



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..

Changes to the Pest Management Regulation 2003

1. Requirements about containers

Section 7 has been amended by making it an offence for a technician or trainee to use a container that is a food or drink container; and is not a container that is similar in colour, shape or appearance to a food or drink container. A food or drink container means a container ordinarily used or supplied for use to hold food or drink.

2. Possession of incorrectly labelled container

A new section 8A has been included in the Regulation making it an offence for a technician or trainee to possess a container unless it is labelled in a way that complies with section 8(2). Section 8(2) states the details that must be included on the label of a container that holds a pesticide or fumigant stored for future use.

In the new section, 'Possess, a container includes (a) have custody or control of the container; and (b) store the container in any place, including a vehicle.'

An example of the affect of this new section is when a pest management business has multiple vehicles on which pesticides are stored for future use and the vehicles are used by a number of technicians. The technicians using the vehicle are responsible for ensuring the containers are labelled properly.

The new section makes it clearer who is responsible for ensuring the containers are labelled properly.

The amendments are contained in the *Pest Management Amendment Regulation (No.1) 2010* and can be found at <http://www.legislation.qld.gov.au/LEGISLTN/SLS/2010/10SL071.pdf> or the PMR at

<http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/P/PestManR03.pdf>

Vehicle signage

The vehicle is to be clearly identifiable as a pest management vehicle by appropriate signage in English. The signage must be easily read on the outside of the vehicle, for example, 'Urban Pest Management Services, Telephone (07) 7777 9999'. The signage will be appropriate as long as it:

- contains the technician's name or business name, or the name or business name of the technician's employer
- contains the contact telephone number of the technician or employer
- if the name on the sign does not clearly indicate the vehicle is used for pest management activities the words 'Pest management vehicle' or other words that clearly indicate the vehicle is used for pest management activities
- can be easily read by a member of the public or an inspector while walking or driving past the vehicle.

Licence conditions

The Act requires licensees to comply with conditions placed on their licence. Several conditions are contained within section 26 of the Act and one of these conditions requires the PMT who uses a fumigant or pesticide that is an agricultural chemical product under the *Chemical Usage (Agricultural and Veterinary) Control Act 1988* to do so in a way that does not contravene section 13 or 13A of that Act.

Briefly, the Act requires a person (pest management technician) to use a fumigant or pesticide in the way stated in the instructions on the approved label for the product, unless there is an exemption eg permit authorisation. Also, the fumigant or pesticide used must be a registered agricultural chemical product.

The Act can be found at www.legislation.qld.gov.au The website will show a tab or heading 'Acts, SL as in force' click on this. An alphabetical letter listing will appear. Click on the appropriate letter which will then reveal a list of legislation.

Prosecutions and infringement notices

A PMT was found guilty of failing to provide pest control advice to the occupiers of a premises and failing to notify the Chief Executive Queensland Health of a notifiable incident. The defendant was fined \$3000.

Seven infringement notices were issued relating to records, pest control advice and vehicle signage.

Supply of pesticides to customers

If a pesticide is supplied to a customer, for example, for ongoing control of a pest (eg. ant dust), there are certain requirements that must be met. The Australian Pesticides and Veterinary Medicines Authority (APVMA) is an Australian government authority responsible for the assessment and registration of pesticides and veterinary medicines. When registration is granted, it is on the basis of the information provided by the manufacturer or sponsor and includes details about the pesticide container and the label.

When the pesticide is supplied to the customer, consideration should be given to whether the supply of the pesticide conforms to the provisions of the *Agricultural and Veterinary Chemicals Code Act 1994*. Supply includes 'give' and 'sell'.

Check of new renewal of licence ID cards issued between 30th November 2009 and the 1st February 2010

A number of PMTs have contacted the licensing staff about faults in their licence ID cards issued during the above period. Checks have been done and the correct licence IDs cards have been re-issued. However, to ensure every PMT is accounted for and if you are part of the above group, it would be appreciated if you could check your licence ID cards and if there is a fault, please contact the licensing staff to organise a replacement licence. We apologise for any inconvenience caused to you.

Use of pesticide powder in roof spaces

Given the recent problems with the Commonwealth's roof insulation programme, it was suggested by a reader that comment be made in this newsletter regarding the provision of advice to trades people and others who access parts of building such as roof spaces about exposure to pesticides.

Section 13 of the PMR (Information to be given to occupiers or others) does not require the following action and it is for voluntary consideration only.

PMTs could give consideration to providing a statement on the pest control information document advising the premises occupier to alert trades people of locations where recent pesticide application has been performed. In particular, dusts and granules may be disturbed resulting in unintended exposure and adverse reaction to the pesticide suffered by the

trades person. It is stated again that this suggestion is not a requirement of the regulation and is of a precautionary nature only.

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

The Acts and regulations can be found at www.legislation.qld.gov.au

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Charleville Ph 4656 8100	Sunshine Coast Ph 5409 6600
Gold Coast Ph 5509 7222	Toowoomba Ph 4631 9888
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