

# Pesticides Notification

## Pest Management Technicians



This fact sheet is for pest management technicians and people employed by pest control businesses. It provides guidance on how to comply with the new rules set out in the Pesticides Regulation 1995. The amendments to the Regulation make it compulsory to notify residents when pesticides are applied to the common areas of multiple occupancy residential complexes. The changes will apply from 1 February 2007.

### For what kinds of pest treatments do I need to provide notice?

Under the amended Pesticides Regulation 1995, you will need to put up notices when you are using pesticides in the common areas of multiple occupancy residential complexes. Common areas include pathways, gardens, lawns, foyers, hallways, share laundries, car parks, roof cavities and sub-floor areas.

Multiple occupancy residential complexes include units, flats, townhouses and villas with 3 or more residences. It also includes caravan parks with long-term residents.

The new rules do not apply to dual occupancies, duplexes or to single residences.

### What kind of notice does the person responsible for managing the property have to provide?

The person responsible for arranging the pesticide application (usually the strata manager, managing agent or real estate agent) has to give prior notice of the pesticide application to residents **at least 5 working days before you begin the job.**

You will need to provide the property manager (or any other person who arranges the pesticide application) with the details of the forthcoming treatment so that they can give this information to residents. You also need to make sure that you do not start the treatment before the minimum notice period has passed. Before you can begin the pest treatment, the person responsible for arranging the job needs to confirm with you that they have given all the residents at least 5 working days' notice.

### What do I have to do before I can begin a pesticide job?

To comply with the new rules, these are your responsibilities:

- You should tell the person who is arranging the pesticide application that it will not go ahead unless you **get confirmation that at least 5 working days' notice has been given** to each resident.
- You will need to **give the person responsible** for arranging your services **information** about the treatment (so they can notify residents) including:
  - the full name of the pesticide, **and**
  - the reason why the pesticide is being used (e.g. what pest is being treated), **and**
  - the proposed date or dates of use, or expected duration of a baiting program, **and**
  - where the pesticide will be used, **and**
  - any re-entry requirements that are on the pesticide label or permit, **and**
  - your contact details or the contact details of your office.

The person organising the pest treatment is responsible for providing full details about the treatment to residents at least 5 working days before the job begins. You should get confirmation that this has been done, preferably in writing (i.e. by email, fax or letter) before you can start the pest treatment.

## What notice do I have to give when I arrive to do the treatment?

Before you begin a pesticide job, you must put up notices describing the pesticide application. You need to place these notices at the main entry and exit doors to the building and on the main notice board of the building, if available and accessible to you. If outdoor common areas (like pathways, lawns or fences) are being treated, the information must also be posted on the main entry points to the property.

The notice must include information about:

- when the application will take place, **and**
- where the pesticide will be used, **and**
- the full product name of the pesticide, **and**
- why it's being used (e.g. what pest is being treated), **and**
- any period when the treated area should not be entered (if required by the label or permit), **and**
- your contact details or the contact details of your office.

This notice should be put up just before you begin applying the pesticide and should stay up while the pesticide is being applied and remain until the area you have treated is safe for residents to use again.

If there are changes made to what, where or how the pesticide is going to be used on the day, you should change the notice to include these new details.

Copies of the relevant material safety data sheet (MSDS) must be provided as soon as practicable, if a resident requests it.

## What if the pesticide treatment is delayed?

If a pesticide treatment is rescheduled you should check with the property manager whether the notice to residents about the planned pesticide treatment will be reissued. Common sense should be used – if a treatment is only delayed for a few days, then there is no need for the prior notification to be reissued if it still falls within the date range indicated on the notice. However, if it is postponed for weeks or months, the property manager should give residents at least 5 days notice before the rescheduled pesticide application.

For example:

A strata manager arranges for a pesticide application to the eaves and garden area of a townhouse complex to treat webbing (i.e. non-biting) spiders. Once a date has been agreed on, you give the strata manager information about the planned pesticide application. The strata manager then provides this information to residents 5 working days before the pest treatment is scheduled. After this, the strata manager sends you a fax confirming that all residents have been given 5 working days' notice that the pesticide application will take place. Now that the strata manager has confirmed that the right amount of advance notice has been given to residents, you can begin the job as planned.

On the day you begin the job, you put up a notice describing the details of the job. You place this notice on the main notice board and also at the main entry and exit doors so it is easy for residents to see the notice when they are entering and exiting the grounds and buildings. Because the pesticide application is to the outside of the building, you also place a notice at the main entry points to the property.

The notice you put up says what, why, where and how the pesticide is being used. It also tells residents how much time has to pass before they can re-enter areas that have been treated with pesticide (if re-entry periods are described on the pesticide label or permit). The notice also includes your contact details or the contact details of your office.

## What if there is an emergency situation?

Emergencies are considered to be infestations of biting or dangerous pests such as wasps, bees, venomous spiders, rodents and bird mites that may pose health or safety risks to residents. Property/strata managers do not have to provide 5 working days' notice of pesticide treatments made in emergency situations. However, you **must still put up notices on the site when you arrive to carry out the job**.

You **must** also note the specific circumstances of the emergency pesticide application in your records.

## What notice is required for baiting programs?

Where a baiting program is to commence, for example, for termites or rodents, and repeat visits are required to maintain bait stations, you are only required to give notice the **first** time that you place pesticides in one or more bait stations. There is no need to give notice on subsequent visits, even if you are adding more pesticide, provided it is part of the same program. However you will need to provide the **person responsible** for arranging your services with information about the duration of the program and where baits may be installed so this can be included when they give **prior notice** to residents.

## What happens if I do not comply?

Strict penalties may apply if you are unable to show evidence that concurrent notification was provided when applying pesticides in circumstances required by the Regulation. If a pesticide is applied in any common area of a multiple occupancy residential complex without notice being given to residents, on-the-spot penalty notice fines of \$800 for corporations or \$400 for individuals may apply. Court imposed fines of up to \$44,000 may also apply to more serious offences.

## Where can I get more information?

More information about notification, including a sample notification template and fact sheet on the role of the property/strata manager in providing pesticide notification, is available on the Department of Environment and Conservation (DEC) website at [www.environment.nsw.gov.au/pesticides/](http://www.environment.nsw.gov.au/pesticides/), or by calling DEC's Environment Line on 131 555 (cost of a local call.) See the Pesticides Regulation 1995 for full details of the notification requirements.

Fact sheets dealing with notification, record keeping and other pesticide application issues are also available from DEC. A copy of the *Pesticides Act 1999* and the Pesticides Regulation 1995 can be obtained from the NSW Government Printing Office or viewed on the NSW Government website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)

## Example notice of pesticide application

### Notice to residents of 54 Severn Hills Road, Severn Hills, NSW 2999

A pesticide application will take place on **2 March 2007**.

<b>Full name of pesticide product:</b>	Biflex Termiticide & Insecticide
<b>The pesticide is being used to treat:</b>	Webbing spiders
<b>The pesticide will be applied to:</b>	All eaves, external walls and fencing
<b>Re-entry periods:</b>	In accordance with the Biflex Termiticide & Insecticide label, residents (including pets) are advised not to enter the premises through any treated areas until the pesticide spray has dried.
<b>The pesticide is being applied by:</b>	Rob Jones, Responsible Pest Services, contactable on telephone (02) 8626 6556 or mobile 0444 222 111.

### Information about this notice

Under the Pesticides Regulation 1995, residents in multiple occupancy residential complexes must be given notice **while** a pesticide is being used to treat any common areas.

Date of notice: **2 March 2007**

