

Fact sheet – Approved persons – Aerial distribution

Who is this factsheet for?

This factsheet describes how the new *Medicines and Poisons Act 2019* (the MPA) applies to aerial distributors in Queensland.

The new Act which commenced on the 27 September 2021 has designated aerial distributors as “approved persons” for the aerial distribution of certain types of fluoroacetic acid baits and pesticides.

How will it affect me?

- The MPA has integrated the poisons and the pest management provisions under the repealed Health (Drugs and Poisons) Regulation 1996 (HDPR) and the *Pest Management Act 2001* (the Pest Management Act) into a single regulatory system as they both apply to the use of hazardous chemicals.
- The main objective of the MPA¹ is to manage risks to public health from the use of regulated substances for industrial, agricultural and domestic purposes.
- Aerial distribution of pesticides was previously excluded from the Pest Management Act, this exemption has now been removed under the MPA. Aerial distribution of fluoroacetic acid baits (1080) (less than or equal to 0.03%) did not require an approval under the HDPR.
- Commercial contractors applying pesticides or fumigants or using 1080 in baits for invasive animal control (e.g. wild dogs) must hold an appropriate licence or approval unless they are an ‘**Approved Person**’ under the MPA.
- Approved persons may carry out a specified regulated activity without a licence or general approval, subject to complying with requirements in the regulation.
- Aerial distributors are designated as **Approved Persons** to carry out aerial distribution of low risk fluoroacetic acid² baits (LRFABs) or pesticides subject to holding a specified licence and qualification requirements.
- LRFABs are baits containing fluoroacetic acid in a concentration of not more than 0.5 grams for each kilogram of the bait. LRFABs may be manufactured (shelf-stable) or fresh meat, vegetables, fruit or grain baits.

¹ The MPA only applies to pest animals and not pest plants or plant diseases. Therefore, the MPA applies to the use of pesticides and fumigants⁴ as defined by the MPA.

² Fluoroacetic acid (1080) is prescribed as a restricted schedule 7 (RS7) poison under the MPA. All users must have an approval unless they are designated as an “Approved Person”.

- Attachment 1 to this factsheet, '*Aerial distribution of pesticides and LRFABS - Approved persons*', provides the scope of activities, requirements and limitations for persons undertaking aerial distribution of poisons or pesticides.
- Aerial distributors who qualify as **Approved Persons** to undertake regulated activities will be authorised as approved persons at commencement of the MPA on 27 September 2021. This will be an automatic process and will not require aerial distributors to take any further action.
- All **Approved Persons** will need to comply with storage, recordkeeping and purchase requirements set out under the regulations. Such requirements are consistent with requirements under the workplace health and safety and agricultural chemicals legislation.

How to apply for a licence

To apply for a pest management licence, go to '[Forms and Fees – Pest Management](#)'.

For further information

- [Relevant factsheets](#)
 - Poisons and Pest Management for Primary Producers
 - Transitional arrangements
 - Poisons terms
- [Departmental Standards](#)
 - Competency requirements for licensed technicians undertaking pest management activities with pesticides and fumigants - version 1
 - Competency requirements for authority holders dealing with poisons – version 1

Attachment 1

Aerial distribution of pesticides and LRFABs–Approved Persons - *Medicines and Poisons Act 2019*

Approved person	Scope of regulated activity	Requirements	Limitations
Commercial pilots of manned aircraft	Aerial spraying of pesticides or distribution of 1080 baits using manned aircraft <i>Authorised activities – possess, apply and dispose of pesticides or LRFABs</i>	(a) holds a commercial pilot licence issued by Civil Aviation Safety Authority (CASA) that is endorsed with an aerial application rating; and (b) holds, or is employed by the holder of, an air operator’s certificate issued by CASA that is endorsed with an aerial application rating; and (c) has spraysafe accreditation issued by the Aerial Application Association of Australia Limited.	<ul style="list-style-type: none"> Limited to baits containing less than or equal to 0.05% fluoroacetic acid (LRFABs) Applies to all areas within the state.
Pilots/ operators of remotely piloted aircraft	Aerial spraying of pesticides or distribution of 1080 baits using unmanned aircraft <i>Authorised activities – possess, apply and dispose of pesticides or LRFABs</i>	(a) holds a remote pilot licence issued by CASA; and (b) holds, or is employed by the holder of, a remotely piloted aircraft operator’s certificate issued by CASA; and (c) has obtained a statement of attainment stating the person has successfully completed the core pesticide competencies or has spraysafe accreditation issued by the Aerial Application Association of Australia Limited.	
Aerial operator (entity)	Aerial spraying of pesticides or distribution of 1080 baits using manned and unmanned aircraft <i>Authorised activities – buy, possess, supply, apply and dispose of pesticides or LRFABs</i>	Holds an air operator certificate issued by CASA that is endorsed with an aerial application rating	