



Health  
Canada

Santé  
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Pest  
Management  
Regulatory  
Agency

Agence de  
réglementation  
de la lutte  
antiparasitaire

2720, promenade Riverside Drive  
Ottawa, Ontario  
K1A 0K9

6 September 2007

**Memorandum To/Note adressée à :** All Applicants, Registrants and their Regulatory Representatives

**Subject/Objet :** **Notice of Intent to Discontinue the sale of a Pest Control Product under new *Pest Control Products Act***

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## 1.0 Purpose

This memo clarifies the Health Canada Pest Management Regulatory Agency's (PMRA) process for giving notice of intent to discontinue the sale of a pest control product under subsection 22(1) of the new *Pest Control Product Act* (Act) and of subsequent cancellation of the registration.

## 2.0 Background

Under Section 16 of the old *Pest Control Products Regulations*, registrants were required to inform the PMRA when sales of a pest control product were to be discontinued, however the mechanism to do so was not clearly specified. The practice has been to inform the PMRA either via a letter or by selecting the discontinuation option on the Registration Renewal form. The requirement to inform PMRA of the intent to discontinue has not changed under subsection 22(1) of the new Act.

## 3.0 New Approach

The intent of this memo is to improve efficiency by clarifying the requirements for processing request for discontinuation. It also addresses the suggestions from industry regarding the need for the PMRA to support consistent, effective and well documented procedures.

This memo details how a registrant should give notice of intent to discontinue sale of a pest control product and how the PMRA will calculate the Last Date of Sale by Retailer and the Last Date of Permitted Use (Registration Cancellation Date). A sample Notice of Intent to Discontinue letter has been included in the appendix. The applicability of maintenance fees are also described in this memo.

During the 2007 renewal period, either the Registration Renewal form or the template letter will be acceptable. Following the 2007 renewal period, the Registration Renewal form will no longer provide this option, and the Notice of Intent to Discontinue must be submitted using the template letter.

### **3.1 Criteria for Notice of Intent to Discontinue**

The Notice of Intent to Discontinue template letter must be used at all times to inform the PMRA of the intent to discontinue sales of a pest control product during its valid registration period. The Notice of Intent to Discontinue will be deemed acceptable if it is signed, provided on company letterhead and contains all of the following information:

1. The pest control product name
2. The Pest Control Product Registration Number
3. The Date of Last Sale by Registrant.

### **4.0 Date of Last Sale by Registrant**

The Date of Last Sale by Registrant corresponds to the date the product will no longer be available for sale by the Registrant.

In general, the Date of Last Sale by Retailers will be set by PMRA to one year after the Last Date of Sale by Registrant to allow the product to be substantially exhausted through retail or wholesale sales. The Last Date of Permitted Use will be set to three years after the Last Date of Sale by Retailers, to allow the remaining product stocks to be substantially exhausted through lawful use. If necessary, a rationale should be provided if the registrant believes that Last Date of Sale by Retailers and/or Last Date of Permitted Use should be different from the default periods set by PMRA.

For example:

Date of Last Sale by Registrant:	June 7, 2007
Last Date of Sale by Retailer:	June 7, 2008
Last date of permitted use:	June 7, 2011 (registration cancelled).

Notice of Intent to Discontinue should be given no earlier than one (1) year before the proposed Date of Last Sale by Registrant.

## **5.0 Maintenance Fees**

The billing date for registration maintenance fees under the Pest Management Regulatory Agency's cost recovery program is April 1 of any given year. Invoices for maintenance fees are issued on or after April 1, and are based on a product's regulatory status on that date. Products with a regulatory status of "registered" on April 1 will be invoiced for maintenance fees for that year. For products where the notice of intent to discontinue has been received, maintenance fees will apply until the date of last sale by registrant.

## **6.0 Implementation**

To facilitate the expeditious processing of the Notice of Intent to Discontinue, registrants are encouraged to submit the Notice of Intent to Discontinue template letter in electronic format as per Regulatory Directive DIR 2006-05 *Requirements for Submitting Data Index, Documents and forms* on the PMRA website.

## **7.0 Questions**

Questions concerning the clarified requirements should be directed to the PMRA via the Pest Management Information Service

**By phone:** 1 800 267-6315 (within Canada)  
613 736-3799 (outside Canada)  
**By email:** [pmra\\_infoserv@hc-sc.gc.ca](mailto:pmra_infoserv@hc-sc.gc.ca)

**Appendix A      Sample Letter of Notice of Intent to Discontinue**

**[COMPANY LETTERHEAD]**

[Date]

[Section Head, Information Management Section]  
Pest Management Regulatory Agency  
2720, Riverside Drive  
Ottawa, ON    K1A 0K9

Subject:      Notice of Intent to Discontinue Sales of a Product

[Registrant Name] have discontinued sales of [Product Name] [ Registration Number].  
The Date of Last Sale by Registrant is/ was [YYYY/ MM/DD].

Yours truly,

[Registrant signature]  
[Printed signatory name and contact information]