

Code of Practice for Aerial Spraying

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This Code is published by the Agricultural, Silvicultural and Veterinary Chemicals (ASCHEM) Council and applies under Section 7(2) of the Agricultural and Veterinary chemicals (Control of Use) (Agricultural Spraying) Order 1996. It prescribes responsibilities and minimum standards applying to users of agricultural chemical products when these products are applied by aerial spraying operations in Tasmania.

General

1. You must only use registered agricultural chemical products.
2. You must not apply an agricultural chemical product at variance with the label instructions, except under a permit granted by the National Registration Authority or the Registrar of Chemical Products.
3. Where practicable, you should use the product which is least toxic to people and the environment and which will do the job effectively.
4. You may only carry out aerial spraying if you hold a pilot (chemical rating) licence issued under Section 33 of the *Agricultural and Veterinary Chemicals (Control of Use) Act 1995* and you are fully familiar with that Act and the Aerial Agricultural Association of Australia's *Chemical Handling Manual for Agricultural Aviation*.
 - c) over a lake, dam, impoundment, pond, canal, stream, swamp, lagoon, river estuary and parts of the seas, other than where permitted by an approved label or permit; or
 - d) during **school hours**, over or within one kilometre of any school registered under the *Education Act 1994*. (school hours means the period from 30 minutes before classes at the school normally begin, to 30 minutes after classes at the school normally cease on any day on which classes are held).

Exclusion Zones

5. An agricultural chemical product may not be discharged:-
 - a) over or within 100 metres of the **agreed boundary** of areas within a Planning Scheme or Special Planning Order which are not zoned primarily for agricultural, forest or associated use (agreed boundary means a boundary agreed to between owners of adjoining properties); or
 - b) within 100 metres of a dwelling or occupied building without permission from the occupants; or
6. If you intend to spray property that is within one kilometre of a school, you must advise the school Principal of where you intend to spray and provide details of the chemical products to be used.
7. Before commencing a spraying program, you must advise occupiers of properties within 100 metres of the target crop of the intended spraying program and safety precautions being taken to avoid spray drift.
8. You must not engage a pilot to spray within the exclusion zone described by clause 5(b) unless you have obtained permission from the occupants of the dwelling or building and you inform the pilot that permission has been obtained.
9. You must provide pilots with clear, unambiguous and explicit directions (including maps or diagrams if appropriate) on the location, nature and extent of any area to be sprayed.

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10. If you are a vegetable grower you must:-
 - a) use and comply with the Tasmanian Agricultural Productivity Group paddock numbering system; and
 - b) ensure that the numbers are clearly visible at all times; and
 - c) remove the paddock identification number if spraying is not to proceed.
 11. You must maintain a record of spraying operations conducted on your property. The records must include the name of the spray operator and the details required under clauses 16 and 17.
 12. If a product that is sprayed on your property has a withholding period shown on the label, you must strictly observe that period before harvesting any treated produce or grazing stock on a treated area, in accordance with the label instructions.
17. If you spray in cropping situations in which the produce is intended for consumption by people or stock, your records must include a spray report for each spraying operation which includes the spraying location, date and time of application, type and area of crop sprayed, names of chemicals applied and their rates of application. You should also record the wind speed, wind direction and air temperature, or at least an estimate of these conditions during spraying operations.
 18. You must make spraying records available to the Registrar of Chemical Products if so requested.
 19. If you are an operator, you must hold a policy of indemnity insurance approved by the Secretary of the DPI/PWE for a minimum amount of \$30,000.
 20. Your spraying must not adversely affect any people, plants, stock, produce, waterbodies, groundwater or soil outside of the target area unless you have obtained prior permission from the owner of the premises that may be affected by the spraying. As a minimum you must comply with label directions. (In the absence of specific label directions, it is recommended that you should not spray within 50 metres of any waterways or water bodies if there is no wind or if the wind direction is towards the water. If the wind direction is away from the water, you should not spray within 10 metres of the water. These distances are provided for guidance only and may not be sufficient in all circumstances).

Pilot/Operator Responsibility

13. You must carry out all spraying operations in accordance with Operation Spray Safe requirements.
 14. You must strictly observe the exclusion zones prescribed by clause 5 of this Code.
 15. You must not:-
 - a) spray a chemical product unless the property manager who engaged you has provided you with the information set out in clause 9 and if spraying vegetable crops, clause 10 of the Code; or
 - b) apply a Schedule 7 poison from the air without a permit from the Registrar of Chemical Products; or
 - c) apply the herbicide 2,4-D from 15 September to 15 April (inclusive) without a permit from the Registrar of Chemical Products.

(Note: the permits under clauses 15 (b) and (c) should be obtained by the property manager).
 16. You must keep records of spraying operations for a period of at least two years. Your records must at least include the date, location and name and rates of any chemical products applied.
21. You are responsible to ensure that all criteria for a safe and successful spray application are met. This responsibility includes deciding whether or not a spray operation should begin or be discontinued
 22. In the event of a major spill or other emergency involving agricultural chemicals, you must inform the Tasmanian Fire Service. Contingency plans for dealing with emergencies must be in place, and you must follow the procedures. Immediate action is usually necessary to minimise the effect of the spill or accident. Where an incident occurs that causes or may cause material or serious environmental harm, you must notify the Director of Environmental Management by telephoning 1800 005 171 as soon as reasonably practicable, but in any event, within 24 hours.

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 Official Industry Guidelines.

Where greater distance limitations are specified in other approved Codes of Practice or Industry Guidelines those greater distance limitations must always be observed.

The Tasmanian legislation regulating the use of agricultural chemicals is the *Agricultural and Veterinary (Control of Use) Act 1995* and the *Agricultural and Veterinary Chemicals (Control of Use) Regulations 1996*. Other relevant legislation, codes and guidelines include:

- *Environmental Management and Pollution Control Act 1994* and regulations under this Act.
- National Health and Medical Research Council's "Code of Practice for the Safe Use of Agricultural Chemicals by Aerial Application:
- Forest Practices Code (January 1993)
- Tasmanian Agricultural Productivity Group's "Guidelines for Aerial Spraying".