

# **GUIDE TO PESTICIDE LICENSING AND CERTIFICATION**

*Pesticides Act*  
**R.S.O. 1990, Chapter P.11  
and Ontario Regulation 63/09**

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*Protecting our environment.*





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The information contained in this Guide is of a general nature only and is not intended to constitute advice for any specific situation. Please note that the text of many Ontario statutes and regulations are available on the Internet at [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca).

For information about pesticide training and certification, please contact Ridgetown Campus, University of Guelph toll free at 1-888-620-9999 or locally at (519) 674-1575.

For information about pesticide licensing or to obtain an application package, please contact the Environmental Assessment and Approvals Branch locally at 416-314-8001 or toll free at 1-800-461-6290. Application information is also available on the Ministry of the Environment Internet site at [www.ene.gov.on.ca](http://www.ene.gov.on.ca)

## FOREWORD

The Ministry of the Environment (MOE) pesticide licensing program is regulated by the *Pesticides Act* and Ontario Regulation 63/09. In accordance with legislation, the Environmental Assessment and Approvals Branch manages licensing for the sale, storage, use, transportation and disposal of federally registered and provincially classified pesticides.

The *Pesticides Act* defines “pesticide” as any organism, substance or thing that is manufactured, represented, sold or used as a means of directly or indirectly controlling, preventing, destroying, mitigating, attracting or repelling any pest or altering the growth, development or characteristics of any plant life that is not a pest and includes any organism, substance or thing registered under the federal *Pest Control Products Act*.

Federally registered pest control products and the ingredients they contain are classified into one of eleven classes for legal sale and use in Ontario. The class determines sale and/or use and what restrictions (e.g., requires a licence and/or permit) are placed on its use. For current information on classified products, consult the Ministry of the Environment web site at <http://www.ene.gov.on.ca>.

A pesticide licence is required if you wish to sell pesticides\* (Vendor Licence), apply pesticides\* (Exterminator Licence), or operate a business that employs persons that apply pesticides commercially (Operator Licence). Pesticide Vendors and Exterminators are required to meet certain certification requirements.

*\*unless exempt under the regulations*

## INFORMATION FOR APPLICANTS

A complete application consists of:

- A completed, signed application form for the appropriate licence type;
- Proof of training or certification (Exterminators and General Vendors);
- Payment of application fee by certified cheque, money order or credit card.

**Please Note: Incomplete applications will be returned.**

**Please forward your completed application to:**

Director  
Environmental Assessment & Approvals Branch  
2 St. Clair Avenue W, Floor 12A  
Toronto, ON M4V 1L5

## PERSONAL USE OF PESTICIDES

Ontario's cosmetic pesticides ban came in to effect on April 22, 2009. The requirements of the ban are detailed in Ontario Regulation 63/09 made under the *Pesticides Act*, which has been amended by the *Cosmetic Pesticides Ban Act*, 2008.

There are 11 classes of pesticides in Ontario Regulation 63/09 and these, the regulation and the act are available on the Ministry of the Environment's web site at [www.Ontario.ca/pesticideban](http://www.Ontario.ca/pesticideban) or [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca). Pesticide products with controlled sales or banned sales are listed in Classes 7 and 8, respectively. Pesticide ingredients banned for use are listed in Class 9.

The ban contains exceptions for public health and safety (including the protection of public works structures), golf courses, specialty turf, specified sports fields, arboriculture and to protect natural resources, if certain conditions are met. There are also exceptions for agriculture, forestry, research and scientific purposes, and uses of pesticides for structural exterminations (e.g., in and around homes to control insects) and uses of pesticides required by other legislation.

Under the *Pesticides Act* and O. Reg. 63/09, certain pesticides can be purchased and used in and around home to protect the health and safety of your family, including:

- Controlling wasps or mosquitoes that can transmit West Nile Virus
- Killing plants that are poisonous to the touch, such as poison ivy and giant hogweed.

The pesticides with both non-cosmetic uses and cosmetic uses are listed in Class 7. Such pesticides will only be allowed for non-cosmetic purposes. A retailer must notify you of this when you purchase the product. For example, the use of a pesticide to control poison ivy cannot be used on patios or driveways to control weeds.

Other pesticide uses that are allowed around the home include:

- To protect the health of pets (e.g. to control fleas)
- To control indoor pests or pests that can cause structural damage to the home.

You can purchase and use biopesticides (e.g., microorganisms that control pests, such as the bacterial insecticide used to control Gypsy moths) and lower risk pesticides (such as acetic acid) to manage weeds, insects and plant diseases. These pesticides must be used in accordance with their label.

Personal use of pesticides extends to application of pesticides on your own property. In most cases, an Exterminator Licence is required to perform extermination on a property that is not your own. This includes application of biopesticides and other products that fall under the *Pesticides Act*.

### Compliance and Enforcement

The ministry manages its approach to compliance and enforcement through education and outreach, inspections, response to incidents, voluntary abatement, orders, tickets and prosecutions. Questions or non-compliance reports should be directed to a ministry district office during regular business hours (look in the Blue Pages in your telephone directory or see a listing on the ministry's web site at [www.ene.gov.on.ca](http://www.ene.gov.on.ca)).

After business hours call the ministry's Pollution Hotline at 1-866-MOE-TIPS (1-866-663-8477).

## UNLICENSED ASSISTANTS

### Trainee

A person that is hired as an assistant to a licensed exterminator and who has **not** successfully completed an MOE approved pesticides safety training course and practical training from a licensed exterminator is described as a **trainee**. A trainee requires direct supervision by a licensed exterminator at all times.

### Technician

A trainee that successfully completes an MOE approved pesticides safety training course **and** has received practical training from a licensed exterminator is referred to as a **technician**. For information regarding pesticide training courses for technicians contact:

Ridgetown Campus  
University of Guelph  
1-888-620-9999  
[www.ridgetownc.on.ca](http://www.ridgetownc.on.ca)

Pesticide Industry  
Council  
1-800-265-5656  
[www.ptpic.com](http://www.ptpic.com)

Pesticide Industry  
Regulatory Council  
1-800-615-9813  
[www.oppaa.com](http://www.oppaa.com)

### Conditions Relating to Extermination

The following conditions must be met if an unlicensed assistant is assisting a licensed exterminator with an extermination:

Unlicensed Assistant	Conditions
Technician or Exterminator Licence holder of a class other than the class that authorizes the extermination being performed	<ol style="list-style-type: none"> <li>1. The unlicensed assistant must not do any of the following:                             <ol style="list-style-type: none"> <li>i. Select or recommend to a person a pesticide for use in an extermination.</li> <li>ii. Select the method of application or the rate of application of a pesticide used in an extermination.</li> <li>iii. Use a Class 2 pesticide.</li> <li>iv. Use a Class 3 pesticide that is an avicide, rodenticide, fumigant or suspension in air, except in the presence of a licensed exterminator authorized to use the pesticide.</li> </ol> </li> <li>2. The unlicensed assistant must have readily available at the extermination site a work order, invoice, job sheet or other form of written instructions respecting the extermination, including the following information:                             <ol style="list-style-type: none"> <li>i. The location of the extermination site.</li> <li>ii. The pest to be exterminated.</li> <li>iii. The name of the pesticide to be used and its registration number assigned to it under the Pest Control Products Act (Canada) or the Fertilizers Act (Canada).</li> <li>iv. The name and licence number of the supervising licensed exterminator.</li> <li>v. A unique number or other identifier by which the extermination is identified in the business records of the unlicensed assistant's employer.</li> </ol> </li> </ol>

Unlicensed Assistant	Conditions
	<ol style="list-style-type: none"> <li>3. When visited by the supervising licensed exterminator at the extermination site, the unlicensed assistant must request that the supervising licensed exterminator enter his or her licence number, signature and the date on the written instructions.</li> <li>4. The unlicensed assistant must carry or have readily available at any extermination site all written instructions that have been signed over the last 30 days by a supervising licensed exterminator.</li> </ol>
Trainee	<p>The trainee must not do any of the following:</p> <ol style="list-style-type: none"> <li>1. Select or recommend to a person a pesticide for use in an extermination.</li> <li>2. Select the method of application or the rate of application of a pesticide used in an extermination.</li> <li>3. Use a Class 2 pesticide.</li> </ol>

## EXTERMINATOR LICENCES

A person that applies pesticides commercially and is not a Technician or Trainee requires an Exterminator Licence from the MOE authorizing pesticide use according to the terms and conditions of the licence. All new exterminators are required to take an MOE approved course (including passing a certification exam). For information regarding pesticide training and certification please contact Ridgetown Campus, University of Guelph toll free at 1-888-620-9999 or locally at (519) 674-1575. All pesticide exterminator licence holders must be at least sixteen years of age. Exterminator licences are **valid for a five year period**, after which time the licence must be renewed.

### Exterminator Licences - Structural

Class of licence	Pesticides authorized for use under the licence	Conditions for use
Fumigation Commodity	<ol style="list-style-type: none"> <li>1. Aluminum phosphide.</li> <li>2. Magnesium phosphide.</li> <li>3. Phosphine.</li> <li>4. A mixture of carbon dioxide and any of the following: aluminum phosphide, magnesium phosphide, or phosphine.</li> <li>5. Insecticides, including suspensions in air, that are Class 3, 4, 5, 6 or 7 pesticides that are labelled for use in the extermination of pests associated with the commodity being fumigated.</li> </ol>	Use in a fumigation of a commodity or other structural extermination of pests associated with a commodity, if the commodity is enclosed in a container including a shipping container, silo, bin, vehicle or vault or under a covering that suppresses the release of gas.
Fumigation General	<ol style="list-style-type: none"> <li>1. Fumigant gases.</li> <li>2. Chloropicrin.</li> </ol>	Use in any fumigation.
Fumigation Soil	<ol style="list-style-type: none"> <li>1. Fumigant gases.</li> <li>2. Chloropicrin.</li> </ol>	Use in any of the following: <ol style="list-style-type: none"> <li>1. A fumigation of soil inside a building, with gas enclosed under a covering that suppresses the release of gas.</li> <li>2. A fumigation of soil that is not inside a building, with gas enclosed under a covering that suppresses the release of gas.</li> </ol> No use in fumigation of rodent burrows.
Fumigation Vault	<ol style="list-style-type: none"> <li>1. Methyl bromide.</li> <li>2. Ethylene oxide.</li> <li>3. Carbon dioxide.</li> </ol>	Use in a fumigation in a vault.
Greenhouse / Interior Plant*	All pesticides, including fumigants and suspensions in air, except for the following: <ol style="list-style-type: none"> <li>1. Fumigant gases.</li> <li>2. Chloropicrin.</li> <li>3. Termiticides.</li> </ol>	Use in a structural extermination to control pests of plants growing inside greenhouses and other buildings or structures, including use in areas on or immediately surrounding greenhouses, buildings or structures.

*\*this includes a greenhouse attached to a building such as a school or other occupied structure that is not part of an agricultural operation.*



**Exterminator Licences - Structural (continued)**

Class of licence	Pesticides authorized for use under the licence	Conditions for use
Structural	All pesticides, including fumigants and suspensions in air, except for the following: 1. Fumigant gases. 2. Chloropicrin. 3. Termiticides. 4. Herbicides.	Use in any structural extermination, except for an extermination to control pests of plants.  Use in a land extermination mentioned in subsection 71 (1) of O. Reg. 63/09.
Termite	All termiticides, including fumigants and suspensions in air, except for the following: 1. Fumigant gases. 2. Chloropicrin.	Use in a structural extermination to prevent or control termites.

**Exterminator Licences – Land**

Class of licence	Pesticides authorized for use under the licence	Conditions for use
Aerial	Any pesticide that may be used by an aerial application according to the directions on the pesticide's label.	Use in a land extermination performed by aerial application.  Use in a water extermination mentioned in section 85 of O. Reg. 63/09.
Agriculture	Any pesticide that is not a fumigant gas, other than a fumigant gas that contains aluminum phosphide.	Use in a land extermination for the purposes of an agricultural operation.  Use in a structural extermination mentioned in section 56 of O. Reg. 63/09.
Industrial Vegetation	All herbicides, insecticides and fungicides, except for fumigant gases.	Use in a land extermination to control vegetation if the extermination is performed for the benefit of a public work or to allow access to the public work.  Use in a structural extermination mentioned in section 57 of O. Reg. 63/09.  Use of insecticides and fungicides on inground wooden poles only.
Forestry	All pesticides, except for fumigant gases.	Use in a land extermination performed for the purposes of forestry.
Landscape	All pesticides, except for fumigant gases.	Use in a land extermination to maintain turf or ornamental plantings on residential, recreational, commercial or public land or to maintain ornamental plants intended for sale, including the following uses: 1. Use on the outside of buildings or structures for the purpose of exterminating pests directly associated with turf or ornamental plantings. 2. Use for the purpose of maintaining treed areas not exceeding one hectare in size. 3. Use for the purpose of maintaining rights of way or easements that are not related to a public work.

## Exterminator Licences – Water

Class of licence	Pesticides authorized for use under the licence	Conditions for use
Aquatic Vegetation	Herbicides.	Use in a water extermination.
Fish/Mollusc	Pesticides labelled for use in a water extermination of fish, sea lamprey or molluscs.	Use in a water extermination.
Mosquito/Biting Flies	Insecticides labelled for use in an extermination of mosquitoes and other biting flies.	Use in a water extermination. Use in a land extermination mentioned in subsection 71 (2) of O. Reg. 63/09.

## PESTICIDE PERMITS

Certain types of pesticide application require a permit, issued by the Ministry of the Environment.

Examples of pesticide use that may require a permit include:

1. Use of a Class 2 pesticide to fumigate a building, portion of a building, or in a vehicle or structure.
2. Use of a Class 2 pesticide to destroy bees in a structural extermination.
3. Land application of a Class 2, 3 or 4 pesticide that contains picloram.
4. Aerial application of a Class 2 pesticide.
5. Aerial application of a pesticide that contains 2, 4-D, 2, 4DB, mecoprop, MCPA, MCPB, dichlorprop, dicamba, paraquat or triclopyr.
6. Aerial application of a Class 3 or 4 pesticide performed in connection with the management of a crown forest.
7. Applications of pesticides to water.

Questions regarding pesticide permits should be directed to your local Ministry of the Environment Regional Office (look in the Blue Pages in your telephone directory or see a listing on the ministry's web site at [www.ene.gov.on.ca](http://www.ene.gov.on.ca)).

## OPERATOR LICENCES

Any person that operates a pesticide extermination business in Ontario must hold an Operator Licence of the General class issued by the Ministry of the Environment. If you apply pesticides commercially you must have an Operator Licence or be working for someone that has an Operator Licence.

To qualify for an Operator Licence, you must:

- Hold a valid Ontario Exterminator Licence of any type or class. In the case of a corporation, the designated official representative must hold a valid Ontario Exterminator Licence of any type or class;
- Be 18 years of age or older; and
- Have insurance coverage for the pesticide extermination business as outlined in s.93 of Regulation 63/09.

Licensed operators are responsible for ensuring that:

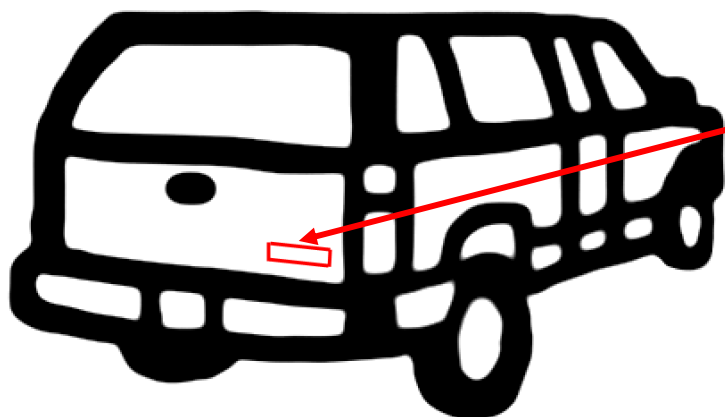
- all vehicles used to transport pesticides display an MOE issued operator sticker for the current year;
- they carry valid and up-to-date insurance as outlined in Ontario Regulation 63/09;
- all of their employees possess the appropriate training, licence and/or supervision;
- all pesticide applications are performed in compliance with the *Pesticides Act* and Regulation 63/09;
- the public notification requirements of Ontario Regulation 63/09 are adhered to; and
- written notice is given to the Fire Department responsible for the area in which pesticides are stored (where appropriate).

Conditions	What the Licence Holder May Do
<ul style="list-style-type: none"> <li>• licence is renewed annually on February 15<sup>th</sup></li> <li>• must be eighteen years of age or older or, in the case of a corporation, the official representative(s) must be at least eighteen years of age</li> <li>• every operator that stores Class 1-8 pesticides must give written notice annually to the Fire Department responsible for the area in which the pesticide is stored</li> <li>• operators must use an identification marker for vehicles transporting pesticides</li> <li>• have a licensed exterminator in charge at each location who is normally present at least once during each business day</li> </ul>	<ul style="list-style-type: none"> <li>• operate a pest control business (land, structural and/or water) for fee or payment.</li> </ul>
	<b>What the Licence Holder Must Have</b>

## VEHICLE IDENTIFICATION

A licensed operator must ensure that a current MOE issued identification marker is affixed to the rear of all vehicles that store or transport pesticides. This includes pesticides stored or transported in the cab (passenger compartment) of a vehicle, in the trunk of a vehicle, in a tank mounted in/on a vehicle or in/on a trailer towed by the vehicle. The identification marker must indicate the current calendar year and contain the words "Licensed Operator, *Pesticides Act*." These identification markers are distributed to licensed operators based on the number of vehicles they currently have in use.

Additional identification markers are available by calling the Environmental Assessment and Approvals Branch of the Ministry of the Environment toll free at 1-800-461-6290, locally at 416-314-8001 or by email: [EAABGen@ene.gov.on.ca](mailto:EAABGen@ene.gov.on.ca).



Identification marker for current year must be affixed to all vehicles used to store or transport pesticides. Markers will read "Licensed Operator, *Pesticides Act*" and are available from the Ministry of the Environment with your new or renewed Operator licence.

### NOTE:

If a vehicle is left unsupervised (i.e., the person responsible is at any time not in view of the vehicle) and that vehicle holds a pesticide that is mixed or diluted or not, the vehicle must be in an area that is not accessible to the public or the pesticide must be locked in a compartment. In addition, a sign must be posted that has the words, "CHEMICAL STORAGE" or "PESTICIDE STORAGE", "AUTHORIZED PERSONS ONLY" and "WARNING IN CASE OF FIRE USE EXTREME CAUTION". These signs are available through various safety and farm suppliers and not from the MOE.

## OPERATOR INSURANCE REQUIREMENTS

A licensed Operator must have specific insurance coverage that covers the operation of their pest control business. You cannot operate an extermination business in Ontario without insurance that meets the criteria outlined in s.93 of O. Reg. 63/09. These requirements are summarized below.

1. Ontario Regulation 63/09 made under the *Pesticides Act* requires that every operator of an extermination business in Ontario shall carry insurance.
2. The insurance must be in a form approved by the Superintendent of Financial Services of the Province of Ontario.
3. The contract of insurance shall provide for at least **\$1,000,000** of comprehensive coverage for liabilities of the operator and all of the operator's employees, with respect to death, injury or property damage arising out of any one incident.
4. The contract of insurance shall also provide for pollution coverage for emissions or discharges of chemicals into the environment as part of the business operated under authority of the licence. This contract of insurance shall provide for at least **\$200,000** of pollution coverage with respect to death, injury or property damage arising out of any one incident.
5. **In addition:** If the operator's extermination business involves the airborne application of pesticides, the contract of insurance shall include coverage for liability for off target pesticide disposition in an amount of not less than
  - a. **\$100,000** with respect to death or injury arising out of any one incident; and
  - b. **\$25,000** with respect to property damage arising out of any one incident.
6. The liability coverage for the insurance must be at least **\$25,000** to each employee of the operator provided that the contract of insurance may limit the insurer's liability to **\$50,000** for any one incident.
7. However, if the operator provides evidence that their business is covered under the *Workplace Safety and Insurance Act* and the operator is paying, and continues to pay, all premiums and any other the amounts required under that Act, as they fall due, then the operator does not need the liability coverage in the contract of insurance as described in paragraph 6, above.
8. The contract of insurance may allow the insured to pay a deductible for the first **\$2,500** of each claim for which an amount of coverage is required.
9. The contract of insurance must include a clause that states that the insurer shall give 30 days notice before any cancellation of the insurance by either the insurer or the insured. The 30 day notice shall be provided by registered mail to the Director appointed under the *Pesticides Act*. The contract of insurance shall remain in full force and effect until after the 30 day notice period has expired.
10. The contract of insurance must include a clause that states that the insurer shall pay any claims covered by the contract of insurance to claimants who have recovered a judgment. The insurer shall pay the claimant even if the insured has taken an act that has made the policy void, has defaulted, or has given the insurer a defense to an action by the insured. This provision in the contract of insurance shall not limit the insurer's right to later recover the payment from the insured.

## VENDOR LICENCES

A person or business that sells pesticides must hold a pesticide Vendor Licence. If the pesticides are stored in an independent warehouse, the warehouse operator must also hold a Vendor Licence in order to receive, store and transfer the pesticide products. There are two types of vendor licence – a Limited Vendor Licence and a General Vendor Licence.

A Limited Vendor Licence authorizes the holder to sell Class 4, 5, 6 or 7 pesticides, or a Class 3 pesticide that is a bactericide in cutting oil, marine or aviation fuel. Note: A Limited Vendor may only sell class 4 pesticides until January 1, 2010.

A General Vendor Licence authorizes the holder to sell all classes of pesticides, whether wholesale or retail. A General Vendor must employ a full-time, certified outlet representative that has completed the Pesticide Vendor Certificate Course. For information regarding vendor training and certification, please contact Ridgetown Campus, University of Guelph toll free at 1-888-620-9999 or locally at (519) 674-1575.

Class 1,2,3,4,5,6\*,7 or 8 pesticides must be stored by vendors:

- In such a manner that the pesticide is not likely to impact the health or safety of any person.
- In an area maintained in good repair and in a clean and orderly condition with sufficient precautions taken to prevent the pesticide from contaminating the natural environment or any other pesticide stored in the same area.
- In an area where a Chemical or Pesticide Storage warning sign is prominently displayed and at all entrances to the area where pesticides are stored.
- In an area where emergency telephone numbers (i.e. fire department, hospital, poison control centre) are prominently displayed.
- Class 7 pesticides must have controlled access after April 22, 2011.

*\* If you are only storing Class 6 pesticides these requirements do not apply.*

**All vendors must store pesticides in a such a manner that the pesticide is not likely to come into contact with food or drink intended for human or animal consumption.**

A pesticide must be displayed:

- In such a manner that it is not on a shelf or in a display case that is adjacent to or above a shelf or display case containing food or drink intended for human or animal consumption or any other commodity which, if contaminated by the pesticide, could cause injury or damage to property or to plant or animal life or to any person (Classes 1, 2, 3, 4, 5, 6 or 7).
- In a manner that presents minimal hazard to children (Class 5).
- In a manner that prevents any person other than the vendor's employees from having ready access to the pesticides (Classes 1, 2, 3 or 4).

## Sale and Transfer of Pesticides

Class of Pesticide	Who may sell or transfer	Who the pesticide may be sold or transferred to
Class 1	A licensed General Vendor	<ul style="list-style-type: none"> <li>• A licensed General Vendor,</li> <li>• A manufacturer who presents a written confirmation issued by the Director under the Act confirming that the person is a manufacturer,</li> <li>• A person mentioned in subsection 98 (2) of O. Reg. 63/09.</li> </ul>
Class 2	A licensed General Vendor	<ul style="list-style-type: none"> <li>• A licensed General Vendor,</li> <li>• A licensed Exterminator, if the licence authorizes the use of the pesticide,</li> <li>• A holder of a permit issued under section 7 of the Act, if the permit authorizes the use of the pesticide.</li> <li>• A farmer who meets the conditions set out in clauses 43 (1) (c) and (d) of O. Reg. 63/09, unless the pesticide is a fumigant gas other than aluminum phosphide.</li> <li>• A manufacturer who presents a written confirmation issued by the Director under the Act confirming that the person is a manufacturer,</li> <li>• A person mentioned in subsection 98 (2) of O. Reg. 63/09.</li> </ul>
Class 3	A licensed General Vendor	<ul style="list-style-type: none"> <li>• A licensed General Vendor,</li> <li>• A licensed Exterminator, if the licence authorizes the use of the pesticide,</li> <li>• Licensed exterminator, if the pesticide does not contain picloram and the licence authorizes the use of the pesticide in a land extermination,</li> <li>• A holder of a permit issued under section 7 of the Act, if the permit authorizes the use of the pesticide.</li> <li>• A farmer who meets the conditions set out in clauses 43 (1) (c) and (d) of O. Reg. 63/09, unless the pesticide is a fumigant gas other than aluminum phosphide.</li> <li>• A manufacturer who presents a written confirmation issued by the Director under the Act confirming that the person is a manufacturer,</li> <li>• A person mentioned in subsection 98 (2) of O. Reg. 63/09.</li> </ul>

**Sale and Transfer of Pesticides (continued)**

Class of Pesticide	Who may sell or transfer	Who the pesticide may be sold to
Class 4	A licensed General Vendor or Limited Vendor*	<ul style="list-style-type: none"> <li>• A licensed General Vendor,</li> <li>• A licensed Exterminator, if the licence authorizes the use of the pesticide,</li> <li>• A holder of a permit issued under section 7 of the Act, if the permit authorizes the use of the pesticide.</li> <li>• A manufacturer who presents a written confirmation issued by the Director under the Act confirming that the person is a manufacturer,</li> <li>• A person mentioned in subsection 98 (2) of O. Reg. 63/09.</li> </ul>
Class 5	A licensed General Vendor or Limited Vendor	Any person.
Class 6	Any person	Any person.
Class 7	Any person	Any person.

*\*A limited vendor may only sell Class 4 pesticides until January 1, 2010*



## CERTIFIED FARMERS (CERTIFIED GROWERS)

It is mandatory for farmers to be certified through the Grower Pesticide Safety Course (GPSC) in order to buy and use Class 2 or 3 pesticides for the purposes of an agricultural operation.

- At least one Certified Agriculturist farmer is required for each agricultural operation.
- You are a farmer if you are an individual who owns an agricultural operation or who operates an agricultural operation. (Note: more than one individual may, at the same time, operate an agricultural operation on a regular basis.)

Subsection (1) of O. Reg. 63/09 defines an “agricultural operation” as an agricultural, aquacultural or horticultural operation and, subject to subsection (2) of O. Reg. 63/09, includes any of the following activities done for the purposes of any of those operations:

1. Growing, producing or raising farm animals.
2. The production of agricultural crops, including greenhouse crops, maple syrup, mushrooms, nursery stock, tobacco, trees and turf grass, and any additional agricultural crops prescribed by the regulations made under the *Nutrient Management Act, 2002*.
3. The production of eggs, cream and milk.
4. The operation of agricultural machinery and equipment.
5. The processing by a farmer of the products produced primarily from the farmer’s agricultural operation.
6. Activities that are a necessary but ancillary part of an agricultural operation such as the use of transport vehicles or storage containers or maintenance of a shelterbelt for the purposes of the agricultural operation.
7. The management of materials containing nutrients for farm purposes.
8. The production of wood from a farm woodlot, if at least one of the activities described in paragraphs 1 to 7 is carried out on the property where the farm woodlot is located.

Subsection 2 of O. Reg. 63/09 limits the definition of production. For the purposes of the definition of “agricultural operation” in subsection (1), production does not include:

- a. production primarily for use or consumption by members of the household of the owner or operator of the agricultural operation;
- b. production primarily for the purposes of a pastime or recreation;
- c. production related to the growing of trees in a Crown forest;
- d. production related to the growing of plants in a park, cemetery, on a lawn or similar location where the plants are grown primarily for display purposes; or
- e. production related to the growing of agricultural crops in a park, on a property used primarily for residential purposes or in a garden located in a public space.

## Certified Farmer

Description of extermination that may be performed	Conditions related to the extermination
<p>A fumigation of groundhog burrows performed in the ground for the purpose of controlling groundhogs by means of a fumigant gas that contains aluminum phosphide.</p>	<ol style="list-style-type: none"> <li>1. The extermination must be performed for the purposes of the agricultural operation owned or operated on a regular basis by the farmer who is exempt under subsection 43 (1) of O. Reg. 63/09.</li> <li>2. The farmer must ensure that,               <ol style="list-style-type: none"> <li>i. the burrows do not open into a building,</li> <li>ii. all burrow entrances are at least 10 metres from a building, and</li> <li>iii. the farmer and every other person present have adequate respiratory protection during the introduction of the fumigant gas.</li> </ol> </li> <li>3. The extermination must not be performed by aerial application.</li> </ol>
<p>An extermination that is performed by means of one of the following:</p> <ol style="list-style-type: none"> <li>1. A Class 2 pesticide that is not a fumigant gas.</li> <li>2. A Class 3 pesticide.</li> </ol>	<ol style="list-style-type: none"> <li>1. The extermination must be performed for the purposes of the agricultural operation owned or operated on a regular basis by the farmer who is exempt under subsection 43 (1) of O. Reg. 63/09.</li> <li>2. If the extermination is a structural extermination, the farmer must meet the following conditions:               <ol style="list-style-type: none"> <li>i. If the extermination is performed by means of a pesticide containing 4-amino-pyridine, strychnine or zinc phosphide, he or she must meet the requirements set out in section 66 of O. Reg. 63/09.</li> <li>ii. If the extermination is performed by means of a suspension in air or a fumigant that is not a fumigant gas,                   <ol style="list-style-type: none"> <li>A. if the extermination is performed by means of a Class 2 pesticide, another farmer who meets the conditions set out in clauses 43 (1) (c) and (d) of O. Reg. 63/09. or a licensed exterminator whose license authorizes the performance of the extermination must be present during the extermination,</li> <li>B. if the extermination is performed by means of a Class 3 pesticide, another farmer who meets the conditions set out in clauses 43 (1) (c) and (d) of O. Reg. 63/09 or a licensed exterminator of any class must be present during the extermination, and</li> <li>C. if the extermination is performed by means of a Class 2 or 3 pesticide, the farmer must meet the requirements set out in subsection 67 (6) of O. Reg. 63/09.</li> </ol> </li> </ol> </li> <li>3. The extermination must not be performed by aerial application.</li> </ol>
<p>A land extermination performed by means of one of the following:</p> <ol style="list-style-type: none"> <li>1. A Class 2 pesticide that is not a fumigant gas.</li> <li>2. A Class 3, 4, 5, 6 or 7 pesticide.</li> </ol>	<ol style="list-style-type: none"> <li>1. The extermination must be performed for the purposes of an agricultural operation other than the operation that is owned or operated on a regular basis by the farmer who is exempt under subsection 43 (1) of O. Reg. 63/09.</li> <li>2. If the farmer who is exempt under subsection 43 (1) of O. Reg. 63/09 uses a piece of equipment to apply the pesticide, only one piece of equipment must be used at any time and that equipment must be normally used on an agricultural operation that he or she owns or operates on a regular basis.</li> <li>3. No money must be paid for the extermination.</li> <li>4. The extermination must not be performed by aerial application.</li> <li>5. The farmer who is exempt under subsection 43 (1) of O. Reg. 63/09 must not be assisted in the performance of the extermination by any person other than another farmer who meets the conditions set out in clauses 43 (1) (c) and (d) of O. Reg. 63/09.</li> </ol>

## ASSISTANT FARMER

All Assistant Farmers must have formal pesticide safety training, recognized by the Ministry of the Environment, before they can use a Class 2 or 3 pesticide under the supervision of a Certified Farmer (Certified Grower).

- This applies to all assistant farmers, including family members, farm employees and seasonal workers.
- Trained assistant farmer must be 16 years of age or older.
- There are 2 training options for assistant farmers. Assistants can:
  1. attend a Grower Pesticide Safety Course (GPSC) but are not required to write the certification examination, or;
  2. attend an on-farm training session presented by a qualified trained assistant instructor.
- For more information about Grower Pesticide Safety Courses, please contact Ridgetown Campus, University of Guelph toll free at 1-800-652-8573 or locally at (519) 674-1580.

### Assistant Farmers to a Certified Farmer (Certified Grower)

A person that has successfully completed an approved course for handling and using pesticides on an agricultural operation and performs an extermination while under the supervision of a Certified Farmer is considered an **Assistant Farmer**.

#### Assistant Farmer

Conditions Related to the Extermination	Conditions Related to Supervision of the Assistant Farmer
1. The farmer must not, <ol style="list-style-type: none"> <li>i. purchase, recommend or select the pesticide,</li> <li>ii. use a Class 2 suspension in air in a structural extermination,</li> <li>iii. select the application rate of the pesticide,</li> <li>iv. calibrate equipment used to apply the pesticide,</li> <li>v. select the appropriate means of storage of the pesticide,</li> <li>vi. select the appropriate means of disposal or recycling of an empty container that has held the pesticide, or</li> <li>vii. transport or dispose of the pesticide that has become waste.</li> </ol> 2. If the farmer uses a Class 3 pesticide containing 4-amino-pyridine, strychnine or zinc phosphide in a structural extermination, he or she must meet all of the requirements set out under section 66.	1. The supervising farmer must be present at the extermination site or be available as described in paragraph 2. 2. The supervising farmer may be available for the purposes of supervision by one of the following means: <ol style="list-style-type: none"> <li>i. In the case of an extermination involving the use of a Class 2 pesticide, providing the assistant farmer with written instructions for the proper use of the pesticide and ensuring that the instructions are readily available at the extermination site.</li> <li>ii. In the case of an extermination involving a Class 2 or 3 pesticide, being available for immediate response through an effective communication system and being able to attend at the extermination site to respond to an emergency situation within a period of time that is reasonable in the circumstances.</li> </ol> 3. The supervising farmer must not supervise, at any one time, more than three farmers who are exempt under subsection 44 (1) of O. Reg. 63/09. 4. The supervising farmer must ensure that the use, storage, transportation and disposal of pesticides for the purposes of the agricultural operation are carried out in accordance with the Act and this Regulation. 5. The supervising farmer must ensure that the conditions applicable to the extermination set out in Column 2 of the Table to section 43 of O. Reg. 63/09 are met.

For more information, please visit the Ontario Ministry of Agriculture and Food website at [www.gov.on.ca/OMAFRA](http://www.gov.on.ca/OMAFRA)

## CLASSIFICATION OF PESTICIDES

Pesticides are classified into one of eleven classes used to control sale and use. The document entitled “Pesticide Classification Guideline for Ontario,” (The Guideline) is available on the Ministry’s website at [www.ene.gov.on.ca](http://www.ene.gov.on.ca).

### Ontario’s Pesticide Classification Criteria

Criteria	Classification
The pesticide is designated under the Pest Control Products Act (Canada) as a pesticide of the Manufacturing class.	Class 1
<ol style="list-style-type: none"> <li>1. The pesticide is designated under the Pest Control Products Act (Canada) as a pesticide of the Commercial or Restricted class.</li> <li>2. The pesticide meets the description of Very Hazardous in the Guideline.</li> <li>3. The pesticide does not meet the description of a Controlled Sales pesticide in the Guideline.</li> </ol>	Class 2
<ol style="list-style-type: none"> <li>1. The pesticide is designated under the Pest Control Products Act (Canada) as a pesticide of the Commercial or Restricted class.</li> <li>2. The pesticide meets the description of Moderately Hazardous in the Guideline.</li> <li>3. The pesticide does not meet the description of a Controlled Sales pesticide in the Guideline.</li> </ol>	Class 3
<ol style="list-style-type: none"> <li>1. The pesticide is designated under the Pest Control Products Act (Canada) as a pesticide of the Commercial or Restricted class.</li> <li>2. The pesticide meets the description of Less or Least Hazardous in the Guideline.</li> <li>3. The pesticide does not meet the description of a Controlled Sales pesticide set out in the Guideline.</li> </ol>	Class 4
<ol style="list-style-type: none"> <li>1. The pesticide is,               <ol style="list-style-type: none"> <li>i. designated under the Pest Control Products Act (Canada) as a pesticide of the Domestic class and meets the description of Less Hazardous in the Guideline, or</li> <li>ii. registered under the Fertilizers Act (Canada) and the size of its container is greater than 1 kilogram or 1 litre.</li> </ol> </li> <li>2. If the pesticide may be used in, on or over land,               <ol style="list-style-type: none"> <li>i. the only pesticide ingredient it contains is a Class 11 pesticide, or</li> <li>ii. every use set out on the pesticide’s label is a use mentioned in subsection 7.1 (2) of the Act.</li> </ol> </li> </ol>	Class 5
<ol style="list-style-type: none"> <li>1. The pesticide is,               <ol style="list-style-type: none"> <li>i. designated under the Pest Control Products Act (Canada) as a pesticide of the Domestic class and meets the description of Least Hazardous in the Guideline, or</li> <li>ii. registered under the Fertilizers Act (Canada) and the size of its container is less than or equal to 1 kilogram or 1 litre.</li> </ol> </li> <li>2. If the pesticide may be used in, on or over land,               <ol style="list-style-type: none"> <li>i. the only pesticide ingredient it contains is a Class 11 pesticide, or</li> <li>ii. every use set out on the pesticide’s label is a use mentioned in subsection 7.1 (2) of the Act.</li> </ol> </li> </ol>	Class 6
<ol style="list-style-type: none"> <li>1. The pesticide is designated under the Pest Control Products Act (Canada) as a pesticide of the Domestic or Restricted class.</li> <li>2. The pesticide may be used in, on or over land.</li> <li>3. The pesticide meets the description of a Controlled Sales pesticide set out in the Guideline.</li> </ol>	Class 7

### Ontario's Pesticide Classification Criteria (*continued*)

Criteria	Classification
<ol style="list-style-type: none"> <li>1. The pesticide is designated under the Pest Control Products Act (Canada) as a pesticide of the Domestic class or is registered under the Fertilizers Act (Canada).</li> <li>2. The pesticide may be used in, on or over land.</li> <li>3. The pesticide contains a Class 9 pesticide.</li> <li>4. The pesticide meets one of the following descriptions:               <ol style="list-style-type: none"> <li>i. Its label does not set out any of the uses mentioned in subsection 7.1 (2) of the Act.</li> <li>ii. If its label sets out a use mentioned in paragraph 4 of subsection 7.1 (2) of the Act, the pesticide does not meet the description of a Controlled Sales pesticide set out in the Guideline.</li> </ol> </li> </ol>	Class 8
<ol style="list-style-type: none"> <li>1. The pesticide is an ingredient in a Class 2, 3, 4, 5, 6, 7 or 8 pesticide.</li> <li>2. The label of the Class 2, 3, 4, 5, 6, 7 or 8 pesticide sets out at least one use that is not a use mentioned in subsection 7.1 (2) of the Act.</li> <li>3. The pesticide does not meet the description of a Category I pesticide in the Guideline.</li> </ol>	Class 9
<ol style="list-style-type: none"> <li>1. The pesticide is a Class 9 pesticide.</li> <li>2. The pesticide meets the description of a Category II pesticide in the Guideline.</li> </ol>	Class 10
<ol style="list-style-type: none"> <li>1. The pesticide is an ingredient in a Class 2, 3, 4, 5, 6 or 7 pesticide.</li> <li>2. The pesticide meets the description of a Category I pesticide in the Guideline.</li> </ol>	Class 11

# FIRE DEPARTMENT NOTIFICATION


Ontario Regulation 63/09 under the Pesticides Act requires that:

- Any person who stores a Class 1 pesticide **MUST** give a written notice annually to the fire department responsible for the area in which the pesticide is stored.
- Every manufacturer, licensed operator or licensed vendor who stores a Class 2, 3, 4, 5, 6, 7, or 8 pesticide **MUST** give a written notice annually to the fire department responsible for the area in which the pesticide is stored.

Written notice must be provided using a “Fire Department Pesticide Storage” card. These are distributed to licensed operators and vendors with their licence. Additional cards are available by calling the Environmental Assessment and Approvals Branch of the Ministry of the Environment toll free at 1-800-461-6290, locally at 416-314-8001 or by email: [EAABGen@ene.gov.on.ca](mailto:EAABGen@ene.gov.on.ca).

You must complete this card and forward it to your local fire department if you store a Class 1 pesticide or if you are a manufacturer, licensed operator or licensed vendor who stores a Class 2, 3, 4, 5, 6, 7, or 8 pesticide.

If you store these pesticides in more than one location, the fire department responsible for EACH area must be notified. You can find the address and contact information for your local fire department in a local telephone directory.



Ontario		Ministry of the Environment	Fire Department Pesticide Storage Notification (for reference in case of an emergency)
Regulation 63/09 under the Pesticides Act requires that:			
• Any person who stores a Class 1 pesticide <b>MUST</b> give a written notice annually to the fire department responsible for the area in which the pesticide is stored.			
• Every manufacturer <sup>1</sup> , licensed operator and licensed vendor who stores a Class 2, 3, 4, 5, 6, 7, or 8 pesticide <b>MUST</b> give a written notice annually to the fire department responsible for the area in which the pesticide is stored.			
This form, when completed and forwarded to the local fire department, serves as the notification required under Section 112 of O. Reg. 63/09 under the Pesticides Act. Retain a copy for your records. Please notify the fire department if any of the information below changes.			
<b>Part A</b>			
Name of Fire Department (to which the notification is being made)		Date	
Address of Fire Department			
City	Province	Country	Postal Code
Fire Department Emergency Telephone Number(s)		Fire Department Business Telephone Number (non-emergency)	

A manufacturer means a person who carries on business respecting the:

- i. Formulation of a Class 1 pesticide into another pesticide,
- ii. Manufacturing of a pesticide into a product,
- iii. Incorporation of a pesticide into a product,
- iv. Packaging or distribution of a pesticide or product containing a pesticide. (see s.1 of O.Reg. 63/09)

"Operator" means a person(s) who has the control and management of an extermination business (see s.1 of *Pesticides Act*).

"Licensed Vendor" means a person who holds a General or Limited vendors licence in accordance with O.Reg. 63/09

"Person Responsible," when used with reference to a pesticide, substance or thing, means, (a) the owner, (b) the person having the charge, management or control of the handling, storage, use, disposal, transportation or display, or (c) the person having the charge, management or control (e.g. a certified outlet representative of a General vendor) (see s.1 of the *Pesticides Act*).

## PESTICIDE SPILLS

A spill must be reported when it causes, or may cause, any of the following adverse effects:

- any impairment to the quality of the environment - air, water, land
- any injury or damage to property, plants or animal life
- harm or material discomfort
- adverse health effects
- impairment to safety
- loss of enjoyment of normal use of property
- interference with normal business

Remember:

If the spill causes, or is likely to cause any of these adverse effects, you **MUST** report the spill immediately by calling: **Spills Action Centre: 1-800-268-6060**

## PROPER DISPOSAL OF PESTICIDES

Prior to disposing of unused pesticides, consider contacting the manufacturer (see product label for details) and asking if the product can be returned. A licensed Exterminator may also transfer pesticides to another licensed Exterminator for his/her use.




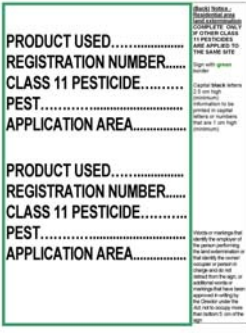
If returning or transferring the pesticide is not an option, unused pesticides must be disposed of in accordance with O. Reg. 63/09 and Regulation 347 (General Waste Management) under the *Environmental Protection Act*. In Ontario, all pesticide waste must be disposed of at a waste disposal facility that has been approved by the Ministry of the Environment. In addition, pesticide waste can only be transported by a waste management company that has obtained the appropriate approvals from the Ministry of the Environment.

Disposal of a pesticide by licensed exterminators is a multi-step process that requires classifying the waste and then determining the appropriate actions for disposal based on this classification. Questions regarding the proper disposal of waste pesticides should be directed to your local Ministry of the Environment District Office (look in the Blue Pages in your telephone directory or see a listing on the ministry's web site at [www.ene.gov.on.ca](http://www.ene.gov.on.ca)).

# NOTIFICATION SIGNS

With limited exception, notification signs must be posted at any location that pesticides are applied or stored. The following examples have been prepared for your reference. Specific information relating to the size and contents of the signs and information about when and where each sign should be posted is detailed in O. Reg. 63/09.

## Notification Signs

<p><b>Sign A:</b> Warning Sign Used for Fumigation</p> <p>Should be posted:</p> <ol style="list-style-type: none"> <li>1. at all entrances to the building where fumigation is to be performed, and at all entrances to every building physically attached to the building, and ensure that each sign is sufficiently illuminated at all times to allow it to be read.</li> </ol>	
<p><b>Sign B:</b> Warning Sign Used for Structural Extermination</p> <p>Should be posted:</p> <ol style="list-style-type: none"> <li>1. on the outside of all doors leading into the building.</li> <li>2. for structural exterminations by means of a Class 2 or 3 suspension in air or a fumigant that is not a fumigant gas.</li> </ol>	
<p><b>Sign C:</b> Notice Sign Used for Residential Area Land Extermination</p> <p>Required for pesticides whose only pesticide ingredient is a Class 11 Pesticide.</p> <p>Should be posted:</p> <ol style="list-style-type: none"> <li>1. immediately before the extermination begins,</li> <li>2. at an ordinary point of access to the application area,</li> <li>3. at least every 100 metres along the following parts of the perimeter of the application area             <ol style="list-style-type: none"> <li>a. The parts that are within 100 metres of a dwelling unit, other than a dwelling unit that is within the application area.</li> <li>b. The parts that are adjacent to a highway or other area to which the public is ordinarily admitted.</li> </ol> </li> </ol>	<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">  <p>Front</p> </div> <div style="text-align: center;">  <p>Back</p> </div> </div>

*\*Note: Signs are not to scale. Please refer to O. Reg. 63/09 for specific information relating to size and contents of the signs.*



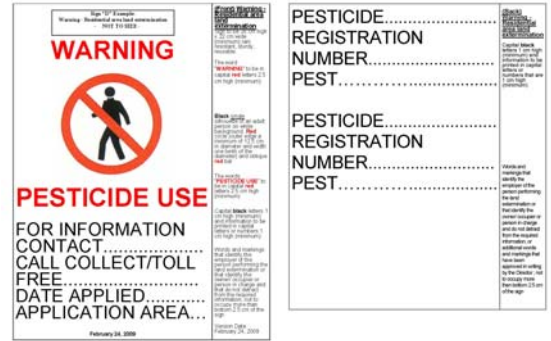
**Notification Signs (continued)**

**Sign D:**  
Warning Sign Used for Residential Area Land Extermination

Required for any pesticide other than a pesticide whose only pesticide ingredient is a Class 11 Pesticide.

Should be posted:

1. immediately before the extermination begins,
2. at an ordinary point of access to the application area,
3. at least every 100 metres along the following parts of the perimeter of the application area
  - c. The parts that are within 100 metres of a dwelling unit, other than a dwelling unit that is within the application area.
  - d. The parts that are adjacent to a highway or other area to which the public is ordinarily admitted.



Front

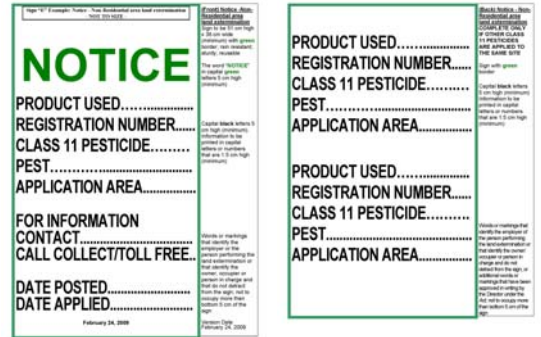
Back

**Sign E:**  
Notice Sign Used for Non-Residential Area Land Extermination

Required for pesticides whose only pesticide ingredient is a Class 11 Pesticide.

Should be posted:

1. If there are no ordinary points of access to the application area and there is a larger area that includes the application area and for which the same person is responsible as for the application area, signs shall be posted conspicuously at all ordinary points of access, if any, to that larger area and at least every 100 metres along the perimeter of the larger area, except where there is a barrier along the perimeter that can reasonably be expected to prevent any person from entering the application area.
2. In all other cases, signs shall be posted conspicuously at all ordinary points of access, if any, to the application area and at least every 100 metres along the perimeter of the application area, except where there is a barrier along the perimeter that can reasonably be expected to prevent any person from entering the application area.



Front

Back

*\*Note: Signs are not to scale. Please refer to O. Reg. 63/09 for specific information relating to size and contents of the signs.*

**Notification Signs (continued)**

**Sign F:**  
Warning Sign Used for Non-Residential Area Land Extermination

Required for any pesticide other than a pesticide whose only pesticide ingredient is a Class 11 Pesticide.

Should be posted:

1. If there are no ordinary points of access to the application area and there is a larger area that includes the application area and for which the same person is responsible as for the application area, signs shall be posted conspicuously at all ordinary points of access, if any, to that larger area and at least every 100 metres along the perimeter of the larger area, except where there is a barrier along the perimeter that can reasonably be expected to prevent any person from entering the application area.
2. In all other cases, signs shall be posted conspicuously at all ordinary points of access, if any, to the application area and at least every 100 metres along the perimeter of the application area, except where there is a barrier along the perimeter that can reasonably be expected to prevent any person from entering the application area.



**Sign G:**  
Warning Sign Used for Storage of Pesticides

Should be prominently displayed:

1. Near the area that pesticides are stored, and
2. At all entrances to the area where pesticides are stored.

A list of emergency telephone numbers, including those of the fire department, hospital and poison control centre must also be prominently displayed near the area where the pesticide is stored.



*\*Note: Signs are not to scale. Please refer to O. Reg. 63/09 for specific information relating to size and contents of the signs.*