
Pest Management Regulatory Agency

Information Note

11 January 2005

Roles of the Three Levels of Governments Regarding Pesticides in Canada

The use of pesticides on lawns and gardens is being debated in municipalities across Canada. Some municipalities have enacted restrictions on pesticide use on public and private property, while others are exploring the possibilities of doing so. Consequently, questions have risen concerning pesticide regulation and the roles of the federal, provincial and municipal governments in Canada.

Federal Responsibilities

Pesticides must be registered before they can be imported, manufactured, sold or used in Canada. The Pest Management Regulatory Agency (PMRA) is responsible for administering the *Pest Control Products Act* (PCPA) on behalf of the Minister of Health. Registration under the PCPA requires a thorough scientific evaluation to determine that new pesticides are acceptable for a specific use and that registered pesticides remain acceptable for use once on the market. If Canadians choose to use pesticides, they can only use a pesticide registered by the federal government for the pests and treatment areas listed on the label, and use them according to the label directions.

The federal jurisdiction in pesticide regulation rests mainly on the federal parliament's criminal law power. The PCPA requires the federal government to determine that Canadians' health, safety and environment are protected. To do so, the federal government must use a science-based approach to determine that the pesticide does not pose an unacceptable risk to human health and the environment as well as that the product demonstrates value to the user.

Provincial Responsibilities

Provinces and territories rely on non-criminal legislative authority instead of criminal law power. Their decisions can consider public concerns and general welfare, which may include scientific proof. The provinces and territories are able to enact regulations to restrict or prohibit the use of products that are registered under the PCPA in their jurisdictions. These regulations can be more restrictive than the PCPA or other federal regulations, but not less restrictive than any federal requirement. For example, provinces and territories may be involved in the following:

- require pesticide use permits and impose additional use restrictions;
- regulate the transportation, sale, use, storage and disposal of pesticides;
- regulate the training, certification and licensing of pesticide applicators and vendors; and
- respond to spills or accidents.



Municipal Responsibilities

Provincial and territorial governments may also allow cities, towns and municipalities to enact bylaws to set further regulations, including use restrictions, on pesticide use based on local considerations.

Need More Information?

The following links to the PMRA's website provide further information on the topics discussed in this issue note:

Scientifically Based Risk Assessment Process

About the PMRA

www.pmra-arla.gc.ca/english/aboutpmra/about-e.html

Fact Sheet on The Regulation of Pesticides in Canada

www.pmra-arla.gc.ca/english/pdf/fact/fs_pestreg-e.pdf

Children's Health Priorities within the Pest Management Regulatory Agency (SPN2002-01)

www.pmra-arla.gc.ca/english/pdf/spn/spn2002-01-e.pdf

A Decision Framework for Risk Assessment and Risk Management in the Pest Management Regulatory Agency (SPN2000-01)

www.pmra-arla.gc.ca/english/pdf/spn/spn2000-01-e.pdf

Healthy Lawn Care Tips

Healthy Lawns website

www.healthylawns.net

Healthy Lawns Strategy and Action Plan on Urban Use Pesticides

www.healthylawns.net/english/html/strategy-e.shtml

