

1961/77



**THE AGRICULTURAL CHEMICALS (INSECTICIDES)  
REGULATIONS 1961**

COBHAM, Governor-General  
ORDER IN COUNCIL

At the Government House at Wellington this 12th day of July 1961

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Agricultural Chemicals Act 1959, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Agricultural Chemicals (Insecticides) Regulations 1961.

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. In these regulations, unless the context otherwise requires,—

“Fertiliser” means a fertiliser as defined in the Fertilisers Act 1960:

“Director-General” means the Director-General of Agriculture:

“Label” includes any brand or writing on any fertiliser containing any insecticide, or on any package in which any fertiliser containing any insecticide is packed:

“Pasture” includes any fodder crop, and any seed crop the straw of which is intended as food for stock:

“Stock” means any sheep, cattle, or swine of any age or sex.

3. (1) Where, on the delivery of any fertiliser containing DDT, an advice note is required to be delivered under section 17 or section 18 of the Fertilisers Act 1960, the following directions for use shall be supplied with the advice note:

“(a) Apply as dry material to dry pastures which have been grazed down to 2 in.—3 in. at least for cattle, or to 1 in. for sheep, or to dry fodder crops, or to dry seed crops the straw of which will be fed to stock:

“(b) Apply preferably between 11 a.m. and 3 p.m. to ensure that the dew has dried off grasses and crops:

- “(c) Remove all stock before application:
- “(d) After application spell pastures for four weeks for beef cattle and sheep and for six weeks for dairy stock:
- “(e) If there has not been 1 in. of continuous rain, or if it was necessary to apply the mixture to wet pasture, *keep in-milk cows off for at least eight weeks*. Users must not treat more than a third of their properties at the one time so that stock will not graze on contaminated pastures:
- “(f) Safer periods to apply this fertiliser for minimum residues are the wetter months of the year, namely May, June, and July:
- “(g) Apply at the rate of not more than cwt per acre:
- “(h) Use this fertiliser with care. Failure to comply with the directions may result in a fine being imposed under the Agricultural Chemicals (Insecticides) Regulations 1961.”

(2) Where, on the delivery of any fertiliser containing DDT, an advice note is not required to be delivered under section 17 or section 18 of the Fertilisers Act 1960, there shall be attached to every package in which the fertiliser is delivered a label showing clearly and distinctly the directions for use specified in subclause (1) of this regulation.

(3) The application rate referred to in paragraph (g) of the directions for use contained in subclause (1) of this regulation shall be specified by the person delivering the advice note or attaching the label, as the case may be, and the rate specified shall be the rate approved in that behalf by the Director-General.

4. (1) Where, on the delivery of any fertiliser containing any insecticide other than DDT, an advice note is required to be delivered under section 17 or section 18 of the Fertilisers Act 1960, the following particulars shall be supplied with the advice note:

- (a) The name of any insecticide contained in the fertiliser:
- (b) The quantity of effective insecticide contained in the fertiliser:
- (c) Any directions for use supplied by the proprietor.

(2) Where, on the delivery of any fertiliser containing any insecticide other than DDT, an advice note is not required to be delivered under section 17 or section 18 of the Fertilisers Act 1960, there shall be attached to every package in which the fertiliser is delivered a label showing clearly and distinctly the particulars specified in subclause (1) of this regulation.

5. (1) Except pursuant to a permit from the Director-General, and in accordance with the conditions contained in the permit, no person shall apply or cause to be applied to any pasture any insecticide (other than DDT mixed with fertiliser) whether or not the insecticide is mixed with any fertiliser or other substance:

Provided that, on such terms and conditions as may be specified in the notice, it shall be lawful for any person, without any such permit, to apply to any pasture such insecticides as may from time to time be specified by notice in the *Gazette* by the Director-General.

(2) Except pursuant to a permit from the Director-General, and in accordance with the conditions contained in the permit, no person shall apply or cause to be applied any fertiliser containing DDT to—

- (a) More than one-third of the total acreage of any property, in any period of 12 months, unless and until a period of not less than eight weeks has expired since the date of the last application of the fertiliser:

- (b) Any pasture on which any cattle are to be grazed, where the average height of the pasture is more than 3 in.:
- (c) Any pasture on which any sheep are to be grazed, where the average height of the pasture is more than 1 in.:
- (d) Any pasture, at a rate of application exceeding that which is specified in the directions for use required by regulation 3 of these regulations to be supplied with the advice note delivered with the fertiliser or on the label attached to the package or packages in which the fertiliser is delivered:
- (e) Any pasture, unless and until all stock have been removed therefrom.

6. Every person commits an offence and shall be liable on summary conviction to a fine not exceeding £50 who—

- (a) Being the holder of a permit granted by the Director-General under these regulations, fails to comply with any of the conditions contained therein:
- (b) Fails to comply with or does any act in contravention of these regulations:
- (c) Before the expiration of four weeks from the date of the application to any pasture of any fertiliser containing DDT, brings any sheep or beef cattle on to the pasture:
- (d) Before the expiration of six weeks from the date of the application to any pasture of any fertiliser containing DDT, brings any dairy cattle on to the pasture:
- (e) Being required to specify an application rate for fertilisers under subclause (3) of regulation 3 of these regulations, fails to specify the application rate approved in that behalf by the Director-General.

T. J. SHERRARD,  
Clerk of the Executive Council.

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#### EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

The purpose of these regulations is to control the use of insecticides. Where an advice note is required to be delivered with any fertiliser containing DDT or other insecticide certain prescribed directions must be supplied with the advice note. Where no advice note is required a label must be attached to the package containing the same directions.

A prohibition is imposed on the application to pasture of insecticides (other than DDT mixed with fertiliser) except with the permission of the Director-General of Agriculture and subject to any conditions contained in the permission.

Provision is made for the Director-General to exempt notified insecticides from the provision.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 13 July 1961.

These regulations are administered in the Department of Agriculture.

(Notice No. Ag. 7321.)