National product registration and condition of use
There are clearly defined responsibilities for the regulation of pesticides in Australia, with roles for both Commonwealth and state agencies. Registering a particular pesticide for use in Australia is done at a national level through the Australian Pesticides and Veterinary Medicines Authority (APVMA). The APVMA also sets conditions on the use of a pesticide and these conditions are specified on the product label.


Control of use in NSW
State agencies regulate the use, storage and disposal of pesticides. In NSW, the Department of Environment, Climate Change and Water (DECCW) administers the Pesticides Act 1999. The Act aims to reduce the risks associated with pesticide use – to human health, the environment, property and trade. The Pesticides Regulation 2009 provides requirements relating to training, notification and record keeping by pesticide users.

see www.environment.nsw.gov.au/pesticides/pesticidesact.htm

Food safety
At the Commonwealth level, the National Residue Survey (NRS), run by the Department of Agriculture, Fisheries and Forestry, monitors residues of agricultural and veterinary chemicals and environmental contaminants in Australian food commodities.

Horticultural produce in NSW is subject to several pesticide residue-monitoring programs, including the NRS. The NSW Department of Industry and Investment (DII) conducts a monitoring program based on a minimum of 100 samples every year. It focuses on produce lines that have demonstrated the highest residue risks in the past. The NSW Food Authority (part of DII) undertakes compliance and enforcement activities relating to the Food Act 2003 and the Food Regulation 2004. DII and the NRS may refer cases of high residue levels to DECCW for follow-up regarding the pesticides Act and Regulation requirements when it is known which property had the pesticide applied. There are also industry-run quality assurance programs in place (e.g. Freshtest).
DECCW action

DECCW plays a vital role in managing pesticide use, including regulation, education, compliance and enforcement campaigns and audits.

- It is compulsory for anyone using pesticides in their job or business to complete a training course in safe pesticide use every five years.

- This requirement is supplemented by an extensive range of print and web-based guidance materials covering the NSW legislation requirements. Key resources, including a DVD and poster on safe pesticide use, are available in community languages.


- Education programs on key issues are conducted jointly with industry bodies. For example, DECCW has worked with the NSW Farmers Association and Cotton Australia to develop a fact sheet on spray drift management. This is now available on the NSW Farmers Association website.


- To ensure NSW has best practice legislative control, a rolling program of regulation reform has been conducted since 1999. Reforms include introducing mandatory record keeping, training and notification by certain pesticide users. Notification requirements that commenced in September 2009 require licensed pest management technicians to provide prior notice of their intention to use pesticides near ‘sensitive places’. These include schools, childcare centres and nursing homes.

- DECCW takes a strategic approach to identify priority issues relating to chemical use. Priorities include using pesticides around waterways, in the bee industry, at bowling greens and golf courses, on turf grass and sporting turf facilities, and the products 2,4-D herbicide and 1080 baits, which are used to control specific vertebrate pest animals.

  - DECCW conducts random audits of commercial premises where pesticides are used and investigates specific complaints of pesticide misuse.
  - Penalty infringement notices and court action may be utilised where evidence confirms a breach of NSW pesticide legislation.
  - The Council of Australian Governments (COAG) has directed all jurisdictions to move towards a single national framework for regulating use of agricultural and veterinary chemicals. In NSW, DECCW and DII have been actively contributing to this review. It is expected a proposal for the national framework will be presented to COAG in mid 2011.

Avoiding spray drift is critical when spraying crops with pesticide.