# The Proposed Revisions to the Pest Control Products Regulations

Presentation to the

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# Introduction

- The new *Pest Control Products Act*
- The Pest Control Product Regulations
  - An overview of the existing Regulations
  - Purpose of revisions
  - Proposed revisions
- Status and next steps

# The New Act

- Received Royal Assent on December 12 2002
- Provides basic and new authorities to regulate pest control products in Canada

# An Overview of the Existing Regulations

- The Existing Regulations describe:
  - registration requirements
  - exemptions and prohibitions
  - importation requirements
  - registration process
  - record keeping requirements
  - labeling
  - storage/display/distribution/packaging
  - inspectors authorities

# Purpose of Revisions

- Coherence with the new PCPA
  - Remove duplication
  - Add provisions based on new authorities in the new PCPA
- Modernize and clarify the regulations
  - Remove obsolete provisions
  - Remove provisions outside mandate
- Codify current policies and practices
  - Temporary/conditional registrations
  - Research
  - Own Use Import

# Proposed Revisions for Coherence

- Remove Section 2.1, Certificate of designation of Inspector
- Remove Sections 53 and 54, Detention
  - New, stronger authorities for inspectors are contained in the new PCPA and are no longer required in the Regulations

# Proposed Revisions for Coherence (cont.)

- Add provisions to allow access by applicants or registrants to additional information the Minister may use during the evaluation process or during re-evaluation or special reviews under the new Act
  - Note: additional information is from a source other than the applicant or registrant

# Proposed Revisions to Modernize

- Remove definitions that are no longer used.
- Remove all references that no longer apply.
- Remove Section 37 (“Notice to Buyer” statement)

# Proposed Revisions for Clarity

- Add provisions to describe product classes
  - Note: Under the existing Pest Control Product Regulations, the product classes “domestic” and restricted” are named, although two other classes are used in the registration system— commercial and manufacturing

# Codify Current Policies and Practices

## Temporary/Conditional Registrations

- Change provisions to <u>improve the temporary (conditional) registration process</u>:
  - To update terminology to reflect current language (change term “temporary registration” with “conditional registration”)
  - To provide for a validity period that is more in line with the time required to submit required data, and
  - To provide a balance between transparency and time needed to develop conditional data

# Codify Current Policies and Practices

## Temporary/Conditional Registrations

- Conditional Registration:
  - Validity period would be up to 3 years
  - Public consultation, reconsideration of decisions and placing information in public register delayed until submit required information or registration renewed or continued.
  - Once required information submitted:
    - Automatic validity period extension (2 years) with possible further extension for public consultation
    - Information in Register when registration decision final.

# Codify Current Policies and Practices
## Temporary/Conditional Registrations

- Conditional Registration:
  - If registration renewed or continued:
    - Validity period would be up to 3 years
    - Public consultation, reconsideration of decision and placing information in Register will apply to incomplete data packages.

# Codify Current Policies and Practices

## Temporary/Conditional Registrations

- Conditional registration initially delays the public consultation provision of the new Act, but
- Regulations will provide:
  - A timeline for submission of required confirmatory data and subsequent consultation, and
  - An opportunity for the public to participate in the decision making process with access to the complete data package

# Codify Current Policies and Practices
# Research

- Change provisions to clarify (further detail) the existing Research regulations:
  - Use current research categories (authorization, notification, exemptions)
  - Stipulate criteria for the notification and exemption categories (the same)
  - Provide definitions used in research
  - Detail requirements for labels, signs, material safety data sheets, record keeping, importation, disposal and aspects of distribution.

# Codify Current Policies and Practices
## Own Use Import (OUI)

- Add provisions to clarify (further detail) the existing Own Use Import (OUI) regulations:
  - describe the process for determining equivalency
  - detail how to obtain an OUI Certificate

# Codify Current Policies and Practices
# Own Use Import (OUI)

- Add provisions to describe the process for determining equivalency:
  - Initial screening criteria for considering a foreign product
  - Application process
  - Requirement for continued price differential during equivalency determination
  - Particulars of the equivalency certificate (I.e. expiry, renewal)
  - OUI label requirements

# Codify Current Policies and Practices
# Own Use Import (OUI)

- Add provisions to describe the scope and process to obtain an OUI certificate:
  - Criteria for using an imported product
  - Application process
  - Provision for OUI applications to be submitted on behalf of applicants
  - Particulars of the OUI certificate, including conditions of use.

# Status and Next Steps

- Status:
  - Drafting initial notice of intent to revise the Regulations
- Next Steps:
  - Pre-publish in *Canada Gazette*, Part I, for a 75-day comment period

# Questions?