



# INFORMATION SHEET

Australian Pesticides & Veterinary Medicines Authority

## Responsibilities of Publishers & Advertisers

### Do you place or publish advertisements for agricultural or veterinary chemicals?

If so you need to be aware of the law that governs advertising of these products. You could be affected.

The Australian Pesticides and Veterinary Medicines Authority (APVMA) is the Commonwealth Statutory Authority responsible for the regulation of agricultural and veterinary chemical products in the Australian marketplace. It registers products to ensure that they are safe and perform as expected.

The APVMA gains its regulatory power from national legislation whose centrepiece is the Agricultural and Veterinary Chemicals Code (1994), commonly called the Agvet Codes.

By law, all agricultural and veterinary chemicals supplied into the Australian marketplace must be registered by the APVMA and their promotion and advertising must be in accordance with the Agvet Codes.

### What does the law specify about publishing advertisements on agricultural and veterinary chemical products?

Sections 84, 88 and 89 of the Agvet Codes regulate advertising of agricultural and veterinary chemicals. It is against the law to:

- Make claims, or permit claims to be made, about registered agricultural or veterinary chemicals that are inconsistent with instructions on the approved label.
- Place and publish an advertisement or notice that offers to sell or invites someone to buy an unregistered agricultural or veterinary chemical, unless an application for registration has been made with the APVMA and the advertising states that fact and advises that the chemical is not yet registered.

- Make claims or permit claims to be made that are incorrect, false or misleading. This includes implying the APVMA or any Commonwealth, State or Territory Department recommends the product.

### How does this affect me?

The obligations under the Agvet Codes extend not only to the person who prepares and placed the advertisement (the advertiser) but also to the publisher of the advertisement or promotional material.

Breaches of the Codes are criminal offences and can attract monetary penalties ranging up to \$30,000 for individuals and \$150,000 for companies.

### How can you tell if a product is registered?

Registered products are now given a unique Approval Number, which must appear on the product label. If it doesn't it may still be registered. You can quickly check by searching the APVMA product registration database on line at [www.apvma.gov.au](http://www.apvma.gov.au).

The publisher can insist that the advertiser provide evidence that the agricultural and veterinary chemical is registered by the APVMA before publishing the advertisement or promotional material.

Alternatively you could request the person placing the advertisement to state in writing that the material provided is not in breach of the Agvet Codes. If they won't provide this and you are still not sure, contact the APVMA direct for advice.

### What is an agricultural or veterinary chemical?

APVMA Publications can be accessed via the world wide web.

[www.apvma.gov.au](http://www.apvma.gov.au)

## Responsibilities of Publishers & Advertisers Cont'd

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The Agvet Codes define what are considered to be agricultural or veterinary chemicals.

A product is included in this definition because:

- of the claims made about what the product does;
- of what the product contains; and/or
- it is specifically declared to be such a product by the Agvet Codes.

Examples of agricultural chemicals include - herbicides, insecticides, fungicides, dairy cleansers, insect repellants for use on humans, swimming pool disinfectants and algaecides, and home garden products for pests and weed control.

Veterinary chemical products include such things as prescription animal remedies, vitamins, minerals and amino acids, stockfood and stockfood additives if they have or claim to have a therapeutic effect, improve performance or productivity, and companion animal products such as worming tablets and flea control products. Many herbal supplements and feed preparations fall within the definition of a veterinary chemical because of the claims made about the products.

## Contacting the APVMA

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### Want more information?

If you would like to know more about the APVMA or any of its services please contact us.

#### Postal address:

PO Box E240  
KINGSTON ACT 2604

#### Phone:

02 6272 5158

#### Fax:

02 6272 4753

#### Website:

**[www.apvma.gov.au](http://www.apvma.gov.au)**



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