



PLEASE NOTE

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This document is *not* the official version of these regulations. The regulations and the amendments printed in the [Royal Gazette](#) should be consulted to determine the authoritative text of these regulations.

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
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| | Definitions |
| (a) “Act” means the <i>Pesticides Control Act</i> 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) revoked by EC71/07;
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;
controlled purchase domestic pesticide	(h.1) “controlled purchase domestic pesticide” means (i) any domestic pesticide that is not designated as a self-select domestic pesticide, or (ii) any fertilizer, within the meaning of the <i>Fertilizers Act</i> (Canada), that contains a pesticide;
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);

- (l) “Loader/mixer Certificate” means a Loader/mixer Certificate issued by the Minister under section 10; Loader/mixer Certificate
- (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)
- (r.1) “*PCP Act* (Canada) Number” means the registration number of the pest control product, signified as follows: “REGISTRATION NO. (assigned registration number) PEST CONTROL PRODUCTS ACT” or “REG. NO. (assigned registration number) *PCP Act*”; *PCP Act* (Canada) Number
- (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 and maintained to store domestic and non-domestic pesticides, in accordance with the Canadian Warehousing Standards for the Phase III storage facility

	Storage of Agrichemical Products, Crop Life Canada, January 2002 as amended;
prior regulations	(y) “prior regulations” means the prior regulations (EC583/84) made under the Act and revoked by these regulations;
self-select domestic pesticide	(y.1) “self-select domestic pesticide” means any domestic pesticide designated as a self-select pesticide under subsection (8);
spot treatment	(y.2) “spot treatment” means the limited application of a pesticide to an area that is not more than 10% of the potential area for treatment;
Steering Committee	(z) “Steering Committee” means the Pesticide Recertification Continuing Education Steering Committee appointed under the Agreement;
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) Revoked by EC71/07.
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.
Application	(5) These regulations apply to all pesticides except as follows: (a) sections 24 and 25 do not apply to exempted pesticides listed in Schedule 7; (b) subsection 1(8) and section 20.2 are the only provisions of these regulations that apply to self-select pesticides listed in Schedule 8; (c) these regulations do not apply to excluded pesticides listed in Schedule 2.
Excluded pesticides	(6) The pesticides listed in Schedule 2 are designated as excluded pesticides.
Exempted domestic pesticides	(7) The pesticides listed in Schedule 7 are designated as exempted pesticides.

(8) The pesticides listed in Schedule 8 are designated as self-select domestic pesticides. (EC761/05; 313/06; 71/07)

Self-select domestic pesticides

PESTICIDE TRAINING EVENTS

2. For the purposes of these regulations, the following categories of pesticide training events are prescribed:

Categories of pesticide training events

- (a) General Information Training, respecting the general application, handling or storage of regulated pesticides;
- (b) Pesticide Law Training, respecting federal and provincial laws relating to regulated pesticides;
- (c) Pesticide Label Training, identifying pesticides and using the information on pesticide labels;
- (d) Human Health Effects Training, respecting the effect of pesticides on human health, including
 - (i) acute and chronic toxicity,
 - (ii) routes of exposure,
 - (iii) factors affecting exposure,
 - (iv) reducing exposure and risk, and
 - (v) recognition of pesticide poisoning;
- (e) Pesticide Safety Training, including
 - (i) attitudes toward pesticide application and safety,
 - (ii) general precautions in the use of or exposure to pesticides,
 - (iii) selecting and purchasing pesticides,
 - (iv) protective clothing and equipment,
 - (v) transportation, storage and disposal,
 - (vi) mixing and loading,
 - (vii) safety during application,
 - (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)

Training events

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

- (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.

Approval of training event

(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

- (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.

(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) Written record

LICENCES, CERTIFICATES, PERMITS

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. Fees

(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. Forms

(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) Applicants shall be
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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 Licences

- (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 service involving the application of a herbicide using a wiper, brush, roller or by a spot treatment;
- (l) a Class J Pesticide Application Business Licence authorizes the holder of the licence to offer a pesticide application service specified in the licence.

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 or 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.

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

(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; 71/07)

Effective date of
clause (2)(e)
insurance not
required, where

5.1 (1) An AG-1 Pesticide Use Certificate issued under the prior regulations is deemed to have been issued under these regulations.

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-1
Pesticide Use
Certificate

(3) Revoked by 71/07. (EC313/06; 71/07)

Expiry of AG-2
Pesticide Use
Certificate

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 herbicide using a wiper, brush or roller, or by a spot treatment;
- (l) a Class J Pesticide Applicator Certificate authorizes the holder of the certificate to apply a pesticide for a purpose specified in the certificate.

Class D Certificate	(2.1) Notwithstanding subsection (1), the Minister may, on application, issue a Class D Pesticide Applicator Certificate to an applicant who <ul style="list-style-type: none"> (a) has successfully completed a seed and seed-piece treatment training program approved by the Director, with or without the completion of a written examination; and (b) holds a valid Class A Pesticide Applicator Certificate or a valid AG-1 Pesticide Use Certificate.
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 or 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) Revoked by EC71/07. (EC313/06; 71/07)

(5.2) Revoked by EC71/07. (EC313/06; 71/07)

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

(7) Subsection (5) is revoked on January 1, 2011. (EC761/05; 313/06; 71/07)

Expiry
Effective date of
clause (1)(e)
Subsection (5)
revoked

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

Renewal of Class A
Pesticide Applicator
Certificate

(a) has earned a total of not less than 15 CECs in the pesticide training categories listed in section 2 as follows:

- (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.

Acceptable CECs

(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.

(3) A Class A Pesticide Applicator Certificate renewed under subsection (1) is valid until

Expiry

- (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)

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 5.

Expiry	(2) A conditional Class A Pesticide Applicator Certificate issued under subsection (1) expires on the expiry date shown on the certificate.
Conditional Class A Pesticide Applicator Certificate	(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.
Expiry	(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; 71/07)
Records of pesticide use or application	<p>9. (1) Every person who holds a Pesticide Applicator Certificate shall, in such manner as may be required by the Minister, keep records of each pesticide use or application, which shall include the following:</p> <ul style="list-style-type: none"> (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 <i>PCP Act</i> (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	<p>(3) A person who made, or caused to be made, the records under this section shall</p> <ul style="list-style-type: none"> (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 <i>Environmental Protection Act</i>, environmental health officer appointed under the <i>Public Health Act</i> R.S.P.E.I. 1988, Cap. P-30, medical practitioner registered under the <i>Medical Act</i> R.S.P.E.I. 1988, Cap. M-5 or conservation officer appointed or designated under the <i>Wildlife Conservation Act</i> R.S.P.E.I. 1988, Cap. W-4.1. (EC761/05; 313/06; 71/07)

10. (1) The Minister may, on application, issue a Loader/mixer Certificate to a person who has successfully completed a loader/mixer training program approved by the Director. Loader/mixer Certificate

(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. Conditions

(3) A Loader/mixer Certificate Expiry

(a) shall be issued on Form 1 of Schedule 3; and

(b) expires

(i) five years from the date on which the certificate was issued, or

(ii) on the date printed on the certificate

whichever is earlier. (EC761/05; 313/06; 71/07)

11. The following certificates issued by the Minister under the prior regulations expired on December 31, 2006: Certificates expired

(a) Level 2 Biting Fly Pesticide Use Certificate;

(b) AG-2 Pesticide Use Certificate. (EC761/05; 71/07)

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

(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)

“sales data”,
defined

13. (1) The Minister may, on application, issue or renew 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.

(1.1) A person who holds a Non-Domestic Pesticide Vendor Business Licence shall display the licence issued for each store or facility owned or operated by the person, at such store or facility. Licence must be displayed

More than one store, facility	(1.2) Where a person owns more than one store or facility for which a Non-domestic Pesticide Vendor Business Licence is issued or renewed under subsection (1), the Minister shall charge only one fee for all of the stores or locations, but the fee shall be calculated on the sales data provided in respect of such store or location as the Minister determines.
Fee based on sales data	(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.
Where no historical sale data available	(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.
Conditions on licence	(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 or the environment.
Expiry	(5) A Non-domestic Pesticide Vendor Business Licence shall be issued on Form 2 of Schedule 3 and expires <ul style="list-style-type: none"> (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; 71/07)

13.1 (1) The Minister may, on application, issue or renew a Domestic Pesticide Vendor Business Licence to a person who

Domestic Pesticides
Vendor Business
Licence

- (a) owns or operates a store or location that sells or supplies a controlled purchase domestic pesticide;
- (b) holds, or employs at least one person who holds, a Domestic Pesticide Vendor Certificate;
- (c) provides to the Minister an estimate of the maximum size of all indoor and outdoor display areas and storage facilities for controlled purchase domestic pesticides required for the year for which the application is made; and
- (d) pays the application fee.

(2) The calculation of the fee payable for an application or a renewal of a Domestic Pesticide Vendor Business Licence under subsection (1) shall be based on the size of the display areas and storage facilities as provided to the Minister under clause (1)(b) and determined in accordance with Schedule 4.

Calculation of fee

(3) Where the licensee or the Minister determines that the actual size of the indoor and outdoor display areas and storage facilities to be used during the term of the licence is less than or greater than the estimate provided under clause (1)(b), the Minister may revise the fee and send the applicant a written notice of the revised fee.

Revised fee

(4) Where a person owns more than one store or location for which a Domestic Pesticide Vendor Business Licence is issued or renewed under subsection (1), the Minister shall charge one fee only for all of the stores or locations, but the fee shall be calculated on the size of the display and storage facilities in respect of such store or location as the Minister determines.

More than one
store, location

(5) A licensee shall display a licence at each store or location for which the Minister has issued or renewed a licence under subsection (1).

Display licence

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

Conditions

(7) A Domestic Pesticide Vendor Business Licence shall be issued on Form 16 and expires

Expiry

- (a) on the last day of February of the year following the date of issue of the licence; or
- (b) on the date on which the licensee no longer holds, or employs at least one person who holds, a Domestic Pesticide Vendor Certificate,

whichever occurs earlier. (EC71/07)

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 or 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; 71/07)

Domestic Pesticide
Vendor Certificate

14.1 (1) The Minister may, on application, issue a 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 Domestic Pesticide Vendor Certificate issued under this section that the Minister considers necessary for the protection of human health or the environment.

Expiry

(3) A Domestic Pesticide Vendor Certificate shall be issued on Form 17 and expires five years from the date of the examination referred to in subsection (1). (EC71/07)

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

- (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

- (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 or golf course 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 or golf course 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; 71/07)

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.

(3) An employee who is no longer authorized to use a Pesticide Purchase Permit shall return the Permit immediately to the operator of

Permit to be returned

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

- (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

- (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

- (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 constructed

- (i) of concrete or other water-impervious material that

- (A) is recessed by at least 10 centimetres from the entrance, or

- (B) has a liquid-tight sill that is raised by at least 10 centimetres from the floor, and

- (ii) in a manner that will contain and control up to 150% of the volume of any pesticide stored in the facility; or

- (d) has a separate containment unit that is constructed

- (i) of concrete or other water-impervious material, and

- (ii) in a manner that will contain and control up to 150% of the volume of any pesticide stored in the containment unit;
- (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 71/07)

20.1 (1) Every person who holds a Domestic Pesticide Vendor Business Licence and sells controlled purchase domestic pesticides shall ensure that any display of such pesticides Duties of licensee

- (a) is not accessible to any person other than the licensee or the licensee's employees; and
- (b) is more than one metre away from any commodities that are intended to be used as
 - (i) food for humans or animals,
 - (ii) household furnishings, or
 - (iii) toiletries, clothes, bedding or similar commodities.

(2) No person who holds a Domestic Pesticide Vendor Business License shall store a controlled purchase domestic pesticide unless Storage of pesticide

- (a) such pesticides are accessible only to a person who
 - (i) is the licensee or an employee of the licensee, or

- (ii) has been given express permission by the licensee to enter the pesticide storage compartment, room or structure;
- (b) the compartment, room or structure in which such pesticides are stored is ventilated to the outside atmosphere;
- (c) a placard is affixed and maintained on the outside of each door leading into the compartment, room or structure in which the pesticide is stored bearing, in clearly visible block letters,
 - (i) the words "Warning" and "Authorized Persons Only", and
 - (ii) the words "Chemical Storage" or "Pesticide Storage"; and
- (d) the compartment, room or structure in which the pesticide is stored,
 - (i) does not have a drain that leads into or drains directly or indirectly into a storm sewer, sanitary sewer or watercourse,
 - (ii) has, located nearby, adequate respiratory protection and adequate protective clothing to be used for emergency purposes, and
 - (iii) is more than one metre away from any commodities that are intended to be used as
 - (A) food for humans or animals,
 - (B) household furnishings, or
 - (C) toiletries, clothes, bedding or similar commodities. (EC71/07)

- Selling pesticide **20.2** Every person who sells self-select domestic pesticides
- (a) shall display or store such pesticides in a manner that ensures that the pesticides do not present a hazard to children; and
 - (b) shall not display or store self-select domestic pesticides less than one metre away from any commodities that are intended to be used as
 - (i) food for humans or animals,
 - (ii) household furnishings, or
 - (iii) toiletries, clothes, bedding or similar commodities. (EC71/07)
- Permit to be carried, when **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.
- Labels (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)
- Package labels **22.** Every person who applies, stores, handles, mixes, loads or transports a pesticide shall do so in the manner specified on the pesticide package label. (EC761/05; 71/07)

22.1 Every person who holds a licence, certificate or permit issued under these regulations shall comply with all terms or conditions placed on such licence, certificate or permit. (EC71/07)

Comply with terms, conditions

OFFENCES

23. No person who disposes of

- (a) a pesticide;
- (b) a mixture containing a pesticide;
- (c) a material treated with a pesticide,
- (d) a container that held a pesticide,

Disposal of pesticide, etc

shall carry out the disposal other than in the manner and using the method recommended by the manufacturer or the Minister. (EC761/0571/07)

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,

Prior notice of application

- (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.

(2) The notice required in subsection (1) shall include

Contents of notice

- (a) the trade name and *PCP Act* (Canada) Number 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; 71/07)

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.

Posting notices

(2) The notice required in subsection (1) shall include

Contents of notice

- (a) the trade name and *PCP Act* (Canada) Number 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

and be posted on a sign or signs that

- (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.

Signs at entrances
and exits

(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.

Owner to ensure
notices remain for
48 hours

(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; 71/07)

Storage of
pesticides

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)

Transportation of
pesticide

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

- (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.

Idem

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

- (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

(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)

Transports, sells treated seed

28. (1) No person shall Licence mandatory

- (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 for the application of a herbicide using a wiper, brush or roller, or by making a spot treatment, unless the person holds a Class I Pesticide Application Business Licence;

(l) offer a pesticide application service not specified in clauses (a) to (k), unless the person holds a Class J Pesticide Application Business Licence.

Certificate
mandatory

(2) No person shall

(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;

(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 herbicide using a wiper, brush or roller, or by making a spot treatment, unless the person holds a Class I Pesticide Application Business Licence; and
- (l) apply a non-domestic pesticide for any purpose not specified in clauses (a) to (k) unless the person holds a Class J Pesticide Application Business Licence. (EC761/05; 313/06; 71/07)

28.1 No person shall operate a business involving the sale or supply of a controlled purchase domestic pesticide unless the person holds a Domestic Pesticide Vendor Business Licence or a Non-domestic Pesticide Vendor Business Licence. (EC71/07) Licence mandatory

29. (1) No person shall Handling,
transporting on
highway

- (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;
- (d) holds a Pesticide Applicator Certificate;
- (e) holds a non-domestic Pesticide Vendor Certificate; or
- (f) holds a Transportation of Dangerous Goods Certificate issued under the *Transportation of Dangerous Goods Act (Canada)*.
- (g) revoked by EC71/07.

(2) No person shall mix a non-domestic pesticide unless the person Mixing pesticide

- (a) holds a Loader/mixer Certificate; or
- (b) holds a Pesticide Applicator Certificate.
- (c) revoked by EC71/07.

(3) Subsection (1) does not apply to seed treated with a pesticide. Exception
(EC761/05; 313/06; 71/07)

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. Licence mandatory

30.1 No person shall Certificate required

- (a) sell, or offer to sell, a controlled purchase domestic pesticide to another person; or
 (b) provide pesticide related information or recommendations regarding controlled purchase domestic pesticides to another person, unless the person selling or offering to sell such pesticide, or providing such information holds a Domestic Pesticide Vendor Certificate or a Non-domestic Pesticide Vendor Certificate. (EC71/07)
- 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.
- Idem* (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.
- Idem* (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)
- Permit not to be used for another purpose **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 transferable **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)

- 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*
- 39.** (1) Subject to subsection (2), no person shall apply a pesticide,
 (a) in a dry formulation; or
 (b) in a liquid formulation that is under pressure,
 when the wind speed, measured at the point of application, exceeds 20 km/h. Wind speed
- (2) Subsection (1) does not apply to the application of a herbicide using a wiper, brush or roller. (EC761/05; 71/07) Exception
- 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) Discharge in accordance with label

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Cap. P-4

Pesticides Control Act
Regulations

Updated 2007

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

Pesticides are designated as excluded pesticides, where the pesticide 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 algaecide 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) as wood preservatives;
- (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; 71/07)

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: 100%; height: 100%; display: flex; align-items: center; justify-content: center;"> <p>Photo here</p> </div>

(EC761/05)

FORM 2 –NON-DOMESTIC PESTICIDE VENDOR BUSINESS LICENSE

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

(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 <i>(Company Name)</i> to operate a <i>(Class of Licence)</i> pesticide application service in the Province of Prince Edward Island pursuant to section 5 of the <i>Pesticides Control Act</i> 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:		
<table border="0"> <tr> <td style="padding: 0 20px;">Approved</td> <td>Denied</td> </tr> </table>	Approved	Denied
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	Please forward application and payment to:
(Check appropriate box)	Department of Environment, Energy and Forestry
Cheque	Pollution Prevention Division
Money Order	Pesticide Regulatory Program
Cash or Debit Card	PO Box 2000, 11 Kent Street
Credit Card	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 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)	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. 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:						

* A Pesticide Application Permit will only be issued for the control of a noxious weed, as designated under the *Weed Control Act*.

** Pest Control Product Registration Number

Requirements:

A map (1:10 ,000 scale) must be attached and identify:

- (a) all property lines, fields, and treatment areas; and
- (b) all open bodies of water, as defined under the Prince Edward Island *Pesticides Control Act*; saltwater environments and perimeter coastline.

By signing below, I acknowledge that all information that I have provided is, to my knowledge, true and accurate, and that I understand the above listed criteria for approval of a Pesticide Application Permit.

Applicant Signature: _____ Date: _____

- The application fee for a Pesticide Application Permit is \$50 per permit.
- A separate application is required for each Pesticide Application Permit.

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 and money orders should be made payable to the Provincial Treasurer. Pesticide Application Permit will be mailed to the applicant’s address above. Please allow two weeks for delivery.

FORM 14**APPLICATION FOR DOMESTIC PESTICIDE VENDOR BUSINESS LICENCE**

Under subsection 28.1 of the *Pesticide Control Act* Regulations, a person who operates a business involving the sale or supply of a controlled purchase domestic pesticide must hold a Domestic Pesticide Vendor Business Licence or a Non-Domestic Pesticide Vendor Business Licence.

Personal information on this form is collected under section 13.1 of the *Pesticide Control Act* Regulations as it relates directly to and is necessary for an application for a 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	
<input type="checkbox"/> New Applicant	<input type="checkbox"/> Renewal of Licence
Present Licence Number: _____	
Certified Vendor Information (Domestic Pesticide Vendor Certificate Holder)	
Name:	
Phone:	Fax:
Mailing Address:	
Postal Code:	Email:
Certified Vendor Status: <input type="checkbox"/> Owner of Company <input type="checkbox"/> Employee of Company	
Certificate Expiry Date: _____	
Pesticide Vendor Certificate # _____	

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

Display Area and Storage Facility (check box to indicate size)		
<input type="checkbox"/> surface area up to 5 m ²	<input type="checkbox"/> surface area between 5 m ² and 14 m ²	<input type="checkbox"/> surface area greater than 14 m ²
Previous Years Display and Storage Facility Size		
Please indicate the actual area (m ²) used to display or store controlled purchase domestic pesticides in the previous licence year:		

_____ year _____ m ²

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

(a) where the maximum surface area for the calendar year of any shelf, or indoor or outdoor floor space used to display or store controlled purchase domestic pesticides is up to 5 m ²	\$100
(b) where the maximum surface area for the calendar year of any shelf, or indoor or outdoor floor space used to display or store controlled purchase domestic pesticides is between 5 m ² and 14 m ²	\$250
(c) where the maximum surface area for the calendar year of any shelf, or indoor or outdoor floor space used to display or store controlled purchase domestic pesticides is greater than 14 m ²	\$500

The size of display areas and storage facilities 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

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.

Domestic Pesticide Vendor Licences will be mailed to the applicant's address above.

Please allow two weeks for delivery.

(EC71/07)

FORM 15**APPLICATION FOR DOMESTIC PESTICIDE VENDOR CERTIFICATE**

Under section 30.1 of the *Pesticide Control Act* Regulations, a person who sells controlled purchase domestic pesticides to another person or while acting as an employee of a business that is licensed to sell controlled purchase domestic pesticides and who provides information or recommendations regarding a controlled purchase domestic pesticide to another person, must hold a Domestic Pesticide Vendor Certificate or a Non-domestic Pesticide Vendor Certificate.

Personal information on this form is collected under section 14.1 of the *Pesticide Control Act* Regulations as it relates directly to and is necessary for an application for a 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: <input type="checkbox"/> Approved <input type="checkbox"/> Denied

- The application fee for a Domestic Pesticide Vendor Certificate is \$75 per certificate
- Prior to a certificate being issued, the applicant must successfully complete a written examination approved by the Director, 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

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

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

Cheques or money orders should be made payable to the Provincial Treasurer.

Domestic Pesticide Vendor Certificates will be mailed to applicant's address above.

Please allow two weeks for delivery.

(EC71/07)

FORM 16

DOMESTIC PESTICIDE VENDOR BUSINESS LICENCE

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

Domestic Pesticide Vendor Business Licence

This certifies that
a licence was issued by the Minister to

(Company Name)

to operate a business involving the sale
or supply of a controlled purchase domestic pesticide
in the Province of Prince Edward Island
pursuant to section 13.1 of the
Pesticides Control Act Regulations.

Licence Number:
Issue Date:
Expiry Date:
Minister:

(EC71/07)

FORM 17

DOMESTIC PESTICIDE VENDOR CERTIFICATE

DOMESTIC PESTICIDE VENDOR CERTIFICATE	
Name:	Photo here
Address:	
.....	
Phone:	
Certificate Number:	
Expiry Date:	
Minister:	

(EC71/07)

**SCHEDULE 4
APPLICATION FEES****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

Domestic Pesticide Vendor Business Licence

(a) where the maximum surface area for the calendar year of any shelf, or indoor or outdoor floor space used to display or store controlled purchase domestic pesticides is up to 5 m ² *	\$100
(b) where the maximum surface area for the calendar year of any shelf, or indoor or outdoor floor space used to display or store controlled purchase domestic pesticides is between 5 m ² and 14 m ² **	\$250
(c) where the maximum surface area for the calendar year of any shelf, or indoor or outdoor floor space used to display or store controlled purchase domestic pesticides is greater than 14 m ²	\$500

2 CERTIFICATES

Non-Domestic Pesticide Vendor Certificate	\$75
***Pesticide Applicator Certificate	\$75 per class of certificate
Loader/Mixer Certificate	\$50
Domestic Pesticide Vendor Certificate	\$75

3 PERMITS

Pesticide Application Permit	\$50
Pesticide Purchase Permit	\$50

NOTES:

* 5m² = 54 sq feet** 14m² = 151 sq feet

*** The fee for a Class D Pesticide Applicator Certificate is waived if the person holds a valid Class A Pesticide Applicator Certificate or a valid AG-1 Pesticide Use Certificate. (EC761/05; 71/07)

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

**SCHEDULE 7
EXEMPTED PESTICIDES**

The pesticides listed below are designated as exempted pesticides.

Insecticides

1. Bacillus thuringiensis kurstaki (Btk) for control of caterpillars;
2. boron compounds for control of ants;
3. d-phenothrin for control of flying insects;
4. d-trans-allethrin, also referred to as d-cis, trans allethrin for control of mosquitoes;
5. fatty acids for control of insects
6. insect bait stations for control of crawling insects;
7. insect pheromones for control of insects;
8. insect repellents to repel biting insects (mosquitoes and black flies);
9. mineral oils for insect and mite control;
10. n-octyl bicycloheptene dicarboximide for control of crawling insects;
11. naphthalene for fabric protection, also known as moth balls;
12. paradichlorobenzene for fabric protection, also known as moth balls;
13. permethrin;
14. pesticides in aerosol containers;
15. pesticides registered under the *Pest Control Products Act* (Canada) for application to pets to control insects such as fleas;
16. piperonyl butoxide to control flying insects;
17. pyrethrins to control insects;
18. resmethrin to control flying insects;
19. silica aerogel, also referred to as silica gel, amorphous silica and amorphous silica gel to control ants, earwigs, and other crawling insects;
20. silicon dioxide, also referred to as "diatomaceous earth" to control crawling insects;
21. insecticidal soaps;
22. tetramethrin to control house and garden insects;
23. pesticides for injection to tree stems or stumps;
24. sticky media;

Herbicides

25. acetic acid for nonselective control of weeds;
26. corn gluten meal;
27. herbicidal soaps;

Animal Repellents

28. animal repellents, except thiram – to keep dogs and cats out of areas, such as flower beds;
29. capsaicin;

Preservatives

30. anti-fouling paints, to reduce attachment of barnacles and other marine organisms to boats and wharves;
31. antisapstain wood preservatives for control of diseases in wood

32. asphalt solids (pruning paints);

Chemicals

33. ferric phosphate to control slugs and snails;
34. sulphur, including lime sulphur, sulphide sulphur, and calcium polysulphide to control diseases on ornamental trees.

(EC71/07)

SCHEDULE 8
SELF-SELECT DOMESTIC PESTICIDES

The pesticides listed below are designated as self-select domestic pesticides.

(1) The domestic pesticide is marketed in a form requiring no preparation or dilution and in a volume or weight equal to or less than one litre or one kilogram, respectively, and it is intended for one or more of the following uses exclusively:

- (a) as a fabric protection, if the product is composed of paradichlorobenzene or naphthalene;
- (b) as ant, cockroach or earwig bait, if the container protects users against direct contact with the product;
- (c) as an animal repellent, if the product is not polymerized butene-based or thiram-based;
- (d) as flea-repellent collars or tags for dogs and cats;
- (e) as insect repellent to be applied on human beings;
- (f) as a pesticide for local treatment that does not contain any of the following active ingredients:
 - (i) carbaryl,
 - (ii) dicofol,
 - (iii) malathion,
 - (iv) 2,4-D (all chemical forms),
 - (v) chlothol dimethyl,
 - (vi) MCPA (all chemical forms),
 - (vii) mecoprop (all chemical forms),
 - (viii) benomyl,
 - (ix) captan,
 - (x) chlorothalonil,
 - (xi) iprodione,
 - (xii) quintozene,
 - (xiii) thiophanate-methyl.

(2) The domestic pesticide is marketed in a form requiring no preparation or dilution and in a volume or weight equal to or less than one litre or one kilogram, respectively, and it is composed of a mixture that contains one or more of the following active ingredients exclusively:

- (a) D-Trans allethrin;
- (b) tetramethrin;
- (c) resmethrin;
- (d) pyrethrin;
- (e) piperonyl butoxide;
- (f) methopren;
- (g) n-octyl bicycloheptene dicarboximide;
- (h) di-n-propyl isocinchomeronate;
- (i) n-octyl hydroxyethyl-2 sulphide;
- (j) D-cis, trans allethrin;
- (k) permethrin;
- (l) D-phenothrin;
- (m) boric acid;
- (n) disodium octaborate tetrahydrate;
- (o) sulphur;
- (p) calcium sulphide or calcium polysulphide;
- (q) ferric phosphate;
- (r) spinosad;
- (s) acetamipride;
- (t) borax.

(3) The domestic pesticide is composed of a mixture containing one or more of the following active ingredients exclusively:

- (a) bacillus thuringiensis Berliner var Kurstaki;
- (b) diatomaceous earth;
- (c) soap.

(4) The domestic pesticide is a mixture that

- (a) requires no preparation or dilution; and
- (b) contains soap or diatomaceous earth as the only active ingredient.

(EC71/07)