



The purpose of this newsletter, produced by Queensland Health's Environmental Health Branch, is to inform licensed pest management technicians (PMT) primarily about regulatory matters, impacting on their industry.

The industry is regulated by the *Pest Management Act 2001* (the Act) and *Pest Management Regulation 2003* (the Regulation) to protect the public and pest management technicians from health risks associated with pest management activities which include pest control and fumigation activities.

## Fire ants

This article has been provided by Biosecurity Queensland.

Fire ants are dangerous imported pests that could spread to large areas of Australia, severely damaging the environment, our outdoor lifestyle and the agriculture and tourism industries. Fire ants have been detected in parts of South East Queensland since they were first discovered in 2001.

The goal of the National Red Imported Fire Ant Eradication Program (NRIFAEP) is to eradicate red imported fire ants, *Solenopsis invicta* ('fire ants') from Australia. The eradication of fire ants is a shared responsibility between government, industry and the wider community. NRIFAEP is delivered by Biosecurity Queensland, a business group of the Queensland Government.

As a member of the pest management industry you have the opportunity and a special responsibility to contribute to the eradication effort. The nature of your work means that you may come across suspected fire ant colonies. If this is the case there are two things you should do in your professional capacity to help eradicate this exotic pest from Queensland:

**Firstly**, if you find a fire ant colony or you suspect ants may be fire ants please report that information to Biosecurity Queensland on 13 25 23.

**Secondly** do not treat suspected fire ants or fire ant colonies. Biosecurity Queensland conducts analysis of fire ants from newly detected colonies including genetic analysis. This information provides differences in the characteristics of fire ants which can then indicate the possible source of the fire ants. Surveillance is also carried out around the new

colony and different treatment strategies may also be employed in the surrounding areas. So it's important that eradication program scientists are aware of and can gain information from all new fire ant colonies.

Strict regulatory requirements apply regarding the identification and treatment of fire ants. A person found treating/poisoning fire ants without a written approval issued by an Inspector may be subject to prosecution under the *Plant Protection Act 1989* and a penalty of up to \$200,000 for an individual or \$1,000,000 for a company.

New fire ant colonies have already been discovered, thanks to pest controllers who have called in the suspect ants or encouraged their clients to do so. The resident has been grateful for the quick response, the eradication program has maintained integrity of information, and the professional expertise of the pest controller is acknowledged and valued by all parties.

Additional information can be found at [www.biosecurity.qld.gov.au](http://www.biosecurity.qld.gov.au) or call Biosecurity Queensland on 13 25 23.

## Licence cancellation

A PMT's licence was cancelled recently on a number of grounds including fraudulently completing documents required under the Act.

This is a significant action as it prevents the person from undertaking lawful pest management activities. Under the Act, suspension of a licence for a period of time allows the PMT to retain their licence and can be re-instated. But cancellation removes the licence indefinitely.

## Responsible pest management

Some PMTs who are employees of a business assume that their employer will keep them informed of legislative changes or that the documents (eg. guides, procedures) developed by the employer contain material that agrees with the PMA and PMR.

PMTs are reminded that the individual PMT is responsible for complying with this legislation and other legislation that may place responsibility on the individual. It may be useful to carefully check company or business documents to ensure your pest management activities are compliant with the legislation, and if it is not, raise the matter with your employer. Raising the matter with your employer

and keeping a record does not relieve you of your legal responsibility or accountability for your actions and may not provide immunity in case of negligence.

### Attention employers and PMTs

If you have concerns about the competency, knowledge or skills of a new employee PMT who has been granted a Statement of Attainment or Certificate from a Registered Training Organisation, you can contact Department of Education and Training (DET) at [complaints@det.qld.gov.au](mailto:complaints@det.qld.gov.au) or 1800 600 039.

### Responsible person for recording a pest management activity

This section primarily refers to businesses where a business employs a number of PMTs.

Section 14 requires the responsible person to make a record of the pest control or fumigation activity as soon as practicable but within 24 hours.

Under the Regulation, a responsible person, for a recordable activity, means—

- (a) if the activity is carried out by a trainee—the person who employs the trainee; or
- (b) if the activity is carried out by a pest management technician (PMT) employed by another person carrying on a business that provides a pest management activity—the person who employs the technician; or
- (c) otherwise—the pest management technician who carries out the activity.

In the situation referred to in the first paragraph above, it means the employer is the responsible person where a number of PMTs are employed and it is the employer who must record the activity as soon as practicable but within 24 hours. Depending on the employer's policy, the PMT may actually record the activity and then deliver the record to the employer's head office at a later time which could be greater than 24 hours. If an inspector required the employer to make the record available for inspection or produce a record for inspection at a reasonable time and place nominated by the inspector which had not been submitted to head office or the relevant branch of head office, the employer may be in breach of the Regulation and not the PMT employee.

In this case, it is important for the employer to ensure their PMT employees record the activity and the employer takes possession of the record.

### Informing occupiers or others about pest management work performed

A pest management technician carrying out a pest management activity at premises must provide written pest control advice to a person (for example, a householder, an occupier, a resident or a tenant, or a letting agent, if they requested the activity)

before or just after the activity is carried out. The notice must be left with that person or left in a conspicuous place, or if the place is unoccupied, posted to the person. The notice must contain the following information:

- the technician's name and licence number;
- the name and business name of the person employing the technician (if applicable);
- the name of each pesticide as it is marketed and sold;
- the active constituent of the pesticide;
- where the pesticide is used in the premises; and
- the precautions that should be taken for the pest control activity, eg removing pets, washing crockery etc.

### Building Services Authority (BSA) licensing

The BSA licensing of contractors is completely separate and serves a different purpose to the Queensland Health licensing system.

However, disciplinary action taken by the BSA is taken into consideration for new applicants and existing licensees under section 14 of the Act.

Any dealings you may have with the BSA is entirely separate to Queensland Health and any documents (eg change of address, supply of certificates) you provide to the BSA is **not** passed on to Queensland Health. Confidentiality and Freedom of Information legislation applies.

### Contact details and finding information

Enquiries concerning this newsletter can be made to the Environmental Health Branch on (07) 3328 9310 which is located at 15 Butterfield Street Herston.

This and earlier newsletters are available along with other information on pest management including all licence forms at

[http://www.health.qld.gov.au/industry/poisons\\_pest/default.asp](http://www.health.qld.gov.au/industry/poisons_pest/default.asp)

The Acts and regulations can be found at [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)

### Public Health Unit offices enquiries

Brisbane North Ph 3624 1111	Longreach Ph 4652 6000
Brisbane South Ph 3000 9148	Mackay Ph 4885 6611
Bundaberg Ph 4150 2780	Redcliffe Ph 3142 1800
Cairns Ph 4226 5555	Rockhampton Ph 4920 6989
Charleville Ph 4656 8100	Sunshine Coast Ph 5409 6600
Gold Coast Ph 5509 7222	Toowoomba Ph 4631 9888
Hervey Bay Ph 4184 1800	Townsville Ph 4753 9000
Logan Ph 3412 2989	West Moreton Ph 3413 1200