

GUIDE TO LICENCE REQUIREMENTS TO FUMIGATE

NOTE: THE BELOW ARE EDITED EXTRACTS OF CURRENT REGULATIONS. FOR FULL REGULATION DETAILS REFER TO THE INCLUDED REFERENCES AND LINKS.

DEFINITIONS	REQUIREMENTS	EXEMPTIONS
WESTERN AUSTRALIA		
<p>Fumigant – means a registered pesticide that contains one or more of the following active constituents:</p> <ul style="list-style-type: none"> • 1,3-Dichloropropene • Ethanedinitrile • Ethyl Formate • Ethylene Dibromide • Ethylene Oxide • Methyl Bromide • Phosphine • Sulfuryl Fluoride <p>Fumigation – means a pest management treatment that involves the use of a fumigant in a gaseous form.</p> <p>Exclusion: The only fumigations the person undertakes on land owned or occupied by the person using a registered fumigant and the person is approved by the EDPH as competent to undertake soil fumigations.</p>	<p>A person must not act as a pest management technician unless they are licensed or the person is exempt.</p> <p>A person must not act as a pest management salesperson unless the person does so in accordance with a licence. CPPPMT3006A – Apply Pesticides to Manage Pests must be completed to gain a licence.</p> <p>To use the soil fumigants Telone C-35, Telone C-60 and Rural InLine you must complete a stewardship course with the manufacturer.</p>	<p>The pest management treatment is seasonal spraying of broad hectare or pasture production, undertaken under direction by a registered proprietor by a person that has completed an approved training course for the safe handling and use of registered pesticides.</p> <p>The pest management treatment is a fumigation and the person is assisting or supervised by a licensed technician and they are adequately trained in first aid.</p> <p>Where fumigants are used to treat soil on farms by owners/occupiers no licence is required. However, approved training is still required to access fumigants.</p>
SOUTH AUSTRALIA		
<p>Regulation 25 of the Controlled Substances (Poisons) Regulations states: Poisons covered by Section 22 of the Act are:</p> <ul style="list-style-type: none"> • Acrolein • Arsenic as an S7 poison • Chloropicrin • Cyanides as S7 poison • Cyanogen • DDT • Fluoroacetamide • Fluoroacetic acid • Hydrocyanic acid as an S7 Poison • Methyl Bromide • Mirex • Sodium fluoroacetate • Strychnine as an S7 poison • Thallium <p>Regulation 25 Licence Conditions may include but are not limited to:</p> <ul style="list-style-type: none"> • Specifying persons who can have access to the poison • Storage 	<p>A person must not carry on a pest control business unless they hold a South Australian Pest Controller’s Licence, a Tasmanian Commercial Operator’s Licence, or are registered in Western Australia as a Commercial Pesticide Firm.</p> <p>A person must not perform, or be required by a pest control business to perform, pest control work unless they hold a current Pest Management Technician Licence.</p> <p>The holder of a Limited Pest Management Technician’s Licence must notify the licensing authority if they cease employment as a pest management technician, or change employment to another pest controller, within 14 days.</p>	<p>The licensing authority may exempt a person from holding a licence on such conditions as it thinks fit once satisfied it will not entail any significant risk to public health or the environment and, by notice in writing, vary or revoke the exemption.</p> <p>A person who fails to comply with a condition of an exemption is guilty of an offence.</p>

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<ul style="list-style-type: none"> • Security • To prevent unauthorised access • Provisions to contain any accidental spillage or leakage that may occur <p>Examples of S7 soil fumigants covered by Regulation 25 are:</p> <ul style="list-style-type: none"> • Telone C-35 • Telone C-60 • Rural InLine 	<p>A Regulation 25 Licence to possess is required to purchase covered poisons and may be issued to a person aged over 18 who has a valid reason for requiring the poison, and must be produced for sellers to see when purchasing.</p> <p>To obtain a Regulation 25 licence you must have undertaken appropriate training – CPPPMT3011A Conduct Fumigation.</p>	
NEW SOUTH WALES		
<p>A Fumigator Licence is only required for using products that contain the following fumigants:</p> <ul style="list-style-type: none"> • 1,3 Dichloropropene • Chloropicrin • Dazomet • Ethanednitrile • Ethyl Formate • Ethylene Oxide (except single dose canisters) • Metham Sodium • Methyl Bromide • Any product that liberates phosphine gas • Potassium-monomethyl Dithiocarbamate • Sulfuryl Fluoride 	<p>A person must not use, or employ or engage a person to use a pesticide, unless they are qualified to use the pesticide, to conduct or work in a business, educational institution or hospital; for the landlord of any premises; for a public authority; for pest control on a golf course, sport field or bowling green; or for any agricultural or forestry operations.</p>	<p>Farmers do not need a licence to use or apply aluminium phosphide tablets or chloropicrin fumigants in agriculture.</p> <p>Note: agriculture includes horticulture, growing fruit or vegetables and the use of land for animal husbandry such as keeping or breeding livestock, poultry or bees.</p>
QUEENSLAND		
<p>A Fumigant is a substance capable of producing a gas or vapour that is ordinarily used to kill a pest or sterilise grain or seed to prevent germination. A substance will be deemed to be a fumigant if:</p> <ul style="list-style-type: none"> • It fits the definition • It is ordinarily used as a fumigant • performs another function prescribed under a regulation 	<p>Fumigants must be registered by the APVMA.</p> <p>A person must not carry out a pest management activity unless they are a licensed pest management technician for the activity, or a trainee being supervised by a pest management technician licensed for that activity.</p> <p>Only an individual may apply for a licence.</p>	<p>The legislation does not apply to agricultural, horticultural and pastoral or to some domestic activities.</p> <p>Example of an activity not regulated by the Act: A pest control activity that is carried out on a farm in primary production (e.g. fumigating a farm grain storage facility).</p>

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VICTORIA		
<p>A Pest Control Operator is a person who conducts, or portrays themselves in anyway as conducting, the business of controlling, destroying or repelling pests.</p> <p>Restricted Use Chemicals are agricultural products that:</p> <ul style="list-style-type: none"> • Are Schedule 7 Poisons (Dangerous Poisons) • Contain Atrazine • Contain Metham Sodium • Contain Ester formulations of 2,4-D, 2,4-DB, MCPA or Triclopyr <p>An ACUP (Agricultural Chemical User Permit) is a 10-year permit that authorises the user to purchase and use 'restricted use chemicals' for private use. There are four types of ACUP endorsements available:</p> <ul style="list-style-type: none"> • Standard – to use higher risk 'restricted use' • 1080 (Sodium Fluoroacetate) – authorises the supply and use of agricultural products that contain 1080 (Sodium Fluoroacetate) pest animal baits • Fumigants – authorises the use of agricultural chemical products that contain gaseous methyl bromide, chloropicrin or phosphine for fumigation • Pindone Concentrate – authorises the supply and use of agricultural chemical products that contain pindone concentrate for the preparation of poison baits (>2.5% pindone) <p>Different combinations of the endorsements are available.</p>	<p>A Pest Control Operator must not use any pesticide or class of pesticide unless authorised on their pest control licence.</p> <p>To apply for a Pest Control Licence you must:</p> <ul style="list-style-type: none"> • Be at least 18 years of age • Have the prescribed qualifications • Have paid the relevant licence fee <p>A person licensed to use pesticides who lives interstate must apply for an Interstate Operator Licence to apply pesticides as a Pest Control Operator in Victoria.</p> <p>To use 'restricted use' chemicals, a person must hold an ACUP (or be under the direct supervision of an ACUP holder), PCRL (Pilot [Chemical Rating] Licence), PCOL (Pest Control Operator Licence), COL (Commercial Operator Licence) or working under a COL.</p> <p>ACUP Training Requirements</p> <p>Standard – A course in Agvet chemical user (or equivalent) that includes the units:</p> <ul style="list-style-type: none"> • AHCCHM303A Prepare and apply chemicals and either • AHCCHM201A Apply chemicals under supervision or • AHCCHM204A Transport, handle and store chemicals <p>Fumigants – CPPPMT3011A Conduct Fumigation</p>	<p>The requirement to hold a licence does not apply if the use of the pesticide is for one or more of the following purposes:</p> <ul style="list-style-type: none"> • horticulture • agriculture • controlling a pest animal to protect an area or place which is not a commercial building or a domestic, or adjacent to domestic, premises • water treatment • weed control

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References:

- WA Health (Pesticides) Regulations 2011
- SA Controlled Substance (Pesticide) Regulations 2003
- SA Controlled Substance (Poison) Regulations 2011
- QLD Pest Management Act 2001
- VIC Public Health and Wellbeing Act 2008
- NSW Pesticides Regulation 2017

Links:

Guide to Obtaining a WA Pest Management Technicians Licence (WA)

<http://ww2.health.wa.gov.au/~media/Files/Corporate/general%20documents/pesticides%20and%20chemicals/PDF/Guide-to-Obtaining-a-Pest-Mgt-Technicians-Licence-in-WA.pdf>

Licences to possess Regulation 25 Poisons (SA)

<https://www.sahealth.sa.gov.au/wps/wcm/connect/34e66b804064e13ea73db7a05d853418/1516-Info-Reg25-Poisons.pdf?MOD=AJPERES&CACHEID=34e66b804064e13ea73db7a05d853418>

Application for a licence to possess regulation 25 Poisons (SA)

http://www.sahealth.sa.gov.au/wps/wcm/connect/cc4a8a804064e998a818bfa05d853418/1516-Applic-Reg25-Multiple_3.pdf?MOD=AJPERES&CACHEID=cc4a8a804064e998a818bfa05d853418&CACHE=NONE

Training Requirements for Pest Management Technician Licence and Fumigator Licence (NSW)

<https://www.epa.nsw.gov.au/your-environment/pesticides/licences-and-advice-for-occupational-pesticide-users/pest-management-technicians-fumigators-training-permits>

Environmental Health Branch - A Guide to What Pest Management Technicians in Queensland Need to Know (QLD)

<https://www.health.qld.gov.au/publications/public-health/industry-environment/pest-management/pest-mgt-technician-know.pdf>

Agricultural Chemical Use - DEPI licences and permits (VIC)

<http://agriculture.vic.gov.au/agriculture/farm-management/chemical-use/publications/agricultural-chemical-use-depi-licences-and-permits>

The ACUP system in Victoria (VIC)

<http://agriculture.vic.gov.au/agriculture/farm-management/chemical-use/agricultural-chemical-use/licenses-permits-and-forms/the-acup-system-in-victoria>

Application for/renewal of an Agricultural Chemical User Permit (VIC)

<http://agriculture.vic.gov.au/agriculture/farm-management/chemical-use/agricultural-chemical-use/application-forms>

Australian State & Territory regulatory controls on Schedule 7 poisons (Australian Government)

<https://www.tga.gov.au/australian-state-territory-regulatory-controls-schedule-7-poisons>