Reporting spray drift of agricultural chemicals

Have you experienced spray drift of agricultural chemicals from a third party? This fact sheet explains what to do if you suspect chemical spray drift has occurred on your property.

INTRODUCTION

Agricultural chemicals are commonly used in primary production to protect crops from unwanted weeds, pests and diseases. Chemical users need to be aware of the impact inappropriate spray practices can have on non-target crops, stock and land. This is particularly the case when the neighbouring property is used to grow a crop sensitive to damage, such as a vineyard, or at risk of having a residue issue, such as a certified organic property. Should a property experience spray drift, producers need to be aware of what they can do to report the issue and manage the consequences.

Communication Counts

Often, misunderstandings and conflicts regarding chemical use can be avoided through simple communication. It is good practice for chemical users to inform their neighbours of their intention to spray, as this provides them with the opportunity to implement protective measures on their property and discuss any concerns or issues.

Neighbours should inform chemical users of any sensitive areas on their property, such as bee hives, organic crops, dams and vines so that they can take these into account when planning spray applications.

The Agriculture Victoria (AgVic) fact sheets Using buffer zones and vegetative barriers to reduce spray drift and Off target spray drift – uncontrolled, unacceptable and unnecessary contain further information on actions you can take to minimise the chance of spray drift occurring.

Spray drift legislation

Chemical users have a legal obligation to ensure that they manage their use of agricultural chemicals appropriately.

Under the Agricultural and Veterinary Chemicals (Control of Use) Act 1992 (the Act), it is an offence to undertake agricultural spraying which:

- injures any plants of economic value, or stock outside the target area
- injures any land outside the target area so that growing plants or keeping stock on the land may result in contamination of any produce derived from the stock or plants, or the stock themselves
- contaminates any stock outside the target area
- is likely to contaminate any agricultural produce derived from plants or stock outside the target area.

These laws aim to protect primary producers from inappropriate chemical use and enhance Victoria’s reputation as a producer of clean, fresh produce.

The definition of contaminated produce under the Act is restricted to produce which is offered for sale that has a residue level above the maximum residue limit (MRL) set by
Food Standards Australia New Zealand (FSANZ) or the Australian Pesticides and Veterinary Medicines Authority (APVMA). Detections under the MRL such as in an organic situation are a civil matter and should be pursued appropriately.

In terms of injury to land outside the target area, spray drift may occur where it does not lead to a risk of contamination of any produce or stock grown on the affected land. Matters such as this may be investigated by other government agencies.

AgVic does not conduct investigations for the purpose of supporting civil action taken by an affected person. AgVic also cannot investigate spray drift where the complainant feels that there has been a detrimental impact on their health, air and water quality or worker safety. These issues may be investigated by other government agencies that hold the statutory authority, technical knowledge and resources to address these concerns.

Public health issues

Individuals with public health concerns relating to agricultural chemical spray drift should contact the Environmental Health Officer at their local municipal council. Whenever a health concern is raised it is also essential to discuss the issue with a Doctor as soon as possible.

For emergencies, customers should contact the Victorian Poisons Information Centre, open 24 hours, 7 days a week on 131 126

Occupational health and safety

In the event of workplace occupational health and safety issues, contact your nearest Worksafe agency.

Worksafe contact phone numbers:
1800 136 069 (Toll Free)
or (03) 9641 1444

Environmental Issues

For environmental enquiries including pollution, contaminated land and chemical misplacement, refer the caller to the EPA.

EPA 24 hour contact number: 1300 EPA VIC (1300 372 842) or email contact@epa.vic.gov.au
**FURTHER INFORMATION**

**EPA Victoria:**
[www.epa.vic.gov.au](http://www.epa.vic.gov.au)

**Better Health:**

**Work Safe:**

**Food Standards Australia:**

**AgVic Chemical Use website:**

**AgVic Chemical Standards Officers**

Email: chemicalstandards@ecodev.vic.gov.au

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