







How Pesticides are Regulated

What is a Pesticide?

Pesticide is a general name for a substance used to prevent, destroy, repel, attract or control pests like insects, weeds or diseases.

There are many different kinds of chemical pesticides. They can be grouped according to the specific pests they control. For example:

Type of pesticide	Controls
 insecticide	insects
 herbicide	plants - mostly weeds
 fungicide	fungi
 rodenticide	rodents
 miticide	mites
 nematicide	nematodes (a kind of worm)

Less common pesticides include:

acaricides	mites, ticks
algicides	algae
avicides	birds
bactericides	bacteria
molluscicides	snails and slugs
piscicides	fish
growth regulators	plants, insects
adjuvants	stickers, wetting agents

Pesticides are regulated by three levels of government:

- ▶ federal
- ▶ provincial, and
- ▶ municipal.

These laws and regulations control our use of pesticides.

Federal Laws

The Pest Control Products Act



The **Pest Control Products Act (PCPA)** is the federal law that regulates all products used to control pests in Canada. The **PCPA** was first passed in 1939. The new **Pest Control Products Act** came into force June 28, 2006. The new Act strengthens health, safety and environmental protection and makes the registration system more transparent to the public (public may access registration information).

Federal legislation is available on the internet, free of charge, at <http://laws.justice.gc.ca/en/p-9/index.html>

Before a pesticide can be sold or used in Canada, it must be registered under the **PCPA**.

How a Product is Registered

The Pest Management Regulatory Agency (PMRA), Health Canada is responsible for administering the **PCPA** and its Regulations.

Before a pesticide is registered, the manufacturer must submit data to prove that the product is effective and poses minimal risk when used as directed on the label. The manufacturer may be required to submit scientific data on chemistry, risks, metabolism, residues, environmental impact and effectiveness of the product. The PMRA analyses and assesses the data submitted. They must be sure that the product does not pose an unacceptable risk to plants, animals or the public health.

The Health Evaluation Division of the PMRA is responsible for assessing the risks of pesticides. They determine what precautionary statements and hazard symbols must appear on the label.

You can contact the PMRA by calling their Pest Management Information Service at **1-800-267-6315**. The Information Service will provide information on pesticide regulation and registered pesticides. Check the web site address: **www.pmra-arla.gc.ca**.

Re-evaluation of Registered Pesticides

The federal legislation on pesticides allows the PMRA to re-evaluate a registered product at any time – for example, if new information becomes available or if the manufacturer asks for a new use to be added to the label.

Within the past ten years, we have learned a great deal more about the effectiveness of pesticides and their safety for the user, the public, and the environment. The PMRA reviews registered products according to the current information. It may decide that the product should be used in a different manner or that additional precautions must be included on the label. It may even suspend or cancel a product.

When a product is **suspended**, any packages already at retail outlets may be sold, but the registrant may not distribute any more of the product.

When a product is **cancelled**, the product may not be sold even if it is already at retail outlets. In some cases, the product may even be recalled.

The company that registered the product (the registrant) may appeal any decision or change in the registration of their product. In some cases, the registrant may choose to remove the product voluntarily.

Emergency Use Registrations

During a growing season, environmental conditions may cause a sudden pest outbreak that needs to be controlled immediately. Three criteria must be met before the Pest Management Regulatory Agency (PMRA) considers that an emergency exists:

- ▶ a pest outbreak occurs that causes significant economic, environmental or health problems
- ▶ no product is registered in Canada for the control of the pest
- ▶ no alternative control method is available.

PMRA may register a product for a period of one year or less for emergency control. If a registered product is available that will control the pest, then a registered product is given the new emergency use. However, PMRA may grant emergency use registration to a product under review if it is considered “safe” and is needed to control the pest.

A Supplemental Label is printed for the emergency use. You **must** read and follow all the information on **both** the Supplemental Label and the registered product label. ■■■▶ See **The Pesticide Label** section in this manual for information on Supplemental Labels.

Other Federal Acts

Other federal laws also regulate pesticides.

Food and Drugs Act (FDA)

The **Food and Drugs Act** is administered by Health Canada. This Act protects the health of consumers by preventing the sale of food that contains any harmful or poisonous substance.

The Health Evaluation Division of the PMRA determines the maximum amount of pesticide residue that may be present in or on foods. This amount is called the **Maximum Residue Limit (MRL)**. The **MRL** is measured in parts per million and is based on the toxicity of the pesticide, its application rate and timing, and the crop to which it is being applied. MRLs are established as regulations under the **Food and Drugs Act**.

The Health Evaluation Division sets time limits for when pesticides may be applied to the crop. For example, they are responsible for statements on the label such as, “Do not apply within 10 days of harvest.”

It also sets restrictions for feeding crop refuse to livestock. Any restrictions must appear on the label.

It is the responsibility of the primary producer (the farmer), the spray operator, and the food processor to make sure that all the restrictions are followed. If you ignore the restrictions you are breaking the law. Your crops or produce may be seized and you may face a fine or jail sentence.

Fertilizers Act

The **Fertilizers Act** is the federal law that regulates all fertilizers used in Canada, including fertilizers containing pesticides. Before a fertilizer/pesticide can be sold or used in Canada, it must be registered under the **Fertilizers Act**.

Pesticide Residue Compensation Act

This Act pays the producer for damages or losses if the sale of his produce is stopped because it contains more pesticide residue than the **Food and Drugs Act** allows.

The producer must prove that the pesticide was applied according to the label directions in order to be considered for compensation.

Feeds Act

The **Feeds Act** provides regulations to prevent the contamination of feed.

Fisheries Act

The **Fisheries Act** prevents anyone from placing harmful substances in water frequented by fish.

Migratory Birds Convention Act

The **Migratory Birds Convention Act** prevents anyone from placing harmful substances in water or any area frequented by waterfowl and migratory birds.

Transportation of Dangerous Goods Act

This Act is administered by Transport Canada. It controls the handling and transport of hazardous products including some pesticides. ■■■■➡ See the **Transportation of Pesticides** section in this manual for information about requirements under this Act.

Canadian Environmental Protection Act (CEPA)

This Act protects the environment as well as human life and health. The Act covers many different areas including:

- ▶ procedures to review and approve chemicals
- ▶ mandatory reporting of spills
- ▶ export and import controls
- ▶ recalls and clean-ups
- ▶ new inspection and enforcement powers.

Canadian Food Inspection Agency (CFIA)

The Canadian Food Inspection Agency (CFIA) was created by the federal government to:

- ▶ ensure that Canada has a safe, high quality food supply
- ▶ provide inspection and support for animal and plant health programs.

CFIA administers or enforces the following Acts:

Canada Agricultural Products Act	Health of Animals Act
Consumer Packaging and Labelling Act*	Meat Inspection Act
Feeds Act	Plant Breeders' Rights Act
Fertilizers Act	Plant Protection Act
Fish Inspection Act	Seeds Act
Food & Drugs Act*	

*as it relates to food

If you have questions or complaints, or would like more information, you can contact the CFIA at:

Canadian Food Inspection Agency
59 Camelot Drive
OTTAWA ON K1A 0Y9
Telephone 613-225-CFIA (2342)
Facsimile: 613-228-6125
Internet: www.inspection.gc.ca

Provincial Laws

Pesticides Act



In Ontario, pesticides, and fertilizers containing pesticides, are regulated by the **Pesticides Act** and Regulation 914. They are administered by the Ontario Ministry of the Environment.

The **Pesticides Act** and Regulation 914 control the use, sale, storage, display, disposal and transportation of pesticides, and fertilizers containing pesticides.

You will find more details about the regulations in other sections of this manual. Ontario regulations are available online, free of charge, at www.e-laws.gov.on.ca.

The **Pesticides Act and Regulation 914** can be purchased from Publications Ontario by phoning 1-800-668-9938 or online through Publications Ontario On-Line (POOL) located at <http://pubont.stores.gov.on.ca/pool/english/>

All pesticides registered under the federal PCPA must be classified in Ontario before they can be offered for sale or used in Ontario.

Other Provincial Acts

There are three other Ontario laws that regulate the use of pesticides, or the management of pests.

Environmental Protection Act

The purpose of the **Environmental Protection Act** is to protect and conserve the natural environment. This Act is administered by the Ontario Ministry of the Environment. It applies to pesticides if they contaminate the natural environment in any way.

Part X of the **Environmental Protection Act** is commonly known as the “Spills Bill”. It regulates the spill of any kind of pollutant.

Part V of the **Environmental Protection Act** regulates the disposal of unusable tank mix or rinsate, or pesticide concentrate.

Ontario Water Resources Act

This Act states that it is illegal to deposit in any body of water in Ontario any material that may impair the quality of the water. This Act is administered by the Ontario Ministry of the Environment.

Weed Control Act

In Ontario, some weeds are classed as noxious under the **Weed Control Act**. This Act requires that the person in possession of land must destroy all noxious weeds on the property. The Ontario Ministry of Agriculture, Food and Rural Affairs administers this Act.

Municipalities may also add noxious weeds under the **Municipal Weeds Act**.

Review Questions



1. What does the term “**PCPA**” stand for and which government administers this Act?

2. The **PCPA** regulates products used for the control of pests. All pesticides must be registered under the **PCPA** before they can be sold or used in Canada.

TRUE

FALSE

3. Once a pesticide is registered for use, the Pest Management Regulatory Agency, Health Canada, may review it. They may change the use, include additional precautions or even suspend or cancel a product.

TRUE

FALSE

4. Which Act protects the health of consumers by preventing the sale of food that contains any harmful or poisonous substance?

5. Which provincial Act regulates the use of pesticides in Ontario?

