



Canada: New Pesticide Regulations in the Province of Ontario

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Summary

On April 22, 2009, a new pesticides ban took effect in the Province of Ontario. The ban prohibits the sale and use of pesticides for cosmetic purposes on lawns, gardens, parks and school yards, and includes many herbicides, fungicides and insecticides. Over 250 products are banned for sale and more than 80 pesticide ingredients have been banned for non-essential or “cosmetic” uses. There are exceptions for public health or safety reasons such as fighting West Nile Virus, killing stinging insects (such as wasps), or controlling poison ivy and other plants poisonous to the touch. Other exceptions include agriculture and forestry.

The specifics of the ban are detailed in Ontario Regulation 63/09 and the Pesticides Act, which have been amended by the Cosmetic Pesticides Ban Act of 2008. The Act defines “cosmetic” as “non-essential.” This term generally refers to pesticides used to improve the appearance of lawns, gardens, trees, and other aspects of landscaping. The ban is designed to protect Ontario’s families and children from unnecessary risks posed by cosmetic pesticide use and only allowing the use of certain lower-risk pesticides for controlling weeds and pests in lawns and gardens.

The ban takes the place of existing municipal pesticide bylaws, establishing one clear set of easy-to-understand rules, and providing certainty for businesses operating in different areas of the Province of Ontario.

The Province of Quebec was the first in Canada to enact a pesticide ban. In Quebec, the cosmetic pesticide ban was first introduced in March 2003, and was implemented in stages until the final phase of the ban completed in 2006.

Overview

Pesticide Classifications

To support the cosmetic pesticides ban, a pesticide classification system consisting of eleven classes of pesticides has been established by the Province of Ontario. Here are the pesticide classifications from the Ontario press release:

- Class 1: Manufacturing concentrates used in the manufacture of a pesticide product.
- Classes 2, 3 & 4: Commercial or restricted pesticides that can continue to be used by farmers and licensed exterminators for non-banned uses.
- Classes 5 & 6: Pesticides that can be used by homeowners and include biopesticides and lower risk pesticides allowed for cosmetic uses.
- Class 7: Includes dual-use pesticides that will only be allowed to be used for non-cosmetic purposes.
- Class 8: Involves banned domestic products.

- Class 9: Lists ingredients in pesticide products. These ingredients are banned for cosmetic use. Commercial or restricted products containing these ingredients may still be used by farmers or licensed exterminators for exceptions under the ban.
- Class 10: Include pesticide ingredients in pesticide products. These are the only ingredients that may be used to control plants that are poisonous to the touch under the public health or safety exception.
- Class 11: Lists ingredients that are biopesticides or lower risk pesticides. Licensed exterminators that use Class 11 pesticides are required to post a green notice sign to provide public notice of the use of these pesticides.

Prohibition, use of pesticides

The cosmetic use of 85 pesticide active ingredients have been banned (Class 9), along with the sale of 295 products containing these chemicals (Class 8). An additional 197 products are subject to new display restrictions (Class 7) in stores. These products contain active ingredients that are banned for cosmetic use; but the products may be used for non-cosmetic purposes or under the health and safety exemption. Store owners are required to make information about the cosmetic pesticide ban available to customers who purchase these products. The classification of cosmetic pesticides is designed to allow only lower risk, biopesticides to be used for cosmetic purposes on lawns and gardens of private residences.

Exemptions

Exemptions offered by the ban fall under three main categories; exemptions of specified unclassified pesticides, exemptions to specified persons, and exemptions in water treatment. Pesticides containing the active ingredients *Glyphosate* and *Glusophinate* and other mixed use products in Class 7 would be used to control poisonous plants. Other exemptions fall under; public health or safety, natural resources, golf courses, sports fields, specialty turf, trees, agriculture, forestry, and public works.

Resources

Each province has a regulator to register pesticide products after they have been approved and processed by the Pest Management Regulatory Agency. The list of the regulatory environmental agencies for each province can be found at: <http://www.pmra-arla.gc.ca/english/main/linksfpt-e.html>.

The Ontario Ministry of the Environment provides information on the movement to curb the use of pesticides on its website.

<http://www.ene.gov.on.ca/en/land/pesticides/index.php>.

Ontario Pesticide Advisory Committee (OPAC):

<http://www.opac.gov.on.ca/>

Canadian Food Inspection Agency (CFIA) and Fertilizer Registration Program (FRP):

<http://www.inspection.gc.ca/english/plaveq/fereng/ferenge.shtml>

Pest Management Regulatory Agency (PMRA):

<http://www.pmra-arla.gc.ca/english/index-e.html>

The Ontario Gazette:

http://www.e-laws.gov.on.ca/html/source/regs/english/2009/elaws_src_regs_r09063_e.htm#BK16

Ministry of the Environment:

http://ogov.newswire.ca/ontario/GONE/2009/03/04/c5909.html?lmatch=&lang=_e.html

Ontario's Cosmetic Pesticides Ban:

<http://www.news.ontario.ca/ene/en/2009/03/ontarios-cosmetic-pesticides-ban.html>

For More Information

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