

Factsheet – Retail licence for Schedule 7 poisons

Who is this factsheet for?

This factsheet is for persons who hold a licence to sell Schedule 7 poisons (S7) by retail under the Health (Drugs and Poisons) Regulation 1996 (HDPR) and who intend to continue to hold a licence under the *Medicines and Poisons Act 2019* (the MPA) which replaced the HDPR on 27 September 2021.

This fact sheet may also be used by persons seeking to apply for a retail licence for S7 poisons under the MPA.

How will it affect me?

- Persons seeking to sell S7 substances by retail must hold an appropriate licence. Such a licence authorises the holder to sell S7 substances (non-restricted S7 poisons, restricted S7 (RS7) poisons, S7 pesticides and S7 fumigants) for purposes other than human therapeutic use, e.g. agricultural or industrial, by retail.
- RS7 poisons are high risk S7 poisons which are prescribed in schedule 1 of the Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021 (the Poisons Regulation). A non-restricted S7 poison is an S7 poison that is not an RS7 poison.
- Holders of an S7 retail licence will continue to be able to sell S7 poisons, including RS7 poisons, to persons who are appropriately authorised (legitimate workplace use or a substance authority holder or an approved person under the MPA).
- An approved person is a person prescribed under schedule 2 of the Poisons Regulation or schedule 1 of the Medicines and Poisons (Pest Management Activities) Regulation 2021 (Pest Management Regulation) and has the relevant competency or training to carry out the specific regulated activity without a general approval.
- Authorities granted under the HDPR prior to commencement of the MPA will continue until the term expires or are surrendered/cancelled.
- The holder of an S7 retail licence who operates from multiple sites may request one licence covering all sites, rather than having a separate licence for each site. The licence fee will be calculated based on the number of sites under the licence.
- Holders of an S7 retail licence who operate from multiple sites will require a Substance Management Plan (SMP). An SMP is a document that identifies and addresses the risks associated with carrying out regulated activities.
- The SMP must comply with Departmental Standard: *'Substance management plans for regulated poisons – version 1'*. Guidelines will be made available
- Licensees will be given until 26 September 2022 to prepare and implement SMPs.
- The Poisons Regulation requires retailers to give the buyer an invoice which contains specific details (e.g. unique identifying number, date of supply, name and contact details

of the buyer, etc.). Copies of invoices or the information must be kept for a period of five years.

- Chapters 2, 3 & 5 of the Poisons Regulation set out further requirements for the possession and supply of regulated poisons.

Access to S7 poisons

- An S7 retail licence holder must view a purchaser's substance authority (licence or general approval) prior to the sale of an S7 poison. When specified, sale must not exceed the maximum quantity of the poison authorised on the purchaser's substance authority.
- The Poisons Regulation requires the holder of an S7 retail licence to implement measures to ensure access to non-restricted S7 poisons is restricted to only authorised persons. For example: a farmer can purchase S7 agricultural chemicals for use on their farm; and a welder can purchase pickling paste containing hydrofluoric acid.
- Verification of a person as an approved person may be based on information provided by the purchaser to confirm their professional or occupational status.
- Schedule 4 of the Poisons Regulation prescribes certain workplaces as 'excluded places' that are not able to access S7 poisons unless they have a general approval. Examples of 'excluded places' include childcare centres, businesses providing accounting or advertising services.

Access to Low Risk fluoroacetic Acid Baits (LRFABs)

- Unlike before, landholders will now require a general approval to buy, possess and apply manufactured baits (e.g. Doggone or Foxoff baits) containing up to 0.05% fluoroacetic acid (increased from 0.03%) (equivalent to 0.6 g 1080/kg bait) under the MPA. These are called Low Risk fluoroacetic Acid Baits.
- S7 retail licence holders must view approvals issued to landholders prior to the sale of LRFABs baits. LRFABs must only be sold to the person whose name is on the approval or their agent.

Transport, storage, and recordkeeping

- Retailers must ensure that poisons are stored and transported in a manner that prevents access to unauthorised persons. The Australian Health Ministers' Advisory Council's '[National Guideline for Retail Storage of S6 and S7 Poisons](#)' may be used to ensure compliance with the storage provisions of the new MPA.

How to apply for a licence

To apply for a licence to sell S7 poisons by retail, go to '[Poisons licence application forms and fees](#).'

For further information

- [Relevant factsheets](#)
 - Manufacturing licence – poisons

- Wholesale licence – poisons
- Poisons terms
- Transitional arrangements
- [Departmental Standard](#)
 - Substance management plans for regulated poisons – version 1