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Ontario's Cosmetic Pesticides Ban What the Forestry Industry Needs to Know

Ontario's cosmetic pesticides ban will take effect 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.

The ban is part of the McGuinty government's toxics reduction strategy to reduce pollution and protect families from toxic chemicals.

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. 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.

The provincial ban supersedes local municipal pesticides bylaws to create one clear, transparent and understandable set of rules across the province.

Forestry Use Exception

The use of pesticides in forestry is essential to protect trees from pests, and to control competing vegetation. Ontario's forestry workers already have stringent rules on the use, handling, storage and application of pesticides, and these rules will continue to apply.

Forestry is defined in the regulation to mean activities relating to any of the following: harvest, renewal, maintenance or establishment of a forest, protection of forest resources derived from a forest, and accessing a forest for these purposes.

As well, a "forest" is defined as a treed area of land that is one hectare in size or larger and that is not used for the production of an agricultural crop as part of an agricultural operation.

Forestry workers with the appropriate training and exterminator's licence can continue to use pesticides in classes 2, 3 and 4.

**Note: All classes are subject to change as newly registered pesticides are classified for sale and use in Ontario, or as products are reclassified or declassified.*

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. In the case of the pesticides ban, the ministry will focus its initial efforts on education when responding to reports of suspected non-compliance. 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/en/about/org/index.php#4). After business hours call the ministry's Pollution Hotline at 1-866-MOE-TIPS (1-866-663-8477).

For more information:

Questions about the ban can be directed to the Ministry of the Environment's Public Information Centre at 1-800-565-4923 or 416-325-4000.

Several fact sheets are available on the ministry's website for specific audiences, as well as a general fact sheet about the regulation and suggestions on caring for lawns and gardens with greener alternatives.