

NOTICE

Suspension of 2,4-D ethyl ester, 2,4-D butyl ester and 2,4-D isobutyl ester active constituent approvals and products containing 2,4-D ethyl ester, 2,4-D butyl ester and 2,4-D isobutyl ester

The APVMA has suspended the approvals for 2,4-D ethyl ester, 2,4-D butyl ester and 2,4-D isobutyl ester active constituents listed in the following table

In an inter-related action, registrations of products containing these active constituents have also been suspended in accordance with s.44(1) of the Agvet Codes. Under that provision, if the APVMA suspends or cancels the approval of an active constituent for an existing product, it must also suspend or cancel any registration of that product.

Active approvals

Approval Number	Active constituent	Approval Holder
47486	2,4-D-Isobutyl ester	Ancom Australia Pty Limited
47549	2,4-D-Butyl ester	Dow Agrosiences Australia Limited
51007	2,4-D-Isobutyl ester	A H Marks Australia Pty Ltd
51653	2,4-D-Ethyl ester	Runge Agrichems Pty Ltd
52286	2,4-D-Isobutyl ester	Runge Agrichems Pty Ltd
52798	2,4-D-Isobutyl ester	Binary Chemicals Pty Ltd

Product registrations

Product Number	Name of Product	Registrant
49673	GENEREX 2,4-D ESTER 800 L HERBICIDE	GENEREX AUSTRALIA PTY LTD
52569	AGCARE BIOTECH 2,4-D ESTER 800 HERBICIDE	AGCARE BIOTECH PTY LTD
52634	SMART 2,4-D ESTER 800 HERBICIDE	AGCARE BIOTECH PTY LTD
53169	DISTRIBUTION 2,4-D ESTER 800 HERBICIDE	GROW CHOICE PTY LIMITED
53699	UNITED FARMERS ESTER 800 HERBICIDE	UNITED FARMERS CO-OPERATIVE COMPANY LTD
54595	HALLEY 2,4-D ESTER 800 HERBICIDE	HALLEY INTERNATIONAL ENTERPRISE (AUSTRALIA) PTY LTD
54655	SEKIRA HERBICIDE	A H MARKS AUSTRALIA PTY LTD
55079	WSD 2,4-D ESTER 800 HERBICIDE	REBOP HOLDINGS P/L T/A WESTERN STOCK DISTRIBUTORS
55930	2,4-D ESTER 800 HERBICIDE BY SANONDA	SANONDA (AUSTRALIA) PTY LTD
56895	ROTAM 2,4-D ESTER 800 HERBICIDE	ROTAM AUSTRALASIA PTY LTD
58444	OSPRAY ESTER 800 SELECTIVE HERBICIDE	OSPRAY PTY LTD
58919	CROWN 2,4-D ETHYL ESTER 800 SELECTIVE HERBICIDE	CORONA INDUSTRIES PTY LTD
59215	ARM 2,4-D ESTER 800 HERBICIDE	AUSTRALIAN RURAL MARKETING PTY LTD
59653	GENFARM 2,4-D ESTER 800 EC HERBICIDE	GENFARM CROP PROTECTION PTY LTD

The suspensions are in effect from **17 December 2008 until 17 July 2009**.

Reasons

The reasons for the Suspension action¹ [s.37(1)(b) Agricultural and Veterinary Chemicals Code Act 1994] arises from the fact that only one company responded to the APVMA's notice of 12 September 2007 to all 2,4-D HVE approval holders requiring the provision of additional data. The additional data received by the APVMA only supports the following active constituent approvals and products containing these active constituents:

- 47189 2,4-D ethyl ester

The following active constituents and products containing these active constituents are NOT affected by this suspension as they were not subject to the 12 September 2007 provision of additional data requirements:

- 59395 2,4-D ethyl ester
- 59931 2,4-D isobutyl ester

The APVMA has issued the following instructions for using or dealing with suspended active constituent and products.

INSTRUCTIONS FOR POSSESSING, HAVING CUSTODY OF, USING OR DEALING WITH SUSPENDED ACTIVE CONSTITUENT AND SUSPENDED PRODUCTS
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Possession and custody

A person may not possess, have custody of, use or deal with the above active constituents. Products manufactured and in the wholesale and retail supply chain as of 17 December 2008 may be in a persons possession and custody, used and dealt with **only** in accordance with the instructions as stated in the suspension notice published in the APVMA Gazette 5, 1 May 2007 page 21.

NO further manufacture of active constituents or products listed above is permitted during the course of the suspension.

Supply

Product may only be supplied if it was manufactured prior to 17 December 2008 and in the wholesale and retail supply chain at that time. Any such supply of these products **MUST** be in accordance with the instructions for supply as stated in the suspension notice published in the APVMA Gazette 5, 1 May 2007 page 21.

Use

Product may only be used if it was manufactured prior to 17 December 2008 and in the wholesale and retail supply chain at that time. Any such use of these products **MUST** be in accordance with the instructions for supply as stated in the suspension notice published in the APVMA Gazette 5, 1 May 2007 page 21.

Subsections 45A(5) and 55(3) cease to apply in respect of the above products. A person may not possess, have custody of, use or deal with the above active constituents and products.

¹ These actions form part of the review ("reconsideration") of 2,4-D active constituent approvals, product registrations and associated label approvals. Approvals and registrations granted after the commencement of the review in 2003 are subject to the outcomes of the current review of 2,4-D as notified in the July 2003 gazette (page 42) and stated in the conditions of registration.

Warning

These actives are not approved, products are unregistered and labels are not approved during the period of suspension. A person must not possess with the intent to supply, or deal with any of these active constituents, products or labels during this period except in accordance with the instructions contained in this notice. A failure to comply with them will result in an offence against the Agvet Codes and the APVMA will take appropriate compliance action.

Revocation of the suspension

The APVMA must revoke a suspension imposed under s.37(3) of the Agricultural and Veterinary Chemicals Code Act 1994, when it has received the results of the trials or experiments [issued by notice on 12 September 2007 to all 2,4-D HVE approval holders].

Further regulatory action

If the information or the results of the trials or experiments are not given to the APVMA by the 17 July 2009, the APVMA may cancel the approval and/or registration.

For any queries or further information about this matter, please contact: Les Davies on 02 6210 4765

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