

Statutory Instrument 319 of 1981.

[CAP. 322

Hazardous Substances and Articles (Group III: Veterinary Remedies) Regulations, 1981

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IT is hereby notified that the Minister of Health has, in terms of section 47 of the Hazardous Substances and Articles Act [Chapter 322], made the following regulations:—

*Title and date of operation*

1. (1) These regulations may be cited as the Hazardous Substances and Articles (Group III: Veterinary Remedies) Regulations, 1981.
- (2) These regulations shall come into operation on the 1st October, 1981.

*Interpretation*

2. In these regulations—

“aerosol veterinary remedy” means a veterinary remedy dispersed in a gas which can be dispensed from its container by means of a manually operated valve which forms an integral part of the container;

“animal” means any domestic or wild animal, bird or fish, but does not include vermin;

“flammable aerosol veterinary remedy” means an aerosol veterinary remedy which, when tested by the method prescribed in the Second Schedule, produces—

- (a) at full valve-opening, a flame-projection exceeding four hundred and fifty millimetres; or
- (b) at any valve-opening, a flame extending back to the dispenser;

“flammable liquid veterinary remedy” means a liquid veterinary remedy which has a flash-point of thirty degrees Celsius or below;

“flash-point” means the lowest temperature at which the application of a test-flame causes the vapour at the surface of a liquid to ignite but not to continue to burn, as determined by the Abel closed-cup test method described in British Standard 3442, Part 2, which may be

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inspected free of charge at the office of the Secretary for Health;

"label" means the label which is required to be affixed to the container of the veterinary remedy in terms of section 8 of the Stock Remedies Regulations;

"protective clothing" means—

- (a) clothing made from protective material; and
- (b) face-masks, face-shields, goggles and respirators with appropriate cartridges or canisters;

specially designed to afford protection to the wearer from the hazards presented by veterinary remedies;

"Stock Remedies Regulations" means the Stock Remedies Regulations, 1977, published in Rhodesia Government Notice 11 of 1977;

"veterinary remedy" means any substance or formulation which is used, or is manufactured, sold or represented as suitable for use, topically for the prevention and control of ectoparasites, which is registered as a stock remedy in terms of the Stock Remedies Regulations, and which is not a group II hazardous substance.

*Labelling*

3. (1) No person shall sell a veterinary remedy unless the label conforms to the requirements of this section.

(2) Subject to the provisions of subsections (3) to (5), the label of a veterinary remedy of a class specified in the first column of Part I of the First Schedule shall have printed thereon—

- (a) on the main panel, immediately below the name or the brand name of the veterinary remedy, an equilateral triangle—
  - (i) in the colour specified in the second column of that Part appropriate to such class; and
  - (ii) delineated from the rest of the label by a black border or a black border on a white background to emphasize the colour of the triangle; and

- (iii) occupying an area of not less than five *per centum* of the area of the label; and
  - (b) in black, within the triangle—
    - (i) where such triangle is red or amber, a skull and cross-bones symbol and the warning "DANGER"; or
    - (ii) where such triangle is green, the warning "CAUTION";and
  - (c) immediately below the base of the triangle, the warning or warnings specified in the third column of that Part appropriate to such class; and
  - (d) the warning "KEEP OUT OF THE REACH OF CHILDREN"; and
  - (e) in the case of a label required to bear—
    - (i) a red triangle; or
    - (ii) an amber or green triangle, where the veterinary remedy concerned is not intended primarily for use and storage in or around a household;the warning "TO CAUSE A HAZARD IN THE USE, STORAGE OR DISPOSAL OF THIS SUBSTANCE IS AN OFFENCE"
- (3) Where the label of an aerosol veterinary remedy is required to bear a green triangle, the warning "AVOID INHALATION" shall be substituted for the warning "HARMFUL IF SWALLOWED".
- (4) Where a veterinary remedy referred to in subsection (2) is also of a class specified in the first column of Part II of the First Schedule—
- (a) the equilateral triangle shall be printed on the label in the colour specified in the second column of that Part appropriate to such class if such colour takes precedence over that referred to in paragraph (a) of subsection (2), red taking precedence over amber or green and amber taking precedence over green; and

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(b) *there shall be printed on the label, immediately below the base of the triangle, in addition to any other warning, the warning specified in the third column of that Part appropriate to such class.*

(3) Where the veterinary remedy—

(a) *is of more than one class specified in the first column of Part I of the First Schedule; or*

(b) *otherwise presents a hazard or combination of hazards in respect of which no provision is made in subsection (2) or (4);*

*the colour of the triangle and the warnings required to be printed on the label shall be as approved by the Board.*

(6) *The warnings referred to in subsections (2) to (5) shall be in capital letters and printed from type no smaller than eighteen-point:*

*Provided that, where, owing to the small size of the container, there is insufficient space to print the warnings in eighteen-point, the size of type shall be reduced proportionately, but in no case to a size smaller than six-point.*

(7) *The label shall bear, printed from type no smaller than six-point—*

(a) *the common name or chemical name and the percentage on a mass in mass, mass in volume or volume in volume basis of each substance contained in the veterinary remedy which is of a toxic, inflammable or otherwise hazardous nature; and*

(b) *the precautionary measures to be observed in handling, storing and using the veterinary remedy to ensure that the health of human beings or animals is not endangered; and*

(c) *any necessary instructions regarding spillage and the safe disposal or use of empty containers; and*

(d) *the toxic effects and any other harmful effects on human beings and the animal being treated, where applicable; and*

- (e) first-aid treatment and antidotes for human beings and the animal being treated, where applicable.
  - (8) The colour of the triangle and the warnings required to appear on the label in terms of this section shall be in distinct contrast to their background.
  - (9) The Board may—
    - (a) direct the seller of a veterinary remedy to submit for its inspection and approval any label on the container of a veterinary remedy, and if, in the opinion of the Board, the information on such label is inaccurate or incorrect or incomplete, or does not conform to the requirements of this section, it may direct that the label be altered in such manner as it deems fit;
    - (b) grant exemption from one or more of the provisions of this section for such period as it may deem necessary and subject to such conditions as it may deem fit to impose, and may withdraw any exemption so granted;
    - (c) vary or add to any of the requirements of this section in relation to individual veterinary remedies if it considers it to be necessary or desirable in the public interest to do so, taking into account hazards such as subacute and chronic toxicity, carcinogenic, teratogenic and other harmful effects presented by individual veterinary remedies.
4. (1) No person shall pack a veterinary remedy in a container unless such container and its closure—
- (a) will not react chemically or physically with such veterinary remedy; and
  - (b) are of sufficient strength, under the ordinary risks of handling and transport, to prevent the escape of any of the contents.
- (2) No person other than a person in whose name a veterinary remedy is registered in terms of the Stock Remedies Regulations may open the container of that veterinary remedy and repack it for sale.

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(3) The Board may direct the person in whose name a veterinary remedy is registered in terms of the Stock Remedies Regulations to submit for its inspection and approval the container of that veterinary remedy.

*Transportation*

5. Where an outer container of one or more containers of veterinary remedies, each labelled as required by section 3, is consigned for conveyance by public transport by road, the provisions of section 3 shall be deemed to have been complied with if the outer container bears—

- (a) a red equilateral triangle within which is a skull and cross-bones symbol in black; and
- (b) below the triangle, the word "POISON" and, if applicable to any veterinary remedy in the container, the word "FLAMMABLE", each in a colour contrasting with its background;

of such a size as to be conspicuous.

*Precautions to be taken by the seller of veterinary remedies*

6. Every seller of a veterinary remedy shall take whatever precautions may be necessary to ensure that—

- (a) such veterinary remedy is displayed or stored—
  - (i) so that it does not present a hazard to any human being or animal; and
  - (ii) in an area sufficiently far away from any food as defined in the Food and Food Standards Act [Chapter 321], or any food intended for animal consumption, or any clothing or other article which may come into contact with the skin, or any other article, substance or mixture of substances, so as to prevent any form of contamination which may endanger the health of any human being or animal; and
- (b) in the case of a veterinary remedy required to bear a red triangle on the label in terms of section 3, such veterinary remedy is not displayed or stored for sale in a manner which affords the public direct access thereto.

*Offences and penalties*

7. (1) Any person who—
- (a) contravenes any provision of these regulations; or
  - (b) causes a hazard to the health of any human being or any animal by failing to exercise all reasonable care in the manufacture, handling, conveyance, storage, display, use or disposal of any veterinary remedy; or
  - (c) being an employer, fails to provide appropriate protective clothing for an employee engaged in the manufacture or use of a veterinary remedy, thereby causing a hazard to the health of such employee; or
  - (d) being an employee engaged in the manufacture or use of a veterinary remedy, fails to wear any appropriate protective clothing provided by his employer, thereby causing hazard to his own health;

shall be guilty of an offence.

(2) Any person convicted of an offence referred to in subsection (1) shall be liable, in the case of an offence relating to a veterinary remedy required in terms of section 3 to bear on the label—

- (a) a red triangle, to a fine not exceeding one thousand dollars or to imprisonment for a period not exceeding six months, or to both such fine and imprisonment;
- (b) an amber or green triangle, to a fine not exceeding five hundred dollars or to imprisonment for a period not exceeding three months, or to both such fine and imprisonment.

*Part Schedule (Section 3)*

**LABELLING OF VETERINARY REMEDIES**

**PART 1**

<i>Veterinary remedy</i>	<i>Colour of triangle</i>	<i>Warnings</i>
Veterinary remedies having an acute oral L.D <sub>50</sub> of more than 100, but not more than 500, mg/kg of body-mass	Red	DANGEROUS POISON
Veterinary remedies having an acute dermal L.D <sub>50</sub> of more than 400, but not more than 2 000, mg/kg of body-mass	Red	DANGEROUS POISON HARMFUL BY SKIN ABSORPTION

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<i>Veterinary remedy</i>	<i>Colour of triangle</i>	<i>Warnings</i>
Veterinary remedies having an acute inhalation $LC_{50}$ of more than 400 mg, but not more than 2 g, per m <sup>3</sup> in four hours	Red	DANGEROUS POISON HARMFUL VAPOUR/DUST
Veterinary remedies having an acute oral $LD_{50}$ of more than 500, but not more than 2 000, mg/kg of body-mass	Amber	POISON
Veterinary remedies having an acute dermal $LD_{50}$ of more than 2 000, but not more than 4 000, mg/kg of body-mass	Amber	POISON HARMFUL BY SKIN ABSORPTION
Veterinary remedies having an acute inhalation $LC_{50}$ of more than 2, but not more than 20, g/m <sup>3</sup> in four hours	Amber	POISON HARMFUL VAPOUR/DUST
Veterinary remedies having an acute oral $LD_{50}$ of more than 2 000 mg/kg of body-mass	Green	HARMFUL IF SWALLOWED

PART II

<i>Class of veterinary remedy</i>	<i>Colour of triangle</i>	<i>Warnings</i>
FLAMMABLE AEROSOL VETERINARY REMEDY	Amber	FLAMMABLE
FLAMMABLE LIQUID VETERINARY REMEDY		
substances having a flash-point of twenty degrees Celsius or below	Red	EXTREMELY FLAMMABLE
substances having a flash-point of more than twenty degrees Celsius but not more than thirty degrees Celsius	Amber	FLAMMABLE

SECOND SCHEDULE (Section 2)

**FLAMMABILITY OF AEROSOLS (FLAME-PROJECTION TEST)**

*Equipment required*

The test equipment consists of a base 200 millimetres wide and at least 600 millimetres long marked in 150-millimetre intervals. A rule 600 millimetres long and marked in millimetres is supported horizontally on the side of the base and about 150 millimetres above it. A paraffin candle 25 millimetres or more in diameter, and of such height that the top third of the flame is at the height of the horizontal rule, is placed at the zero-point in the base.

*Procedure*

The test is conducted in a draft-free area which can be ventilated and cleared after each test. Place the self-pressurized container at a distance of 150 millimetres from the flame source. Depress the container valve fully and spray for periods of 15 seconds to 20 seconds (one observer noting the extension of the flame and the other operating the container) through the top third of the flame and at a right-angle to the flame. The height of the flame should be approximately 50 millimetres. Take three readings for each test and average.

As a precaution, do not spray large quantities in a small, confined space. Free space of previously discharged material.

*Supplement to the Zimbabwean Government Gazette dated the 19th June, 1981. Printed by the Government Printer, Salisbury.*