

# Proposed Revisions to the Integrated Pest Management Regulation

## 1. Introduction

The Ministry of Environment (the Ministry) is proposing revisions to the Integrated Pest Management Regulation (IPMR) to: 1) require stricter control on the sale and use of Domestic class<sup>1</sup> pesticides in landscaped areas; and 2) simplify requirements for sale and use of pesticides commonly considered safe.

This intentions paper provides:

- Background information regarding legislation and previous consultations on the cosmetic use of pesticides (section 2)
- A summary of the proposed revisions, as well as implications for specific groups (e.g., homeowners, pesticide vendors and applicators, municipalities) (sections 3 and 4)
- Intended implementation timeframe for the proposed revisions (section 5)
- Information on how to provide comments to the Ministry (section 6)
- Appendices with additional information related to the proposed revisions: Integrated Pest Management; proposed Schedules 2 and 5 pesticides; how to obtain a pesticide user licence; and information for vendors of domestic pesticides, homeowners, building managers and tenants, managers of commercial landscaped areas, landscape service companies, structural pest control companies, user licensees and confirmation holders, and municipalities

The intentions paper and a response form for providing comments to the Ministry, and links to related legislation, are posted on the Ministry's [Integrated Pest Management](#) website. This can be accessed from the Ministry of Environment home page ([www.gov.bc.ca/env](http://www.gov.bc.ca/env)) by following the "Environmental Protection Division" and "Integrated Pest Management" links.

## 2. Background

### A. Legislation

The Integrated Pest Management Regulation (IPMR)<sup>2</sup> came into force in 2004 and requires people applying pesticides as a service or applying pesticides to multi-residence properties, rights-of-way or public land to employ certified (trained) staff and hold either a confirmation or licence<sup>3</sup>. Confirmation and licence holders are required to practice Integrated Pest Management (IPM – see Appendix 1) in order to ensure that pesticides are used appropriately and only when necessary.

<sup>1</sup> Domestic class pesticides are required under the federal Pest Control Products Act to be labeled with the product class designation "DOMESTIC" on the main panel of the pesticide label.

<sup>2</sup> See links to pesticide legislation on the Ministry's [Integrated Pest Management](#) website.

<sup>3</sup> Confirmations are issued to people applying pesticides to large areas of public land or rights-of-way. Licences are issued to people applying pesticides as a service or to small areas of public land or rights-of-way.

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In March 2013, the Legislature passed the *Miscellaneous Statutes Amendment Act* which included a change to the *Integrated Pest Management Act* that enables the Minister of Environment to develop regulations establishing lists of pesticides that may be regulated differently than other pesticides.

## B. Recent Consultations on the Cosmetic Use of Pesticides

The Ministry of Environment conducted a web-based public consultation on the cosmetic use of pesticides<sup>4</sup> between December 2009 and February 2010 that generated more than 8,000 responses. In October 2011, a Special Committee of the Legislature was struck to consider the cosmetic use of pesticides. Links to background information, a summary of comments received and the report of the Special Committee are posted on the Ministry's [Integrated Pest Management website](#).

## 3. Proposed Revisions

The proposed revisions to the IPMR address concerns expressed in recent consultations on the cosmetic use of pesticides conducted by the Ministry and the Special Committee of the Legislature on Cosmetic Pesticides.

The changes are intended to ensure that pesticides used in outdoor landscaped areas are applied by trained people as part of an IPM program, or are pesticides generally considered safe for use by untrained people.

The IPMR will be amended to:

- Require a pesticide user licence for application of pesticides in private landscaped areas other than where regulatory exceptions apply
- Require notification of residents when pesticides are used on private landscaped areas
- Establish a list of pesticides considered safe for use by untrained people that may be: displayed for easy access by customers; sold without a vendor licence; and applied in private landscaped areas without a user licence (see Appendix 2 – New Schedule 5 Pesticides)
- Update the list of pesticides that are excluded from IPMR requirements for a licence to reflect the new list of pesticides considered safe for use by untrained people (Schedule 5) and current understanding of pesticide products and their use (see Appendix 3 – Updated Schedule 2 Pesticides)

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<sup>4</sup> Cosmetic use of pesticides can be considered as the use of pesticides for non-essential or aesthetic purposes. For example, a pesticide may be used in an outdoor situation to improve the appearance of lawns, gardens, landscapes or other green spaces and/or to control unwanted or undesirable organisms.

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- Require vendors to store any Domestic class pesticides that are not listed in Schedules 2 or 5 of the IPMR so that customers cannot access them directly
- Require a certified dispenser to confirm with a potential purchaser that pesticides being purchased are suitable for their intended uses and to provide each pesticide purchaser with printed information about suitable pesticide use (see Appendix 5)
- Establish uses for which the herbicide glyphosate<sup>5</sup> may be applied in private landscaped areas without a licence: plants growing through pavement, concrete and other hard surfaces; plants that are poisonous to humans by touch (e.g., poison ivy or poison oak); or weeds classified by the Weed Control Act as noxious weeds<sup>6</sup>
- Require that all people applying pesticides to public land, rights-of-way, forest land or on a fee-for-service basis be trained
- Remove provisions allowing uncertified applicators to apply pesticides under the supervision of certified applicators<sup>7</sup> and establish an assistant applicator category that may perform some, but not all, of the duties of a certified applicator
- Specify a method by which municipalities and First Nations with regulation-making powers may opt-out of the licence requirement for pesticide use in private landscaped areas

## 4. Implications of the Revisions

### A. For homeowners, building managers, tenants and businesses

Unless differing requirements are imposed by a Municipality, application of pesticides to landscapes or enclosed and surrounding outdoor areas – including food and ornamental gardens, driveways, pathways and trees – will require a licence. This means that homeowners and businesses will require the services of a licensed company to apply pesticides other than those identified as safe for use by untrained people in their yards or grounds. Owners or managers of botanical gardens, cemeteries and golf courses on private lands<sup>8</sup> will need to obtain a licence to apply pesticides. Application of pesticides in commercial or hobby farming

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<sup>5</sup> Glyphosate is very effective for controlling weeds that could pose health (e.g., poison ivy) or safety problems (e.g., tripping hazards when weeds grow in sidewalks). Limited use of the herbicide is unlikely to cause unacceptable risk, when it is applied according to label directions. The Ministry is proposing that Domestic products with the active ingredient glyphosate may be used to manage weeds in these situations only if the product label allows such uses.

<sup>6</sup> See [www.agf.gov.bc.ca/cropprot/noxious.htm](http://www.agf.gov.bc.ca/cropprot/noxious.htm)

<sup>7</sup> Currently, certified pesticide applicators may supervise up to four uncertified applicators working within 500 metres of the certified person.

<sup>8</sup> Landscaped areas on public land already require that pesticide applicators hold a licence.

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operations or by property owners in or on their own buildings or structures attached to buildings (e.g., decks) will not require a licence.<sup>9</sup>

The IPMR currently lists pesticides that may be used without a licence in Schedule 2. That schedule will be updated (see Appendix 3 – Updated Schedule 2 Pesticides) and a new schedule of pesticides will be created (see Appendix 2 – New Schedule 5 Pesticides). The new schedule will list Domestic class pesticides considered to be acceptable for use in landscapes without special training. Homeowners, tenants and service providers will be able to purchase and use – without a licence – Schedule 2 and Schedule 5 pesticides in private landscaped areas of residential properties that are not multi-residence properties.

Homeowners (as well as tenants and service providers) will also be able to purchase Domestic class glyphosate products and use them without a licence in private landscaped areas of residential properties that are not multi-residence properties to manage weeds growing through driveways and walkways, weeds poisonous to the touch (e.g., poison ivy) and weeds classed by the Weed Control Act as noxious weeds. Note that any other landscape uses of glyphosate will require a licence.

## B. For vendors and potential purchasers of pesticides

- i. The current list of pesticides that may be sold without a licence (Schedule 2) will be updated and a new list of Domestic class pesticides considered to be acceptable for use in landscapes without special training (Schedule 5) will be created (see Appendices 2 and 3). Pesticides listed in Schedule 2 and the new Schedule 5 of the IPMR may be stored and sold by unlicensed stores with no special storage or customer interaction requirements.<sup>10</sup> Ferric phosphate (Commercial), currently classed as a Schedule 2 pesticide, will be removed from that list. This means that retailers selling Commercial class products containing ferric phosphate (i.e., Ferramol® and Sluggo®) will require a commercial pesticide vendor licence. Domestic class ferric phosphate products will be on Schedule 5 so may be sold without a pesticide vendor licence.
- ii. Stores selling pesticides other than those listed in Schedule 2 and Schedule 5 will require a vendor licence.<sup>11</sup> Examples of these types of pesticides include herbicides containing glyphosate or 2,4-D, insecticides such as permethrin in pump sprayers and rodenticide bait blocks for use in refillable rat or mouse bait stations. The vendor licensee will be responsible

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<sup>9</sup> Application of pesticides as a service or to multi-residence properties would also require a licence (in keeping with the existing IPMR).

<sup>10</sup> Pesticides will still need to be stored in a manner that is unlikely to cause an unreasonable adverse effect.

<sup>11</sup> To be licensed a store must employ certified staff, have an address in British Columbia and pay an annual fee of \$250. See the Ministry's IPM website for additional information about obtaining a vendor licence.

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for ensuring that a trained staff person (certified dispenser) is available during store hours to handle any pesticide emergencies and to assist customers wishing to purchase pesticides.

- iii. Domestic class pesticides, other than those listed in Schedule 2 or the new Schedule 5, will need to be displayed for sale in a locked cabinet or kept “behind the counter” to ensure that purchasers interact with a certified dispenser when purchasing those pesticides.
- iv. To improve efficiency and ensure consistency in the message customers receive when purchasing Domestic pesticides, a certified dispenser will be required to give the customer an information sheet explaining acceptable use of the pesticide in English, Mandarin, Punjabi and Korean (see Figure 1 in Appendix 5 for a draft information sheet). Other duties of dispensers will include ensuring that pesticides being purchased are suitable for their intended uses (including label requirements and compliance with provincial regulations and municipal bylaws).
- v. A licence will still be required to sell the pesticide glyphosate although certain specified uses of glyphosate<sup>12</sup> will be excluded from the licence requirement for use in private landscapes.

## C. For applicators of pesticides

Currently, uncertified people may apply pesticides when they are supervised by a certified applicator. The proposed amendments to the IPMR will require that all people applying pesticides as a service or to rights-of-way, forests or public land be certified. Certification requirements for currently uncertified applicators will be developed in consultation with affected parties. It is anticipated that an applicator assistant category of certification will be developed to ensure that workers are trained in the safe use of pesticides. The applicator assistant category of certification would have reduced requirements for understanding IPM, pesticide selection and equipment calibration. Applicator assistants would be able to apply pesticides under the direction of certified applicators but would not be allowed to make decisions on pesticide selection, application methods or application rates.

Unlicensed pesticide applicators currently applying only pesticides listed in Schedule 2 as a service inside buildings or on public land will need to obtain a licence if the pesticides they use are removed from Schedule 2 (see Appendix 3 - Updated Schedule 2 Pesticides).

Licensed pesticide applicators applying pesticides to private landscaped areas will need to notify tenants before the pesticide application<sup>13</sup>.

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<sup>12</sup> Plants growing through pavement, concrete and other hard surfaces; plants that are poisonous to humans by touch (e.g., poison ivy or poison oak); or weeds classified by the Weed Control Act as noxious weeds.

<sup>13</sup> Currently notification is required when pesticides are applied to public land or multi-residence properties.

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## D. For Municipalities and First Nations with regulation-making powers

Municipalities and First Nations with regulation-making powers will be able to opt-out of the licence requirement for pesticide use in private landscaped areas. Restrictions on the use of pesticides on private residential property may be imposed (as currently allowed under the Community Charter). If a municipality or First Nation determines that the proposed revisions to the IPMR do not meet the needs of their residents, they may allow application of a variety of pesticides to property under their jurisdiction without having to hire a licensee to perform the work.

Schedule 2 of the IPMR lists pesticides that are excluded from the requirements for certification and licensing. Some pesticides currently on the list will be removed, some will be moved to Schedule 5 and some pesticides will be added to the schedule (see Appendices 2 and 3). These changes mean that municipalities that reference Schedule 2 in bylaws should review their bylaws to ensure they still achieve regulatory intent.

## 5. Implementation Timeframe for the Proposed Revisions

The Ministry intends to implement the proposed revisions to the IPMR in two stages between 2014 and 2015.

### Spring 2014:

- Licence is required to apply pesticides in private landscaped areas
- Specified pesticides may be sold without a vendor licence and may be used in private landscaped areas without a user licence (Schedule 5)
- Domestic class glyphosate may be used without a licence in private landscaped areas to manage poisonous plants, plants growing through driveways and walkways and noxious weeds
- Certified dispensers required to confirm that Domestic class (other than Schedule 5) pesticides being purchased are suitable for intended uses

### Spring 2015:

- Vendors must display pesticides (except Schedule 2 and Schedule 5 pesticides) in a way that prevents purchaser from direct access
- All pesticide applicators working for licence or confirmation holders will require Ministry approved training or certification – certified applicators may no longer supervise untrained applicators

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## **6. Providing Comment on the Proposed Changes**

The Ministry has prepared a response form based on the proposed revisions to the IPMR described in this intentions paper. The response form can be accessed from the Ministry's IPM website. Comments regarding the proposed changes are being solicited until December 8, 2013 and will be carefully considered in revising the IPMR.

Those interested are invited to submit comments on the proposed changes using the prepared response form or by separate submission if desired. The Ministry also encourages associations to distribute the intentions paper among their members. All submissions will be treated with confidentiality by Ministry staff and contractors when preparing consultation reports. Please note however that comments you provide and information that identifies you as the source of those comments may be publicly available if a Freedom of Information request is made under the *Freedom of Information and Protection of Privacy Act*.

Comments may be sent to Cindy Bertram of C. Rankin & Associates, who has been contracted to manage consultation comments, at:

Email: [cindybertram@shaw.ca](mailto:cindybertram@shaw.ca)

Mail: PO Box 28159 Westshore RPO  
Victoria BC V9B 6K8

Comments to the Ministry should be made on or before December 8, 2013.

**Thank you for your time and comments!**

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## Appendix 1 - Integrated Pest Management

Integrated Pest Management (IPM) provides the foundation for the Ministry's approach to regulating pesticide use (see the [link to pesticide legislation](#) on Ministry's IPM website for further information). IPM is a practical decision-making process that relies on a wide variety of tools to promote healthy plants and to manage pests. It is an effective, science-based approach that reduces the unnecessary spraying of pesticides. In general, there are six elements to a good landscape IPM program.

**Step 1: Prevention** When pest problems are prevented, pesticides are not required. Focusing on plant health is the best way to prevent pests and diseases from occurring. Good fertilizing, aerating and mowing practices create strong grass that out-competes weeds. Proper pruning and fertilizing make for healthy shrubs and trees that are less susceptible to pest damage.

**Step 2: Identification** Correctly identifying pests is critical. If you don't know and understand the pest, you can't choose the best methods to control it.

**Step 3: Monitoring** Are pests present? Are beneficial organisms helping to control the pests? Are weather conditions conducive to pest development? Monitoring for pest problems can help answer these questions and help ensure that correct treatment decisions can be made.

**Step 4: Action levels** Even if a potential pest organism is present, it may not be doing any harm; the numbers may be too low to cause any damage. For each pest there is a point when control may be justified. In IPM programs, treatments are not performed unless they are needed.

**Step 5: Treatment** For any given pest, a variety of treatment methods may be available, and several may be used together for better results. Examples include:

- Physical controls – using mulches, dislodging aphids with water sprays and pulling weeds
- Cultural controls – planting resistant varieties in the proper location
- Chemical controls – using synthetic and naturally-derived pesticides when necessary.  
These include conventional pesticides, as well as reduced-risk options like insect pheromones and use of living organisms as pesticides.

**Step 6: Evaluation** Pest managers must always evaluate their work to learn from it. Evaluation can help find ways to improve plant health and reduce pesticide use.

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## Appendix 2 – New Schedule 5 Pesticides

These pesticides may be used in private residential landscaped areas without a licence

### Only pesticides classed federally as Domestic pesticides are on Schedule 5

Pesticides to be included on Schedule 5 are indicated by “>”. Groupings are used only to indicate the rationale for inclusion in Schedule 5.

Letters in parentheses refer to the type of pesticide:

h= herbicide, i = insecticide, f = fungicide, m= molluscicide, r= rodenticide

Pesticides with active ingredients that may be components of human food:

- > acetic acid (h)
- > citric acid (f, h)
- > garlic (f, i)
- > lactic acid (f, h)
- > sodium chloride (h)

Pesticides with active ingredients based on elements commonly found in the human environment:

- > copper (oxychloride and tribasic copper) (f)
- > iron-based pesticides (ferric phosphate (m), ferric sodium EDTA (m), ferrous sulfate (h), FEHEDTA) (h)
- > sulphur (lime sulphur, sulphide sulphur and calcium polysulphide) (h)

Pesticides with active ingredients that are living organisms or metabolites of living organisms:

- > *Bacillus sphaericus* (i)
- > *Bacillus subtilis* (f)
- > *Bacillus thuringiensis israelensis* (i)
- > *Bacillus thuringiensis kurstaki* (i)
- > methoprene<sup>14</sup> (i)
- > pyriproxyfen<sup>15</sup> (i)
- > *Phoma macrostoma* (h)
- > *Sclerotinia minor* (h)
- > spinosad<sup>16</sup> (i)

<sup>14</sup> Methoprene is an insect juvenile growth hormone analogue

<sup>15</sup> Pyriproxyfen is an insect juvenile growth hormone analogue

<sup>16</sup> Spinosad is a metabolite of a soil bacterium

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Pesticides with active ingredients enclosed in tamper-resistant bait stations:

- > rodenticides sold and used in one-time, non-refillable tamper-resistant bait stations (r)
- > insecticides sold and used in tamper-resistant bait stations (i)

Pesticides with short-residual active ingredients closely related to natural pyrethrins<sup>17</sup>:

- > d-allethrin (i)
- > d-phenothrin (i)
- > pyrethrins (i)
- > resmethrin (i)
- > tetramethrin (i)

Pesticides with active ingredients with physical modes of action:

- > mineral oil (i)
- > Pesticides in aerosol containers

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<sup>17</sup> Pyrethrins are natural compounds derived from a species of *Chrysanthemum*

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## Appendix 3 – Updated Schedule 2 Pesticides

Pesticides to be included on Schedule 2 are indicated by “>”. Groupings are used only to indicate the rationale for inclusion in Schedule 2.

Letters in parentheses refer to the federal classification:

C = Commercial, D = Domestic, R = Restricted

Consumer and industrial wood preservatives and products to protect structures, goods, and industrial processes:

- > anti-fouling paints (C, D)
- > antisapstain wood preservatives (C)
- > asphalt solids (pruning paints) (C, D)
- > bactericides used in petroleum products (C)
- > borax (C, D)
- > boric acid (C, D)
- > deodorizers (C, D)
- > material preservatives (C, D)
- > naphthalene for fabric protection (D)
- > paradichlorobenzene for fabric protection (D)
- > solid formulations of boron compounds with up to 5% copper (boron rods) (C, D)
- > wood preservatives (D)
- > zinc metal strips (D)

Products that are also used for non-pesticide purposes (C, D):

- > corn gluten meal
- > corn cellulose
- > silica aerogel
- > silicon dioxide

Naturally-occurring products used by bee keepers in hives (C, D):

- > formic acid
- > oxalic acid
- > thymol

Pesticides added during manufacturing or not sold or used as stand-alone products (C, D):

- > synergists including:
  - piperonyl butoxide
  - n-octyl bicycloheptene dicarboximide
- > surfactants

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- > Pesticides registered under the federal act for application to pets (C,D)

Pesticides with a mode of action that primarily influences pest behaviour or host function:

- > animal repellents except thiram (D, C, R) including:
  - capsaicin
  - dried blood
  - oil of black pepper
  - meat meal mixture
  - fish oil mixture
  - methyl-anthraniolate
  - piperine
  - polybutene bird repellents
- > insect repellents (D)
- > kaolin (C, D)
- > semiochemicals (pheromones, allomones, kairomones, attractants & repellents) (C, D) including:
  - octenol
  - codling moth pheromone
  - leaf roller pheromone
  - verbenone

Public health anti-microbial products for consumers/institutional and industrial use:

- > cleansers (C, D)
- > hard surface disinfectants (C, D)
- > laundry additives (C, D)
- > slimicides
- > swimming pool algicides and bactericides (C, D)

Soaps and fatty acids:

- > soaps (C, D)
- > fatty acids (C, D)

Plant growth regulators (D):

- > etridiazole
- > 4-chlorophenoxyacetic acid

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## Appendix 4 – How to Obtain a Pesticide User Licence

The Ministry anticipates that most people will hire the services of a licensed company if they need to manage pests that cannot be controlled with Schedule 2 or 5 pesticides. Licensed companies are responsible for complying with all aspects of the *Integrated Pest Management Act* and Regulation including requirements to: practice IPM; inform users of the land about pesticide use; keep specified records; submit annual summaries of pesticide use to the Ministry; protect people, water and wildlife; prevent pesticide movement to adjacent properties; and comply with all other applicable regulations.

To qualify for a pesticide user licence, an applicant must employ certified pesticide applicators, have an address in British Columbia and pay a specified annual licence fee (\$250 for a non-service licence and \$250 to \$1,000 for a service licence). Licence application forms are available at: [www.env.gov.bc.ca/epd/ipmp/forms/pdf/app\\_licence2013.pdf](http://www.env.gov.bc.ca/epd/ipmp/forms/pdf/app_licence2013.pdf)

To become certified a person must pass an exam on pest management and the safe use of pesticides. The exam is based on study material available from the Distribution Centre (phone 1-800-282-7955) for \$120 + shipping + tax. Exams can be arranged by phoning 1-866-205-2102 and paying the \$90 exam fee.

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## Appendix 5 – Information for Vendors of Domestic Pesticides

Information for stores selling Domestic pesticides after proposed regulatory changes are made:

- A new list of pesticides (Schedule 5) that may be used and sold without a licence will be established. A licence **will not** be required to sell pesticides on Schedules 2 or 5. A certified dispenser **will not** be required to interact with purchasers of pesticides on Schedules 2 or 5.
- A licence **will** be required to sell glyphosate
- A licence **will** be required to sell pesticides (except those on Schedule 2 or Schedule 5)
- To be licensed a store must employ certified staff, have an address in British Columbia and pay an annual fee of \$250
- Domestic pesticides, other than those listed in Schedules 2 or 5, will need to be kept "behind the counter" so that people cannot purchase them without talking to a certified dispenser. To meet this requirement, stores may choose to display the pesticides in a locked show case or exhibit empty packages and keep full packages out-of-reach.
- When a certified dispenser helps a customer select a pesticide, the dispenser will be required to ensure that the pesticide being purchased is appropriate for the intended use. This includes ensuring that the product is labelled correctly, the package size is appropriate and the customer understands applicable municipal bylaws and provincial regulations. The dispenser will also be required to give the customer an information sheet to ensure that pesticide purchasers receive important information in a language they are likely to understand (see Figure 1).

Figure 1: Draft information sheet for vendor distribution (for pesticides not listed on Schedules 2 or 5)<sup>18</sup>

- ➔ **Check with your municipality before using this pesticide. Bylaws may restrict its use.**
- ➔ **Unless your municipality specifies otherwise, you may need a B.C. pesticide user licence to use this pesticide.**  
Ask the person helping you select this pesticide about licensing requirements.
- ➔ **Read and follow all instructions on the label.**  
If you cannot read the label or do not understand what it says, ask the person helping you select this pesticide to interpret it for you.
- ➔ **Do not use this pesticide to control pests not listed on the label.**

<sup>18</sup> Note: the final version will include the same information in Mandarin, Punjabi and Korean.

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## Appendix 6 – Information for Home Owners, Building Managers and Tenants

Municipal bylaws may regulate the use of pesticides in landscaped areas. This means that, before applying any pesticide in landscaped areas, individuals should check to ensure that the intended pesticide may be used within the municipality.

When the Ministry's proposed revisions to the IPMR are implemented, and providing that municipal bylaws allow, home owners and building managers may:

- Apply pesticides listed on Schedule 2 to land that they own or manage
- Apply appropriately labelled pesticides inside their own living accommodation (Note that indoor uses of pesticide by untrained people should be limited to those pesticides with "Domestic" written on the main panel of the label.)
- Apply pesticides listed on Schedule 5 to outdoor landscaped areas of land that they own or manage – unless it is a multi-residence property with four or more separate units
- Use Domestic class glyphosate to manage poison ivy, poison oak, weeds growing through sidewalks and driveways and weeds that have been designated as noxious weeds by the Weed Control Act on land that they own or manage – unless it is a multi-residence property with four or more separate units

Any other pesticides used in landscaped areas must be applied by a trained and licensed person.

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## Appendix 7 – Information for Managers of Commercial Landscaped Areas

Currently a pesticide user licence is required to apply pesticides in landscaped areas of public land (e.g., municipal property and school grounds). This requirement will not change.

Changes to the IPMR will require a pesticide user licence to apply pesticides to private golf courses, botanical gardens and landscaped areas of commercial property. There will not be exceptions to the licence requirement for application of pesticides listed in Schedule 5 or for any uses of glyphosate.

In many cases, people applying pesticides to commercial landscaped areas are already certified. The licence requirement means that the employer (licence holder) of the certified applicator will now have legal obligations to practice IPM, inform users of the land about pesticide use, keep specified records, submit annual summaries of pesticide use to the Ministry, protect people, water and wildlife, prevent pesticide movement to adjacent properties and comply with all other applicable regulations.

Licence fees for “non-service<sup>19</sup>” landscape pesticide use are \$250 per year.

## Appendix 8 – Information for Landscape Service Companies

Landscape service companies that hold a pesticide user licence will be minimally affected by proposed changes to the IPMR. They will need to ensure that all pesticide applicators have been properly trained and they will need to ensure that residents of private landscaped property have been informed about pesticide treatments but otherwise they may continue to use any appropriately labelled pesticide in landscaped areas as part of IPM programs and in accordance with municipal bylaws.

People who currently offer unlicensed landscape pest management services using pesticides listed on Schedule 2 will be able to offer the service of applying pesticides listed on either Schedule 2 or Schedule 5 in landscaped areas on private residential property that is not a multi-residence property with four or more units.

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<sup>19</sup> Non-service licences are for the application of pesticides to land owned or managed by the licensee.

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## **Appendix 9 – Information for Structural Pest Control Service Companies**

Structural pest management service companies that hold a pesticide user licence will largely be unaffected by proposed changes to the IPMR. These companies will need to ensure that all pesticide applicators have been properly trained but otherwise may continue to use any appropriately labelled pesticides as part of IPM programs.

Unlicensed structural pest management services currently using only pesticides listed on Schedule 2 might need to obtain a pesticide user licence. Domestic class pesticides in aerosol containers, insect bait stations, pyrethrins, resmethrin and methoprene will be moved from Schedule 2 to Schedule 5. A licence will be required to offer a service using Schedule 5 pesticides except when those pesticides are applied in private landscaped areas. Boron compounds, silica aerogel and silicon dioxide will remain on Schedule 2 and available for use by unlicensed structural pest management services.

## **Appendix 10 – Information for User Licensees & Confirmation Holders**

Pesticide user licensees and confirmation holders need to be aware that, beginning in 2015, all pesticide applicators will need to be trained/certified. Some people currently working as uncertified applicators may have difficulty passing current certification exams because of language or literacy issues. The Ministry intends to establish a trained pesticide applicator assistant category of certification under the IPMR. Applicator assistants would receive training in safe pesticide use but would likely have reduced requirements for understanding IPM. The Ministry will work with stakeholders to confirm appropriate duties and responsibilities, as well as develop effective methods for delivering and verifying required training, of assistant applicators and their supervisors.

The training requirement will apply to all pesticides used by licensees or confirmation holders, other than those listed on Schedule 2. Pesticides listed on Schedule 5 will be exempt from the licence requirements related to sale of the products and from the licence requirement for use in private landscapes. However, application to landscaped areas of multi-residence properties, a non-landscape service, to rights-of way, forest land or public land – will need to be by certified applicators or assistant applicators working for a licensee or confirmation holder.

In order to obtain an assistant applicator certificate, a person must pay a \$90 exam fee and pass a certification exam. The Ministry anticipates designing a course and/or exam different from current exams to provide flexible means of demonstrating competency in safe pesticide use. Input on the details of the course materials and examination scheme will be sought from people likely to be affected by this change.

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## Appendix 11 – Information for Municipalities

Under the existing IPMR municipalities applying pesticides to land that they manage are required to hold a pesticide user licence. The proposed revisions would not affect this requirement.

The Community Charter Spheres of Concurrent Jurisdiction – Environment And Wildlife Regulation allows municipalities to regulate the use of pesticides, other than Schedule 2 pesticides, for the purposes of maintaining outdoor trees, shrubs, flowers, other ornamental plants and turf on municipal and residential property. Municipalities, however, do not have jurisdiction to regulate pesticide use on private commercial landscaped areas within a municipality. Provincial regulations, such as the IPMR, apply in these areas.

Municipalities may choose to work with the revised IPMR in a number of ways. These include: choosing to prohibit most pesticide use on private properties; allowing the use of only pesticides generally accepted as safe (Schedule 5); accepting the revised IPMR in its entirety; or opting-out of the licence requirement and allowing use of any registered pesticide by land managers or owners on their private land.

Municipalities that currently prohibit the use of pesticides on private residential property may continue to do so. It is likely that few, if any, changes would be needed in bylaws to maintain pesticide use restrictions currently in place.

Because Schedule 2 will be updated to include a reduced list of pesticides, municipalities may choose to further restrict pesticide use on private residential land by adopting the new Schedule 2 as the only pesticides allowed within their jurisdiction. Municipalities may wish to consider that stores selling Schedule 5 pesticides will not be required to inform purchasers about municipal bylaws. In this situation people purchasing Schedule 5 pesticides may unknowingly use them in contravention of local bylaws.

Schedule 5 pesticides will be pesticides that the Ministry considers safe for use in outdoor landscaped areas by untrained people. Municipalities that agree with this assessment may want to adopt bylaws allowing the use of Schedule 5 pesticides and restricting the use of other pesticides on private property under their jurisdiction.

Municipalities without bylaws will be subject to the IPMR and other provincial regulations. Their residents will be restricted to using Schedule 5 pesticides in landscaped areas unless they hold a pesticide user licence. Licensees will be able to use any registered pesticide according to label directions.

Some municipalities may decide that they do not want their residents to have to hire licensees to manage pests that cannot be controlled by pesticides listed on Schedule 5 and may choose to opt out of the licensing requirement (e.g., by enacting a bylaw).