

(14 November 1997 – to date)

## HAZARDOUS SUBSTANCES ACT 15 OF 1973

*(Gazette No. 3834, No. 550 dated 4 April 1973. See Act for commencement dates.)*

### REGULATIONS RELATING TO THE CONTROL OVER FLUOROACETIC ACID (MONO), ITS SALTS AND DERIVATIVES

*Published under Government Notice R1488 in Government Gazette 18412 dated 14 November 1997.*

*Commencement date: 14 November 1997.*

The Minister of Health has, under section 29(1) of the Hazardous Substances Act, 1973 (Act No. 15 of 1973), made the regulations in the Schedule.

### SCHEDULE

#### ARRANGEMENT OF REGULATIONS

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#### 1. Definitions

In these regulations any expression to which a meaning has been assigned in the Act shall have such meaning and, unless the context otherwise indicates-

**"poison collar"** means a collar with one or more sealed compartments containing fluoroacetic acid (mono), its salts and derivatives in a coloured water solution of not more than one per cent of the substance concerned for the control of problem animals;

**"problem animal"** means a predator which causes stock losses;

**"problem animal controller"** means a person who complies with the requirements set by a provincial conservation institution or authority for the hunting or combating of problem animals;

**"the Act"** means the Hazardous Substances Act, 1973 (Act No. 15 of 1973);

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**"written approval"** means approval issued by the Director-General to a holder of a licence, a laboratory, a teaching institution, an industry, a government institution, a provincial authority or a provincial institution to keep, apply or use fluoroacetic acid (mono), its salts and derivatives which is not sealed in a poison collar;

**"written authorisation"** means authorisation issued by the director of a provincial conservation institution or authority to a problem animal controller who satisfies the conditions set by that provincial conservation institution or authority.

**2. Control over the import, selling, keeping, application and use of fluoroacetic acid (mono), its salts and derivatives**

- (1) Subject to regulation 4(1), no person shall import, sell, keep, apply or use fluoroacetic acid (mono), its salts and derivatives, unless they are *is[sic]* sealed in a poison collar.
  - (2) No person shall sell a poison collar unless he or she is the holder of a licence: Provided that a poison collar may be sold only to a problem animal controller who is the holder of written authorisation.
  - (3) A problem animal controller shall not keep, apply or use a poison collar unless he or she is the holder of written authorisation.
- 3.** Any person in possession of a poison collar shall keep such collar in his or her possession or charge under proper care and control, out of the reach of children, entirely separate from articles of food or drink and in a room, a cupboard or an enclosure which is reserved solely for that purpose and which is securely locked at all times, except when stocks are added or removed.

**4.**

- (1) A holder of a licence, a laboratory, a teaching institution, an industry, a government institution, a provincial authority or a provincial institution shall not import fluoroacetic acid (mono), its salts and derivatives for use in the Republic which are not sealed in a poison collar, unless such a person or institution is the holder of written approval.
- (2) An application for written approval shall be lodged with the Director-General in writing.
- (3) Written approval may be withdrawn at any time by the Director-General if he or she considers it in the public interest to do so.

- 5.** Any person who fails to comply with these regulations shall be guilty of an offence and shall be liable on conviction to a fine or to imprisonment for a period not exceeding six months.

## 6. Repeal of regulations

The regulations published under Government Notice No. R. 2817 of 31 December 1981 are hereby repealed.