sent by post or hand, or an electronic prescription sent, within 7 days after giving the faxed prescription.

Faxed prescriptions must comply with all the requirements for writing prescriptions. (Refer to previous page).

Sale of poisons

Veterinary surgeons are authorised to sell schedule 2, schedule 3, schedule 5, schedule 6 and schedule 7 poisons to the extent necessary to practise veterinary medicine.

Employees at a veterinary surgery who are not registered veterinary surgeons are not authorised to make sales of schedule 2, schedule 3 or schedule 7 poisons. They may sell schedule 5 or schedule 6 poisons however.

Poisons licences

If a veterinary surgeon wishes to operate a general retail outlet for schedule 7 animal care products, the veterinary surgeon must make application for a licence for the sale of those poisons. If such a licence is granted, employees who are competent and responsible adults will be able to sell those poisons on the veterinary surgeon's behalf. This does not apply to schedule 2 or schedule 3 poisons.

Re-packing poisons

The re-packing of poisons (other than dispensing) is considered to be manufacturing. Any veterinary surgeon carrying out this process for the sale of schedule 2, schedule 3 or schedule 7 poisons must hold a poison manufacturer licence granted by the chief executive. Packaging and labelling requirements are specified in the SUSMP.

Sale of drugs and poisons after expiry date

Controlled and restricted drugs and schedule 2 and schedule 3 poisons must not be sold after the expiry date stated on the container for the drug or poison, or on a label attached to the container.

Advertising drugs and poisons

Veterinary surgeons must not advertise, or cause someone else to advertise, a substance that is or contains a controlled or restricted drug or a schedule 3 poison, whether or not the drug or poison is named in the advertisement.

This does not apply to a price list, advertisement or promotional material intended for circulation **only** in the veterinary profession; nor does it apply to a price list that complies with the *Price Information Code of Practice*, published by the Therapeutics Goods Administration. It also does not apply to a schedule 3 poison that, under the SUSMP, may be advertised.

Veterinary surgeons must not refer to a schedule 9 poison in an advertisement.

Dispensing drugs and poisons

When a veterinary surgeon supplies or dispenses a controlled or restricted drug or a schedule 2, schedule 3 or schedule 7 poison, the veterinary surgeon must securely attach to the medicine's container, a label which contains the following particulars:

- (i) the words "KEEP OUT OF REACH OF CHILDREN" and "FOR ANIMAL TREATMENT ONLY" in red on a background of contrasting colour and in bold-faced sans serif capital letters with a face depth of at least 1.5 mm;
- (ii) the name of the animal's owner;
- (iii) the name and address of the veterinary surgeon;
- (iv) a description of the contents. This may be expressed as the approved name of the preparation, the trade name of the preparation, or the approved name of each controlled drug, restricted drug or poison in the medicine;
- (v) a description of the strength of, and the quantity or volume of, the medicine;
- (vi) directions for use of the medicine;
- (vii) the date the medicine is dispensed;
- (viii) the dispenser's initials; and
- (ix) if the medicine's expiry date is not visible, the medicine's expiry date.

Obtaining drugs on purchase orders

Controlled and restricted drugs

Veterinary surgeons can only obtain controlled and restricted drugs on a purchase order, which includes the following information:

- (a) the date the order is written;
- (b) the name and address of the veterinary surgeon;
- (c) the description and quantity (or volume) of the controlled or restricted drug required; and
- (d) a number which distinguishes it from other purchase orders used by the veterinary surgeon.

The veterinary surgeon must sign all purchase orders.

Records of controlled drugs

Veterinary surgeons who obtain controlled drugs must keep a record book. The book must be kept in the following manner:

- (a) a separate book or a separate part of the record book must be used for each class of controlled drug;
- (b) full details of each transaction involving a controlled drug obtained, administered, dispensed, supplied or used by the veterinary surgeon must be recorded; and
- (c) entries must be made as soon as practicable, but no later than the day after a controlled drug is obtained, administered, dispensed, supplied or used.

The veterinary surgeon must record the following information for each transaction:

- (a) the date of the transaction;
- (b) the name and address of the person:
 - (i) from whom the controlled drug is obtained; or
 - (ii) for whose animal the controlled drug is administered, dispensed, supplied or used;
- (c) the quantity (or volume) of the controlled drug obtained, administered, dispensed, supplied or used in the transaction;
- (d) the balance of the controlled drug in the veterinary surgeon's possession after the transaction; and
- (e) the veterinary surgeon's initials.

General requirements

Veterinary surgeons must not make an entry in a controlled drug record book which they know to be false, misleading or incomplete.

Entries in the controlled drug record book cannot be cancelled, changed or obliterated. However, the veterinary surgeon who made the entry may correct an entry by using a signed and dated marginal note or footnote giving the correct details.

If a veterinary surgeon finds a discrepancy between the quantity or volume of a class of controlled drug kept and the balance shown in the record book, or knows (or reasonably suspects) a controlled drug has been lost, misappropriated or stolen, he or she must immediately give the chief executive written notice about the discrepancy, loss, misappropriation or theft.

Records of controlled drugs kept by a veterinary surgeon must be retained for a period of no less than two years from the date of the last entry, and the records must be kept in good condition, as far as is practicable.

Veterinary surgeons must produce for inspection all records relating to controlled drugs that have been in their possession within the previous two years, when required to do so by an inspector.

Records of poisons sold

On each occasion that a schedule 7 poison is sold from a veterinary surgery which is licensed to sell such poisons, an accurate record of the sale, must be kept.

NB: This does not apply to the supply of schedule 7 poisons as 'dispensed medicines' by a veterinary surgeon to the owner of an animal.

The records can be kept by either of the following methods:

- (a) by keeping a poisons sale book; or

- (b) by providing the purchaser with an invoice that has a unique number.

The following information must be recorded for each sale, either in the poisons sale book or on the invoice:

- (i) the date of the sale;
- (ii) the name and quantity (or volume) of the poison sold;
- (iii) the purpose for which the poison is required;
- (iv) the purchaser's name and address;
- (v) the purchaser's signature where the purchase is made in person; or
- (vi) if the order for the poison was a telephone or written order - a note about the way the order was placed where the purchaser would sign the poisons sale book or invoice if it were a personal sale.

Where the invoice option is used for record keeping, a copy of the invoice must be kept.

A written order for a schedule 7 poison must be kept for two years from the day it was received.

General requirements

The poisons sales book and the copies of invoices must be kept for at least two years from the date of the last entry, and the records must be kept in good condition, as far as is practicable

The poisons sale book must not be used for any other purpose.

A person must not make an entry in a poisons sale book or on an invoice which the person knows to be false, misleading or incomplete.

Storage of drugs and poisons

Controlled drugs

Veterinary surgeons must store all controlled drugs in a receptacle that complies with Appendix 6 of the regulation, or in some other secure place to the satisfaction of an inspector.

The receptacle or secure place must always be kept locked, except when controlled drugs are being placed into or taken from the receptacle or place.

Veterinary surgeons must retain personal possession of the key or lock combination for the receptacle or secure place.

NB: Veterinary surgeons may keep morphine or opium, if the morphine or opium is in a compounded preparation containing 0.1% or less of morphine calculated as anhydrous morphine:

- (a) in a part of the veterinary surgeon's premises to which the public does not have access; or
- (b) in a cupboard or drawer that is not accessible to the public.

Veterinary surgeons may possess controlled drugs at a place other than the place where they practise veterinary medicine, but must keep the controlled drugs in a secure place under their personal control.

Restricted drugs

Veterinary surgeons must keep all restricted drugs in their possession at the place where they practise veterinary medicine, in a cupboard, drawer, storeroom or other part of that place where the public does not have access.

NB: Veterinary surgeons may possess restricted drugs at a place other than the place where they practise veterinary medicine, but must keep the restricted drugs in a secure place under their personal control.

Poisons

Veterinary surgeons must not store poisons within reach of children.

Schedule 2 and schedule 3 poisons for sale must be stored in a place that is not accessible to the public.

Schedule 7 poisons for sale must be stored in a receptacle or storeroom that is kept locked, or in some other place considered by the chief executive to be a secure place. The key to the receptacle or storeroom must remain in the possession of the veterinary surgeon or another responsible adult authorised by the veterinary surgeon.

Veterinary surgeons must not use, or allow to be used, a food or drink container to hold a poison.

Disposal, use and safe keeping of drugs and poisons

Controlled and restricted drugs

Veterinary surgeons must not discharge, dispose of or use a controlled or restricted drug in a way that:

- (a) endangers the life or safety of a person or domestic animal;
- (b) exposes food, drink or a condiment or another drug or poison to the risk of contamination by the controlled or restricted drug; or
- (c) allows access to the controlled or restricted drug to someone not authorised to possess it.

Controlled or restricted drugs must not be carried, handled or stored in a way that may allow the drugs to mix with, or contaminate food, drink or a condiment or another drug or poison, even if the container in which the drugs are carried, handled or stored breaks or leaks.

Poisons

Veterinary surgeons must not discharge, place or otherwise dispose of a poison:

- (a) in or on an alley, street, public land or public place;
- (b) in or on other land or premises or another place, without the permission of the owner or occupier of the land, premises or place;
- (c) into or on a channel, creek, dam, drain, river, road, street, watercourse or another body of water;
- (d) in a way that endangers the life or safety of a person or a domestic animal;
- (e) in a way that exposes food, drink or a condiment or another poison or drug to the risk of contamination by the poison; or
- (f) in a way that allows access to the poison to someone not authorised to possess it.

Poisons must not be carried, handled or stored in a way that may allow the poisons to mix with, or contaminate food, drink or a condiment or a drug or poison, even if the container in which the drugs are carried, handled or stored breaks or leaks.

Destruction of drugs and poisons

Controlled drugs

Veterinary surgeons must not destroy controlled drugs unless they are endorsed to do so.

Where a veterinary surgeon has expired or unwanted controlled drugs to be destroyed, they must forward the drugs to the State analyst in accordance with the procedure *Controlled Drugs for Destruction*. The procedure and associated documents are available on the Queensland Health website www.health.qld.gov.au/health_professionals/medicines/.

Restricted drugs and poisons

Veterinary surgeons must not destroy restricted drugs or schedule 2, schedule 3 or schedule 7 poisons unless they are endorsed to do so.

Where a veterinary surgeon has expired or unwanted restricted drugs or schedule 2, schedule 3 or schedule 7 poisons, he or she may contact his or her licensed wholesaler to determine if the drugs or poisons can be returned for destruction.

Labels and containers for poisons

Veterinary surgeons must not change, deface, cover or remove a brand, declaration, label, mark or statement that is required to be fixed to, or shown on a container of a poison.

Veterinary surgeons must not possess or sell a cracked or damaged package containing a poison.

If a veterinary surgeon becomes aware that a package containing a poison is cracked or damaged, the veterinary surgeon must immediately empty the contents of the package into a correctly labelled poison container, or dispose of the contents in accordance with any requirements of the local government in that area.

Veterinary surgeons must not soak, wash or otherwise treat a bottle or container used, or of a type commonly used, to hold a poison, or that has a brand, mark or label on it stating that the bottle or container has been used to hold a poison, in a tank or receptacle used to soak, wash or treat bottles or other containers of a type commonly used to hold human or animal food or drink or a condiment.

Powers of inspectors

Inspectors may enter any place where a controlled or restricted drug or poison is, or is reasonably suspected to be kept by a veterinary surgeon. Upon entry to the premises, they can search, inspect, measure or photograph any part of the place or anything at the place. Inspectors may remove a thing at the place for analysis or seize a thing at the place which they believe to be evidence of an offence against the regulation.

Inspectors can take an extract from, or copy of, any records, books, prescriptions or other documents relating to controlled or restricted drugs or poisons held at the place.

Inspectors may require a veterinary surgeon to give them reasonable help to exercise their powers. They may also require a veterinary surgeon to give information to assist in determining whether the regulation is being complied with.