AUSTRALIAN CUSTOMS NOTICE NO. 2004/34

Amendments to the *Customs (Prohibited Imports) Regulations 1956*

and *Customs (Prohibited Exports) Regulations 1958*

Agricultural, Veterinary and Industrial Chemicals

Amendments to the *Customs (Prohibited Imports) Regulations 1956* (the PI Regulations) and the *Customs (Prohibited Exports) Regulations 1958* (the PE Regulations) relating to the control of certain chemicals (the controlled chemicals) were made on 5 August 2004. The amendments commence on 18 August 2004.

The amendments have been introduced to meet Australia's obligations under the *Stockholm Convention on Persistent Organic Pollutants* (Stockholm Convention) and the *Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade* (Rotterdam Convention).

The amendments to the PI and PE Regulations complement amendments that have been made to the Agricultural and Veterinary Chemicals (Administration) Regulations (the AgVet Regulations, now the *Agricultural and Veterinary Chemicals (Administration) Regulations 1995*) and the *Industrial Chemicals (Notification and Assessment) Regulations 1990* (the Industrial Chemicals Regulations).

Regulation 5I of the PI Regulations has been amended to introduce a new permission-based regime to control the importation of chemicals that are covered by the Stockholm Convention and specified in Schedule 9 to the PI Regulations. Schedule 9 has also been amended to add two new chemicals covered by the Stockholm Convention. The importation of these chemicals is similarly controlled under the amended AgVet Regulations where the chemicals are imported for agricultural or veterinary use.

New regulation 4A has been inserted into the PE Regulations to prohibit the exportation, without a permission, of a chemical specified in new Schedule 2 to the PE Regulations. New Schedule 2 lists 70 chemicals that are covered by the Stockholm and Rotterdam Conventions. The exportation of these chemicals is similarly controlled under the amended AgVet Regulations where the chemicals are exported for agricultural or veterinary use.

Attachment A lists the chemicals that are being added to the PI and PE Regulations.

Under the new regimes in the PI and PE Regulations for both the importation and exportation of the controlled chemicals, the required permissions will be granted by the Minister for Agriculture, Fisheries and Forestry (the Minister) or an authorised officer of the Department of Agriculture, Fisheries and Forestry (DAFF). Corresponding permissions to import or to export these chemicals granted by the Minister or an authorised officer of DAFF under the AgVet Regulations will be accepted for the purposes of the new regimes in the PI and PE Regulations.

Amendments have also been made to the Industrial Chemicals Regulations to ensure that Australia's obligations to control the importation and exportation of industrial chemicals covered under the Rotterdam Convention are met. The Rotterdam Convention requires an exporter to comply with the importing response of the destination country. The amendments to the Industrial Chemicals Regulations give effect to this requirement, for industrial chemicals covered under the Rotterdam Convention.



In addition to the amendments to the Industrial Chemicals Regulations, the National Industrial Chemicals Notification and Assessment Scheme (NICNAS) are implementing new registration requirements for importers of industrial chemicals from 1 September 2004. Further advice about these new requirements can be obtained from NICNAS on 1800 638 528.

Inquiries concerning the importation or exportation of the controlled chemicals for agricultural or veterinary use under the amended Agvet Regulations or applications for permission to import or export these chemicals under the PI and PE Regulations should be directed to the Agricultural and Veterinary Chemicals Section of the Department of Agriculture, Fisheries and Forestry on 02 6272 4837.

Inquiries concerning the importation or the exportation of industrial chemicals covered by the Industrial Chemicals Regulations should be directed to NICNAS on telephone number

02 8577 8855, fax number 02 8577 8888, or by email to [comply@nicnas.gov.au.](mailto:comply@nicnas.gov.au)

Inquiries concerning this notice may be directed to Community Protection Section on telephone number 02 6275 6114, fax number 02 6275 5828 or by email to [community.protection@customs.gov.au.](mailto:community.protection@customs.gov.au)

Philomena Carnell National Manager Cargo Branch CANBERRA ACT

August 2004

# Chemicals added to Schedule 9 to the PI Regulations

Mirex

Toxaphene (camphechlor)

# Chemicals added to Schedule 2 of the PE Regulations

2-(Acetoxymercuric)ethanol 2,4,5-T

Aldrin (HHDN) Captafol Chlordane Chlordimeform Chlorobenzilate

Cyano(methylmercuric)guanidine DDT (pp’-DDT)

Dieldrin (HEOD) Dinoseb Dinoteb acetate Endrin

Ethlyene dibromide (EDB) Fluroacetamide

HCH (mixed isomers) (BHC) Heptachlor Hexachlorobenzene (HCB) Hydroxymercuri-o-nitrophenol Lindane (*y*-BHC, *y*-HCH) Mercuric acetate

Mercuric chloride Mercuric oxide Mercurous chloride Mercury

Mercury naphthenate Mercury oleate Mercury pentanedione Mercury phenate Methamidophos Methazole

Methylmercury 2,3-dihydoxypropyl mercaptide Methylmercury-8-quinolinolate

Methylmercury acetate Methylmercury benzoate

Methylmercury hydroxide Methylmercury nitrite Methylmercury propionate Mirex

Monocrotophos

N-(phenylmercuric) urea Parathion (ethyl) Parathion-methyl Pentachlorophenol

Phenylethylmercuric salicylate Phenylmercuric acetate Phenylmercuric ammonium acetate Phenylmercuric ammonium propionate Phenylmercuric borate Phenylmercuric carbonate Phenylmercuric chloride

Phenylmercuric dimethyldithiocarbamate Phenylmercuric formamide Phenylmercuric hydroxide Phenylmercuric lactate

Phenylmercuric monoethanol ammonium acetate Phenylmercuric monoethanol ammonium lactate Phenylmercuric napthenate

Phenylmercuric nitrate Phenylmercuric oleate Phenylmercuric propionate Phenylmercuric salicylate Phenylmercuric thiocyanate

Phenylmercuric threthanol ammonium lactate Phenylmercuric-2-ethylhexonate Phenylmercuric-8-quinolinate

Phenyl mercury lauryl mercaptide Phosphamidon

Toxaphene (camphechlor) Tribufos