The Proposed Revisions to the Pest Control Products Regulations

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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

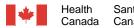


Codify Current Policies and Practices

Temporary/Conditional Registrations

- Change provisions to <u>improve the temporary</u> (conditional) registration process:
 - 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 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 75day comment period



Questions?



