



Hon Steven Miles MP
Minister for Health and
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18 OCT 2019

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Mr Neil Laurie
Clerk of the Parliament
Queensland Parliamentary Service
George Street
BRISBANE QLD 4000

Dear Mr Laurie

I write in response to your letter regarding petition numbers 3125-19 and 3198-19, tabled in Parliament on 18 September 2019, in relation to a review of 1080 poison use in relation to domestic dog deaths. As these petitions are similar in nature, I have taken the liberty of responding to both petitions in this letter. I therefore ask that this response be noted against each petition.

The use of regulated poisons such as sodium fluoroacetate (1080) is currently managed under the Health (Drugs and Poisons) Regulation 1996 (HDPR). These regulations will be superseded by the Medicines and Poisons Act 2019 (MPA) which was passed by the Queensland Legislative Assembly on 17 September 2019 and is proposed for commencement in 2020.

The Department of Agriculture and Fisheries and Queensland Health both have jurisdiction in the use of 1080. Queensland Health grants authorities under the HDPR to eligible persons in relation to possession, use, supply or disposal of regulated poisons. The Department of Agriculture and Fisheries has a key role to prevent and respond to pests and diseases threatening agricultural prosperity. The Department of Agriculture and Fisheries supports rural landholders to access poisons such as 1080 for the control of invasive pests to protect livestock under the Biosecurity Act 2014 (BA).

Queensland Health, in collaboration with the Department of Agriculture and Fisheries, has developed an application process under the HDPR to enable these products to be made available to landholders and suitable persons.

The HDPR adopts the Australian Pesticides and Veterinary Medicines Authority, a Commonwealth body, approved exclusion zones and distance requirements which are developed based on rigorous scientific risk assessments. The distance requirements and other safety measures are imposed on authority holders to ensure public health and safety from the use of the dangerous poisons. Queensland Health has also engaged proactively with retailers, land holders and other users of dangerous poisons to ensure they are aware of and comply with the legislative requirements. Queensland Health conducts routine monitoring and enforcement programs to ensure compliance with the legislated requirements.

Further, as part of the introduction of the MPA it is proposed that:

- the exclusion zones and distance requirements will be reviewed under the proposed new Departmental Standard, 'Use of restricted schedule 7 poisons for invasive animal control', to strengthen community safety. This review will be conducted in close consultation with industry groups such as AgForce Queensland and the Queensland Farmers' Federation; and

- community awareness programs are undertaken for retailers, landholders, primary producers and other government officers about the safe and effective use of 1080 baiting products to ensure compliance with the new Act.

Retailers seeking to supply 1080 baiting products are required to hold an appropriate licence under the HDPR and under the MPA. Conditions of licence require that retailers undertake a customer validation process to ensure that poisons are sold only for legitimate work place use. These requirements are highlighted in Queensland Health's 'Licence to sell poisons by retail – your obligations' document.

Licensed retailers are required to maintain appropriate records of sale that is reviewed at the time of inspection by inspectors under the Health Act 1937. The customer validation and record keeping requirements are proposed to be significantly strengthened under the MPA.

Enforcement action in response to the misuse of 1080 poison is undertaken by relevant state or local government officers. Any investigation is carried out collaboratively when necessary between agencies.

Any confirmed wilful baiting of domestic dogs using poison is required to be referred to the Queensland Police Service, as it is an offence under the Criminal Code Act 1899.

I have attached some more detailed information on the questions posed and I trust this information is of assistance to the petitioners.

Yours sincerely

A handwritten signature in black ink, appearing to read 'SM', followed by a period.

STEVEN MILES MP
Minister for Health
Minister for Ambulance Services

Roles and Responsibilities regarding access to Sodium fluoroacetate

The use of Sodium fluoroacetate (1080) falls under the jurisdiction of both the Department of Agriculture and Fisheries (DAF) and Queensland Health (QH). QH, in collaboration with the DAF, has developed an application process under the Health (Drugs and Poisons) Regulation 1996 (HDPR) to enable these products to be made available to landholders and suitable persons. The respective Department's role are as follows:

- **Queensland Health (QH)**

QH grants authorities under the HDPR to eligible persons in relation to possession, use, supply or disposal of regulated poisons. Under HDPR, 1080 is a regulated poison. In relation to 1080:

- retailers' of 1080 baiting products are required to have a licence to sell the poison.
- persons using 1080 baits for control of invasive pests are required to hold an appropriate approval. Approvals are typically granted to landholders, as well as to state and local government officers, where there is a demonstrated need to control invasive pests, such as wild dogs and pigs.

The *Medicines and Poisons Act 2019* (MPA) was approved by Parliament on 17 September 2019 and will replace the HDPR.

- **Department of Agriculture and Fisheries (DAF)**

DAF has a key role to prevent and respond to pests and diseases threatening agricultural prosperity. DAF supports rural landholders to access poisons such as 1080 for the control of invasive pests to protect livestock under the *Biosecurity Act 2014* (BA).

DAF also conducts coordinated baiting programs to control invasive pests in rural and regional parts of Queensland. Under the BA Act, approved persons, being state and local government officers, provide access to 1080 to rural landholders to support them to carry out periodic coordinated baiting programs. The landholders must enter into a written agreement to ensure safe and effective use of the poison.

Media Reports relating to domestic dog deaths by poisoning

It has been reported in the media that many domestic dogs have been killed in peri-urban and urban areas in the SEQ region and in other parts of Queensland. There has been concern that these deaths were related to the use of 1080 baits. Queensland Health is currently investigating one incident alleging the misplacement of 1080 baits by a local government. Consultation with RSPCA and DAF confirm that there are no other incidents that have been confirmed to be as a result of the misuse of 1080.

Response to Parliamentary Petition

Review exclusions zones and distance requirements to improve community safety.

Australian Pesticides and Veterinary Medicines Authority (APVMA) is the commonwealth government agency that registers all agricultural and veterinary chemical products for the use in the Australian marketplace. This includes 1080 baiting products. The rigorous scientifically based assessment undertaken by APVMA considers product efficacy, concentration, application, target species and host animals or plants. Community safety is a key part of this assessment and is implemented as part of the label instructions.

Queensland Health imposes the APVMA approved label requirements, which includes distance requirements for bait placements, as part of conditions of the approvals for 1080. Additional conditions of approval include:

- Erection of warning signs at prominent locations around the perimeter of the baiting site and the inclusion of baiting dates. Signage must stay in place for at least four weeks after baiting period has finished.
- Property sizes must be greater than 20 hectares in size
- Notification to neighbours, in writing with at least 72 hours' notice, including the dates between which baiting will occur so that owners may contain their domestic pets.
- Record requirements of baiting activities including notification procedures that must be kept by landholders.

These measures will be reviewed to ensure community safety as part of the Departmental Standard, 'Use of restricted schedule 7 poisons for invasive animal control', proposed to be introduced under the MPA, due to commence on 1 July 2020. This review will be conducted in close consultation with industry groups such as AgForce Queensland and the Queensland Farmers' Federation

Review public education and enforcement of existing terms of supply under Section 18(1) of Health (Drugs and Poisons) Regulation 1996.

Retailers seeking to supply 1080 baiting products are required to hold an appropriate licence under the HDPR and under the MPA. Conditions of licence require that retailers undertake a customer validation process to ensure that poisons are sold only for legitimate work place use. These requirements are highlighted in QH's 'Licence to sell poisons by retail – your obligations' document. This can be found at the following website:

https://www.health.qld.gov.au/_data/assets/pdf_file/0031/443794/retailers-obligations.pdf

Licensed retailers are required to maintain appropriate records of sale that is reviewed at the time of inspection by inspectors under the Act. The customer validation and record keeping requirements are proposed to be significantly strengthened under the MPA.

As part of the introduction of the MPA it is proposed that there will be community awareness programs undertaken for retailers, landholders, primary producers and other government officers about the safe and effective use of 1080 baiting products to ensure compliance with the new Act.

Enforcement of the misuse of 1080 poison is undertaken by relevant state or local government officers. Any investigation is carried out collaboratively when necessary between agencies.

Any confirmed wilful baiting of domestic dogs using poison is required to be referred to the Queensland Police Service, as it is an offence under the *Criminal Code Act 1899*. Further information is available at;

DAF Websites

https://www.daf.qld.gov.au/_data/assets/pdf_file/0006/1274190/IPA-1080.pdf

https://www.daf.qld.gov.au/_data/assets/pdf_file/0010/1274185/IPA-Toxin-1080-Guide.pdf

QH Website

https://www.health.qld.gov.au/_data/assets/pdf_file/0031/443794/retailers-obligations.pdf

https://www.health.qld.gov.au/_data/assets/pdf_file/0027/709803/poisons-baiting-products-guidance-note.pdf