



# PMB UPDATE

Pesticide Management Branch  
Chemicals Assessment and  
Management Division

9820 - 106 Street Edmonton Alberta T5K 2J6

## PESTICIDE RETAIL AND WHOLESALE VENDORS

Spring 1997

### REGULATORY REFORM IMPLEMENTATION

Revisions to the Pesticide Sales, Handling, Use and Application Regulation and the Pesticide (Ministerial) Regulation came into force February 7, 1997.

#### Summary of the revisions:

- consolidated four referenced "Procedure" documents into one **Environmental Code of Practice For Pesticides**;
- replaced approval requirements for pesticide vendors with more streamlined "registration" requirements;
- incorporated some requirements for vendor approvals into regulations and others to the **Environmental Code of Practice for Pesticides** to allow for the transition of approvals to registrations;
- rescheduled some Schedule 2 pesticides (i.e. livestock and animal health care products) into Schedule 4 which does not require a vendor registration or dispenser to sell at retail;
- allowed for the sale of a limited number of commercial (Schedule 2) pesticides to acreage owners and hobby greenhouse operators in response to suggestions from pesticide vendors .

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### THE ENVIRONMENTAL CODE OF PRACTICE FOR PESTICIDES

Copies of the Pesticide Sales, Handling, Use and Application Regulation; the Pesticide (Ministerial) Regulation; and the new Environmental Code of Practice for Pesticides are available from the Queen's Printer.

The following regulatory information publications are available free of charge through the Pesticide Management Branch:

Commercial Retail Vendor Requirements,  
Commercial Wholesale Vendor Requirements,  
Domestic Pesticides: Wholesale/Retail Vendor Requirements,  
Retail Vendor Requirements: Acreage Owners and Hobby Greenhouse Operators,  
Pesticide Storage: Regulatory Requirements and Guidelines (Schedules 1 & 2 Pesticides),  
Procedures for Grain Bin Fumigation,  
Procedures for Greenhouse Fumigation,  
Toxic Baits for the Control of Richardson's Ground Squirrel and Northern Pocket Gopher,  
Killing Honey Bees with Calcium Cyanide,  
Schedule 1 Pesticides: Notice To Purchasers,  
Pesticide Services, and  
Special Use Approval.

To obtain copies please contact:  
(to be connected toll free call 310-0000)

**Grande Prairie (780) 538-5460 Fax: (780) 538-5336**  
Room 1701, Provincial Building  
10320 - 99 Street  
Grande Prairie, Alberta T8V 6J4

**Edmonton (780) 427-7617 Fax: (780) 427-3178**  
5th Floor, Oxbridge Place  
9820 - 106 Street  
Edmonton, Alberta T5K 2J6

**Red Deer (403) 340-5310 Fax: (403) 340-5022**  
3rd Floor, Provincial Building  
4920 - 51 Street  
Red Deer, Alberta T4N 6K8

**Calgary (403) 297-7602 Fax: (403) 297-8232**  
2nd Floor, Deerfoot Square

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2938 - 11 Street NE  
Calgary, Alberta T2E 7L7

**Lethbridge (403) 381-5511 Fax: (403) 382-4428**  
2nd Floor, Provincial Building  
200 - 5 Avenue South  
Lethbridge, Alberta T1J 4C7

### REGISTRATION STATUS OF PESTICIDE PRODUCTS

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The federal Pest Management Regulatory Agency (PMRA) may change the registration status of a pesticide at any time as follows:

**Registered** - this status is given to a product when the registrant (manufacturer) of the pesticide satisfies all of the *Pest Control Products Act* (Canada) registration requirements. A certificate of registration, valid for five years, is then issued and the product is assigned a unique Pest Control Products Registration Number (P.C.P. #).

**Suspension of Registration** - this action, initiated by the registrant, immediately stops further distribution of the suspended product to the vendor. Remaining stock may legally be sold and used until the current registration period expires.

**Cancelled** - this action, initiated by the Federal Minister of Health, takes effect immediately, stopping the manufacture, distribution, sale and use of a pesticide. Cancellation may be due to recently identified concerns affecting the environment or public health and safety. The PMRA advises the registrant of the cancellation and usually requires the registrant to undertake a recall of the product from the distribution system (including retailers). This action is usually accompanied by an information package detailing the purpose of the cancellation and what to do with product remaining in the hands of the user. Sale and use of a cancelled pesticide must stop immediately; it is an offence under both federal and provincial laws to sell or use a cancelled pesticide.

**subscribe ABPEST-L John Doe <email@address>** and no signature line. Replace "John Doe" with your name and

### Five Year Registration Period

At the end of the five year registration period (which ends December 31 of the fifth year), products may be:

**Renewed** - initiated by the registrant, just prior to a product's registration expiry date, if he wishes to continue producing the product for another five year period. Products that have been renewed keep their Pest Control Product Registration Number. Even when a product is discontinued, the registration number remains historically associated with that product.

**Not Renewed** - products may be denied renewal if the product's registration data package does not meet current standards, the product label submitted at renewal does not comply with the copy of the label on the product register, or the registrant did not respond to renewal application notices. It is illegal to sell and use products that have been **denied** registration.

Where a registration has not been renewed, the sale of that pesticide product must be discontinued immediately. A grace period for continued product use is generally allowed for two years after expiration. Following the grace period, the product must be disposed of in accordance with its waste classification.

### ALBERTA PESTICIDE USER'S DISCUSSION LIST

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Alberta Environmental Protection has established a discussion list on the Internet for pesticide users in Alberta. The discussion list is open to anyone, but subscription must be approved by the Pesticide Management Branch. The intent of providing the Internet discussion list was to assist pesticide applicators and vendors with pesticide management questions. The Pesticide Management Branch will be reviewing utilization of the Internet discussion list to determine the value of this type of service.

To subscribe to the list, send your request to **majordomo@list.env.gov.ab.ca** and leave the subject empty. In the message type:

include your e-mail address between the < > symbols. You will receive notification if you have submitted correctly and within a couple of days your subscription will be

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approved.

Any questions regarding this service, please contact Neil Wandler at the Edmonton office of the Pesticide Management Branch at 1-403-427-0054 (to be connected toll free first call 310-0000) or send by e-mail to **owner-abpest-1@list.env.gov.ab.ca**

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### PESTICIDE APPLICATIONS WITHIN 30 HORIZONTAL METRES OF AN "OPEN BODY OF WATER"

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Revised Alberta pesticide regulations have changed the requirements for persons who wish to use pesticides in, on or within 30 horizontal metres of an "open body of water".

The changes exempt small intermittent streams (when dry) from the definition of an "open body of water" and clarify what constitutes the "bed and shore". The new Environmental Code of Practice for Pesticides will eliminate approval requirements for certain low-risk pesticide applications near water. Approvals will also be eliminated for pesticide use when other department authorizations or policies exist. Homeowners and farmers will not require approvals for the use of pesticides within the 30 metre zone on their cultivated land, however they will remain responsible for ensuring that their pesticides do not enter the water or create an impact on riparian vegetation.

New requirements as to who does or does not need a Special Use Approval are found in the Pesticide (Ministerial) Regulation. The following persons **do not** require an approval to apply pesticides **within** 30 horizontal metres of an "open body of water":

- 1) a certified applicator who applies pesticides no closer than 5 metres to an "open body of water" in accordance with the Environmental Code of Practice for Pesticides which identifies pesticides and application methods that can be used up to 5 metres,
  - 2) a person who applies pesticides on cultivated land. Cultivated land now includes cropland, improved
- The Code also allows for a conservative approach to pesticide application near water. An approval is not deemed necessary when the code is followed as long as a certified applicator adhering to the Code conducts the applications. If a person wishes to undertake pesticide

pastures and private residential lands used for growing turf and ornamental plants,

- 3) a person who applies a vertebrate toxicant bait within 30 horizontal metres of a frozen "open body of water" in accordance with an Alberta Government pest control program.

The following persons **do not** require an approval to apply pesticides **on or in** an "open body of water":

- 1) a person applying a vertebrate toxicant bait on ice cover in accordance with an Alberta Government pest control program,
- 2) a person applying a fish toxicant in accordance with an authorization from the Director of Fisheries Management of Alberta Environmental Protection.

Please note that, with exception to the above, an approval is required by anyone who applies or stores pesticides, or washes spray equipment in, on or within 30 horizontal metres of an "open body of water".

### The Implications of the Environmental Code of Practice for Pesticides

As described above, a certified applicator who is working in accordance with the Environmental Code of Practice for Pesticides does not require an approval for the application of pesticides within 30 horizontal metres of an "open body of water". The Code provides several limitations and conditions under which pesticides must be applied in these areas.

The Code limits the types of pesticides and application methods that can be used near water. It also indicates the types of vegetation or pests that can be controlled and for herbicides, it sets a 5 metre no-observable impact zone from an "open body of water". Conditions are also present to prevent any adverse effects resulting from the pesticide application.

applications that are not provided for in the Code, i.e. applications closer than 5 horizontal metres from an "open body of water", an approval must be obtained.

The process for obtaining an approval has not changed.

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Approval applicants must still undergo a public notice procedure to allow potentially affected persons the opportunity to state concerns on the proposal before an approval is developed.

### PESTICIDE VENDOR DATABASE UPDATE

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Thanks to all the vendors for their co-operation in completing the **1996 Pesticide Vendor Update** questionnaire - your support was appreciated.

Update of our pesticide retail vendor database is nearly complete. A list of the Retail Vendor Registration holders will be available for distributors (Wholesale Vendor Registration holders) in May 1997.

The next step will be to update the wholesale vendor database.

### AUDITORS

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Since December 1996, industry-certified warehouse auditors have conducted over 50 combined CPI Warehouse Standards audits and Alberta pesticide vendor regulatory compliance inspections of pesticide vendor outlets.

The combined audit provides a more cost effective program and reduces the number of audits at each vendor outlet. Under this initiative, Alberta Environmental Protection will continue to conduct spot inspections and respond to complaints.

The focus of the regulatory compliance audit is to verify pesticide vendors have:

- a valid pesticide Wholesale or Retail Vendor Registration,
- at least one certified pesticide dispenser at each retail sales outlet,

The results showed that of those interviewed in the CPI study, 99% of the custom applicators and 97% of the farmers said they were able to rinse the containers where they filled their sprayer. The survey also estimated that 85% of the containers taken to a container site had been triple/pressure rinsed. However, an Alberta Environmental Protection survey of containers at container sites in 1996 suggested that only 72% of containers were being rinsed.

- the required vendor sales records, and
- the required publications available for distribution to purchasers.

Should you have any questions, please call David Pledger (Calgary 297-5920) or Richard Dickinson (Edmonton 427-0025) - to be connected toll free, call 310-0000 from anywhere in Alberta.

### PESTICIDE CONTAINERS - TAKE THEM BACK CLEAN

*ATake Them Back Clean*® is the theme of the 1997 Crop Protection Institute of Canada (CPI) campaign to remind farmers and custom applicators to thoroughly rinse and safely dispose of their used pesticide containers.

The CPI's container management program is an industry program funded by crop protection product manufacturers. But it is the combined support of farmers, custom applicators, dealers, contractors, provincial committees, governments and manufacturers that has made it a success. The program which operates in all provinces led the world in 1995 with a recovery rate of 64% of the pesticide containers supplied to the market place. Germany, at 41%, ranked second and the USA, at 28%, ranked third.

In Alberta, over 989,000 pesticide containers were collected from 99 municipally operated container sites in 1996 (an increase of 86,000 over 1995). Alberta leads the country with a container recovery rate of 75% (1995).

Cleanliness of containers is a key issue in recycling containers. With a view to improving program performance, CPI commissioned a survey of 457 farmers and 151 custom applicators, including 31 aerial applicators, in the prairie provinces during July/August 1996 to determine their pesticide container return and rinsing practices.

In addition over 17,000 litres of liquid pesticide, adjuvant and rinsate collected at container sites required disposal.

The 1997 awareness campaign focuses on thoroughly rinsing pesticide containers before taking them to the collection site with it's theme "*Take Them Back Clean*". The Alberta Container Management Committee is asking pesticide dealers to "*take the time to do the right thing*"

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by encouraging customers to rinse empty containers before depositing at container sites, by posting the location and operating hours of the local container site and by informing customers of any return policy for excess adjuvant.

Triple rinsing (or pressure rinsing) will ensure all the product your customer paid for goes to where it belongs - protecting the crop. Also, clean and drained containers will:

- be safer to handle,
- cost less to process and to dispose of liquid pesticide and rinsate from containers,
- reduce the potential impact of container residues on groundwater and corresponding container site liability concerns, and
- increase opportunities for recycling containers.

We all have a role in protecting our environment, please promote triple/pressure rinsing of pesticide containers and depositing clean, drained containers at one of the municipally operated containers sites around the province. Site locations are listed in the 1997 edition of the "**Blue Book**", the 1997 edition of the **APesticide Quick Reference**® (available from Lakeland College) or contact the local agricultural fieldman, any office of the Pesticide Management Branch, or the Action on Waste Recycle Information Line (1-800-463-6326) for site locations and operating hours.

### PESTICIDE DISPENSER REQUIREMENTS

Pesticides identified in the regulations as Schedule 1 or 2 (Commercial use) and Schedule 3 (Domestic use) are required to be sold only by **Retail** Pesticide Vendor sales outlets that have certified dispensers. It is an offence for ~~outlets to operate without at least one certified dispenser~~ on staff. The enforcement response by the Department may vary from a ticket, administrative penalty, or prosecution.

If your certified dispenser should unexpectedly terminate employment, the Department should be notified immediately. A six week period may be provided to continue operating until certification for a dispenser is

### THE PESTICIDE QUICK REFERENCE

A publication that may be of use to vendors is published by Lakeland College. It is called the **PESTICIDE**

obtained. In addition, wholesale registered vendors will not supply pesticides to retail outlets that do not provide proof of dispenser certification, as they too are subject to enforcement action.

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### PESTICIDE DISPENSER RE-CERTIFICATION

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All holders of a Class 1 Retail Pesticide Dispenser Certificate must re-certify using the updated Commercial Pesticide Dispenser Course (Lakeland College) and pass the new examination. See the following article for details of the Course. Candidates do not have to obtain the course but must pass the new examination. Dispensers must re-certify by January 1, 1999 or by the expiry date on their Pesticide Dispenser Certificate, whichever is the **later** date. For example:

- ! if there is no expiry date on the certificate, the dispenser must re-certify by January 1, 1999;
- ! if the expiry date is June 15, 1998, then the dispenser must re-certify by January 1, 1999;
- ! if the expiry date is May 10, 1999, then the dispenser must re-certify by May 10, 1999.

If you have any comments or concerns, please contact Ms. Vivianne Servant at 1-800-661-3495 or (403) 538-5460.

### PESTICIDE DISPENSER EXAMINATION/ CERTIFICATION COURSES

~~The Pesticide Dispenser Course has been updated and is~~ available from Lakeland College at a cost of \$95.00. Lakeland College will also administer the Dispenser examination and certification process. The cost of the exam will be \$30.00. Exam writing centres will be available throughout the province. Successful candidates will be issued a certificate directly from Lakeland College. To order the training materials or to arrange to write the exam, contact Lakeland College at 1-800-661-6490 or (403) 853-8659.

**QUICK REFERENCE.** The February 1997 Third Edition has just been published and can be purchased for \$20.00 a copy from Lakeland College by phoning 1-800-661-6490. The Quick Reference contains lists of

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pesticide products, provincial schedules, Registrant addresses and other useful information.

### **PESTICIDE MANAGEMENT BRANCH PRODUCT LISTS**

Enclosed with this newsletter is a list of Livestock Products exempt from Vendor Registration requirements and a list of commercial pesticides available to acreage owners.

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#### **Livestock Product Exemptions List:**

Products appearing on this list have been exempted from vendor registration and dispenser certification requirements. Outlets involved in the sale of these products must ensure that they are stored and displayed in a manner that will not cause an adverse affect to the environment, plant or animal life.

#### **Acreage Owners List:**

Products appearing on this enclosed list are available for sale to acreage owners in accordance with the Environmental Code of Practice for Pesticides. These products, often available in larger containers, are more economical and practical to the acreage owner than purchasing several small unit Domestic Class pesticides. The retailer is required to keep a record of sale, indicating the purchaser's name, address and proposed location of use.

## **Vertebrate Toxicants - Information Requirements**

Pesticide vendors retailing any of the vertebrate toxicant products listed on the reverse side are required to provide purchasers of these products with a copy of the publication "Toxic Baits For The Control of Richardson's Ground Squirrel and Northern Pocket Gopher"<sup>(1)</sup>. A copy of the publication has been included with this newsletter. Additional copies of the publication will be provided to Retail vendors by vertebrate toxicant distributors.

Information is being provided to rodenticide purchasers to address concerns regarding product effectiveness based on producer complaints and research that has been done over the past few years.

Continued work is being undertaken to develop an effective pest management strategy for burrowing rodents. Information releases for vertebrate toxicant purchasers will be updated as new information becomes available. The publication "Biology and Control of the Northern Pocket Gopher in Alberta" has also been enclosed with this newsletter. The publication is available from vertebrate toxicant distributors for customers that are having problems with the Northern Pocket Gopher.

### **Strychnine:**

Any old supplies of FAIRVIEW GOPHER COP should have been returned to Savolite Manufacturing as part of Savolite's product recall. The recall was prompted by concerns regarding strychnine levels in pre-1997 FAIRVIEW GOPHER COP. All 1997 strychnine products can be identified by a 0.40% strychnine guarantee. The guarantee on old product is 0.35% strychnine. Please contact Chris Ingeberg at Savolite if you have not already returned old product (fax: 1-306-522-5227).

<sup>(1)</sup> Distribution of this publication is required under Section 18 of the Environmental Code of Practice for Pesticides. Section 18 identifies the publication title as "Vertebrate Toxicants for Richardson Ground Squirrel Control". The publication was expanded to include the Northern Pocket Gopher after the Environmental Code of Practice was printed.

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## **Wholesale Vendor Assigned Administrative Penalty (\$6,000)**

An Alberta Wholesale Pesticide Vendor was assessed an administrative penalty of \$6,000 on September 30, 1996 for the sale of strychnine and chlorophacinone to a non-approved retailer. The Wholesale Vendor appealed the amount of the penalty to the Environmental Appeal Board (EAB) on March 25, 1997. The appeal was upheld in a decision dated April 10, 1997. The EAB acknowledged the role of pesticide vendors as "gatekeepers" for the sale of pesticides, and the importance of this role in ensuring public confidence in the management of restricted products.