

Code of Practice for Spraying in Public Places

ISSUE DATE: JUNE 2004

CONTACTS UPDATED: NOVEMBER 2014

This Code of Practice has been prepared by the Agricultural and Veterinary Chemicals Program of the Department of Primary Industries, Parks, Water and Environment. Its purpose is to provide a clear statement of responsibilities and minimum standards for spraying contractors and employees who apply chemical products for weed or insect pest control in a public place in Tasmania, by any means other than aerial spraying.

There is no immediate intention to adopt the Code under the *Agricultural and Veterinary Chemicals (Control of Use) Act 1995*, as per the Code of Practice for Ground Spraying and the Code of Practice for Aerial Spraying. However, there is a clear expectation that individuals and organisations involved in spraying in public places will recognise the Code as the minimum acceptable standard for these operations.

All spray operators must comply with the *Agricultural and Veterinary Chemicals (Control of Use) Act 1995* and the regulations and orders made under that Act.

Section 1 - General

This section applies to any person who uses or handles agricultural chemical products.

1. You must only use chemical products that are registered or permitted for use on the target host.
2. You must not apply a chemical product at variance with the label instructions, except in accordance with an authorised permit, or where it is applied at a lower rate, concentration or frequency than advised on the label.
3. You should always use products that will do the job effectively. Where practicable, you should use those products that are least toxic to people and the environment.
4. You must store chemical products in their original containers in a dry, well-ventilated area that is not easily accessible to children or animals. A source of water suitable for washing should be located near-by. Permanent stores must comply with the storage requirements of Australian Standard AS 2507.
5. When handling or using a product, you must be equipped with and wear the protective / safety equipment recommended on the product label, unless more effective exposure control methods are employed.
6. You must not eat, drink, or smoke while handling or using chemical products.
7. You must maintain spray equipment in good operational order. You must not start maintenance until the equipment has been cleaned.
8. You must not spray onto waterways or waterbodies or water logged areas unless the product is approved for such use.
9. When spraying, you must not allow a chemical product to move off target to the extent that it may adversely affect any people, their land, water, plants or animals. Areas of particular concern include schools, community halls, malls, parks and gardens.
10. You must maintain a record of spraying operations. Your records must at least include the date, location and name and rates of any chemical products applied. These records must be made available to relevant authorities if requested.
11. Where practicable, the spray supervisor should inform the public of impending spray operations, and to notify them of current operations through the use of signage or whatever suitable means are available.
12. You must stop spraying if a member of the public, or other third party, should approach the area being sprayed.
13. If you are approached by a member of the public with an inquiry or complaint, you must refer him / her to your supervisor. The public must be treated with courtesy at all times.
14. If you offer a commercial spraying service, you must hold a Commercial Operator licence. If you apply chemical products, as part of a commercial service, you must hold a valid Certificate of Competency. For further information on licences and training, refer to the flyers -
 - *Ground Spraying Licences and Certificates.*
 - *Training Requirements for Certificates of Competency.*

(Published by the AgVet Chemicals Program of the Department)

AGVET CHEMICALS CODE OF PRACTICE – GROUND SPRAYING

Section 2 – Rural, rural/residential, suburban and urban areas

This section applies to any person who sprays chemical products in areas such as on country roads, verges, naturestrips and railway lines.

15. If you work on roadsides, nature strips and similar areas, you must display signage on the front and back of your vehicle to alert road users to the spray activity in progress. The telephone number of the spray supervisor must also be displayed in case the public should wish to enquire about the spray operation, or in case of an emergency.
16. You must not operate a hand lance from inside a vehicle cabin. It is acceptable to operate a lance from the vehicle tray provided the spray tank is firmly fixed to the vehicle and the operator is in a secure position. A seat fixed firmly to the vehicle is recommended.
17. You must not spray any plants, shrubs, trees or bushes that are bearing mature or near mature fruit.
18. When possible, avoid spraying plants when they are in flower. Bees are likely to be collecting nectar. If the spray is not toxic to the bees, it may still cause a residue in their honey.
19. Be aware of any crops or enterprises in adjoining paddocks that may be sensitive to the chemicals you are using. If in doubt, recheck the label or seek advice from the Department of Primary Industries, Parks, Water and Environment.
20. You must notify your intention to carry out spraying to owners of any sensitive crops or enterprises in the vicinity.
21. If the spray job is a large one, encompassing a number of adjoining properties, you should consider a notice in the local newspaper.
22. You must report any spills that can threaten the environment to the Tasmanian Fire Service and the Department of Primary Industries, Parks, Water and Environment.
23. If you spray an area with a chemical product for which a re-entry period is specified on the label, you must take appropriate measures to prevent public entry into the area until the re-entry period has expired. If no re-entry period is specified on the label, you should still consider excluding people from the area until any sprayed foliage is dry.
24. If a property owner or resident has identified a pest problem on public property, it should be brought to the Council's attention.

25. Property owners and other individuals must not use chemical products on public land unless a written agreement to do so has been reached with Council authorities.
26. Property owners who request the Council to desist from spraying in front of their properties on public land must prepare a proposed pest control plan detailing how they intend to control the problem themselves. The plan must be approved by the Council and carried out in a timely manner. If the issue is not dealt with satisfactorily, the Council may resume responsibility for the maintenance of the land using chemical products if necessary.
27. Spray Operators must not spray on private property without the resident's consent.

Section 3 – Parks, gardens and bush reserves, etc.

This section applies to any person who sprays chemical products in areas likely to be frequented by many people, including parks, gardens, community halls, churches, child care centres and such like.

28. You must choose the time of spraying carefully. Your preferred time will depend on the particular area to be sprayed. Times of low population density are preferred.
29. The Education Department has its own rules for pesticide use in areas under their jurisdiction. You must always consult with the school principal before applying sprays in the vicinity of schools.

Section 4 - Relation to Acts, Regulations and other Codes

This Code of Practice does not remove or alter any obligation or requirement under any Act or Regulation or alter the need to comply with other Codes of Practice or industry guidelines.

The Tasmanian legislation regulating the use of agricultural chemicals is the *Agricultural and Veterinary Chemicals (Control of Use) Act 1995* and the regulations under this Act. Other relevant State legislation includes:

- The Environmental Management and Pollution Control Act 1994 and regulations under this Act.
- The *Dangerous Goods Act 1998* and regulations under this Act.
- The *Workplace Health and Safety Act 1995* and regulations under this Act.
- The Code of Practice for Ground Spraying.
- Guidelines for disposal of washings and rinsates.