

## Fact Sheet

### How Does the PCPA Meet the Exemption Requirements of CEPA?

The *Canadian Environmental Protection Act 1999* (CEPA 1999) allows for substances regulated for uses under other Acts of Parliament and Regulations to be exempt from the CEPA 1999 notification and toxicity assessment requirements if those Acts and Regulations provide for “notice to be given before manufacture, import or sale of the substance and for an assessment of whether it is toxic or capable of becoming toxic”.

Under the CEPA 1999, a “substance” means any distinguishable kind of organic or inorganic matter, whether animate or inanimate. The definition of a control product in the *Pest Control Products Act* (PCPA) includes any product, device, organism, substance, or thing that is manufactured, represented, sold or used as a means for directly or indirectly controlling, preventing, destroying, mitigating, attracting or repelling any pest. The Act and Regulations apply to all pest control products, whether chemical or biological.

#### Notification

Under the PCPA, pre-market notification is imposed by means of the requirement that only those pest control products which satisfy the registration requirements are permitted to be imported, sold or used in the country. A person wishing to obtain approval to market a control product in Canada must submit to the Minister of Health an application for registration. The application must include the information required to permit the health and environmental risks, merit and value of the product to be assessed, and their acceptability to be determined, in accordance with scientific methods and standards.

#### Assessment

The data requirements prescribed under the PCPA to assess risks to health and the environment are specifically tailored to account for properties associated with pest control products and are designed to generate a comprehensive set of information on the potential hazards of a pest control product. This information also provides for the assessment of exposure through various routes for potentially exposed sub-groups and components of the environment, and to assess the risks to determine if there are adequate margins of safety.

Evaluation of extensive environmental fate data and specific data on use patterns makes it possible to determine the behaviour of a pest control product in soil, water and air, the potential for the substance to persist and disperse in the environment, the potential for its uptake by plants, animals or humans, the potential for bioaccumulation in organisms, and the potential for exposure to plants, animals and humans.

Pest control products specifically require approval, through registration, before being imported, sold or used in Canada. A product will be registered only if there is sufficient scientific evidence

to show that a product does not pose unacceptable health or environmental risks and that it serves a useful purpose. Conditions of registration are specified for every product, including detailed use instructions, and a product can only be used according to label directions. If the proposed use represents an unacceptable risk, either additional conditions or restrictions are imposed so that the risks are reduced and are brought into an acceptable range, or the registration is denied. The PCPA also prohibits a control product from being manufactured, stored, displayed, distributed or used under unsafe conditions.

Therefore, notification is imposed through the requirements for registration of pest control products. An assessment under the PCPA is sufficient to make a determination of whether a substance is toxic as defined in the CEPA 1999.

For more information on the assessment and regulation of pesticides see:

- C [Fact Sheet on The Regulation of Pesticides in Canada](#)
- C [Overview Document on the PMRA](#)
- C [A Decision Framework for Risk Assessment and Risk Management in the Pest Management Regulatory Agency \(SPN2000-01\)](#)

Specific information on registration requirements are set out in [Regulatory Directives and Regulatory Proposals](#)

Information on recent assessments of new pesticides is presented in [Proposed Regulatory Decision Documents and Regulatory Notes](#)

For more information on the PMRA, contact the [Pest Management Information Service](#)

For more information on Acts and Regulations listed on CEPA Schedules 2 and 4, please consult departmental and agency websites:

Environment Canada

[http://www.ec.gc.ca/ceparegistry/regulations/FINAL-RoadMap\\_e.pdf](http://www.ec.gc.ca/ceparegistry/regulations/FINAL-RoadMap_e.pdf)

Canadian Food Inspection Agency

<http://www.inspection.gc.ca/english/toc/bioteche.shtml>

(in the 'Consultation' section)