

The Proposed List of Pest Control Product Formulants and Contaminants of Health or Environmental Concern

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Introduction

- The New *Pest Control Products Act*
- The Proposed List of Pest Control Product Formulants and Contaminants of Health or Environmental Concern (the List)
- Status and Next Steps

The New Act

- Provides authority to establish the List [subsections 43(5) (b) and 43(4) or (5)]



The Proposed List

- The List will increase transparency in the regulatory system for pesticides
- In accordance with the new Act:
 - the identity and concentration, in a pest control product, of a formulant or contaminant on the List are not considered as confidential business information
 - the public will be able to access the information on the identity and concentration of substances on the List

The Proposed List

- General approach used for the List:
 - Existing policies and regulations that have set criteria and have already undergone public consultation will be used, i.e.:
 - The Toxic Substances Management Policy
 - The Montreal Protocol on Ozone Depleting Substances, and
 - The PMRA Formulants Policy



The Proposed List

- List Structure:
 - The List will be constructed in three parts to facilitate reference, as follows:
 - Part I -- Formulants of health or environmental concern
 - Part II-- Formulants of health or environmental concern that are allergens known to cause anaphylactic-type reactions, and
 - Part III-- Contaminants of health or environmental concern

The Proposed List

- Criteria for the List-- a substance will be added to the List if it:
 - Meets the criteria for Toxic Substances Management Policy (TSMP 1995) Track 1 designation, namely, persistence in air, water, sediment or soil; bioaccumulation; toxicity; and is in measurable quantities in registered products; or

The Proposed List

- Criteria for the List-- a substance will be added to the List if it (cont.):
 - is designated under the Montreal Protocol on Substances that Deplete the Ozone Layer and controlled under the Ozone-depleting Substances Regulations, 1998; or

The Proposed List

- Criteria for the List-- a substance will be added to the List if it (cont.):
 - is designated under the PMRA Formulants Policy (2004) as a formulant of significant concern with respect to its potential adverse effects on human health and the environment, meeting defined criteria for causing cancer, toxic effects on the nervous system, chronic effects, adverse effects on the reproductive system and ecological effects; or

The Proposed List

- Criteria for the List-- a substance will be added to the List if it (cont.):
 - is designated under the PMRA Formulants Policy (2004) as a formulant that is an allergen known to cause anaphylactic-type reactions; and

The Proposed List

- Criteria for the List-- a substance will be added to the List if it (cont.):
 - occurs in a pest control product that is currently registered in Canada

The Proposed List

- Maintaining the List:
 - Substances will be removed from the List when they are no longer considered of concern; for example, when removed from the marketplace.
 - Note: Substances could be removed from the List following a PMRA reassessment or special review.
 - Note: PMRA will maintain accurate and up-to-date formulation records for all registered pest control products to ensure those containing substances of concern are known and made public as appropriate

The Proposed List

- Maintaining the List (cont.):
 - The List will evolve as new science emerges. The public will be notified of any changes made to the List or the criteria
 - Amendments to the List will be published in the *Canada Gazette*. The revised and consolidated List will be easily accessible to the public through the PMRA website



The Proposed List

- Use of the List:
 - Will be used in two ways to increase transparency:
 - To make information about substances on the List available on public request, through Material Safety Data Sheets and/or on pest control products labels, and
 - As a reference in decision-making

The Proposed List

- Use of the List (cont.):
 - Formulants on the List will be required to be disclosed on pest control product labels as a condition of registration.
 - Note: Formulants not on the List (e.g., those on Formulants Policy List 2) will not be required to be disclosed on pest control product labels unless deemed necessary on a case by case basis as a condition of registration. This constitutes a consequential change for the existing Formulants Policy (2004). The Formulants Policy will be revised to reflect this change

The Proposed List

- Use of the List (cont.):
 - Formulants and contaminants on the List will be required to be disclosed on Material Safety Data Sheets (MSDSs). This is consistent with what was indicated in the Regulatory Impact Analysis Statement for the proposed Pest Control Product Safety Information Regulations

The Proposed List

- Use of the List (cont.):
 - A request for a research authorization will have to be submitted for research projects with products that contain substances on the List

The Proposed List

- Use of the List (cont.):
 - Foreign products that contain a formulant on the List may be authorized for import under the OUI program if they are equivalent to a pest control product that has been previously assessed, and determined to be acceptable and registered for that intended own use in Canada
 - Note: The Own Use Import (OUI) program is intended to allow Canadian agricultural producers (users) access to competitively priced pesticides that are available in foreign markets. Under the OUI program, only products equivalent to those registered in Canada can be imported

Status and Next Steps

- Status:
 - Drafting initial notice of intent to establish the List
- Next Steps:
 - Prepublication in the Canada Gazette, Part I, for formal notification
 - Publication in the Canada Gazette, Part II
 - The List will come into effect once the new Act comes into force

Questions?

