

Record Keeping – The New Regulation

The NSW Farmers' Association worked hard to reduce the proposed level of record keeping required by the Department of Environment and Climate Change (DECC) to a manageable level.

It is important that you as a farmer and a commercial user of pesticides read this information carefully.

If you are using pesticides for commercial or occupational purposes you are covered by this regulation and you must make a record of each application.

Under what circumstances do I need to keep a record?

- Whenever livestock are treated for ectoparasites by means of a dip bath or by the use of powered spray equipment that is not hand held;
- Whenever harvested horticultural crops are treated by means of a dip bath;
- Whenever any spray equipment is used to apply a pesticide for horticultural purposes (including the spraying of fallow crop land);
- Whenever any powered spray equipment is used to spray crops, fallow crop lands or trees in a plantation (including in or around such trees);
- Whenever ground driven powered spray equipment that is not hand held is used;
- Whenever baits are applied to control vertebrate pests (other than baits used to control rodents in or around buildings).

Under which circumstances is there no requirement for a record?

The regulation requires record keeping for very broad classes of usage in non-agricultural situations but provides such usage with a domestic scale exemption. In the case of agricultural use, record keeping is only required in the more limited and specific circumstances outlined above and the domestic scale exemption is not needed. However, some exemptions do apply.

In broad acre agricultural situations

- Records are not required where spot spraying of small isolated infestations is done using hand-held spray equipment.

In horticultural situations

- If the application consists of spot spraying that is confined to a small and restricted area on or within a tree crop, **and**
- The pesticide is applied by hand held and hand-powered equipment only, **and**
- The pesticide is applied no closer than 20 metres to a property boundary.

What records do I need to keep?

In full at the front of a chemical diary (referred to in each record)

- The address of the property.
- Name, address and contact details of the person who applies the pesticide (if an employee is the applicator, the employees name and the employers name, address and contact details)
- Name, address and contact details of the owner or occupier of the land where the pesticide was applied.
- List of full product names of pesticides used regularly.

For each application

- Full product name of the pesticide applied (as per label) (or refer to an abbreviated name for the specific pesticide that is clearly identified in the chemical list at the front of your chemical diary).
- A description of the crop in respect of which the pesticide was applied or other situation in which it was used (eg fallow spraying).
- Rate of application of the pesticide and the quantity applied.
- A description of the equipment used to apply the pesticide (which can be abbreviated in a table at the front of the diary)
- Outline of the area in which the pesticide was released and the order in which areas were treated (eg paddock numbers)
- Date and start/finish times of the application
- If the pesticide is applied outdoors by means of any spray equipment, the estimated wind speed and direction at the start and whenever there is any significant change must be recorded. If any other weather conditions are specified on the label as being relevant for the proper use of the pesticide, a description of those conditions at the start of the application and whenever there is any significant change during the application must also be recorded.

What language can the record be written in?

The record must be written in English. Someone else may write down the record for you, but it is up to you, the pesticide user, to make sure the record is accurate.

For how long must records be kept?

Records must be kept for at least 3 years after the date the record was made.

How long after spraying must I make a record?

Your record must be made no later than 24 hours after the pesticide has been used.

Do I need to keep a record if a contractor does my work?

If a contractor is used, they must keep a record for three years and must provide you (the owner/occupier) with a copy of the record which must also be kept for three years.

Do I have to keep a separate set of records for my quality assurance program?

Provided the records you keep for your quality assurance program or any other purpose comply with the above requirements, you do not need to keep separate records.

A penalty applies for not complying with this regulation. Remember that there are severe penalties for causing spray drift and that keeping such records will provide a defence against prosecution if you have done the right thing but have been accused of causing spray drift.

For any specific questions about the regulation, please contact the NSW DEC on 131 555 at the cost of a local call from anywhere in NSW. There is also information on the DEC website <http://www.environment.nsw.gov.au/home.htm>