

Code of Practice for the Use of 1080 for Native Browsing Animal Management

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Please Note: this Code of Practice was updated in December 2015 and approved for use in January 2016

1. Introduction

1.1 This Code guides the Secretary or their delegate on the requirements to be met before permission will be given to use 1080 poison for native browsing animal management as well as the procedures to be followed when using 1080 for this purpose in Tasmania.

1.2 Some species of browsing animal have benefited from increased food supply resulting from current agricultural and forestry activities and are present in large numbers in many parts of Tasmania where they can cause significant damage to forest and agricultural crops, and compete with livestock for available pasture. These include native species such as brushtail possums, Bennett's wallabies and Tasmanian pademelons (native browsing animals). Possum, wallaby and pademelon population trends are monitored on a regular basis by the Department of Primary Industries, Parks, Water and Environment.

1.3 Primary producers frequently have a real need to reduce damage to pastures and crops by native browsing animals. In addition, land managers often have a need to protect native vegetation from browsing damage.

1.4 The objective of browsing animal control is to minimise damage to the crop. Other methods and strategies not involving the use of 1080 poison are preferred where they are cost-effective and practically achievable. Browsing animal proof fencing or other non-lethal methods are the preferred options for controlling browsing animal damage. Shooting is preferred where non-lethal methods are not viable. Use of 1080 poison is seen as being the method of last resort for controlling browsing animal damage.

1.5 The Government is committed to ensuring that 1080 poison remains available for browsing animal control until such time as viable, safe and cost effective alternatives become available.

2. Responsibilities

2.1 The Applicant:

A landholder applying for a permit to use 1080 poison to control native browsing animals is responsible for providing the Department of Primary Industries, Parks, Water and Environment with documented evidence that all requirements for the issuing of a permit to use 1080 poison are met. The applicant is responsible for ensuring that the alternative browsing animal control methods of fencing and shooting have been considered and implemented as far as practicable. Any control of browsing animals by use of shooting will comply with relevant Animal Welfare Standards approved under the Animal Welfare Act 1993.

2.2 Department of Primary Industries, Parks Water and Environment - Natural and Cultural Heritage Division (NCH):

Where 1080 poison is used to control native browsing animals, an appropriate permit will be required under the *Nature Conservation Act 2002*. These permits may specify such conditions as may be required to protect people, non-target species, pets, stock and the environment. The NCH will maintain records of all permits issued allowing the use of 1080 poison for control of native browsing animals. The NCH will also be responsible for providing information to users of 1080 on alternative control measures and on measures to avoid poisoning of non-target wildlife. NCH will evaluate applications to use 1080 poison to control native browsing animals and commits to issuing permits for approved applications within 2 working days of receiving the application, except where an on-site inspection is deemed necessary.

2.3 Department of Primary Industries, Parks Water and Environment - Biosecurity Tasmania (BT) :

The regulatory control and supervision of the use of 1080 poison rests with officers within BT as Competent Officers under the authority of the *Poisons Act 1971* and the *Agricultural and Veterinary Chemicals (Control of Use) Act 1995*. BT officers provide information and advice to users and the wider public on the toxicology and environmental effects of 1080. They are also responsible for collating and maintaining comprehensive records of the amount and location of 1080 used. DPIPWE commits to ensuring the provision of a 1080 poison service for the mixing of 1080 poison with bait within 15 working days of receiving a request from a permitted landholder, if all necessary control measures are in place.

2.4 The Permit holder:

The *Police Offences Act 1935* requires the

permit holder, as the occupier of the property, to display notices advising that poison has been laid. Permit holders are also responsible for notifying neighbours of their intention to lay 1080 poison and for satisfying the Competent Officer supplying 1080 poison that this has been done. They also have a responsibility to ensure that 1080 poison is used as directed by a BT officer and to minimise any potential adverse effects on people, pets, stock and the environment, and to comply with permit conditions. It is the permit holder's responsibility to undertake all reasonable measures to prevent movement of 1080 poison from the site at which the poison baits are laid and to collect and properly dispose of any uneaten baits and all carcasses.

3. Issue of Permits to use 1080 poison

3.1 A permit to use 1080 poison for native browsing animal control will be issued only when an Authorised Officer is satisfied that the following requirements are met:

- that there is an unacceptable risk to a crop or pasture,
- that the use of 1080 does not pose an unacceptable risk to a population of non-target species, and
- that alternative control measures have been considered and implemented as far as practicable and judged to be ineffective.

3.2 It is the responsibility of the applicant to provide the Authorised Officer with evidence that these requirements are met. As part of this process, an Authorised Officer may undertake an on-site inspection to assess and document the evidence required for the issuing of a permit to use 1080 poison. The Authorised Officer will use a standard evaluation system to ensure that all factors are considered before a permit is issued.

4. The Control of 1080 Use

4.1 1080 concentrate may be either stored or used only by officers authorised as Competent Officers by the Registrar of Chemical Products, or the Secretary of DPIPWE, under the provisions of the *Poisons Act 1971*.

4.2 Baits containing 1080 are registered for sale under conditions specified by the Australian Pesticides and Veterinary Medicines Authority. A poisoning service will not be supplied until the permit holder or their agent has completed and signed an Application to Use Poison form. Before a permit holder or their agent lays baits, an Authority to Purchase and Use 1080 Bait must be issued under the provisions of the Poisons Act 1971 by the Competent Officer. The Competent Officer may impose any conditions deemed necessary to ensure the safe use of 1080 poison.

4.3 The Competent Officer will inform the permit holder of the requirement under the Police Offences Act 1935 to display notices advising that poison has been laid as well as the need to notify neighbours of their intention to lay poison. The officer will warn the permit holder of the risks of stock poisoning, and the risk of secondary poisoning to dogs and cats, the need to keep people away from the area to be poisoned and be shown the safety directions printed on the reverse side of the authority form.

4.4 The Competent Officer will maintain a register of poison received or used including the names and addresses of landholders on whose properties the poison was laid, the location of the site at which 1080 poison was laid, the date it was laid, the amount used and the target species. At the end of each month a record of poison used by each officer during the month will be collated and a report made to the Registrar, Chemical Products.

5. Notification of Use

5.1 Holders of permits to use 1080 poison must give written notification of their intention to lay poison to all landholders with land within a specified distance of the intended poison line. This distance will be a minimum of 500 metres, unless an Authorised Officer determines that the distance should be greater. Written notification must be given either in person or by registered mail at least 4 working days prior to the poison being laid. Delays of more than 7 days from the intended date of poisoning will require this process of neighbour notification to be repeated.

5.2 Landholder notifications must include details of the location and date on which it is proposed to lay 1080 baits and an information sheet on 1080 poison. Proforma letters of advice, copies of the information sheet and a form on which to record who was notified, the date, and how the notification was given, will be provided for the purpose. This form must be completed and signed by the permit holder and provided to the Competent Officer prior to poison being mixed. Landholder notifications should also specify any other control measures applied prior to being granted a permit to use 1080 poison.

5.3 The Police Offences Act 1935 requires the occupier of property where 1080 poison is used to display on gates and other conspicuous places on the property notices advising that

1080 poison has been laid. These notices are to be in a format approved by the DPIPWE and will be issued by them and must be displayed for a minimum of 28 days following the laying of the 1080 baits.

5.4 Advice is available to neighbouring property holders from NCH in relation to potential impacts on wildlife populations, alternative control measures and the risks of non-target poisoning.

5.5 Advice is available to neighbouring property holders from BT officers in relation to the toxicology of 1080 poison, potential threats to pets, stock, people and environmental effects.

6. Laying of 1080 Poison Baits

6.1 The mixing of 1080 poison with bait shall be done only by a Competent Officer. Baits containing 1080 poison at a concentration of 0.014% shall be used in routine agricultural and forestry situations.

6.2 Baits containing 1080 poison may be laid only by a person who has received appropriate training, or instruction, to the satisfaction of the Secretary. This must include instruction on safe use of 1080 poison, risks to non-target animals, and clean-up requirements. The Competent Officer may allow a person who has received instruction or training to lay baits, or the officer may leave baits with that person for laying at a later date.

6.3 Bait that is left for laying later by the permit holder or their agent must be placed in waterproof plastic bags to which poison labels have been attached and the bags personally passed to the permit holder or their agent by the Competent Officer. The permit holder or their agent must be warned of the dangers of the poison and must keep the poisoned bait in a secure place inaccessible to children, pets, stock and wildlife. Adequate arrangements for the destruction of bags must be made by the permit holder or their agent.

6.4 Poison baits must not be laid within:

- 20 metres of the edge of a stream containing permanent running water,
- 5 metres from the boundary of a neighbouring property,
- 5 metres from the edge of a formed road unless where public access to the road is denied (A formed road means any road which is graded and gravelled or sealed).
- 200 metres of an occupied house, except with the written consent of the occupant, verification of which must be provided to the Competent Officer.

- 200 metres of any picnic facility built by a public authority and available for use by the public.

6.5 At the discretion of an Authorised Officer, poison baits may be restricted from being laid in areas known to contain populations of non-target wildlife species that have been identified as being potentially at risk from 1080 poison.

7. Post-poisoning Precautions

7.1 It is the permit holder's responsibility to undertake all reasonable measures to prevent movement of 1080 poison from the site at which the poison baits are laid and to properly dispose of any uneaten baits and all carcasses.

7.2 Uneaten poison baits must be buried to a depth of at least 100mm or collected and disposed of on the property by an appropriately trained person within 4 days (96 hours) of mixing, or as instructed by the Competent Officer. Baits that are collected should be disposed of by either burial at least 50metres from running water or by incineration.

7.3 The permit holder or their agent must visit the site on the morning of the day following the laying of the baits and again on the day when any uneaten baits are buried or collected. On each occasion, all reasonable effort must be made to collect and dispose of the carcasses of all poisoned animals present on the permit holders land. The permit holder or their agent must also attempt to collect and dispose of all carcasses on a neighbour's land within 500 metres of the poison line, or to a distance specified by an Authorised Officer, when requested to do so by that neighbour. A Competent Officer, with the permission of a neighbouring landholder, may instruct the permit holder or their agent to attempt to collect and dispose of all carcasses on that landholders land.

7.4 Any female wallabies or possums recovered must be examined for pouch young and if one is present it must be humanely destroyed. (Suitable techniques include decapitation with a sharp knife or a heavy blow to the head as recommended in the Animal Welfare Standard for the Hunting of Wallabies in Tasmania). Carcasses that are collected should be disposed of by either burial at least 50metres from running water or by incineration.

7.5 The permit holder or their agent must maintain a record of the numbers of carcasses of each species of animal recovered (including any non-target species) and return this information with the permit to the Secretary within 14 days of the expiry of their permit.

8. Definitions

8.1 Competent Officer:

Under the *Poisons Act 1971* a Competent Officer means the Secretary of DPIPWE, the Registrar of Chemical Products or an employee of the DPIPWE authorised in writing by the Secretary to perform the functions of a Competent Officer. A Competent Officer must have received adequate training and be competent in the use of 1080 poison, as well as its toxicology and environmental effects.

8.2 Authorised Officer:

Any officer authorised by the Secretary to act as his delegate in approving the issuing of permits to take native browsing animals using 1080 poison baits under the authority of the *Nature Conservation Act 2002*.

8.3 Secretary:

The Secretary of the Department of Primary Industries, Parks, Water and Environment, or his/her delegate.

8.5 Appropriately Trained Person:

A person trained to the satisfaction of the Secretary on matters relating to the use of 1080 poison for browsing animal control. This training must include instruction on safe use of 1080 poison, risks to non-target animals, and clean-up requirements