



PLEASE NOTE

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For more information concerning the history of these regulations, please see the [Table of Regulations](#).

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CHAPTER P-4
PESTICIDES CONTROL ACT
REGULATIONS

Pursuant to section 22 of the *Pesticides Control Act* R.S.P.E.I. 1988, Cap. P-4, Council made the following regulations:

- 1. (1) In these Regulations** Definitions
- (a) “Act” means the *Pesticides Control Act* R.S.P.E.I. 1988, Cap. P-4; Act
- (a.1) “AG-1 Pesticide Use Certificate” means a pesticide use certificate that AG-1 Pesticide Use Certificate
- (i) was issued by the Director under subsection 21(1) of the prior regulations,
- (ii) was valid on December 31, 2005, and
- (iii) was identified by the words “AG-1 Pesticide Use Certificate” or “Level 1 Agricultural Pesticide Use Certificate” on the face of the certificate;
- (a.2) “AG-2 Pesticide Use Certificate” means a pesticide use certificate that AG-2 Pesticide Use Certificate
- (i) was issued by the Director under subsection 21(1) of the prior regulations,
- (ii) was valid on December 31, 2005, and
- (iii) was identified by the words “AG-2 Pesticide Use Certificate” or “Level 2 Agricultural Pesticide Use Certificate” on the face of the certificate;
- (b) “Agreement” means the Pesticide Recertification Continuing Education Credit Program Agreement, between the Department of Fisheries, Aquaculture and Environment and the Federation of Agriculture, dated April 25, 2003 and amended on June 3, 2003; Agreement
- (c) “agricultural operation” means an agricultural operation operated for the purpose of producing agricultural products or services in the expectation of gain or reward, including agricultural operation
- (i) clearing, draining, irrigating and cultivating land,
- (ii) raising or keeping livestock, including cattle, horses, sheep, swine and poultry,
- (iii) raising or keeping fur-bearing animals, game birds, game animals and honey bees,

	(iv) producing agricultural, horticultural, or silvicultural crops, including non-food crops,
	(v) operating agricultural machinery and equipment, including noise-scare devices,
	(vi) preparing a farm product for distribution from the farm gate, including cleaning, grading and packaging,
	(vii) on-farm processing of farm products for the purpose of preparing farm products for wholesale or retail distribution and consumption,
	(viii) applying fertilizers, soil conditioners and pesticides, including ground and aerial application,
	(ix) storing, using or disposing of organic wastes for farm purposes, and
	(x) operating pick-your-own farms, road-side farm produce stands and farm tourist operations as part of the farm operation;
apply	(d) “apply” means to release a pesticide into the environment;
buffer zone	(e) “buffer zone” means a buffer zone as defined in the <i>Environmental Protection Act</i> R.S.P.E.I. 1988, Cap. E-9;
certified applicator	(f) “certified applicator” means a person who holds a Pesticide Applicator Certificate issued by the Minister under section 6;
certified assistant	(f.1) “certified assistant” means an individual who held an AG-2 Pesticide Use Certificate on December 31, 2005;
concentrated pesticide	(g) “concentrated pesticide” means any non-domestic pesticide product that requires mixing or dilution prior to application and which has not yet been mixed or diluted;
continuing education credits or CECs	(h) “continuing education credits” or “CECs” means continuing education credits that may be earned by an individual in accordance with section 3;
domestic pesticide	(i) “domestic pesticide” means a pesticide registered as domestic pursuant to the regulations made under the <i>Pest Control Products Act</i> (Canada);
enclosed leak proof container	(j) “enclosed leak proof container” means a container that is impermeable to a liquid and has an obvious top and a bottom;
label	(k) “label” has the same meaning as it does in the <i>PCP Act</i> (Canada);
Loader/mixer Certificate	(l) “Loader/mixer Certificate” means a Loader/mixer Certificate issued by the Minister under section 10;

- (m) “non-domestic pesticide” means a pesticide registered as commercial, industrial, agricultural, or restricted by the regulations made under the *PCP Act* (Canada); non-domestic pesticide
- (n) “Non-domestic Pesticide Vendor Business Licence” means a licence issued by the Minister under section 13; Non-domestic Pesticide Vendor Business Licence
- (o) “Non-domestic Pesticide Vendor Certificate” means a certificate issued by the Minister under section 14; Non-domestic Pesticide Vendor Certificate
- (p) “noxious weed” means a weed designated as a noxious weed under the *Weed Control Act* R.S.P.E.I. 1988, Cap. W-2.1; noxious weed
- (q) “package” includes any container, wrapping, covering or holder in which any pesticide is wholly or partly contained, placed or packed; package
- (r) “*PCP Act* (Canada)” means the *Pest Control Products Act* (Canada); *PCP Act* (Canada)
- (s) “Pesticide Application Business Licence” means a Pesticide Application Business Licence issued by the Minister under section 5; Pesticide Application Business Licence
- (t) “pesticide application equipment” means equipment that is used to apply a pesticide and includes
 (i) a tractor and a tow-behind unit,
 (ii) a self-propelled unit, and
 (iii) a truck with a spray tank and pump affixed within the cargo compartment of the truck; pesticide application equipment
- (u) “Pesticide Application Permit” means a Pesticide Application Permit issued by the Minister under section 19 Pesticide Application Permit
- (v) “Pesticide Applicator Certificate” means a Pesticide Applicator Certificate issued by the Minister under section 6; Pesticide Applicator Certificate
- (w) “Pesticide Purchase Permit” means a Pesticide Purchase Permit issued by the Minister under section 16; Pesticide Purchase Permit
- (x) “Phase III storage facility” means a storage facility designed to store domestic or non-domestic pesticides in accordance with the Canadian Warehousing Standards for the Storage of Agrichemical Products, Crop Life Canada, January 2002 as amended; Phase III storage facility
- (y) “prior regulations” means the prior regulations (EC583/84) made under the Act and revoked by these regulations; prior regulations
- (z) “Steering Committee” means the Pesticide Recertification Continuing Education Steering Committee appointed under the Agreement; Steering Committee

training event	(aa) “training event” means a class or program that provides training in a subject within a pesticide training category listed in section 2;
WHMIS	(bb) “WHMIS” means the Workplace Hazardous Materials Information System.
Application	(2) These regulations do not apply to the pesticides listed in Schedule 2 of these regulations.
Research not prevented	(3) Nothing in these regulations shall be construed to prevent the use of a pesticide under the authority of a permit for the purposes of research or testing by officials or other qualified persons employed by a university or other institution of research and higher learning or by agencies of the federal or provincial Government.
Pesticide standards	(4) The standards and requirements for registration, packaging and labelling, efficacy and safety, in respect of the sale, handling and use of any pesticide shall be the standards and requirements established by the <i>PCP Act</i> (Canada) and the regulations made under that Act together with the Act and these regulations. (EC761/05; 313/06)

PESTICIDE TRAINING EVENTS

Categories of pesticide training events	<p>2. For the purposes of these regulations, the following categories of pesticide training events are prescribed:</p> <p>(a) General Information Training, respecting the general application, handling or storage of regulated pesticides;</p> <p>(b) Pesticide Law Training, respecting federal and provincial laws relating to regulated pesticides;</p> <p>(c) Pesticide Label Training, identifying pesticides and using the information on pesticide labels;</p> <p>(d) Human Health Effects Training, respecting the effect of pesticides on human health, including</p> <p style="padding-left: 20px;">(i) acute and chronic toxicity,</p> <p style="padding-left: 20px;">(ii) routes of exposure,</p> <p style="padding-left: 20px;">(iii) factors affecting exposure,</p> <p style="padding-left: 20px;">(iv) reducing exposure and risk, and</p> <p style="padding-left: 20px;">(v) recognition of pesticide poisoning;</p> <p>(e) Pesticide Safety Training, including</p> <p style="padding-left: 20px;">(i) attitudes toward pesticide application and safety,</p> <p style="padding-left: 20px;">(ii) general precautions in the use of or exposure to pesticides,</p> <p style="padding-left: 20px;">(iii) selecting and purchasing pesticides,</p> <p style="padding-left: 20px;">(iv) protective clothing and equipment,</p> <p style="padding-left: 20px;">(v) transportation, storage and disposal,</p> <p style="padding-left: 20px;">(vi) mixing and loading,</p> <p style="padding-left: 20px;">(vii) safety during application,</p>
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- (viii) re-entry of places where application has occurred, and
- (ix) application records;
- (f) Environmental Impact Training, including
 - (i) residual impact of pesticides,
 - (ii) aquatic impact, and
 - (iii) land impact;
- (g) Pest Management Training, including
 - (i) integrated pest management,
 - (ii) pest identification and biology, and
 - (iii) monitoring methods, action and injury levels;
- (h) Pesticide Application Technology Training, including
 - (i) equipment selection,
 - (ii) proper equipment set up, use and maintenance,
 - (iii) equipment calibration and pesticide use calculations, and
 - (iv) pesticide products, and factors affecting their use and performance;
- (i) Emergency Response Training, including
 - (i) pesticide spills,
 - (ii) fire and pesticides, and
 - (iii) first aid,
- (j) Professional Conduct Training, including dealing effectively with clients and with the public regarding the use of pesticides;
- (k) other pesticide issues training, as may be approved by the Director. (EC761/05)

3. (1) Any person who wishes to take or wishes to offer a training event, for which CECs may be earned by the person or by a participant, shall submit a training event proposal form to the Steering Committee, including

Training events

- (a) the proposed dates;
- (b) the name of the proposed trainer;
- (c) the nature and scope of the training event; and
- (d) such other information as the Committee may require.

(2) The Steering Committee shall review a submission under subsection (1) and the Steering Committee may approve the person's participation in, or offering of, the training event if the Steering Committee is satisfied that the training event is

Approval of training event

- (a) directly related to the application of regulated pesticides in the province;
- (b) led by a trainer who
 - (i) is acceptable to the Director, and
 - (ii) is representative of one or more of the following groups:
 - (A) a pesticide user group or agricultural organization;
 - (B) a private or academic training group;

- (C) an agribusiness consultant;
- (D) a professional association;
- (E) a provincial or federal government department or agency.

Earning CECs

- (3) A person who
- (a) holds an AG-1 Pesticide Use Certificate or a Class A Pesticide Applicator Certificate; and
 - (b) attends a training event approved by the Steering Committee,
- shall earn CECs on an hour-for-hour basis as specified in the approval for the following types of training events:
- (c) trainer-led courses including seminars, field days, user-group meetings, or workshops where
 - (i) pesticide-related topics are covered, and
 - (ii) the continued attendance and active participation of the person claiming CECs can be verified by the Director;
 - (d) interactive computer programs approved by the Director;
 - (e) the proctored viewing of video materials;
 - (f) the self-study of pesticide education materials with verified testing; and
 - (g) courses in first aid or WHMIS only if such courses are specifically designed to address pesticide-related issues.

Written record

- (4) A trainer who conducts a training event approved by the Steering Committee shall provide each participant in the training event with a written record, on the form approved by the Director, of the participant's attendance at the training event. (EC761/05; 313/06)

LICENCES, CERTIFICATES, PERMITS

Fees

- 4.** (1) The fees for an application for, or renewal of, a licence, certificate or permit under these regulations shall be payable to the Provincial Treasurer in the amount set out in Schedule 4 of these regulations.

Forms

- (2) An application, and a licence, certificate or permit issued by the Minister under these regulations shall be in the appropriate form set out in Schedule 3 of these regulations.

Applicants shall be
18

- (3) All applicants for a licence, certificate or permit issued by the Minister shall be at least 18 years of age and pay the required fee at the time of the application. (EC761/05)

Licences

- 5.** (1) The Minister may, on application, issue one or more of the Pesticide Application Business Licences described in subsection (2) to a person who
- (a) provides proof of a current policy of insurance with coverage of
 - (i) at least \$500,000 for pollution liability, and

- (ii) at least \$1,000,000 for general public liability;
- (b) provides proof of the ownership of, or access to, a pesticide storage facility described in subsection 20(2); and
- (c) provides proof that the business for which the licence is intended employs at least one person who holds a Pesticide Applicator Certificate appropriate to the Pesticide Application Business Licence applied for.

(2) The following classes of Pesticide Application Business Licences may be issued by the Minister under subsection (1) in respect of the activities herein described: Classes of licence

- (a) a Class A Pesticide Application Business Licence authorizes the holder of the licence to operate ground agricultural equipment, if
 - (i) the person uses the equipment to apply a pesticide for a fee, charge or other valuable consideration, and
 - (ii) fifty per cent or more of the annual usage of the equipment is a use described in subclause (i);
- (b) a Class B Pesticide Application Business Licence authorizes the holder of the licence to offer a service involving the application of a pesticide for the control of mosquitoes or biting flies;
- (c) a Class C-1 Pesticide Application Business Licence authorizes the holder of the licence to offer a service involving the application of a non-fumigant pesticide to stored feed, or to dwellings or other structures;
- (d) a Class C-2 Pesticide Application Business Licence authorizes the holder of the licence to offer a service involving the application of a fumigant pesticide to stored feed, or to dwellings or other structures;
- (e) a Class D Pesticide Application Business Licence authorizes the holder of the licence to offer a service involving the application of a seed or seed-piece treatment pesticide;
- (f) a Class E Pesticide Application Business Licence authorizes the holder of the licence to offer a service involving the application of a pesticide to ornamental vegetation, golf course turf and other non-crop areas not referred to in clause (c) or (d);
- (g) a Class F-1 Pesticide Application Business Licence authorizes the holder of the licence to offer a pesticide application service for forestry herbicide application;
- (h) a Class F-2 Pesticide Application Business Licence authorizes the holder of the licence to supervise the application of a pesticide for the production of tree seedlings for reforestation purposes;
- (i) a Class G Pesticide Application Business Licence authorizes the holder of the licence to supervise the application of a pesticide in a greenhouse other than a person who holds a Class F-2 licence;

(j) a Class H Pesticide Application Business Licence authorizes the holder of the licence to offer a service involving the application of a soil fumigant pesticide;

(k) a Class I Pesticide Application Business Licence authorizes the holder of the licence to offer a pesticide application service not specified in clauses (a) to (j).

Conditions on
licence

(3) The Minister may impose any conditions on a Pesticide Application Business Licence issued or renewed under this section that the Minister considers necessary for the protection of human health and the environment.

Expiry

(4) A Pesticide Application Business Licence shall be issued on Form 4 of Schedule 3 and expires on December 31 of the year in which the licence is issued.

Effective date of
clause (2)(e)

(5) Clause (2)(e) comes into force on April 1, 2007.

Insurance not
required, where

(6) A person who applies for a Class B Pesticide Application Business Licence is not required to hold the insurance coverage required by subclause (1)(a)(i) if the person provides to the Minister written confirmation that the person will not offer a service involving the application of a chemical-based pesticide during the term of the licence applied for. (EC761/05; 313/06)

Transitional

5.1 (1) The following certificates are deemed to have been issued under these regulations:

- (a) AG-1 Pesticide Use Certificates;
- (b) AG-2 Pesticide Use Certificates.

Expiry of AG-1
Pesticide Use
Certificate

(2) An AG-1 Pesticide Use Certificate expires on
(a) the date shown on the face of the certificate; or
(b) the date on which a conditional Class A Pesticide Applicator Certificate is issued to the holder under clause 8(3)(a),
whichever is earlier.

Expiry of AG-2
Pesticide Use
Certificate

(3) An AG-2 Pesticide Use Certificate expires on
(a) December 31, 2006;
(b) the date on which a Class A Pesticide Applicator Certificate is issued to the holder under subsection 6(5.1);
(c) the date on which a conditional Class A Pesticide Applicator Certificate is issued to the holder under subsection 8(3); or
(d) the date on which a Loader/mixer Certificate is issued to the holder under subsection 10(1),
whichever is earlier. (EC313/06)

6. (1) The Minister may, on application, issue one or more of the Pesticide Applicator Certificates listed in subsection (2) to a person who has successfully completed a written examination approved by the Director and appropriate to the class of certificate applied for, with a mark in the examination of not less than 75%.

Applicator
certificates

(2) The following classes of certificate may be issued by the Minister under subsection (1) in respect of the activities herein described:

Classes of
certificate

- (a) a Class A Pesticide Applicator Certificate authorizes the holder of the certificate to apply pesticides to control pests
 - (i) on an agricultural crop or a product that is not located in a greenhouse, and
 - (ii) on agricultural land;
- (b) a Class B Pesticide Applicator Certificate authorizes the holder of the certificate to apply a pesticide to control mosquitoes or biting flies;
- (c) a Class C-1 Pesticide Applicator Certificate authorizes the holder of the certificate to apply a non-fumigant pesticide to stored feed, dwellings or other structures;
- (d) a Class C-2 Pesticide Applicator Certificate authorizes the holder of the certificate to apply a fumigant pesticide to stored feed, dwellings or other structures;
- (e) a Class D Pesticide Applicator Certificate authorizes the holder of the certificate to apply a pesticide as a seed or seed-piece treatment;
- (f) a Class E Pesticide Applicator Certificate authorizes the holder of the certificate to apply a pesticide to ornamental vegetation, golf course turf and other non-crop areas not referred to in clause (c) or (d);
- (g) a Class F-1 Pesticide Applicator Certificate authorizes the holder of the certificate to apply a forestry herbicide;
- (h) a Class F-2 Pesticide Applicator Certificate authorizes the holder of the certificate to apply a pesticide for the production of tree seedlings for reforestation purposes;
- (i) a Class G Pesticide Applicator Certificate authorizes the holder of the certificate to apply a pesticide in a greenhouse, other than a person who holds a Class F-2 certificate;
- (j) a Class H Pesticide Applicator Certificate authorizes the holder of the certificate to apply a soil fumigant pesticide;
- (k) a Class I Pesticide Applicator Certificate authorizes the holder of the certificate to apply a pesticide for any purpose not specified in Classes A to H.

Conditions	(3) The Minister may impose any conditions on a Pesticide Applicator Certificate issued under this section that the Minister considers necessary for the protection of human health and the environment.
Expiry	(4) A Pesticide Applicator Certificate shall be issued on Form 5 of Schedule 3 and expires five years from the date of issue.
Waiver of exam requirement	(5) The Minister may, at the Minister's discretion, waive the examination requirement in subsection (1) for any person who, between January 1, 2002 and January 1, 2006, has <ul style="list-style-type: none"> (a) successfully completed a written examination approved by the Minister appropriate to the class of certificate applied for; and (b) attained a mark in the examination of not less than 75%.
Class A Pesticide Use Certificate to holder of AG-2	(5.1) The Minister may, at the Minister's discretion, waive the examination requirement in subsection (1) and issue a conditional Class A Pesticide Applicator Certificate to a person if the person <ul style="list-style-type: none"> (a) holds an AG-2 Pesticide Use Certificate; and (b) has earned, during 2006 and prior to the application, at least <ul style="list-style-type: none"> (i) two CECs in the category described as Environmental Impact Training, and (ii) two CECs in the category described as Pest Management Training.
Expiry	(5.2) Notwithstanding subsection (4), a Class A Pesticide Applicator Certificate issued to a person under subsection (5.1) expires on the date shown on the AG-2 Pesticide Use Certificate held by the person.
Effective date of clause (1)(e)	(6) Clause (2)(e) comes into force on April 1, 2007.
Subsection (5) revoked	(7) Subsection (5) is revoked on January 1, 2011. (EC761/05; 313/06)
Renewal of Class A Pesticide Applicator Certificate	7. (1) Subject to subsection (3), the Minister shall, on application, renew a Class A Pesticide Applicator Certificate issued under subsection 6(2) if, before the expiry of the certificate, the holder of the certificate <ul style="list-style-type: none"> (a) has earned a total of not less than 15 CECs in the pesticide training categories listed in section 2 as follows: <ul style="list-style-type: none"> (i) at least 10 CECs in the categories described as Pest Management Training, Pesticide Application Technology Training, Effects on Human Health Training, and Pesticide Safety Training, (ii) the remaining 5 CECs in any other category described in section 2; or (b) has

- (i) successfully completed a written examination approved by the Director, with a mark in the examination of not less than 75%, and
- (ii) demonstrated to the Director that he or she has the knowledge and skills necessary to safely and effectively handle, store and apply pesticides.

- (2) The Minister may not accept, for the purposes of subsection (1),
- (a) more than 5 CECs in any one pesticide training category;
 - (b) more than 5 CECs earned in a 12-month period.

Acceptable CECs

- (3) A Class A Pesticide Applicator Certificate renewed under subsection (1) is valid until
- (a) the date of expiry shown in the certificate; or
 - (b) five years from the date the certificate was issued,
- whichever is earlier. (EC761/05)

Expiry

- 8.** (1) The Minister shall, on the application of an individual, issue a conditional Class A Pesticide Applicator Certificate to the individual if the individual

Conditional Class A
Pesticide Applicator
Certificate

- (a) either
 - (i) held an AG-1 Pesticide Use Certificate, issued under the prior regulations, that expired not earlier than May 1, 2002, or
 - (ii) holds an AG-1 Pesticide Use Certificate that will expire not later than December 31, 2007; and
- (b) has provided proof, satisfactory to the Director, of the number of CECs earned within the time period required by Schedule 3.

- (2) A conditional Class A Pesticide Applicator Certificate issued under subsection (1) expires on the expiry date shown on the certificate.

Expiry

- (3) The Minister may issue a conditional Class A Pesticide Applicator Certificate to an individual if the individual holds an AG-1 Pesticide Use Certificate.

Conditional Class A
Pesticide Applicator
Certificate

- (4) A conditional Class A Pesticide Applicator Certificate issued to an individual under subsection (3) expires on the date shown on the face of the AG-1 Pesticide Use Certificate. (EC761/05; 313/06)

Expiry

- 9.** (1) Every person who holds a Pesticide Applicator Certificate and every person who is a certified assistant shall, in such manner as may be required by the Minister, keep records of each pesticide use or application, which shall include the following:

Records of pesticide
use or application

- (a) the name, address and telephone number, and Pesticide Applicator Certificate Number of the pesticide applicator;
- (b) the name, address, and telephone number of the person for whom the pesticide is being applied;

- (c) the location and dimensions of the area where the pesticide was applied;
- (d) the date and start time of the pesticide application;
- (e) the air temperature, wind speed, and wind direction at the start time of the pesticide application;
- (f) the name of any pest to be controlled or the purpose of the pesticide application;
- (g) the trade name and *PCP Act* (Canada) number of the pesticide applied;
- (h) the rate of pesticide application.

Record to be made within 72 hours

(2) Every person required to keep records under subsection (1) shall enter the use or application of a pesticide in the records not later than 72 hours after a pesticide use or application.

Records to be kept at least 3 years

(3) A person who made, or caused to be made, the records under this section shall

- (a) keep the records for a period of at least three years from the date of the use or application of the pesticide; and
- (b) make the records available to any environment officer appointed under the *Environmental Protection Act*, environmental health officer appointed under the *Public Health Act* R.S.P.E.I. 1988, Cap. P-30, medical practitioner registered under the *Medical Act* R.S.P.E.I. 1988, Cap. M-5 or conservation officer appointed or designated under the *Wildlife Conservation Act* R.S.P.E.I. 1988, Cap. W-4.1. (EC761/05; 313/06)

Loader/mixer Certificate

10. (1) The Minister may, on application, issue a Loader/mixer Certificate to a person who

- (a) has successfully completed a loader/mixer training program approved by the Director; or
- (b) holds a current AG-2 Pesticide Use Certificate.

Conditions

(2) The Minister may impose such conditions on a Loader/mixer Certificate issued under subsection (1) as the Minister considers necessary for the protection of human health or the environment.

Expiry

(3) A Loader/mixer Certificate shall be issued on Form 1 of Schedule 3 and the Loader/mixer Certificate expires

- (a) five years from the date of issue; or
- (b) on the date shown on the AG-2 Pesticide Use Certificate,

whichever is earlier. (EC761/05; 313/06)

Level 2 Biting Fly Certificate expires

11. Every Level 2 Biting Fly Pesticide Use Certificate issued by the Minister under the prior regulations shall immediately expire on the date these regulations come into force. (EC761/05)

- 12.** (1) Not later than January 31 of each year, every person who operates a business involving the sale or supply of a domestic or non-domestic pesticide shall provide the Minister with sales data for all domestic and non-domestic pesticides sold to retail customers for the previous calendar year. Sales data
- (2) For the purposes of this section, “sales data” means “sales data”,
defined
- (a) the trade or product name of the domestic or non-domestic pesticide;
 - (b) the *PCP Act* (Canada) number; and
 - (c) the quantity sold, including the unit measure. (EC761/05)
- 13.** (1) The Minister may, on application, issue a Non-domestic Pesticide Vendor Business Licence to a person who Non-domestic
Pesticide Vendor
Business Licence
- (a) has provided proof that the person for which the licence is intended
 - (i) owns, or has arrangements to use, a Phase III storage facility to store non-domestic pesticides, and
 - (ii) employs at least one person who holds a Non-domestic Pesticide Vendor Certificate; and
 - (b) has provided the sales data required by section 12 for the calendar year previous to the year the licence is requested.
- (2) The fee payable for an application or a renewal of a Non-domestic Pesticide Vendor Business Licence under subsection (1) shall be based on the sales data provided in clause (1)(c) as determined in Schedule 4. Fee based on sales
data
- (3) Where there is no historical pesticides sales data available on which to base the fee payable for a Non-domestic Pesticide Vendor Business Licence, the fee payable may be based on reasonable projections of sales data provided by the applicant and approved by the Minister, as determined in Schedule 4. Where no historical
sale data available
- (4) The Minister may impose any conditions on a Non-domestic Pesticide Vendor Business Licence issued or renewed under this section that the Minister considers necessary for the protection of human health and the environment. Conditions on
licence
- (5) A Non-domestic Pesticide Vendor Business Licence shall be issued on Form 2 of Schedule 3 and expires Expiry
- (a) on the last day of February of the year following the date of issue of the licence; or
 - (b) when the person for which the licence is issued no longer employs at least one person who holds a Non-domestic Pesticide Vendor Certificate,
- whichever occurs earlier.

Transitional	(6) A valid Pesticide Sales Licence issued in 2005 under the prior regulations is deemed to be a Non-domestic Pesticide Vendor Business Licence and expires on the date of expiry in the Pesticide Sales Licence.
Licence under prior regulations	(7) A valid Pesticide Sales Licence issued under the prior regulations to a person who successfully completed an examination on or after January 1, 2002 for the purpose of obtaining a Pesticide Sales Licence, personally or on behalf of their employer, <ul style="list-style-type: none"> (a) is deemed to be a Non-domestic Pesticide Vendor Certificate; and (b) expires five years from the date on which the person completed the examination.
Effective date of clause (5)(b)	(8) Clause (5)(b) comes into force on March 1, 2006.
Revocation	(9) Subsections (6) and (7) are revoked on February 28, 2006. (EC761/05)
Non-domestic Pesticide Vendor Certificate	14. (1) The Minister may, on application, issue a Non-domestic Pesticide Vendor Certificate to a person who has successfully completed a written examination, approved by the Director, with a mark in the examination of not less than 75%.
Conditions	(2) The Minister may impose any conditions on a Non-domestic Pesticide Vendor Certificate issued under this section that the Minister considers necessary for the protection of human health and the environment.
Expiry	(3) A Non-domestic Pesticide Vendor Certificate shall be issued on Form 3 of Schedule 3 and expires five years from the date of examination. (EC761/05)
Revocation of licence, certificate or permit	15. (1) Where, in the opinion of the Minister, a holder of a licence, certificate or permit has contravened a provision of the Act or these regulations or a condition of the licence, certificate or permit, the Minister may revoke the licence or certificate.
Notice of revocation	(2) Notice of the revocation of a licence, certificate or permit pursuant to subsection (1) may be given by <ul style="list-style-type: none"> (a) personal service; or (b) by registered mail to the last known address of the holder of the licence, certificate or permit as shown in the records of the Minister.
Deemed service	(3) A notice mailed pursuant to clause (2)(b) shall be deemed to be served on the holder of the licence or certificate <ul style="list-style-type: none"> (a) on the date the holder of the licence or certificate actually receives the notice; or

(b) 5 days after the date on which the notice was mailed, whichever is earlier. (EC761/05)

16. (1) The Minister may, on application, issue a Pesticide Purchase Permit to a holder of a Pesticide Application Business Licence or to the operator of an agricultural operation that employs at least one person who holds a Pesticide Applicator Certificate.

Pesticide Purchase Permit

(2) A Pesticide Purchase Permit expires

Expiry

- (a) on December 31 of the year in which the Permit was issued;
- (b) on the expiry date of the Pesticide Applicator Certificate of the individual listed as the certified applicator on the Pesticide Purchase Permit application form submitted pursuant to subsection (1); or
- (c) on the date when the operator of the agricultural operation ceases to employ the individual listed as the certified applicator on the Pesticide Purchase Permit application form submitted pursuant to subsection (1),

whichever is earlier. (EC761/05; 313/06)

17. (1) A person who sells a non-domestic pesticide shall prepare a written record of sale within 24 hours of the sale indicating the name, number and expiry date on the purchaser's Pesticide Applicator Certificate or Pesticide Purchase Permit.

Record of sale

(2) A person who sells a Schedule 1 pesticide shall prepare a written record of sale within 24 hours of the sale indicating the

Idem

- (a) name, number and expiry date on the purchaser's Pesticide Applicator Certificate or Pesticide Purchase Permit; and
- (b) number of the purchaser's Pesticide Application Permit. (EC761/05)

18. (1) An operator of an agricultural operation or a holder of a Pesticide Application Business Licence may, in writing, authorize an employee to use a Pesticide Purchase Permit issued under subsection 16(1) for the purpose of purchasing a regulated pesticide for the use of the operator of the agricultural operation or the holder of a Pesticide Application Business Licence.

Authorize employee to use permit

(2) An authorization under subsection (1) expires on the date that

Expiry of authorization

- (a) is specified on the authorization;
- (b) the employee is no longer employed by the operator of the agricultural operation or the holder of a Pesticide Application Business Licence; or
- (c) the operator of the agricultural operation or the holder of a Pesticide Application Business Licence rescinds the authorization.

Permit to be returned	(3) An employee who is no longer authorized to use a Pesticide Purchase Permit shall return the Permit immediately to the operator of the agricultural operation or the holder of a Pesticide Application Business Licence. (EC761/05)
Pesticide Application Permit	19. (1) Subject to subsection (2), the Minister may, on application, issue a Pesticide Application Permit to a person who <ul style="list-style-type: none"> (a) has submitted the application at least ten days prior to the planned date of pesticide application; and (b) has provided such information as the Minister may request.
Use limited in buffer zone	(2) A Pesticide Application Permit for use in a buffer zone may only be issued under subsection (1) for the purpose of controlling noxious weeds.
Form, contents of permit	(3) A Pesticide Application Permit shall be in such form and contain such particulars as the Minister may determine and expires on the date shown on the permit.
Make copy of permit available	(4) Every person who holds a Pesticide Application Permit shall, immediately upon the request of an environment officer, make available a copy of that Permit to that environment officer. (EC761/05)
Separate storage from food	20. (1) Every person who <ul style="list-style-type: none"> (a) keeps or stores a pesticide; or (b) has kept or stored a pesticide, shall do so in a manner that ensures that the pesticide or any container that holds a pesticide is kept and stored separately from any foodstuffs, feeds or any other material intended for consumption by humans or animals.
Storage facility	(2) Every operator of an agricultural operation and every holder of a Pesticide Application Business Licence who possess pesticides in amounts in excess of 100 kilograms or 100 litres of formulated product shall ensure that the pesticide is stored in a storage facility that <ul style="list-style-type: none"> (a) is maintained and used exclusively for the storage of a pesticides; (b) is free of an accumulation of waste materials other than pesticide containers; (c) has a floor that is constructed to contain and control up to 150% of the volume of any pesticide product stored in the facility; (d) has a floor that is constructed of concrete or another water-impervious material and recessed a minimum of 10 centimetres, or have a liquid-tight sill raised to a minimum height of 10 centimetres; (e) provides adequate ventilation, either mechanical or natural; (f) has conspicuously placed 'NO SMOKING' signs;

- (g) has a sign that states ‘WARNING—PESTICIDE STORAGE AREA’ on all doors;
- (h) is not accessible to the public and is locked when the holder of the licence or an employee of the that person is not present on the premises on which the pesticide is stored;
- (i) has properly maintained and approved safety equipment to be used in emergency situations;
- (j) includes secure shelving, raised flooring, or otherwise provide for ‘off the floor’ product storage;
- (k) has no floor drainage;
- (l) is positioned not less than 8.0 metres from incompatible materials (e.g., fuels, fertilizers);
- (m) has posted, by the nearest phone, the following emergency telephone numbers:
 - (i) 911 (fire, police, ambulance),
 - (ii) provincial pesticide enforcement office,
 - (iii) provincial or regional poison control centre,
 - (iv) provincial environmental emergency office;
- (n) includes an up-to-date product storage inventory; and
- (o) includes, on-site, reference Material Safety Data Sheets (MSDSs) for all stored pesticides.

(3) Subsection (2) comes into force on April 1, 2007. (EC761/05) Effective date

21. (1) Every person who handles, loads, transports, mixes or applies a Schedule 1 pesticide shall carry on their person a Pesticide Application Permit at all times when the person is handling, loading, transporting, mixing or applying the Schedule 1 pesticide. Permit to be carried, when

(2) Every person who transports on a highway seed treated with a pesticide or who sells or supplies seed treated with a pesticide to any other person, shall label all containers “Seed treated with -- (name of pesticide). Do not use for food or feed”. (EC761/05) Labels

22. Every person who applies a pesticide shall apply it in the manner specified on the label of the package of the pesticide. (EC761/05) Application as specified on label

OFFENCES

23. No person who disposes of Disposal of pesticide, etc

- (a) a pesticide;
- (b) a mixture containing a pesticide; or
- (c) a material treated with a pesticide,

shall carry out the disposal other than in the manner and using the method recommended by the manufacturer or the Minister. (EC761/05)

Prior notice of application	<p>24. (1) No person shall apply a non-domestic pesticide for the control of a landscape, structural, greenhouse or soil-based pest unless the person has provided notice, in accordance with subsection (2), to all persons who own property that is located within 25 metres of the proposed pesticide application, measured from the edge of the area to which the pesticide is to be applied,</p> <ul style="list-style-type: none"> (a) in writing, at least 24 hours but not more than 48 hours prior to the pesticide application; or (b) by phone, at least 24 hours but not more than 48 hours prior to the pesticide application and in writing immediately prior to the pesticide application.
Contents of notice	<p>(2) The notice required in subsection (1) shall include</p> <ul style="list-style-type: none"> (a) the trade name of the pesticide being applied; (b) the active ingredient or ingredients of the pesticide or pesticides being applied; (c) the pest or pests for which control is being undertaken; (d) the proposed date and time of the application; (e) the name and phone number of the pesticide applicator; and (f) the recommended caution interval and re-entry time, if such is available from the pesticide manufacturer, or as appears on the pesticide label. (EC761/05)
Posting notices	<p>25. (1) No person shall apply a non-domestic pesticide for the control of a landscape, structural, greenhouse or soil-based pest unless, immediately prior to the pesticide application, the person posts a notice, in accordance with subsection (2), on the area to which the pesticide is to be applied.</p>
Contents of notice	<p>(2) The notice required in subsection (1) shall include</p> <ul style="list-style-type: none"> (a) the trade name of the pesticide being applied; (b) the active ingredient or ingredients of the pesticide or pesticides being applied; (c) the pest or pests for which control is being undertaken; (d) the date and time, or proposed date and time, of the application; (e) the name and phone number of the pesticide applicator; (f) the recommended caution interval and re-entry time, if such is available from the pesticide manufacturer, or as appears on the pesticide label <p>and be posted on a sign or signs that</p> <ul style="list-style-type: none"> (g) measure not less than 22 cm by 28 cm; (h) are constructed of weather-resistant materials; (i) have all the required information printed, in weather-resistant ink, on both sides of the sign; and

(j) are positioned in such a manner, and in such quantity, as to make them clearly visible to the public.

(3) No person shall apply a pesticide to, or within, a structure, or engage in the fumigation of a structure, unless the person first ensures that signs, in accordance with subsection (2), are posted at all entrances and exits to the structure.

Signs at entrances
and exits

(4) Every owner of a property on which notice is posted under subsection (1) shall ensure that all posted signs remain in place and are clearly visible to the general public for a period of at least 48 hours following the pesticide application, or for the label-recommended caution period, whichever is greater. (EC761/05)

Owner to ensure
notices remain for
48 hours

26. No person who holds a Non-domestic Pesticide Vendor Business Licence shall store pesticides in a facility other than a Phase III storage facility. (EC761/05)

Storage of
pesticides

27. (1) No person shall transport in, or on, a vehicle a pesticide together with commodities that are

Transportation of
pesticide

- (a) foodstuffs, feeds or any other material intended for consumption by humans or animals;
- (b) household furnishings; or
- (c) toiletries, clothes, bedding or similar commodities,

unless the pesticide being transported is separated from such commodities in a manner sufficient to prevent their contamination or likely contamination by the concentrated pesticide.

(2) Every person who transports a concentrated non-domestic pesticide in, or on, a vehicle shall ensure that

Idem

- (a) such pesticide is packaged in the original manufacturer's sealed container in a manner that will ensure that the pesticide will not spill out of the container; and
- (b) the container referred to in clause (a) is
 - (i) enclosed within a leak-proof compartment that is separate from, but securely affixed to the vehicle, or
 - (ii) secured to the vehicle by straps or other appropriate means that render the pesticide safe for transport.

(3) Clause 2(b) does not apply to a concentrated non-domestic pesticide packaged in a manufacturer's drum, or to other bulk containers if they are secured to the transport vehicle in accordance with the *Highway Traffic Act Commercial Vehicle (Cargo Securement) Regulations*.

Exception

(4) Every person who owns, or has possession of, pesticide application equipment shall ensure that the equipment is locked while unattended.

Equipment to be
locked

- Transports, sells
treated seed
- (5) Every person who
- (a) transports seed treated with a pesticide; or
 - (b) sells or supplies seed treated with a pesticide to any other person,
- shall label all containers of such seed with the words “Seed treated with - (name of pesticide). Do not use for food or feed”. (EC761/05; 313/06)
- Licence mandatory
- 28.** (1) No person shall
- (a) operate ground agricultural equipment, if
 - (i) the person uses the equipment to apply a pesticide for a fee, charge or other valuable consideration, and
 - (ii) fifty per cent or more of the annual usage of the equipment is a use described in subclause (i),
 unless the person holds a Class A Pesticide Application Business Licence;
 - (b) offer a service involving the application of a pesticide for the control of mosquitoes or biting flies unless the person holds a Class B Pesticide Application Business Licence;
 - (c) offer a service involving the application of a non-fumigant pesticide to stored feed, or to dwellings or other structures unless the person holds a Class C-1 Pesticide Application Business Licence;
 - (d) offer a service involving the application of a fumigant pesticide to stored feed, or to dwellings or other structures unless the person holds a Class C-2 Pesticide Application Business Licence;
 - (e) offer a service involving the application of a seed or seed-piece treatment pesticide unless the person holds a Class D Pesticide Application Business Licence;
 - (f) offer a service involving the application of a pesticide to ornamental vegetation, golf course turf and other non-crop areas not referred to in clause (c) or (d) unless the person holds a Class E Pesticide Application Business Licence;
 - (g) offer a pesticide application service for forestry herbicide application unless the person holds a Class F-1 Pesticide Application Business Licence;
 - (h) offer a service involving the application of a pesticide for the production of tree seedlings for reforestation purposes unless the person holds a Class F-2 Pesticide Application Business Licence;
 - (i) offer a service involving the application of a pesticide in a greenhouse unless the person offering such service holds a Class G Pesticide Application Business Licence, or a Class F-2 Pesticide Application Business Licence;
 - (j) offer a service involving the application of a soil fumigant pesticide unless the person holds a Class H Pesticide Application Business Licence; and

- (k) offer a pesticide application service not specified in clauses (a) to (j) unless the person holds a Class I Pesticide Application Business Licence.

(2) No person shall

Certificate
mandatory

- (a) apply a non-domestic pesticide to control pests
 - (i) on agricultural land, or
 - (ii) on an agricultural crop or product that is not located in a greenhouse,
 unless the person holds a Class A Pesticide Applicator Certificate or is a certified assistant;
- (b) apply a non-domestic pesticide to control mosquitoes or biting flies unless the person holds a Class B Pesticide Applicator Certificate;
- (c) apply a non-domestic, non-fumigant pesticide to stored feed, dwellings or other structures unless the person holds a Class C-1 Pesticide Applicator Certificate;
- (d) apply a fumigant pesticide to stored feed, dwellings or other structures unless the person holds a Class C-2 Pesticide Applicator Certificate;
- (e) apply a non-domestic pesticide as a seed or seed-piece treatment unless the person holds a Class D Pesticide Applicator Certificate;
- (f) apply a non-domestic pesticide to ornamental vegetation, golf course turf and other non-crop areas not referred to in clause (c) or (d) unless the person holds a Class E Pesticide Applicator Certificate;
- (g) apply a non-domestic forestry herbicide unless the person holds a Class F-1 Pesticide Applicator Certificate;
- (h) apply a non-domestic pesticide for the production of tree seedlings for reforestation purposes unless the person holds a Class F-2 Pesticide Applicator Certificate;
- (i) apply a non-domestic pesticide in a greenhouse, other than a person who holds a Class F-2 licence unless the person holds a Class G Pesticide Applicator Certificate;
- (j) apply a soil fumigant pesticide unless the person holds a Class H Pesticide Applicator Certificate; and
- (k) apply a non-domestic pesticide for any purpose not specified in Classes A to H unless the person holds a Class I Pesticide Applicator Certificate. (EC761/05; 313/06)

29. (1) No person shall

- (a) handle a non-domestic pesticide; or
 - (b) transport a non-domestic pesticide on a highway,
- unless the person
- (c) holds a Loader/mixer Certificate;

Handling,
transporting on
highway

	(d) holds a Pesticide Applicator Certificate; (e) holds a non-domestic Pesticide Vendor Certificate; (f) holds a Transportation of Dangerous Goods Certificate issued under the <i>Transportation of Dangerous Goods Act (Canada)</i> ; or (g) is a certified assistant.
Mixing pesticide	(2) No person shall mix a non-domestic pesticide unless the person (a) holds a Loader/mixer Certificate; (b) holds a Pesticide Applicator Certificate; or (c) is a certified assistant.
Exception	(3) Subsection (1) does not apply to seed treated with a pesticide. (EC761/05; 313/06)
Licence mandatory	30. No person shall operate a business involving the sale or supply of a non-domestic pesticide unless the person holds a Non-domestic Pesticide Vendor Business Licence.
Certificate required	31. (1) No person shall sell a non-domestic pesticide or a Schedule 1 pesticide to any person unless the person holds a Non-domestic Pesticide Vendor Certificate.
Information or recommendations	(2) No person, while acting as an employee of a business that is licensed to sell non-domestic pesticides, shall provide pesticide related information or recommendations to another person unless the person holds a Non-domestic Pesticide Vendor Certificate. (EC761/05)
Certificate, permit or licence mandatory	32. (1) No person shall sell or offer to sell a non-domestic pesticide to a purchaser unless the purchaser (a) holds a Pesticide Applicator Certificate; (b) holds or is authorized to use a Pesticide Purchase Permit; or (c) holds a Pesticide Applicator Business Licence.
Certificate or permit mandatory	(2) No person shall purchase a non-domestic pesticide unless the person holds (a) a Pesticide Applicator Certificate; or (b) is authorized to use a Pesticide Purchase Permit.
<i>Idem</i>	(3) No person shall purchase a Schedule 1 pesticide unless the person (a) holds a Pesticide Applicator Certificate or is authorized to use a Pesticide Purchase Permit; and (b) holds a Pesticide Application Permit.
<i>Idem</i>	(4) No person shall sell or offer to sell a Schedule 1 pesticide to a purchaser unless the purchaser

- (a) holds a Pesticide Applicator Certificate, is authorized to use a Pesticide Purchase Permit or holds a Pesticide Applicator Business Licence; and
 (b) holds a Pesticide Application Permit. (EC761/05)

33. No person authorized under section 18 to use a Pesticide Purchase Permit shall use the Permit for any purpose other than to purchase a regulated pesticide for the use of the person authorizing the use of the permit. (EC761/05)

Permit not to be used for another purpose

34. No person shall give, transfer, sell, lend or assign a Pesticide Purchase Permit to any other person, except as authorized by the Director, in writing, or by an operator or a holder under section 18. (EC761/05; 313/06)

Permit not transferable

35. No person shall apply

- (a) a pesticide to any open body of water;
 (b) a pesticide to control mosquitoes or biting flies;
 (c) a pesticide within a buffer zone; or
 (d) a Schedule 1 pesticide anywhere in the province,
 unless the person holds a Pesticide Application Permit. (EC761/05)

"Prohibition

36. No person shall apply a pesticide that is listed in Schedule 6 of these regulations. (EC761/05)

No application of Schedule 6 pesticide

37. No person shall use an aircraft to apply a pesticide or pesticide mixture. (EC761/05)

No application by aircraft

38. (1) No person shall permit or cause any sprayer or other equipment used to apply pesticides to be

- (a) filled, discharged, washed or flushed out within 25 metres of the water's edge of any open body of water; or
 (b) discharged, washed or flushed out within 25 metres of a water well.

Filling, washing, etc. sprayer

(1.1) The distances referred to in subsection (1) shall be measured horizontally.

Distance measured horizontally

(2) No person shall permit or cause any sprayer or other equipment used to apply pesticides to be filled from an open body of water or a water well.

Idem

(3) No person shall permit or cause any container in which any pesticide is, or has been stored, to be brought, used or abandoned within 25 metres, measured horizontally, of the water's edge of any open body of water. (EC761/05; 313/06)

Idem

- Wind speed **39.** No person shall apply a pesticide when the wind speed, measured at the point of application, exceeds 20 km/h. (EC761/05)
- Discharge in accordance with label **40.** No person shall allow any pesticide, pesticide mixture or solution containing a pesticide to be discharged from any equipment used in the transport, storage or application of pesticides except in a manner permitted by the manufacturer's label. (EC761/05)
- Revocation **41.** The *Pesticides Control Act* Regulations (EC543/84) are revoked. (EC761/05)

SCHEDULE 1
PESTICIDES FOR WHICH A PERMIT IS REQUIRED

1. Dinoseb 300 EC	<i>PCP Act No. 15086</i>
2. Vecto Bac 200 G	<i>PCP Act No. 18158</i>
3. Vecto Bac 600L	<i>PCP Act No. 19455</i>
4. Vecto Bac 1200L	<i>PCP Act No. 21062</i>
5. Guthion Spray Concentrate	<i>PCP Act No. 8106</i>
6. Guthion Spray Concentrate Insecticide	<i>PCP Act No. 9398</i>
7. Guthion 50% WP Crop Insecticide	<i>PCP Act No. 10101</i>
8. Azinphos Methyl 50W Wettable Powder 50%	<i>PCP Act No. 15645</i>
9. APM 50W Wettable Powder Insecticide	<i>PCP Act No. 16412</i>
10. Azinphos Methyl 240 EC	<i>PCP Act No. 17533</i>
11. Guthion Solupak	<i>PCP Act No. 21374</i>
12. Clean Crop Azinphos-M 50W	<i>PCP Act No. 22087</i>
13. Azinphos Methyl 35W	<i>PCP Act No. 22265</i>
14. Clean Crop Azinphos-M 240 EC	<i>PCP Act No. 22562</i>
15. APM 50W Instapak	<i>PCP Act No. 22864</i>
16. Sniper 50W	<i>PCP Act No. 23287</i>
17. Sniper 50W Clean Pak	<i>PCP Act No. 23323</i>
18. Sniper 240 E	<i>PCP Act No. 23337</i>
19. Vapam Liquid Solution Soil Fumigant	<i>PCP Act No. 6453</i>
20. Terr-o-gas 67 Preplant Soil Fumigant	<i>PCP Act No. 13477</i>
21. BASF Basamid Granular (Soil Fumigant)	<i>PCP Act No. 15032</i>
22. Busan 1020	<i>PCP Act No. 19421</i>
23. TCC Methyl Bromide Fumigant	<i>PCP Act No. 19498</i>
24. BASF Metam Fluid 380 G/L	<i>PCP Act No. 19556</i>
25. Chloropicrin 100 Liquid Soil Fumigant (EC761/05)	<i>PCP Act No. 25863</i>

SCHEDULE 2
EXCLUDED PESTICIDES

An excluded pesticide is any pesticide that is used,

- (a) as a bactericide in cutting oils or aviation and marine fuels;
 - (b) in household
 - (i) cleansers,
 - (ii) deodorizers,
 - (iii) disinfectants, or
 - (iv) soaps;
 - (c) as a dust control agent;
 - (d) as a fabric softener;
 - (e) as a bactericide or algacide for use in swimming pools, domestic water supplies, industrial cooling systems, home aquaria, aquaculture facilities, or ornamental pools;
 - (f) as a surfactant, preservative or adjuvant;
 - (g) to control, destroy, mitigate, attract or repel any organism that is injurious to or noxious or troublesome for humans or domestic animals;
 - (h) as bait for flies, powder or liquid formulations for lice or in a commercial rodenticide or barn spray;
 - (i) in pesticide analysis and research work in a laboratory or experimental research plot;
 - (j) in an industrial process incorporating a pesticide into a manufactured product on the premises where the product is manufactured; or
 - (k) by medical practitioners, veterinarians or health officers for the purpose of treatment, control, mitigation or prevention of pests in or on humans or animals.
- (EC761/05)

SCHEDULE 3

FORMS

FORM 1 – LOADER/MIXER CERTIFICATE

LOADER/MIXER CERTIFICATE	
Name: Address: Phone: Certificate Number: Expiry Date: Authorized Signature:	<div style="border: 1px solid black; width: 80%; margin: auto; height: 100px;"> <p style="text-align: center; margin: 0;">Photo here</p> </div>

(EC761/05)

FORM 2 –NON-DOMESTIC PESTICIDE VENDOR BUSINESS LICENCE

<p>Province of Prince Edward Island Department of Environment, Energy and Forestry</p> <p>Non-Domestic Pesticide Vendor Business Licence</p> <p>This certifies that a licence was issued by the Minister to</p> <p><i>(Company Name)</i></p> <p>to sell pesticides in the Province of Prince Edward Island pursuant to section 13 of the <i>Pesticides Control Act</i> regulations.</p> <p>Licence Number: Issue Date: Expiry Date: Authorized Signature:</p>

(EC761/05)

**FORM 3 – NON-DOMESTIC PESTICIDE
VENDOR CERTIFICATE**

NON-DOMESTIC PESTICIDE VENDOR CERTIFICATE	
Name: Address: Phone: Certificate Number: Expiry Date: Authorized Signature:	<div style="border: 1px solid black; width: 100%; height: 100%; display: flex; align-items: center; justify-content: center;"> Photo here </div>

(EC761/05)

FORM 4 - PESTICIDE APPLICATION BUSINESS LICENCE

Province of Prince Edward Island
 Department of Environment, Energy and Forestry

Pesticide Application Business Licence

This certifies that
 a licence was issued by the Minister to

(Company Name)

to operate a *(Class of Licence)* pesticide
 application service in the
 Province of Prince Edward Island
 pursuant to section 5 of the
Pesticides Control Act regulations.

Licence Number:
 Issue Date:
 Expiry Date:
 Authorized Signature:

(EC761/05)

FORM 5 - PESTICIDE APPLICATOR CERTIFICATE

PESTICIDE APPLICATOR CERTIFICATE	
Contact Name:	Photo here
Address:	
Phone:	
Applicator Class:	
Certificate Number:	
Expiry Date:	
Authorized Signature:	

(EC761/05)

FORM 6 – PESTICIDE PURCHASE PERMIT

PESTICIDE PURCHASE PERMIT
Company Name:
Contact Name:
Address:
Phone:
Certificate Number:
Expiry Date:
Authorized Signature:

(EC761/05)

FORM 7**APPLICATION FOR PESTICIDE APPLICATION BUSINESS LICENCE**

Under section 28 of the *Pesticide Control Act* Regulations, a person who operates a business or provides a service that involves the application of a domestic or non-domestic pesticide for a fee must hold a Pesticide Application Business Licence.

Personal information on this form is collected under section 5 of the *Pesticide Control Act* Regulations as it relates directly to and is necessary for an application for a Pesticide Application Business Licence. If you have any questions about this collection of personal information, you may contact the Manager of the Pesticide Regulatory Program, 11 Kent Street, Jones Building, Charlottetown, PEI C1A 7N8, Phone: (902) 368-5474.

Applicant Contact Information	
Company Name:	
Contact Name:	
Phone:	Fax:
Mailing Address:	
Postal Code:	Email:

Applicant's Signature: _____ Date: _____
(Where applicant is a partnership or a corporation, the signature of a partner, or an authorized officer of the corporation is required.)

Licence Class – check one	
Class A, Agricultural – operating ground agricultural equipment for pesticide application	
Class B, Mosquito & Biting Fly - application of a pesticide for the control of mosquitoes or biting flies	
Class C-1, Structural - application of a non-fumigant pesticide to stored feed, dwellings or other structures	
Class C-2, Structural Fumigation - application of a fumigant pesticide to stored feed, dwellings or other structures	
Class D, Seed/Seed-piece Treatment - application of a seed or seed-piece treatment pesticide	
Class E, Landscape - application of a pesticide to ornamental vegetation	
Class F-1, Forestry Herbicides - forestry herbicide application	
Class F-2, Reforestation - application of a pesticide for the production of tree seedlings for reforestation purposes	
Class G, Greenhouse - application of a pesticide in greenhouses	
Class H, Soil Fumigation - application of a soil fumigant pesticide	
Class I, Other – other pesticide applications	
New Applicant	Renewal of Licence
Present Licence Number:	
Certified Applicator Information (Pesticide Applicator Certificate Holder)	
Name:	
Phone:	Fax:
Mailing Address:	
Postal Code:	Email:
Certified Applicator Status:	Owner of Company Employee of Company

Certificate Class and No.:
Certificate Expiry Date:

Signature of Certified Applicator: _____ Date: _____
(if not company owner)

- The application fee for a Pesticide Application Business Licence is \$200 per licence
- A separate application is required for each licence applied for
- A copy of the insurance policy required by clause 5(1)(a) of the regulations (limited pollution liability and general public liability) must accompany all applications

Method of Payment

(Check appropriate box)

Cheque

Money Order

Cash or Debit Card

Credit Card

Amount Enclosed: \$ _____**Please forward application and payment to:**

Department of Environment, Energy and Forestry

Pollution Prevention Division

Pesticide Regulatory Program

PO Box 2000, 11 Kent Street

Charlottetown, PE C1A 7N8

Tel: (902) 368-5474

**Cheques or money orders should be made payable to the Provincial Treasurer.
Pesticide Application Business Licences will be mailed to the applicant's address
above. Please allow two weeks for delivery.**

(EC761/05)

FORM 8**APPLICATION FOR PESTICIDE APPLICATOR CERTIFICATE**

Under subsection 28(2) of the *Pesticide Control Act* Regulations, a person who applies a non-domestic pesticide must hold a Pesticide Applicator Certificate.

Personal information on this form is collected under section 6 of the *Pesticide Control Act* Regulations as it relates directly to and is necessary for an application for a Pesticide Applicator Certificate. If you have any questions about this collection of personal information, you may contact the Manager of the Pesticide Regulatory Program, 11 Kent Street, Jones Building, Charlottetown, PEI C1A 7N8, Phone: (902) 368-5474.

Applicant Contact Information	
Name:	
Phone:	Fax:
Mailing Address:	
Postal Code:	Email:
Are you over the age of 18? Yes No	

Applicant's Signature: _____ Date: _____

Certificate Class – check one

Class A, Agricultural – operating ground agricultural equipment for pesticide application
Class B, Mosquito & Biting Fly - application of a pesticide for the control of mosquitoes or biting flies
Class C-1, Structural - application of a non-fumigant pesticide to stored feed, dwellings or other structures
Class C-2, Structural Fumigation - application of a fumigant pesticide to stored feed, dwellings or other structures
Class D, Seed/Seed-piece Treatment - application of a seed or seed-piece treatment pesticide
Class E, Landscape - application of a pesticide to ornamental vegetation
Class F-1, Forestry Herbicides - forestry herbicide application
Class F-2, Reforestation - application of a pesticide for the production of tree seedlings for reforestation purposes
Class G, Greenhouse - application of a pesticide in greenhouses
Class H, Soil Fumigation - application of a soil fumigant pesticide
Class I, Other – other pesticide applications
Office Use Only
Examination Date:
Examination Mark:
Certificate Status:
Approved Denied

- The application fee for a Pesticide Applicator Certificate is \$75
- A separate application is required for each certificate
- Prior to a certificate being issued, the applicant must successfully complete a written examination appropriate to the class of certificate applied for, with a mark in the examination of not less than 75%

Method of Payment
(Check appropriate box)

- Cheque
- Money Order
- Cash or Debit Card
- Credit Card

Please forward application and payment to:
 Department of Environment, Energy and Forestry
 Pollution Prevention Division
 Pesticide Regulatory Program
 PO Box 2000, 11 Kent Street
 Charlottetown, PE C1A 7N8
 Tel: (902) 368-5474

Amount Enclosed: \$ _____

Cheques or money orders should be made payable to the Provincial Treasurer. Pesticide Applicator Certificates will be mailed to applicant's address above. Please allow two weeks for delivery.
(EC761/05)

FORM 9**APPLICATION FOR LOADER/MIXER CERTIFICATE**

Under clauses 29(1)(a) and (2)(a) of the *Pesticide Control Act* Regulations, a person who transports or mixes a non-domestic pesticide must hold a Loader/Mixer Certificate or other certificate identified in section 29.

Personal information on this form is collected under section 10 of the *Pesticide Control Act* Regulations as it relates directly to and is necessary for an application for a Loader/Mixer Certificate. If you have any questions about this collection of personal information, you may contact the Manager of the Pesticide Regulatory Program, 11 Kent Street, Jones Building, Charlottetown, PEI C1A 7N8, Phone: (902) 368-5474.

Applicant Contact Information	
Name:	
Phone:	Fax:
Mailing Address:	
Postal Code:	Email:
Are you over the age of 18? Yes No	

Applicant Experience
Describe successful completion of a relevant loader/mixer training program (include dates):

Applicant's Signature: _____ Date: _____

The application fee for a Loader/Mixer Certificate is \$50

Method of Payment (Check appropriate box)	Please forward application and payment to:
Cheque	Department of Environment, Energy and Forestry
Money Order	Pollution Prevention Division
Cash or Debit Card	Pesticide Regulatory Program
Credit Card	PO Box 2000, 11 Kent Street
	Charlottetown, PE C1A 7N8
Amount Enclosed: \$ _____	Tel: (902) 368-5474

Cheques or money orders should be made payable to the Provincial Treasurer. Loader/Mixer Certificates will be mailed to the applicant's address above. Please allow two weeks for delivery.
(EC761/05)

FORM 10

APPLICATION FOR NON-DOMESTIC PESTICIDE VENDOR BUSINESS LICENCE

Under section 30 of the *Pesticide Control Act* Regulations, a person who operates a business involving the sale or supply of non-domestic pesticides must hold a Non-Domestic Pesticide Vendor Business Licence.

Personal information on this form is collected under section 13 of the *Pesticide Control Act* Regulations as it relates directly to and is necessary for an application for a Non-Domestic Pesticide Vendor Business Licence. If you have any questions about this collection of personal information, you may contact the Manager of the Pesticide Regulatory Program, 11 Kent Street, Jones Building, Charlottetown, PEI C1A 7N8, Phone: (902) 368-5474.

Applicant Contact Information	
Company Name:	
Contact Name:	
Phone:	Fax:
Mailing Address:	
Postal Code:	Email:

Applicant's Signature: _____ Date: _____

(Where applicant is a partnership or a corporation, the signature of a partner, or an authorized officer of the corporation is required).

Licence Details	
New Applicant	Renewal of Licence Present Licence Number:
Type of Sales to be made (<i>check all that apply</i>):	Retail Wholesale
Storage Facility	
CropLife Canada Phase III Compliance Number:	
Status of Storage Facility: Own Lease Other (specify):	
Certified Vendor Information (Non-Domestic Pesticide Vendor Certificate Holder)	
Name:	
Phone:	Fax:
Mailing Address:	
Postal Code:	Email:
Certified Vendor Status: Owner of Company Employee of Company	
Certificate Expiry Date:	

Signature of Certified Vendor: _____ Date: _____

(if not company owner)

The application fee for a Non-Domestic Pesticide Vendor Business Licence is as follows:

- where up to 10,000 kg of active ingredients sold in the previous year - \$100
- where between 10,001 kg and 30,000 kg of active ingredients sold in the previous year - \$500
- where between 30,001 kg and 50,000 kg of active ingredients sold in the previous year - \$1,000
- where over 50,000 kg of active ingredients sold in the previous year - \$2,500

The sales data for all domestic and non-domestic pesticides sold to retail customers for the previous calendar year must be included with the application.

Method of Payment

(Check appropriate box)

Cheque

Money Order

Cash or Debit Card

Credit Card

Amount Enclosed: \$ _____

Please forward application and payment to:

Department of Environment, Energy and Forestry

Pollution Prevention Division

Pesticide Regulatory Program

PO Box 2000, 11 Kent Street

Charlottetown, PE C1A 7N8

Tel: (902) 368-5474

Cheques or money orders should be made payable to the Provincial Treasurer. Non-Domestic Pesticide Vendor Certificates will be mailed to the applicant's address above. Please allow two weeks for delivery.

(EC761/05)

FORM 11**APPLICATION FOR NON-DOMESTIC PESTICIDE VENDOR CERTIFICATE**

Under section 31 of the *Pesticide Control Act* Regulations, a person who sells non-domestic pesticides or Schedule 1 pesticides, to another person or while acting as an employee of a business that is licensed to sell non-domestic pesticides or provide pesticide related information or recommendations to another person, must hold a Non-Domestic Pesticide Vendor Certificate.

Personal information on this form is collected under section 14 of the *Pesticide Control Act* Regulations as it relates directly to and is necessary for an application for a Non-Domestic Pesticide Vendor Certificate. If you have any questions about this collection of personal information, you may contact the Manager of the Pesticide Regulatory Program, 11 Kent Street, Jones Building, Charlottetown, PEI C1A 7N8, Phone: (902) 368-5474.

Applicant Contact Information	
Name:	
Phone:	Fax:
Mailing Address:	
Postal Code:	Email:

Applicant's Signature: _____ Date: _____

Office Use Only
Examination Date:
Examination Mark:
Certificate Status:
Approved Denied

- The application fee for a Non-Domestic Pesticide Vendor Certificate is \$75 per certificate
- Prior to a certificate being issued, the applicant must successfully complete a written examination appropriate to the class of certificate applied for, with a mark in the examination of not less than 75%.

Method of Payment
(Check appropriate box)

Cheque
Money Order
Cash or Debit Card
Credit Card

Please forward application and payment to:
Department of Environment, Energy and Forestry

Pollution Prevention Division
Pesticide Regulatory Program
PO Box 2000, 11 Kent Street
Charlottetown, PE C1A 7N8

Amount Enclosed: \$ _____ Tel: (902) 368-5474

Cheques or money orders should be made payable to the Provincial Treasurer. Non-Domestic Pesticide Vendor Certificates will be mailed to applicant's address above. Please allow two weeks for delivery.

(EC761/05)

FORM 12**APPLICATION FOR PESTICIDE PURCHASE PERMIT**

Under section 32 of the *Pesticide Control Act* Regulations, a person who buys non-domestic pesticides must hold, or be authorized to use a Pesticide Purchase Permit or a licence or certificate identified in the section.

Personal information on this form is collected under section 16 of the *Pesticide Control Act* Regulations as it relates directly to and is necessary for an application for a Pesticide Purchase Permit. If you have any questions about this collection of personal information, you may contact the Manager of the Pesticide Regulatory Program, 11 Kent Street, Jones Building, Charlottetown, PEI C1A 7N8, Phone: (902) 368-5474.

Applicant (Agricultural Operation) Information	
Company Name:	Phone:
Contact Name:	Fax:
Mailing Address:	
Number of Permits Requested:	Postal Code:

Signature of Applicant _____ Date _____

Certified Applicator Information	
Name:	Phone:
Mailing Address:	Postal Code:
Pesticide Applicator Certificate No.:	
Pesticide Applicator Class:	
Pesticide Applicator Certificate Expiry Date:	
Are you currently employed by the Applicant?	Yes No

Signature of Certified Applicator: _____ Date: _____

- The application fee for one or more Pesticide Purchase Permit is \$50.
- Payment must be received by the Department before the application will be processed.

Method of Payment

(Check appropriate box)

Cheque

Money Order

Cash or Debit Card

Credit Card

Amount Enclosed: \$ _____

Please forward application and payment to:

Department of Environment, Energy and Forestry

Pollution Prevention Division

Pesticide Regulatory Program

PO Box 2000, 11 Kent Street

Charlottetown, PE C1A 7N8

Tel: (902) 368-5474

**Cheques or money orders should be made payable to the Provincial Treasurer.
Pesticide Purchase Permits will be mailed to agricultural operation address above.
Please allow two weeks for delivery.
(EC761/05)**

FORM 13

APPLICATION FOR PESTICIDE APPLICATION PERMIT

Under section 35 of the *Pesticide Control Act* Regulations, a person who applies pesticides to an open body of water, to control mosquitoes or biting flies within a designated protected zone, or apply Schedule 1 pesticides must hold a Pesticide Application Permit.

Personal information on this form is collected under section 19 of the *Pesticide Control Act* Regulations as it relates directly to and is necessary for an application for a Pesticide Application Permit. If you have any questions about this collection of personal information, you may contact the Manager of the Pesticide Regulatory Program, 11 Kent Street, Jones Building, Charlottetown, PEI C1A 7N8, Phone: (902) 368-5474.

Section 1 - Applicant Contact Information						
Name:						
Phone:				Fax:		
Mailing Address:						
Postal Code:				Email:		
Section 2 – Complete for Mosquito & Biting Fly Control						
Type of Application:						
New Permit		Modification of Permit				
Existing Permit Number:						
Treatment Type:						
Water Treatment			Private Treatment			
Land Treatment			Commercial Treatment			
Applicators/Certificates (list all applicators):						
Applicator Names		Pesticide Applicator Certificate No.		Class		
Treatment Details:						
Treatment	Pest to be controlled	Pesticide Name	PCP No.	Proposed Date of Treatment	Proposed Rate of Application	Total Amount of Pesticide Used
1						
2						
3						
4						
5						
Describe the process and level of community support for the program:						

**SCHEDULE 4
APPLICATION FEES****Part 1 – Licences****Non-domestic Pesticide Vendor Business Licence**

(a) where up to 10,000 kg of active ingredients sold in the previous year	\$100
(b) where between 10,001 kg and 30,000 kg of active ingredients sold in the previous year	\$500
(c) where between 30,001 kg and 50,000 kg of active ingredients sold in the previous year	\$1,000
(d) where over 50,000 kg of active ingredients sold in the previous year	\$2,500

**Pesticide Applicator Business
Licence**

\$200 per class of licence

Part 2 – Certificates

Non-Domestic Pesticide Vendor
Certificate
Pesticide Applicator Certificate
Loader/Mixer Certificate

\$75
\$75 per class of certificate
\$50

Part 3 – Permits

Pesticide Application Permit
Pesticide Purchase Permit
(EC761/05)

\$50
50

**SCHEDULE 5
PHASE-IN OF CONTINUING EDUCATION CREDITS**

Expiry Date of Existing Pesticide Use Certificate	Number of CECs Required for Recertification					
	By the expiry date of the PUC	Within 12 months*	Within 24 months*	Within 36 months*	Within 48 months*	Within 60 months*
May 01, 2002 to December 31, 2002		3**	6	9	12	15
January 01, 2003 to December 31, 2003			6	9	12	15
January 01, 2004 to December 31, 2004		6	9	12	15	
January 01, 2005 to December 31, 2005	6	9	12	15		
January 01, 2006 to December 31, 2006	9	12	15			
January 01, 2007 to December 31, 2007	12	15				
January 01, 2008 to December 31, 2008	15					
January 01, 2009 to December 31, 2009	15					
January 01, 2010 to December 31, 2010	15					
January 01, 2011 to December 31, 2011	15					

* Of the expiry date noted on the candidate's pesticide use certificate.

** For an individual whose Pesticide Applicator Certificate expired during the period January 1 to December 31, 2002, the 3 credits required must be earned not later than 01 May 2004. (EC761/05)

SCHEDULE 6
PROHIBITED PESTICIDES

- | | |
|--|--------------------------|
| 1. Telone II Liquid Soil Fumigant | <i>PCP Act No. 15893</i> |
| 2. Telone C-17 Liquid Soil Fungicide and Nematicide | <i>PCP Act No. 16324</i> |
| 3. Vorlex Plus Liquid Soil Fumigant | <i>PCP Act No. 18353</i> |
| 4. Vorlex Plus CP Liquid Soil Fumigant
(EC761/05) | <i>PCP Act No. 18354</i> |