

# Responsible Use of Agricultural Chemicals

Fact Sheet series for the  
Small Rural Landholder

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## The Issue

The use of chemicals in agricultural landscapes requires landholders to understand their role and responsibilities in ensuring safe handling and application of products.

There are many types of pesticides and veterinary products used to control a variety of pest problems.

Every user needs to have a thorough understanding of the label instructions and the associated benefits and risks of the product's use.

- There are legal requirements that regulate Agriculture chemical use in Victoria and they **MUST** be abided by.
- On farm chemical use requires a high degree of practical knowledge and record keeping.
- Relevant training must be undertaken to use certain chemicals.

## **Introduction**

The purpose of this information sheet is to:

1. Raise awareness of some of the important legal requirements regulating agricultural chemical use in Victoria; and
2. Clarify some of the common misunderstandings that can occur.



## **Legal Framework**

Commonwealth and Victorian Governments regulate agricultural and veterinary chemicals in Victoria.

1. The Commonwealth Government regulates their **SUPPLY** and **SALE** whilst;
2. The Victorian Government regulates their **USE**.

The important distinction is that in Victoria it is the use of agricultural chemicals which is regulated by State legislation. Whereas matters relating to the registration and supply of the thousands of Agvet chemical products is governed under Commonwealth legislation.

In simple terms this means that up until the point when a person is sold a product it is predominantly regulated by the Commonwealth and once it is open and used it is regulated by the State.

## **Legislation**

In Victoria the relevant legislation is the Agricultural and Veterinary Chemicals (Control of Use) Act 1992 and its associated Regulations. "The Act" also

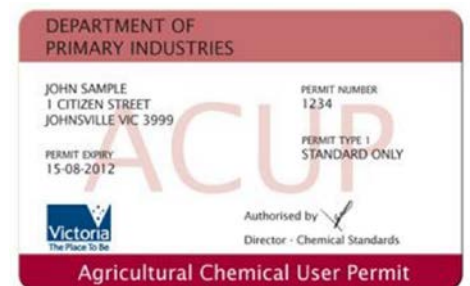
deals with the sale and manufacture of fertilisers and stock foods but those matters are not the subject of this note. For a comprehensive explanation of all the details on this subject the reader should search the web under "Chemical Standards Victoria" and check the Agriculture Victoria website for relevant information.

## **Permits**

There are some products whose use is restricted to people who hold a standard Agricultural Chemical Users Permit (ACUP). These are chemicals where it has been deemed there is a higher risk associated with their use due to:

- toxicity and safety issues;
- spray drift damage because of volatility; or
- potential for environmental damage.

For these products a person using them is required to either hold an ACUP or be directly supervised by an ACUP holder. So before purchasing an agricultural chemical from your local supplier, ask if you will need an ACUP to use it.



## **ACUP requirements**

There are number of commonly used herbicides for woody weed control such as blackberry which require the user to hold an ACUP because the product contains an Ester formulation of the chemical 'triclopyr' which is restricted.

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### ***Spray Risk Assessment Checklist***

A basic risk assessment should include such questions as:

- What is the wind speed and direction?
- Is there a sensitive crop downwind and how far away?
- Are there any, and if so what are the label instructions on weather conditions for spraying?
- Are the droplet sizes and pressure setting as recommended on the label to limit the likelihood of drift?
- Is the product a volatile formulation prone to vapour drift?
- Is there any vegetative buffer which will act as a spray drift barrier?
- What is the release height of the spray above the ground?

### ***Relevant Resources***

Agriculture Victoria

Visit <http://agriculture.vic.gov.au/>

Search "Agricultural Chemical Use"

Information on spraying, licenses and permits, record keeping, chemical labels, spray drift, ACCA's.



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If you do need an ACUP then you should make inquiries to undertake the required training, the [AgVet Chemical Users Course](#). Once successfully completed you can make an application to get an ACUP. It is important to understand that completion of the training is only the first step; you **MUST** then follow up to get the permit which is for a 10 year period.

An alternative option for landholders, who do not want to use these restricted products themselves, could be to employ a properly licensed contractor who holds a current and appropriately endorsed Commercial Operator Licence.

### ***Records of use***

Except for household and home garden products it is **compulsory** to make a record within 48 hours of using an agricultural chemical product, and keep that record for a period of two years.

This applies to all agricultural chemicals used and includes nine different entries including:

- product used;
- operators name;
- wind speed and direction;
- extent of use; and
- application rate etc.

Keeping complete records makes sound management sense. For those properties with a Property Identification Code (PIC number) growing sheep and cattle for sale, these types records add to the information required by the Livestock Production Assurance program which people agree to when using Vendor Declaration forms.

Responsible use and good records also provide a sound defence should there be any complaints about spraying activities. The Agriculture Victoria website [www.agriculture.vic.gov.au](http://www.agriculture.vic.gov.au) has more detailed information and a record keeping template which meets all the legal requirements.

### ***Spray Drift***

Every person spraying chemicals needs to make an assessment of the risk of spray drift causing damage outside the target area before commencing. It can be an offence under the Agricultural and Veterinary Chemicals (Control of Use) Act 1992 to allow spray to drift and injure plants or livestock outside the target area.

It is important to differentiate that the above Act relates to agricultural issues and NOT matters of human health resulting from spray drift. Human health complaints are normally dealt with initially by local government under relevant health legislation.

Spray technology these days is very sophisticated but some of the basic causes of spray drift still come down to poor operator judgement and operation.

There is no reason why appropriate spraying cannot occur in the vicinity of sensitive crops so long as the operator has assessed and managed the risks, and is also prepared to cease spraying should conditions change.

### ***Agricultural Chemical Control Areas (ACCA)***

There are some parts of the state where there are further restrictions in place to protect sensitive horticultural areas. These ACCA may require permits and place conditions for the aerial spraying of some herbicides or prohibit the use of some volatile herbicides. The Agriculture Victoria website has further detail on their location and restrictions in place.



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