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| Victorian Poisons Code |
| Effective from 1 February 2023 |
| OFFICIAL |

### Drugs, Poisons and Controlled Substances Act 1981 Section 12 and 12E

I, Mary-Anne Thomas, Minister for Health, give notice that the Poisons Code, prepared under section 12 of the *Drugs, Poisons and Controlled Substances Act 1981* (the Act), will be amended pursuant to section 12E.

The Poisons List within the Poisons Code includes (a) a list of Schedule 1 poisons, (b) a list of any of the substances in Schedule 1 of the Poisons List or Schedules 2 to 9 of the Poisons Standard or the Appendices to the Poisons Standard that are not for general sale by retail, and (c) a list of exemptions from Schedule 1 of the Poisons List or Schedules 2 to 9 of the Poisons Standard.

The Commonwealth has repealed and replaced the Poisons Standard October 2022 with the *Therapeutic Goods (Poisons Standard–February 2023) Instrument 2022* (new Poisons Standard), effective on 1 February 2023. The new Poisons Standard introduces a new format to improve its readability and clarity.

The following amendments to the Poisons Code are needed to ensure the intention and references in the Poisons Code are consistent with the new Poisons Standard that becomes effective on 1 February 2023, and to correct an error. Amendments to the Code are stylistic or administrative only and do not change the intent or operation of the Code.

Chapter 1 – The Poisons list, Part 2 - List of substances that are not for general sale by retail, SPECIAL SCHEDULE 7 SUBSTANCES, the following deletion as shown in strikeout to ensure consistency with the Poisons Standard –

the substances listed in Schedule 10 ~~of Part 4~~ of the Poisons Standard as in force from time to time.

Chapter 1 – The Poisons list, Part 3 – Exemptions, the following amended section replaces paragraph 1.3 to ensure consistency with the Poisons Standard –

1.3 A substance is not included in a Schedule of the Poisons Standard in the circumstances described in Part 2, Division 1 – Preliminary, paragraph 11 items (a), (b), (c), (d) and (e) and Appendices A and G of the Poisons Standard as in force from time to time.

Chapter 2 – Interpretation, the following amended section replaces paragraph 2.1 to ensure consistency with the Poisons Standard –

2.1 The interpretations included in Part 1, paragraph 6, 7, 8, 9 and 10 and Part 2 Division 1-Preliminary, paragraph 11 and 12 of the Poisons Standard as in force from time to time are incorporated by reference for the purposes of this Code.

Chapter 3 – Revocation is removed to correct an error.

The date fixed for the inclusion of the amendments is 1 February 2023.

The Poisons Code may be inspected free of charge during normal business hours at the Department of Health, 50 Lonsdale Street, Melbourne 3000 or can be accessed from the [Department of Health website](https://www.health.vic.gov.au/drugs-and-poisons/poisons-code).

THE HON. MARY-ANNE THOMAS MP  
MINISTER FOR HEALTH

DATE: 23 January 2023

**POISONS CODE**

**Chapter 1 - Poisons list**

Part 1 - The Poisons List

1.1 The Schedule of the Poisons List is:  
SCHEDULE:                          1  
SCHEDULE HEADING:        No heading.  
SUBSTANCES:                     There are no substances included in this Schedule.

Part 2 - List of substances that are not for general sale by retail

1.2 The substances that are not for general sale by retail are the substances listed below -

ACRYLONITRILE.  
ARSENIC when it is a Schedule 7 poison.  
AZO DYES that are derivatives by diazotisation of any of the following substances:

p-aminoazobenzene (CAS No. 60-09-3)  
o-aminoazotoluene (CAS No. 97-56-3)  
o-anisidine (CAS No. 90-04-0)  
p-chloroaniline (CAS No. 106-47-8)  
4-chloro-o-toluidine (CAS No. 95-69-2)  
2,4-diaminoanisole (CAS No. 615-05-4)  
6-methoxy-m-toluidine (p-cresidine) (CAS No. 120-71-8)  
4,4-methylenedianiline (CAS No. 101-77-9)  
2-naphthylamine (CAS No. 91-59-8)  
5-nitro-o-toluidine (CAS No. 99-55-8)  
2,4-toluenediamine (CAS No. 95-80-7)  
o-toluidine (CAS No. 95-53-4)  
2,4,5-trimethylaniline (CAS No. 137-17-7)

when they are Schedule 7 poisons.

BENZENE when it is a Schedule 7 poison.  
BENZIDINE-BASED AZO DYES being:

2,2'-[[1,1'-biphenyl]-4,4'-diylbis(azo)]bis[N-(4-chlorophenyl)-3-oxobutanamide]  
CAS No. 94249-03-3

Acid Red 85 (Acid Fast Red A)  
1,3-Naphthalenedisulfonic acid, 7-hydroxy-8-[[4'-[[4-[[(4-methylphenyl)sulfonyl]oxy]phenyl]azo][1,1'-biphenyl]-4-yl]azo]-, disodium salt  
CAS No. 3567-65-5

C.I. Acid Black 29  
CAS No. 12217-14-0

C.I. Direct Orange 1  
CAS No. 54579-28-1

Direct Black 38  
2,7-Naphthalenedisulfonic acid, 4-amino-3-[[4'-[(2,4-diaminophenyl)azo][1,1'-biphenyl]-4-yl]azo]-5-hydroxy-6-(phenylazo)-, disodium salt  
CAS No. 1937-37-7

Direct Blue 2  
2,7-Naphthalenedisulfonic acid, 5-amino-3-[[4'-[(7-amino-1-hydroxy-3-sulfo-2-naphthalenyl)azo][1,1'-biphenyl]-4-yl]azo]-4-hydroxy-, trisodium salt  
CAS No. 2429-73-4

Direct Blue 6  
2,7-Naphthalenedisulfonic acid, 3,3'-[[1,1'-biphenyl]-4,4'-diylbis(azo)]bis[5-amino-4-hydroxy-, tetrasodium salt  
CAS No. 2602-46-2

Direct Brown 2  
5-[[4'-[(7-amino-1-hydroxy-3-sulfo-2-naphthalenyl)azo][1,1'-biphenyl]-4-yl]azo]-2-hydroxy- benzoic acid disodium salt  
CAS No. 2429-82-5

Direct Brown 95  
Cuprate(2-), [5-[[4'-[[2,6-dihydroxy-3-[(2-hydroxy-5-sulfophenyl)azo]phenyl]azo][1,1'-biphenyl]-4-yl]azo]-2-hydroxybenzoato(4-)]-, disodium salt  
CAS No. 16071-86-6

Direct Green 1  
2,7-Naphthalenedisulfonic acid, 4-amino-5-hydroxy-3-[[4'-[(4-hydroxyphenyl)azo][1,1'-biphenyl]-4-yl]azo]-6-(phenylazo)-, disodium salt  
CAS No. 3626-28-6

Direct Green 6  
2,7-Naphthalenedisulfonic acid, 4-amino-5-hydroxy-6-[[4'-[(4-hydroxyphenyl)azo][1,1'-biphenyl]-4-yl]azo]-3-[(4-nitrophenyl)azo]-, disodium salt  
CAS No. 4335-09-5

Direct Red 28 (Congo Red)  
1-Naphthalenesulfonic acid, 3,3'-[[1,1'-biphenyl]-4,4'-diylbis(azo)]bis[4-amino-, disodium salt  
CAS No. 573-58-0

Direct Red 37  
1,3-Naphthalenedisulfonic acid, 8-[[4'-[(4-ethoxyphenyl)azo][1,1'-biphenyl]-4-yl]azo]-7-hydroxy-, disodium salt  
CAS No. 3530-19-6

when they are Schedule 7 poisons.

BENZIDINE-CONGENER (3,3'-DISUBSTITUTED) AZO DYES when they are Schedule 7 poisons.  
CACODYLIC ACID when it is a Schedule 7 poison.  
CYANIDES, METALLIC when they are Schedule 7 poisons.  
1,2-DIBROMO-3-CHLOROPROPANE.  
4-DIMETHYLAMINOAZOBENZENE.  
FLUOROACETAMIDE when it is a Schedule 7 poison.  
FLUOROACETIC ACID except when included as sodium monofluoroacetate or sodium fluoroacetate (commonly known as "1080" or "ten-eighty") in ready-to-use bait products that are:

a.    registered by the Australian Pesticides and Veterinary Medicines Authority ("the Authority") under Part 2 of the Agvet Code; or  
b.    permitted to be possessed or supplied under a 'permit for supplying a perishable bait treated with a registered chemical product' issued by the Authority under Part 7 of the Agvet Code.

HYDROCYANIC ACID when it is a Schedule 7 poison.  
4,4'-METHYLENEBIS[2-CHLOROANILINE].  
NICOTINE for human use when it is a Schedule 7 poison. (effective 1 January 2009)  
2-NITROTOLUENE for cosmetic use when it is included in Schedule 7  
OVULATORY STIMULANTS, the following substances -

clomiphene for human use; and  
cyclofenil for human use.

PROSTAGLANDINS, the following substances -

dinoprost for human use; and  
dinoprostone for human use.

RETINOIDS, the following substances -

acitretin for human use; and  
bexarotene for human use; and  
etretinate for human use; and  
isotretinoin for human oral use; and  
tretinoin for human oral use.

SPECIAL SCHEDULE 7 SUBSTANCES, the following -

the substances listed in Schedule 10 of the Poisons Standard as in force from time to time.

STRYCHNINE when it is a Schedule 7 poison.  
THALIDOMIDE for human use.  
THALIDOMIDE-LIKE SUBSTANCES, the following -

lenalidomide for human use. (effective 1 January 2009)  
pomalidomide for human use.

THALLIUM when it is a Schedule 7 poison.  
VINYL CHLORIDE when it is a Schedule 7 poison.

Part 3 - Exemptions

1.3 A substance is not included in a Schedule of the Poisons Standard in the circumstances described in Part 2, Division 1 – Preliminary, paragraph 11 items (a), (b), (c), (d) and (e) and Appendices A and G of the Poisons Standard as in force from time to time.

**CHAPTER 2 - INTERPRETATION**

2.1 The interpretations included in Part 1, paragraph 6, 7, 8, 9 and 10 and Part 2 Division 1-Preliminary, paragraph 11 and 12 of the Poisons Standard as in force from time to time are incorporated by reference for the purposes of this Code.

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