

Jim McIntosh
CYTEC AUSTRALIA HOLDINGS PTY LTD
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BAULKHAM HILLS BUSINESS CENTRE NSW 2153

Notice of Approval of Label Under the Agvet Codes

You are notified that the APVMA, under sections 14 and 23 of the Agvet Codes, has granted approval for new label(s) for the containers for the following chemical product as specified below:

Product Name: **ECO2FUME PHOSPHINE FUMIGANT**

*Distinguishing Number
of Chemical Product:* **50177**

*Approval Number(s)
of Labels:* **50177/20/0205**

Date of Label Approval: **23 March 2005**

Summary of Approval: **Technical amendment (reformatting) of the directions for use.**

Pack Size(s): **31 kg**

Conditions of Label Approval:

1. The approved label affixed to containers must be supplied with a Date of Manufacture and Batch Number and where:

(a) The Date of Manufacture and Batch Number must be either printed on the container or affixed by way of a sticker to either:

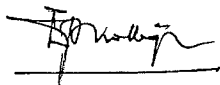
- (i) the base of the main or ancillary panel of the approved label; or
- (ii) to the container.

The Date of Manufacture and Batch Number must comprise of numbers or letters, or a combination of numbers and letters and be in English.

(b) Suitable prefixes may be used for the Date of Manufacture and Batch Number. These must be distinguishable from one another. For example, Date of Manufacture may include the prefix 'DOM', and Batch Number the prefix 'BN'. These details must be presented on the label or container (in accordance with (a) above) adjacent to one another and not in a position so as not to be confused with any other numerical codes.

Appeal Statement.

Please refer to the attachment which contains important information about your rights to obtain reasons for the APVMA's decision or to have the decision reviewed.

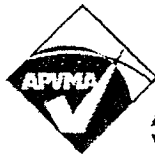


for Program Manager
Pesticides Program

Note

Publication of Label

A copy of the approved label will be provided to Queensland Department of Primary Industry (QDPI) and published on InfoPest. A link between PUBCRIS and InfoPest will allow the label to be viewed on the Internet. If you do not wish the label to be published on the Infopest web site you should contact Mr Colin Beavis at QDPI within 7 days of receipt of this notice. Leave a message by email (infopest@dpi.qld.gov.au <<mailto:infopest@dpi.qld.gov.au>>) fax (07 3225 1488) or phone (07 3239 3081) specifying the APVMA number and product name, and stating that you do not wish the label to be displayed on the web site.



**Australian Pesticides &
Veterinary Medicines Authority**

**DETAILS ABOUT YOUR RIGHTS TO SEEK REASONS FOR THE AUSTRALIAN PESTICIDES &
VETERINARY MEDICINES AUTHORITY (APVMA) DECISIONS OR TO HAVE DECISIONS
RECONSIDERED OR REVIEWED**

Under section 166 of the Agvet Codes, you may, if you wish, apply to the APVMA for a reconsideration of this decision made by the APVMA. Such an application must be made within 28 days of receiving this notice. If you do apply for a reconsideration, the APVMA is legally obliged to reconsider its original decision and either confirm, vary or set aside that decision. The reconsidered decision is considered to be a 'fresh decision' and so must be made by a person other than the person who made the original decision. If the APVMA decides to set aside the original decision, it may also substitute a new decision. Seeking such reconsideration will not affect your rights to apply to the Administrative Appeals Tribunal (AAT) or to seek a formal written statement of reasons, if you are not satisfied with the outcome of the reconsideration. To seek a reconsideration of an APVMA decision, you should apply in writing to the:

General Counsel, Legal Group
Australian Pesticides & Veterinary Medicines Authority
PO Box E240
KINGSTON ACT 2604

You may also apply for a formal written statement from the APVMA setting out the findings, referring to the materials on which those findings were based, and giving the reasons for the decision. Applications must be in writing and should be lodged within 28 days of the date this notice is sent to you, once again to the General Counsel, Legal Group.

Under section 167 of the Agvet Codes, many of the decisions of the APVMA made under the Agvet Codes in relation to the registration or a variation of registration of a chemical product are reviewable by the AAT, subject to the *Administrative Appeals Act 1975*. Section 167 of the Agvet Codes should be consulted for the detail of the sort of decisions, which are reviewable, but in broad terms they include a decision to refuse an application for registration or variation of registration of a chemical product. If you are not satisfied with the APVMA's decision, you are entitled to apply to the AAT for a review of the decision. The AAT is a completely independent body, which can review APVMA decisions on their merits and, where the Tribunal decides it is necessary, substitute its own decision. An application for review must be in writing, accompanied by the required filing fee, and should be lodged within 28 days of the date this notice is sent to you. You should apply in writing to:

Administrative Appeals Tribunal
GPO Box 9955 ,
in any capital city.

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