



Regulatory Directive

Environmental Label Claims and Advertising of Pest Control Products

The purpose of this Regulatory Directive is to inform registrants and other interested groups about the regulatory position regarding environmental labelling and advertising claims on products regulated under the *Pest Control Products (PCP) Act*.

This directive has been developed to harmonize with other environmental labelling initiatives wherever possible, including the *Guiding Principles for Environmental Labelling and Advertising* published by Industry Canada (formerly Consumer and Corporate Affairs Canada) and the *Guideline on Environmental Labelling Z761-93* published by the Canadian Standards Association (CSA). Some differences may occur because of the nature of pest control products and the requirements of the *PCP Regulations*.

A Regulatory Proposal (Pro95-01) on this topic was published May 3, 1995. This directive incorporates comments received in response to the proposal.

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Table of Contents

1.0	Introduction	1
2.0	General Principles	1
3.0	Organic/Natural	2
4.0	Botanical	3
5.0	Chlorofluorocarbons (CFC's)	3
6.0	Reusable/Refillable Containers	4
7.0	Recyclable Packages	4
8.0	Degradable	5
9.0	Other Legislation and Information	6

1.0 Introduction

Both industry and consumers have shown an interest in environmental labelling¹ and advertising. Numerous surveys have shown that consumers want to purchase products that are “environmentally friendly”. However, consumers can choose wisely only when they are well informed and can readily identify these products. The product label² is perhaps the most important source of information for the consumer. Consumers want to be assured that environmental labelling and advertising claims are legitimate. Having recognized this, manufacturers are developing new products, modifying the formulations of existing products and subsequently labelling and advertising their products to capture this segment of the marketplace.

This Regulatory Directive is intended to inform the pesticide industry of the requirements for using environmental claims on pest control products, in order to ensure responsible labelling and advertising.

Registrants are required to submit an application to amend the registration of currently registered products if they wish to add or remove environmental claims on product labels. The application must be evaluated and an amendment of registration granted before advertisement or sale of the product.

Subsection 4(2) of the *PCP Act* states that “No person shall package, label or advertise a control product in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its character, value, quantity, composition, merit or safety.” Industry is responsible for ensuring that any environmental claims on their product labels or advertising are accurate and in compliance with the *PCP Act*.

2.0 General Principles

Environmental claims must be truthful and accurate, based on recognized standards, and, where applicable, supported by scientifically defensible studies or rationale.

Environmental claims must clearly indicate whether they apply to the product and/or packaging.

Vague and potentially misleading statements such as “environmentally friendly”, “green”, or “ozone friendly” must not be used as they cannot clearly indicate a specific benefit. Comparative claims such as “best”, “superior”, or “greener” also must not be used.

¹ Environmental labelling - any term and/or symbol describing or promoting environmental attributes or features of the pest control product or packaging that is part of the product label as defined above.

² Label - as defined in the *PCP Act*, a label “includes any legend, word, mark, symbol or design applied or attached to, included in, belonging to or accompanying any control product”.

The terms “safe” or “safer” in the context of environmental claims (e.g., “environmentally safe” or “safe for the environment”) may be misinterpreted as relating to personal safety and, as a result, may cause some confusion. For this reason, these terms are not acceptable on pest control product labels.

The statements provided must specify the precise environmental impact reduction of the product and/or package. For example, if a substance known to have adverse environmental impacts is removed from a formulation, the claim must be specific to that fact (e.g., No CFC's, No VOC's). Broader claims, such as “does not damage the ozone layer” or “environmentally friendly” must not be made. In addition, claims of “No CFC's” for types of products which have no history of containing CFC's must not be made.

Claims relating to the removal from a product formulation of substances that are known to be harmful to the environment (e.g., No CFC's) should take into account the effects of all materials in the product formulation including the substitute materials. The replacement substances may also be harmful to the environment, in which case, environmental claims must not be made.

3.0 Organic/Natural

No further consideration will be given to the use of the term “natural” as an environmental claim for pest control products. However, it can be used in the context of “natural rubber gloves” or “natural rainfall areas”.

The term “organic” as an environmental claim for pest control products refers to a particular type of food production methodology which does not use synthetic inputs. This term must not be linked with the quality or safety of products. At this time, it is not acceptable to use the term “organic” for pest control products. Further clarification of the terms “organic” will be available as soon as the regulatory basis for certifying foods in organic food production systems is established by Agriculture and Agri-Food Canada. One option being considered is the phrase “For use in organic food production systems”. Such a statement must not be used until a regulatory basis has been established.

The French term “*biologique*” has also caused some confusion because it may have two meanings - biological and organic. “*Biologique*” may be used on pest control product labels and advertising when it is intended to mean biological but not when it is intended to mean organic.

Label claims using the terms “organic”, “biologique” and “natural” not permitted above must be removed from product labels before their next renewal date. If these claims are not removed, product registrations will not be renewed.

Background information on the terms “natural” and “organic” can be found in Note to CAPCO C90-14, published October 5, 1990 by the Pesticides Directorate, Agriculture Canada.

4.0 Botanical

The term “botanical” may be used on product labels if the product is derived from plant extracts. A botanical claim must be qualified to specify the botanical ingredient (e.g., “product contains X% rotenone, a botanical insecticide”).

5.0 Chlorofluorocarbons (CFC's)

The use of CFC's as propellants in pesticides has not been acceptable since April 1, 1989. Manufacturers developed the statement/symbol “Ozone friendly - No CFC's” in order to inform consumers that CFC's had been removed from their product formulations.

The “Ozone friendly - No CFC's” symbol is no longer acceptable for use on pest control products. Any products or advertising which currently use the symbol must remove it before their next product registration renewal date or the registration will not be renewed. Further information is available in Regulatory Directive Dir93-11, published October 28, 1993, by the Plant Industry Directorate, Agriculture and Agri-Food Canada.

Manufacturers have since modified the symbol to eliminate the “ozone friendly” and replace it with a “NO CFC'S” symbol. This symbol is acceptable for use on pest control products and advertising.



The Canadian Aerosol Information Bureau (CAIB) has established the following criteria for use of the “NO CFC'S” symbol:

- a. The product must not contain any chlorofluorocarbons (CFC's) including hydrogenated chlorofluorocarbons (HCFC's).
- b. The use of the symbol is restricted to aerosol products.
- c. The “NO CFC'S” symbol may not be used for products containing methyl chloroform or carbon tetrachloride.

6.0 Reusable/Refillable Containers

A reusable/refillable container is one which can be used/filled more than once, in its original form and without additional processing, except for specific requirements such as cleaning and washing.

Facilities or products must exist that allow the reuse or refill of the container. The claim must explain how the container is to be reused or refilled (e.g., with the purchase of a refill pouch, or by returning the container to the supplier).

In some cases, pesticide containers may not be reused or refilled because of the nature of the product they contain. For example, residues may be left in the container after washing procedures which would prevent its reuse.

7.0 Recyclable Packages

A recyclable package is one made from materials which, after they have been used, can be diverted from the waste stream and recycled into a new product.

A recyclable claim may be made only if the claim is qualified by an explanatory statement. For example, "Recyclable where facilities exist". Use of the Möbius loop symbol with a qualifying statement is also acceptable.



A recyclable claim should include any specific rinsing or cleaning instructions, statements which instruct the consumer to follow provincial and/or municipal regulations regarding pest control product disposal, or, if appropriate, alternative disposal instructions if recycling is not available.

Claims for recyclable packaging of pest control products will be evaluated on a case-by-case basis by means of an application for new or amended registration.

At the present time, domestic recycling programs for pest control products are not available in many communities. Many Domestic class pest control product containers should not be recycled under

household recycling programs because of the potential for contamination of the recycled material and the potential occupational/bystander exposure.

An increase in the acceptability of recycling of aerosol containers has led the United States Environmental Protection Agency (EPA) to accept a statement on recycling of aerosol pesticide containers to serve as an alternative to the standard disposal statements required by the EPA. Similarly, there has been an increase in the acceptability of aerosol container recycling in Canada. The following statement may also be used for pest control products. Alternative disposal instructions to recycling must be included.

DISPOSAL: This container may be recycled in communities where (steel) aerosol can recycling is available. Before offering for recycling, empty the can by using the product according to the label. (DO NOT PUNCTURE!) If recycling is not available, contact your municipality or provincial Ministry of Environment for disposal information.

Recycled content is defined by the National Task Force on Packaging as the portion of a package's weight that is composed of reprocessed post-use materials. Claims of recycled content may be made using the appropriate Möbius loop symbol with a qualifying statement which indicates the percentage, by weight, of the product or total weight.



30% Recycled Content

8.0 Degradable

A degradable product/material is one that breaks down so that the resulting materials can be easily assimilated into the environment without having any significant negative impact on the environment.

The National Task Force on Packaging defines the term “degradable” as follows:

Degradable: used as a suffix to denote the ability of a material to break down significantly in a land or water eco-system.

Bio: the prefix denoting the ability to break down biologically by means of microorganisms.

Photo: the prefix denoting the ability to break down through the action of light.

A degradable claim must be qualified by a statement indicating, to the extent possible:

- c the conditions under which degradation will occur;
- c the degree of degradation over a defined period of time (e.g., “Photodegradable: will degrade 95% in 60 days when exposed to normal light conditions”).

Degradable claims for packages/products which ultimately end up in disposal facilities such as landfill (e.g., most Domestic class pesticides) should not be made because such waste is often deprived of the conditions required for degradation to occur.

Degradable claims must consider all ingredients in a product. Claims must not be made for individual components of a product (e.g., “Contains biodegradable surfactants”). The potential for persistence of any product component and its effect on the environment must also be considered.

An application for new or amended registration must be made and evaluated and registration granted before a degradable claim can be used for a pest control product. Data will be required to support any degradable claim. The degradation of the active ingredient(s) in a pest control product, and subsequent degradation products, can be determined through studies outlined in *Trade Memorandum T-1-255: Guidelines for Determining Environmental Chemistry and Fate of Pesticides*, available from the Pest Management Regulatory Agency.

9.0 Other Legislation and Information

The following documents referenced in this directive are available from the Pest Management Regulatory Agency, Health Canada.

Trade Memorandum T-1-255: Guidelines for Determining Environmental Chemistry and Fate of Pesticides. October 30, 1987. Pesticides Directorate, Agriculture Canada.

Note to CAPCO C90-14. *Use of “Natural/Naturel” and “Organic/Biologique” on Pesticide Labels*. October 5, 1990. Pesticides Directorate, Agriculture Canada.

Regulatory Directive Dir93-11. *Chlorofluorocarbons in Pesticide Products*. October 28, 1993. Plant Industry Directorate, Agriculture and Agri-Food Canada.

Regulatory Proposal Pro95-01. *Environmental Label Claims and Advertising of Pest Control Products*. May 3, 1995. Pest Management Regulatory Agency, Health Canada.

Industry Canada administers and enforces two statutes, the *Consumer Packaging and Labelling Act* and the *Competition Act*, which give authority to control misrepresentation and misleading labelling and advertising.

For further information on environmental labelling, please refer to:

- c *Guiding Principles for Environmental Labelling and Advertising*, July 1993, available from Industry Canada.
- c CSA Standard Z761-93, *Guideline on Environmental Labelling*, November 1993, available from the Canadian Standards Association, Standards Development, 178 Rexdale Boulevard, Rexdale, Ontario M9W 1R3.

The Environmental Choice Program has been created by Environment Canada to help consumers identify products and services that ease the burden on the environment. The words “Environmental Choice” and the corresponding “EcoLogo” cannot be used without a licence, or special permission granted by Environment Canada. Further information is available from Environmental Choice, 107 Sparks St., 2nd floor, Ottawa, Ontario K1A 0H3.

Any amendment to add an “Ecologo” to a pesticide product must be made by means of the formal application process, requiring review and approval before advertisement or sale of the product. Proof of acceptance of the “Ecologo” from Environment Canada must be provided. It is not acceptable to claim the “Ecologo” for individual components of a pesticide product (e.g., “This product contains X, an Ecologo product”).