

**ONTARIO
PESTICIDES ADVISORY COMMITTEE**



**Fiscal
2008-2009
Annual Report**

PESTICIDES ADVISORY COMMITTEE 2008-2009

NAME:	DISCIPLINE:	O.I.C. ¹ Appointment Date	O.I.C. Expiry Date
C.M. Switzer, Ph.D. (Chair)	Plant Physiologist	Apr 28/08	Apr 27/09
G. Stephenson, Ph.D. (Vice Chair)	Environmental Toxicologist (Herbicides)	Jul 04/08	Jul 03/09
J.R. Bend, Ph.D.	Pharmacologist/Toxicologist	Feb 03/07	Feb 02/10
H. Berges, Bsc. (Agr.)	Agrologist	Mar 10/07	Mar 09/10
C. Hunter, M.Sc.	Plant Pathologist	Jul 04/08	Jul 03/09
G. Liss, MD, MS, FRCPC	Medical Consultant	Sep 17/08	Sep 16/11
B.H. McGauley, MSc.F.	Forest Pathologist/Urban Forester	Feb 03/07	Feb 02/10
C. McKay, M. Sc.	Plant Pathologist	Dec 03/08	Jan 02 /10
W. Michalowicz, M.Sc.	Environmental Biologist	Feb 03/07	Feb 02/10
G. Rachamin, Ph.D.	Toxicologist/Pharmacologist/Public Health	Jul 04/08	Jul 03/09
S. Sang, Ph.D.	Ecologist/Biologist	May 25/07	May 24/10
T. Scarr, Ph.D.	Forest Entomologist	Apr 29/08	Apr 28/09
I. Wile B. Sc. (Agr.)	Aquatic Biologist	Mar 10/07	Mar 09/10
 OPAC Staff:			
D.J. Mewett B.Sc. (Agr.)	Executive Secretary		
M. Bradshaw	Secretary		

¹ O.I.C – Order in Council

ONTARIO PESTICIDES ADVISORY COMMITTEE

Ministry of the Environment

MANDATE AND STRUCTURE

The Ontario Pesticides Advisory Committee (OPAC) was established under the *Pesticides Act*. The responsibilities of the Committee under the *Pesticides Act* are as follows:

Section 10, Subsection 3

- a) review annually the content and operation of this Act and the regulations and recommend changes or amendments therein to the Minister;
- b) Inquire into and consider any matter the Committee considers advisable concerning pesticides and the control of pests, and any matter concerning pesticides and the control of pests referred to it by the Minister, and report thereon to the Minister;
- c) Review publications of the Government of Ontario respecting pesticides and the control of pests, and report thereon to the Minister; and
- d) Perform such other functions as the regulations prescribe.

The responsibilities under Regulation 914:

Section 21, Subsection 2

The Committee shall accept and consider an application from a registrant for the classification of a pesticide.

COMMITTEE MEETINGS

The full Committee met ten (10) times and had four (4) teleconferences as well as five (5) Subcommittee meetings during the 2008-2009 fiscal year. In addition, the Committee held a 2 day workshop. Some of the major topics dealt with by the Committee at its meetings were:

- Classification/Declassification/Reclassification issues
- Cosmetic Ban Act and Regulation 63/09
- West Nile Virus
- Emerald Ash Borer/ Asian Long Horned Beetle
- Definition of Low Risk Pesticides (PMRA representative)

An ex-officio member to OPAC from the Pest Management Regulatory Agency (PMRA) continues to attend our meetings. This representative provides a direct link to the PMRA office and allows for dialogue between OPAC and Health Canada.

WORKSHOP

A 2-day workshop was held in the fall of 2008 to review OPAC's responsibilities and direction. The annual workshop also provides the Committee with an opportunity for more in depth dialogue with various parties. This year, OPAC met with:

1. M.O.E staff to discuss the Cosmetic Ban Act and Regulation 63/09.

CLASSIFICATION / DECLASSIFICATION

A monthly function of OPAC is to recommend classification of federally registered pesticides for sale and use in Ontario, as prescribed in the *Pesticides Act* and Regulation 914.

Also, in the last year, a review of the active ingredients which are herbicides has been carried out but not finalized. The purpose of this review is to apply the criteria now used, to some of the older active ingredients, which could result in reclassification.

Classification is not a second tier of the registration process, but is designed to tailor and fine-tune the use of federally registered pesticides to special circumstances that may apply in Ontario. The process of classification restricts the sale and use of potentially hazardous pesticides to those persons who are trained and qualified to handle them. Specifically, classification defines which products can be handled by various licensed vendors and applicators or by homeowners. In addition, the Committee may require special conditions for use in Ontario. The Ontario classification and use restrictions can be more, but not less, restrictive than those imposed through the federal registration process.

Following the initial federal registration of a new active ingredient, OPAC thoroughly reviews the information on the active ingredient, but for subsequent products containing the same active ingredient, the review focuses on the chemical and biological properties of the formulation, including the solvents and inert ingredients to determine the appropriate classification.

The Process for Classification of Pesticides in Ontario

Pesticide Manufacturer submits classification application for pesticide product



Ontario Pesticides Advisory Committee reviews the product and recommends classification into one of six schedules (Table 1). Products containing new active ingredients are posted on the EBR Registry for 30 days for public comment



Standards Development Branch, Director under the *Pesticides Act* on behalf of the Minister and Ministry reviews and approves OPAC recommendations



Once approved, products are posted on OPAC's Website (www.opac.gov.on.ca) and are then legal for sale and use in Ontario

As of (March 31, 2009) the Provincial Database contained two thousand seven hundred and thirty one (2731) classified pesticide products.

The criteria used for classification into one (1) of six (6) Schedules are shown in Table 1.

*Table 1 Criteria for Classification of Pesticide Products in Ontario*²

Schedule	Pesticide Category	Criteria for placing in schedule	Persons who may use the pesticide
1	Restricted	Very toxic LD50 \leq 50 mg/kg, very persistent in the environment soil T _{1/2} (\geq 6 months or highly mobile in the Environment)	Licensed applicator or certified agriculturist under permit approval.
5	Commercial or Restricted	Very toxic (LD50 \leq 50 mg/kg), or very persistent in the environment (soil T _{1/2} \geq 6 months) or highly mobile in the environment.	Licensed applicator or certified agriculturist *
2	Commercial or Restricted	Toxic (LD50 between 50 and 500 mg/kg), persistent in the environment (soil T _{1/2} between 1 and 6 months) or moderately mobile in the environment	Licensed applicator or certified agriculturist *
3	Commercial or Domestic	Moderately toxic (LD50 between 500 and 5000 mg/kg) or moderately persistent in the environment (soil T _{1/2} < 1 month). Not mobile in the environment	Homeowner, licensed applicator and certified agriculturist and agriculturist
4	Domestic	Low toxicity (LD50 > 5000 mg/kg) and low persistence in the environment (soil T _{1/2} < 2 weeks). Not mobile in the environment. Container size < 1kg or 1 L (domestic products)	Homeowner, licensed applicator and certified agriculturist and agriculturist
6	Commercial or Domestic	Low toxicity (LD50 > 5000 mg/kg) and low persistence in the environment (soil T _{1/2} < 2 weeks). Not mobile in the environment. Container size > 1L or 1 kg.	Homeowner, licensed applicator, certified agriculturist and agriculturist
<p>Note: LD50 is determined by oral route in most sensitive mammal, biological persistence in soil (T_{1/2} means = half life)) is determined under normal use conditions. Other routes of toxicity and environmental movement are also taken into consideration.</p>			

* Permits are required for aerial or aquatic use of this class of products when they bear a restricted label.

² The Cosmetic Pesticides Ban Act and Regulation 63/09 will come into force on April 22, 2009 which refers to Classes, not Schedules

The Committee evaluated the environmental impact, toxicity and hazard of one hundred and forty three (143) products in 2008-2009. One hundred and forty eight(148) products were recommended for classification under Regulation 914 (some products were carried over from previous years).

- Fifty four (54) Commercial/Agricultural products
- Seventy seven (77) Domestic products
- Five (5) Restricted Products
- Eleven (11) Technical Actives or Manufacturing Concentrates
- One (1) Fertilizer/Pesticide product

When required, OPAC will hold special meetings or teleconferences to classify a product urgently needed to deal with an environmental or agricultural emergency.

The Committee has set up a process to declassify products. OPAC reviewed and recommended declassification for three hundred and ten (310) products. Declassification of these products that are no longer registered occurred in January and February 2009.

ENVIRONMENTAL BILL OF RIGHTS

The Environmental Bill of Rights (EBR) legislation introduced in November of 1994, requires public notification of any active ingredient new to Ontario, prior to classification. It also requires posting of reclassification of products. Information is posted for 30-days on the EBR registry and any comments are taken into account when making classification/reclassification decisions.

Fourteen (14) Proposals were placed on the EBR Registry, consisting of:

- Eleven (11) recommendations for classification of products containing new active ingredients, resulting in eleven (11) decisions posted .Three (3) recommendations for reclassification, resulting in three (3) decisions posted.

PUBLICATIONS REVIEW

OPAC reviewed and provided advice on the following pesticide related publications:

- MOE Fact Sheets related to the Cosmetic Ban Act

LEGISLATION REVIEW

OPAC provides ongoing advice to MOE on all pesticide related legislative and regulatory amendments.

OPAC provided advice and commented on a regular basis on the proposed ban on the cosmetic use of pesticides to the Minister and the MOE during the development of the new legislation and Regulation 63/09.

CLASSIFICATION REVIEW

OPAC reviews the criteria for classification on an on-going basis to ensure that the criteria are current with the latest scientific information.

RESEARCH

OPAC provided a forum for a number of interested parties to come together to discuss possible avenues to fund research after the Cosmetic Ban Act is in place. The Agricultural Adaptation Council will be a funding body with funds from MOE under the Cosmetic Use Pesticide Research and Innovation Program (CUPRI) initiative. The University of Guelph may also receive funding directly from MOE to explore non-pesticide mechanisms for controlling pests in turf and producing viable turf.

MEMBERSHIP

In 2008-2009 the Committee consisted of thirteen (13) members who serve in a part-time capacity. Members are appointed by Order-in-Council and are chosen for their expertise as noted in this report. An up-to-date listing of members of the Committee is available from the Committee office or website.