



The Environmental Health Unit, Queensland Health produces this newsletter to inform licensed pest management technicians (PMT) primarily about regulatory matters, which impact on their industry.

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

'Gas and Go'

'Gas and Go' can refer to the fumigation of a container of product where the fumigant is introduced into the container and the container is taken before the fumigator can vent it, determine if lethal levels of fumigant remain or declare the product has been exposed to the correct specified concentration of fumigant for the specified time.

Under section 26 of the Pest Management Act 2001 (PMA 2001), a licensed fumigator must not use a fumigant that is an agricultural chemical product (under the Chemical Usage (Agricultural and Veterinary) Control Act 1988) in contravention of section 13 or 13A of that Act. Section 13A says that the fumigant (agricultural chemical product) must be used in accordance with the instructions on the approved label for containers of the fumigant.

The item/product to be fumigated must be exposed to the fumigant at a certain dosage for a specified time (the CxT) to effectively kill the organism and minimise the potential for resistance to the fumigant. This information is stated on the fumigant label. If it is proved that a fumigator has not used the fumigant in accordance with the label, the fumigator could lose their pest management technician licence and face a fine of \$15,000 under the PMA 2001 and/or face a fine of \$45,000 under the Chemical Usage (Agricultural and Veterinary) Control Act 1988.

Under the 'Gas and Go' fumigation method, it is likely that a fumigator would be breaching a number of sections of the Pest Management Regulation 2003 eg. section 24 Inspecting and testing during fumigation, section 25 Releasing fumigant and venting fumigation space, section 26 Re-entering fumigation space and section 27 Clearance certificate. The clearance certificate must state the retention time under fumigation, the day and time the fumigant was introduced to and released from the fumigation space.

Compliance audit 2005 / 06

In the last newsletter it was advised that a report would be available in September 2006 on the website www.health.qld.gov.au Unfortunately this has been delayed until late 2006. The chemical analysis report on the pesticide samples obtained during the audit is not yet available.

The overall impression from the audit of the representative sample of pest management technicians was that compliance with the legislation was generally good.

No individual's details are identified in reports.

Licence renewals reminder

Licence renewal applications are sent to licensees at their last recorded address at least 60 days before the expiry date.

Some PMTs have advised that they did not receive their licence renewal for a variety reasons or they simply forgot to submit their application, usually after their licence has expired. You are reminded that it is your responsibility to ensure a renewal notice is received on or prior to the expiry date. Queensland Health cannot renew a licence if it is received after that date.

In the case of 'grandfathered' licences, the PMT who has let their licence expire has to obtain several competency units in order to obtain a new licence and commence work.

It is suggested that you write in your diary or have some other personal reminder system to remind you to follow up on your renewal notice if you have not received one.

Working while unlicensed may have legal, commercial and insurance implications particularly for any jobs performed within the un-licensed period. Unlicensed activity is a breach of the Act.

Supply of pesticides to customers

If 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'.

Don't permit or require another person to carry out pest management activities

A PMT or a person carrying on a business of providing a pest management activity must not permit or require another person to carry out pest management activities unless the other person is:

- a PMT who is authorised to carry out the activity under the technician's licence; or
- a trainee who is properly supervised in carrying out the activity. The employer must ensure the trainee is properly supervised while the trainee is carrying out the activity.

The term 'properly supervised' is defined in the Act. A trainee means an individual who is at least 17 years of age and being trained to enable the individual to obtain a pest management qualification.

A pest management activity (pest control and fumigation activity) includes preparing a pesticide eg. measuring, mixing or weighing the pesticide and using the pesticide. This can include a pesticide impregnated in a bait or incorporated into a physical barrier.

Fumigation – notifying persons

Section 20 of the Pest Management Regulation 2003 sets out the notification process that licensed pest management technicians (fumigators) need to follow. The notification must be in writing, given before the fumigation activity and a copy kept by the relevant person for two years. Two scenarios are described below:

1. The situation where a business contracts out the fumigation work. The licensed fumigator or the fumigator's employer (relevant person) must notify the owner, occupier of the place or another person who requested the fumigation work, the time and date when the fumigation activity is to be performed.
2. The situation where the business (e.g. grain storage) has licensed employees who carry out the fumigation work. In this case, it is the licensed fumigator, for example, the employee (relevant person) who is required to notify the owner or occupier of the place or another

person who requested the activity, of the time and date when the fumigation activity is to be performed. The reason being that the business (eg. grain storage) is not ordinarily in the business of providing a pest management activity and therefore under section 20, the responsibility falls on the PMT performing the fumigation.

Contact details and finding information

Enquiries concerning this newsletter can be made to the Environmental Health Unit on (07) 3234 0938.

This document is available along with other information on pest management including all licence forms at <http://www.health.qld.gov.au/industry/poisonspests.asp>

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

Enquiries or complaints can be made to a Population Health Unit listed below.

PHU offices

Brisbane North Ph 3624 1111	Mackay Ph 4968 6611
Brisbane South Ph 3000 9148	Mt Isa Ph 4744 4846
Bundaberg Ph 4150 2786	Redcliffe Ph 3897 6480
Cairns Ph 4050 3600	Rockhampton Ph 4920 6980
Charleville Ph 4656 8100	Sunshine Coast Ph 5409 6600
Gold Coast Ph 5509 7222	Toowoomba Ph 4631 9888
Hervey Bay Ph 4120 6000	Townsville Ph 4753 9000
Longreach Ph 4658 0859	West Moreton Ph 3810 1500