EXPLANATORY STATEMENT

Issued by Authority of the Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry

Agricultural and Veterinary Chemicals Code Act 1994

Agricultural and Veterinary Chemicals Code Amendment Order 2007 (No. 1)

The Agricultural and Veterinary Chemicals Code Act 1994 (the Act) provides for orders to be made in respect of the States and the Northern Territory of Australia that are consistent with the Agricultural and Veterinary Chemicals Code Regulations 1995 (the Regulations). In particular, section 7 of the Act provides, in part, that the Minister may, by signed writing, make orders with respect to matters that are consistent with the regulations.

Subsection 5(1) of the Act provides that the Code set out in the Schedule to the Act may be referred to as the Agvet Code of the participating States and the Northern Territory.

An amendment to the Regulations, Agricultural and Veterinary Chemicals Code Amendment Regulations 2007 (No.1) made on 26 September 2007, allows that, among a number of other products, home swimming pool and spa products containing certain hypochlorites, can be granted listed registration under Part 2A of the Agvet Code. A standard approved by the Minister for these products, the Listable Chemical Product (Home Swimming Pool and Spa Products) Standard 2007 (the Standard) provides, along with a range of other prescriptive requirements, label formats to be used for these products.

Previously label requirements for pool and spa hypochlorites have been referenced in the Agricultural and Veterinary Chemicals Code Order 1999 (the Order). This Amendment Order now excludes those products, where they have been granted listed registration under Part 2A of the Agvet Code, from the label requirements specified in the Order. The purpose of this amendment is to avoid duplication and ambiguity created by the label requirements specified in the Order compared with the label requirements specified in the Standard. The label requirements in the Standard are intended to take precedence over those requirements specified in the Order.

The Amendment Order is a legislative instrument for the purposes of the Legislative Instruments Act 2003.

The Amendment Order commences immediately after the commencement of the Agricultural and Veterinary Chemicals Code Amendment Regulations 2007 (No.1).

0608451B-070905Z