

Application for a ministerial authorization for the use of pesticides

Extracted from “Directive 017”

July 2018

COORDINATION AND DRAFTING

This publication was written by the Direction des matières dangereuses et des pesticides of Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques (MDDELCC).

INFORMATION

Contact the Information Center for more information.

Phone: 418-521-3830

1-800-561-1616 (toll-free)

Fax: 418-646-5974

Form: www.mddelcc.gouv.qc.ca/formulaires/reenseignements.asp[RM1]

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TABLE OF CONTENTS

Foreword	iv
1. Contents of the application for a ministerial authorization	5
1.1 General information	5
1.2 Project objectives and justifications	6
1.3 Course of operations	7
1.4 Additional information for aerial application	9
1.5 Additional information for aquatic application	10
2. Standards and requirements	12
2.1 Overall requirements	12
2.2 Additional requirements for aerial application	14
2.3 Additional requirements for aquatic application	14
3. Specific cases of research involving unregistered pesticides	15
3.1 Procedure	15
3.2 Obligations of proponent	15
Appendix 1: A FEW USEFUL TELEPHONE NUMBERS	17
Appendix 2: PROCEDURE FOR RESEARCH PROJECTS WITH UNREGISTERED PESTICIDES AND EXPLANATIONS	19

FOREWORD

These guidelines describe the procedure and information required when applying for a ministerial authorization¹ intended for work involving the use of pesticides and subject to section 22 of the [Environment Quality Act](#) (chapter Q-2) and to subparagraph 10° b), c) and d) of section 2 of the [Regulation respecting the application of the Environment Quality Act](#) (chapter Q-2, r. 3).

These guidelines were extracted from “Directive 017” (chapters 5, 6 and 7) to provide English-speaking applicants with the key information they are required to submit to the [regional office](#) of the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques (MDDELCC) to obtain a ministerial authorization for the application of pesticides. The ministerial authorization is compulsory when pesticides (chapter Q-2, r. 3, sec. 2, subpar. 10) are used for the following projects:

1. Subparagraph deleted (April 2003 with Pesticides Management Code in force);
2. work involving the use of pesticides belonging to class 1, as established by the [Regulation respecting permits and certificates for the sale and use of pesticides](#) (Class 1 pesticides include any pesticide containing one or more of the following active ingredients: aldicarb, aldrin, chlordane, dieldrin, endrin and heptachlor, or any pesticide that is exempt from registration under subsection e of subsection 1 of the Pest Control Products Regulations (SOR/2006-124));
3. work involving the use of pesticides other than phytocides or *Bacillus thuringiensis* var. *kurstaki* by aircraft, in a forest environment or for non-agricultural purposes;
4. work involving the use of pesticides in an aquatic environment having a surface outlet into a drainage basin.

Directive 017 could also be used for the annual authorization issued for a program or a project for the application, using an aircraft, including a drone, of the pesticides referred to in section 1 of the Pesticides Act, for non-agricultural purposes over an area of 600 ha or more is subject to the [procedure of the environmental impact assessment and review](#). However, this procedure does not apply to the application of a pesticide whose only active ingredient is *Bacillus thuringiensis* subsp. *kurstaki* or *Bacillus thuringiensis* subsp. *israelensis*. In the latter case, the program or project must be carried out by a local municipality and the area concerned must be 5,000 ha or less.

Note: This document has never been approved by the authorities of the MDDELCC and has no official value. The French version has been approved.

¹ Before March 2018, the ministerial authorization was called “certificate of authorization”.

1. CONTENTS OF THE APPLICATION FOR A MINISTERIAL AUTHORIZATION

In addition to the information prescribed by Division II of the [Regulation respecting the application of the Environment Quality Act](#), the application shall also contain the following:

1.1 General information

1.1.1 The proponent and project officer

Give the full name, address and telephone number of the proponent, as well as the full name of the project officer. Where applicable, give the full name of the consultant appointed by the proponent, his address and telephone number, as well as the full name of the consultant's project officer.

Since the coming into force in March 2017 of the *Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund*, a certificate of compliance with municipal bylaws no longer has to be attached to an application for a ministerial authorization. However, the project initiator must notify his municipality of a new project by sending a copy of the project notice to the Ministry.

For treatment against stinging insects, attach the council resolution or the organisation authorization which mandates the proponent to request a ministerial authorization or works to apply pesticides.

Examples of aquatic environment subject to obtaining a ministerial authorization:

- Application in a stream, watercourse, lake, river, ditch or intermittent flow watercourse;
- Application in a marsh, pond contiguous to a body of water with outlets (e.g.: watercourse, river) even if the treated environment seems to be stagnant;
- Application in a lake even if the lake's level has been lowered for treatment;
- Application in catch basins if, under normal circumstances, the basin water is not directed to a water treatment plant. The catch basin water is moved through a storm sewer and is redirected at a natural environment (ditch, stream, watercourse, etc.).

Examples of aquatic environments not subject to obtaining a ministerial authorization:

- Pesticide application in an artificial pond or in a catch basin without any outlet (e.g.: for irrigation on a farm, confined pond used for landscaping or on a golf course, etc.);
- Application in catch basins if under normal circumstances the basin's water is moved to a water treatment plant.

1.1.2 Permit and certificate numbers

As prescribed by the Pesticides Act, give the permit number of the firm that will be using the pesticides for the work intended and, where possible, the names and certificate numbers of the persons hired. Specify in addition the relevant class and subclass of permits and certificates.

1.1.3 Project title

For treatments against stinging insects, the authorized period for a project is one year but could be extended up to three years under certain circumstances.

1.1.4 Location of proposed project and work site description

Mention the site(s) where spraying or application will be carried out. Attach a topographic map or plan showing an overall view of the site(s).

Specify the ownership title of the land where the spraying will be carried out (ex. private or public property, provincial or municipal territory, etc.). Describe land components (natural space, agricultural area, forest area, urban area, infrastructure, etc.) and the major human activities that take place there (resort, agriculture, forestry operations, trade, industry, etc.). This information can be provided on a map.

For treatments against stinging insects, the map scale showing breeding places to be treated must be at least 1 : 10 000.

If necessary, the ministerial authorization request for treatment against stinging insects must include one of the following:

- a note mentioning that the proponent has obtained all the required authorizations from the owners on the land on which he intends to carry out his treatment. If need be, proof of property papers may be required, or :
- a confirmation from the proponent that before proceeding with treatment, he will obtain from the owners of the land on which he intends to carry out treatment all the required authorizations.

Note: the proponent must consult organizations whose regulation could apply to the project, namely Fisheries and Oceans Canada and Environment and Climate Change Canada.

1.2 Project objectives and justifications

In this section, the proponent describes the project objectives and grounds.

1.2.1 Definition of the problem*

Give the nature of the problem for which the work requires a ministerial authorization. Specify the extent of the problem's repercussions.

1.2.2 Possible solution*

Mention the various manual, physical, mechanical, biological and chemical methods, or farming practices, or combinations that could be used.

1.2.3 Determination and assessment of environmental impacts of each solution

For every possible solution, determine impacts on the environment and assess their scope.

1.2.4 Justification for using pesticides*

Give reasons for using pesticides rather than manual, physical, mechanical or biological methods, or farming practices or other (if any); consider health, environmental and cost efficiency concerns.

* Not applicable to projects involving the use of unregistered pesticides.

1.2.5 Justification of pesticides selected*

List pesticides likely to be used and reasons justifying their selection over all other products that could have been used; consider health, environmental and cost efficiency concerns.

1.2.6 Development plans

Explain how these objectives are compatible with the development plans of concerned regional county municipalities.

1.2.7 Subsequent steps and related projects

Mention, where applicable, the project's subsequent steps as well as possible attendant projects.

For treatment against stinging insects, provide a document describing methods used to reduce breeding places within the treated territory (e.g.: by draining snow deposits, ditches, eliminating decommissioned swimming pools) and explain how the municipality has made the population aware of the importance of eliminating breeding places. Note: it is strictly prohibited to drain, dredge and infill natural wetland areas such as swamps and marshes.

1.3 Course of operations

1.3.1 Pesticides used*

For every product used and justified under section 1.2, give the name of the manufacturer, the trade name, the name and concentration of every active ingredient, and the registration number. Give in addition the name of any additive used (anti-drift, anti-foam, wetting agent, etc.). Attach a copy of the label of the products used.

1.3.2 Areas treated and sensitive areas

Give the precise location on maps of proper scale of the areas where the pesticides are to be applied. In the same manner, identify and locate all sensitive areas in the vicinity.

Examples of sensitive areas (partial list):

- areas of human activity: any habitation (e.g.: city, town, village, cottage, Native camp, rest stop, hotel), water intake (private, municipal), wells, recreation and tourism areas (e.g.: beach, campsite, outdoor center), road, etc.;
- natural areas: water body, salmon river, exceptional habitat, wildlife habitat, recognized spawning site, peatbog, steep slope or ravine prone to erosion, migratory bird refuge, waterfowl staging area, etc.;
- specific territories: private property, cultivated land, maple stand, blueberry fields, beekeeping area, fish farm, park, ecological reserve, scenic site, etc.

Note: to identify sensitive natural areas related to wildlife species, please contact the [regional office](#) of the Ministère des Forêts, de la Faune et des Parcs in your region.

* Not applicable to projects involving the use of unregistered pesticides.

1.3.3 Total quantity of pesticides expected to be used (by product)

1.3.4 Total area to be treated (by product)

1.3.5 Quantity applied and rate of application

For every product or mixture, give the quantity applied by surface area. Where possible, specify the dilution rate, nature of the diluent and additives used to prepare the mixture. For applications in a watercourse, give the volume applied by surface area or, if need be, the product concentration.

1.3.6 Timetable

Specify when the treatment will be carried out (day, week). For projects covering more than one municipality, such as linear projects, give the probable dates according to the [municipalities](#) where pesticide application will be carried out.

1.3.7 Description of application and calibration method

Describe the application method in detail. Outline the main features of the equipment used and explain operating conditions.

1.3.8 Description of rinse solutions, product surpluses and empty containers disposal method

Explain how rinse solutions, product surpluses and empty containers will be disposed of or recovered, and describe where this operation will take place. Also describe the decontamination method used on empty containers.

1.3.9 Description of mitigation measures

Describe measures taken to mitigate adverse effects on the environment (e.g.: measures to reduce drift, leaching and runoff, compliance with protection strips, application technique used, climatic conditions limiting application, measures taken to cross watercourses, type of diluent in the spray mixture).

1.3.10 Description of emergency plan

Describe the procedure followed in response to an accidental pesticides spill. List equipment available to clean up the spill site and give its precise location. Describe first-aid procedure and supplies. Give the full name, address and telephone number of the head of emergency measures.

1.3.11 Description of safety program

Describe measures foreseen to ensure the safety and safeguard the health of persons exposed to pesticides (persons carrying out the application or present on site). Be sure to list safety equipment available and used by the persons carrying out the application.

1.3.12 Description of compliance program

Describe measures taken to ensure the work will be carried out in compliance with the specifications of the ministerial authorization.

1.3.13 Description of monitoring program

Describe measures taken to monitor, over a length of time, the nature and extent of certain environmental repercussions and to assess the efficiency of the mitigation measures carried out.

1.3.14 Informing the public

Describe activities intended to advise the public of the work. Where work on a small scale is being contemplated, signs or posters may be sufficient. For larger scale projects, placing public notices with local media about three weeks prior to the actual work is advisable. Local media can be a newspaper distributed in the area where the work is to be carried out, or a television or radio station broadcasting in the area. The notice must include information such as:

- the name of the operator, organization or firm that will carry out the work;
- the nature, goal and location of the work as well as the probable timetable;
- restriction applying to site access and the consumption of plants on the site (e.g.: fruits);
- the name and telephone number of the work supervisor.

Other communication activities are acceptable (meeting with municipal authorities and the population, especially the persons living near the work site, notice to owners, owners of outfitting operations or ZEC officials, etc.). Informing the public about the products sprayed and the likely or true dangers of pesticide applications will result in fewer complaints. This is particularly true when aerial applications are intended.

1.3.15 Comments

Give any other information you deem necessary for the project to be fully understood.

1.4 Additional information for aerial application

1.4.1 Flight paths

On a map or chart, locate the operation's base camp and draw flight paths from this base to the work sites. Moreover, identify and give the location of sensitive areas within the flight paths.

1.4.2 Potential emergency dumping sites

Establish potential emergency dumping sites in the event the aircraft runs into problems. Sites selected must be in uninhabited areas or areas far from any dwellings or major water bodies.

1.4.3 Restrictions related to meteorological conditions

Indicate at what wind speed, temperature and relative air humidity application will be stopped.

1.4.4 Method of measurement of meteorological conditions

Explain what methods will be used to measure the meteorological parameters specified in section 1.4.3.

1.4.5 Description of guidance system

Describe the system used to avoid overlapping flight paths during aerial spraying and ensure spraying is carried out within designated areas only.

1.4.6 Reducing drift

Describe mitigation measures intended to minimize drift. An anti-drift product is highly advised, provided it is used in accordance with instructions on the label of both the product and pesticide used.

1.5 Additional information for aquatic application

1.5.1 Use of water body

Mention to what end the water body is currently being used (fishing, swimming, pleasure boating, water intake, irrigation, etc.).

1.5.2 Past intervention in the water body

List by chronological order the interventions carried out in the water body where the work is intended. Mention past physical or mechanical treatments or operations along with products and quantities used.

1.5.3 Species targeted

Give exact names of species targeted: fish, aquatic plants or insects, or other aquatic organisms. Also give the name, address, telephone number and profession of the person who identified the species.

For applying pesticides against stinging insects, an inventory indicating which species of black flies or mosquitos live within the treated areas must be mentioned in the ministerial authorization request or in the execution report.

1.5.4 Protection of municipal and private water intakes

List and identify municipal and private water intakes that could be threatened by pesticides and describe protection measures contemplated: notice, possible shut- down, pesticide dilution rate at the intake, geographic location of the intake in relation to the treatment area, etc. Indicate measures intended to inform intake managers and users.

1.5.5 Prevention measures

If the project's aim is to destroy all fish in a water body, describe the measures intended to prevent reinfestation by undesirable species. Give depth calculations and describe measures intended to lower the water level. Ecotoxicity tests could also be required. Describe work intended to facilitate the reintroduction of desirable fish species. Lastly, specify measures planned to limit risks of contamination to human health and the environment downstream from the treatment area.

1.5.6 Restauration program

If the project's aim is to control the aquatic vegetation, briefly outline the major steps in implementing the restoration program (localization of fertilizer input sources, solutions advocated to reduce this input, and short, mid and long term implementation timetable).

1.5.7 Mapping of larva breeding places

If the project's aim is to destroy mosquitoes and biting flies in an aquatic environment, describe the method used to map larva breeding places. Append the results and maps of this inventory to the application.

1.5.8 Monitoring larva development

With respect to the destruction of mosquitoes and biting flies, describe the method used to monitor larva development and determine the best period for spraying. Indicate the sampling method, sampling interval and sampling sites distribution within the treatment area. Give the name and qualifications of the person authorized to carry out the work.

2. STANDARDS AND REQUIREMENTS

The MDDELCC agrees to the work when the proponent is able to comply with the following standards and requirements:

2.1 Overall requirements

2.1.1 Compliance with the Pest Control Products Act

Any work involving the use of pesticides must comply with the Pest Control Products Act.

Pesticides must be used in accordance with label instructions, particularly with regard to uses permitted, organisms targeted, quantities and rates of application. If the proponent does not intend to abide by these instructions, he is required to provide a written attestation from the Pest Management Regulatory Agency (see [Appendix 1](#)) authorizing the use of the product under the conditions intended.

2.1.2 Record of relevant data

The proponent must keep a record of application dates, products used, areas treated, prevailing meteorological conditions and treatment efficiency for a five-year period.

2.1.3 Protection of sensitive areas

To safeguard the environment, no application should be carried out within 60 metres of a sensitive area (see examples of sensitive areas under section 1.3.2.). The proponent is free to append a document demonstrating that a narrower protection strip is sufficient.

The MDDELCC has not established any limit for residues in sensitive areas acceptable from an environmental protection standpoint. Rather, analyses are done on a case by case basis. However, where criteria have been established for a given pesticide to safeguard the quality of drinking water and aquatic life, these can be referred to.

Moreover, when determining the width of the protection strip, the proponent is required to take into consideration the risk of a product spill in addition to the threat posed by residues in the sensitive area during normal application.

2.1.4 Wind speed limit

The application of pesticides must be interrupted when the wind speed makes it impossible to keep the pesticides within the boundaries of the protection strip.

2.1.5 Period before rain

Unless specified otherwise on the label of the pesticide used, or unless rain does not interfere with treatment efficiency, applications must not be carried out within four hours of a forecast rainfall.

2.1.6 Backflow prevention device

When a pump is used to fill the sprayer tank directly from a water body, it must be equipped with a backflow stop valve.

2.1.7 Emergency program and equipment

The proponent must have at hand at all times the material needed to counter an accidental spill of pesticides at the storage site, during transportation, or during application. In the event such a spill occurs, he must follow the procedure described in his application for authorization.

2.1.8 Safety program

The proponent must devise and implement a safety and health protection program for the persons exposed to pesticides during transport, storage, application or disposal.

2.1.9 Compliance program

The proponent must devise and implement a program to ensure the work will be carried out in compliance with the specifications of the ministerial authorization.

2.1.10 Monitoring program

The proponent must devise and implement a program to monitor the nature and extent of environmental repercussions and to assess the efficiency of the mitigation measures carried out.

2.1.11 Work report

The proponent must file a report with the MDDELCC outlining steps planned, difficulties met and remedial measures. The report must also include an account of compliance and monitoring activities as well as an assessment of application efficiency.

In addition, the report must specify what could not be specified at the time of the application for authorization, that is, the equipment used, the pesticides and exact quantities used, the persons hired and their certificate number (class and subclass), exact dates and location of work carried out, etc.

The report must be submitted within two months of the end of the work at the latest.

For treatment against stinging insects, in the event the proponent does not do quality tests of products being used, he must hand in a document from the pesticide manufacturer. This document must confirm that products being used (exhaustive formulae, end products) duly respect the Pest Management Regulatory Agency bacteriological contamination quality standards.

2.1.12 Other standards and requirements

Several of the documents distributed during pesticide education, training and certification (best practice guidelines by the MDDELCC or others) explain how to store pesticides, prepare the spray mixture, make the application in a safe and economic way, dispose of products and surpluses, and provide information on emergency measures in case of accidents (human health – intoxication or spill – fire). For projects involving the poisoning of a lake, the Ministère des Forêts, de la Faune et des Parcs has published guidelines for the [use of rotenone](#). The proponent must be familiar with these practice guidelines and is strongly encouraged to put them into use.

Even though he holds a ministerial authorization, the proponent is required to abide by the provisions of the Pesticides Management Code, where the code applies.

2.2 Additional requirements for aerial application

2.2.1 Recording results of calibration tests

The proponent must keep a register of calibration tests for a five-year period. Give the name of the person who carried out the tests.

2.2.2 Telecommunication system

The proponent must implement an efficient telecommunication system to exchange information with the pilot and give him instructions, if need be.

2.3 Additional requirements for aquatic application

2.3.1 Preserving part of the vegetation

Where control of the aquatic vegetation is contemplated, it is necessary to preserve highly diversified grass beds and the aquatic vegetation at spawning sites, near wooded areas and at the mouth of tributaries.

2.3.2 Disposal of dead fish

Preferably, the fish recovered must be diverted from the waste stream for use as bait or compost, or be sent to a processing plant for example. Where the fish cannot be reused, they must be disposed of in accordance with the provisions of the [Regulation respecting the landfilling and incineration of residual materials](#) (chapter Q-2, r. 19) at a disposal site authorized by the MDDELCC. When access to the treated water body renders the use of either method impossible, the fish can be disposed of in a ditch but must be covered with lime at the end of every day. Once the work has been completed, the ditch is backfilled with earth or sand.

3. SPECIFIC CASES OF RESEARCH INVOLVING UNREGISTERED PESTICIDES

3.1 Procedure

To find out about the procedure governing applications for the use of pesticides not registered under the Pest Control Products Act, consult [Appendix 2](#).

3.2 Obligations of proponent

Depending on the nature and scope of the research, the proponent must either submit a research notice or an application for a ministerial authorization to the MDDELCC. In some cases, this obligation may be removed (see [Appendix 2](#)).

Nevertheless, the Regulation respecting permits and certificates for the sale and use of pesticides and the Pesticides Act continue to apply. Hence, the user of Class 1 pesticides (researcher or other) must hold a certificate or carry out the application under the supervision of a certified person.

3.2.1 Register

Whenever research is being carried out with unregistered pesticides (Class 1), the proponent must keep a register of specific data for up to five years, even though he may not be required to provide the MDDELCC with information about the research work (see procedure outlined in [Appendix 2](#)). The register will contain:

- identification of the active ingredient and of the commercial preparation (code name, chemical name, common name, other names);
- structural formula, empirical formula;
- type of product (herbicide, insecticide, fungicide, etc.);
- quantity of product used, sold or distributed for research purposes;
- names and professional training of supervisors;
- names, addresses and phone numbers of research project contributors;
- precise location and surface area of treated sites;
- distance from sensitive areas (dwellings, water bodies, wells, etc.);
- program objectives.

3.2.2 Research notice

The federal government requires that a research notice be posted for research projects of limited scope (see procedure outlined in [Appendix 2](#)), but does not require a research permit. Neither does the MDDELCC require a ministerial authorization. However, a copy of the research notice, filled by the proponent, must be sent to the [regional office](#) of the MDDELCC prior to initiating the project. A progress report is not required of the proponent.

3.2.3 Application for a ministerial authorization

The proponent whose research project is subject to the obligation to obtain a ministerial authorization must provide the [regional office](#) of the MDDELCC with the following:

- 1) a copy of the information required by the federal government for a research permit;
- 2) the information requested in section 1 of these guidelines; and 3) the information required under Division II of the [Regulation respecting the application of the Environment Quality Act](#).

Where a new active ingredient is concerned, the information specified in [Appendix 3 of the French version](#) of these guidelines must be provided. The proponent must also comply with the various standards and requirements in Directive 017.

Note: Paragraph 5 of section 2 of the Regulation respecting the application of the Environment Quality Act exempts “exploration, sounding, research work, experiments outside a mill, or technical readings prior to any project” from the obligation of obtaining a ministerial authorization.

According to the interpretation guide of the Regulation respecting the application of the Environment Quality Act, this exemption from the application of section 22 applies only to research or experimentation activities related to a project already contemplated by the Environment Quality Act and whose effects on the environment are minor. A proponent cannot use this article to argue for an exemption from obtaining a ministerial authorization when carrying out research work with pesticides.

APPENDIX 1: A FEW USEFUL TELEPHONE NUMBERS

MINISTÈRE DU DÉVELOPPEMENT DURABLE, DE L'ENVIRONNEMENT ET DE LA LUTTE CONTRE LES CHANGEMENTS CLIMATIQUES OF QUÉBEC

For addresses as well as telephone and fax numbers of [regional offices](#)

Greater Québec Area: (418) 643-3127

Elsewhere: 1 800 561-1616 (toll free)

www.mddelcc.gouv.qc.ca

URGENCE ENVIRONNEMENT

Québec City and eastern Québec: (418) 643-4595

Montréal and western Québec: (514) 873-3454

PEST MANAGEMENT REGULATORY AGENCY (Health Canada)

National Pesticide Information Service (*Technical information on products and federal regulations*)

Health Canada

I.A. 6606D2

2250 Riverside Drive

Ottawa, Ontario

K1A 0K9

1 800 267-6315 (toll free)

Info@hc-sc.gc.ca

www.hc-sc.gc.ca/pmra-arla/

ANTIPOISON CENTRE (24 hours)

(In case of intoxication)

First page of the telephone book

Greater Québec Area: (418) 656-8090

Elsewhere: 1 800 463-5060 (toll free)

CANUTEC

Canadian Transport Emergency Centre (*Provides advice and information of a scientific nature in emergency situations involving dangerous goods, including pesticides*)

Emergency: (613) 996-6666 (collect calls accepted)

Information: (613) 992-4624

<http://www.tc.gc.ca/canutec>

MINISTÈRE DE LA SANTÉ ET DES SERVICES SOCIAUX DU QUÉBEC

Directions régionales de la santé publique (*Information on risks to human health of pesticide use*)

General information and publications:

Région de Québec : 418 644-4545

Région de Montréal : 514 644-4545

Ailleurs au Québec : 1 877 644-4545 (sans frais)

www.msss.gouv.qc.ca

MINISTÈRE DES TRANSPORTS, DE LA MOBILITÉ DURABLE ET DE L'ÉLECTRIFICATION DES TRANSPORTS

Direction des communications (*Information on regulatory obligations for the transport of pesticides*)

Greater Québec Area: (418) 643-6864

Greater Montréal Area: (514) 873-2605

www.mtq.gouv.qc.ca

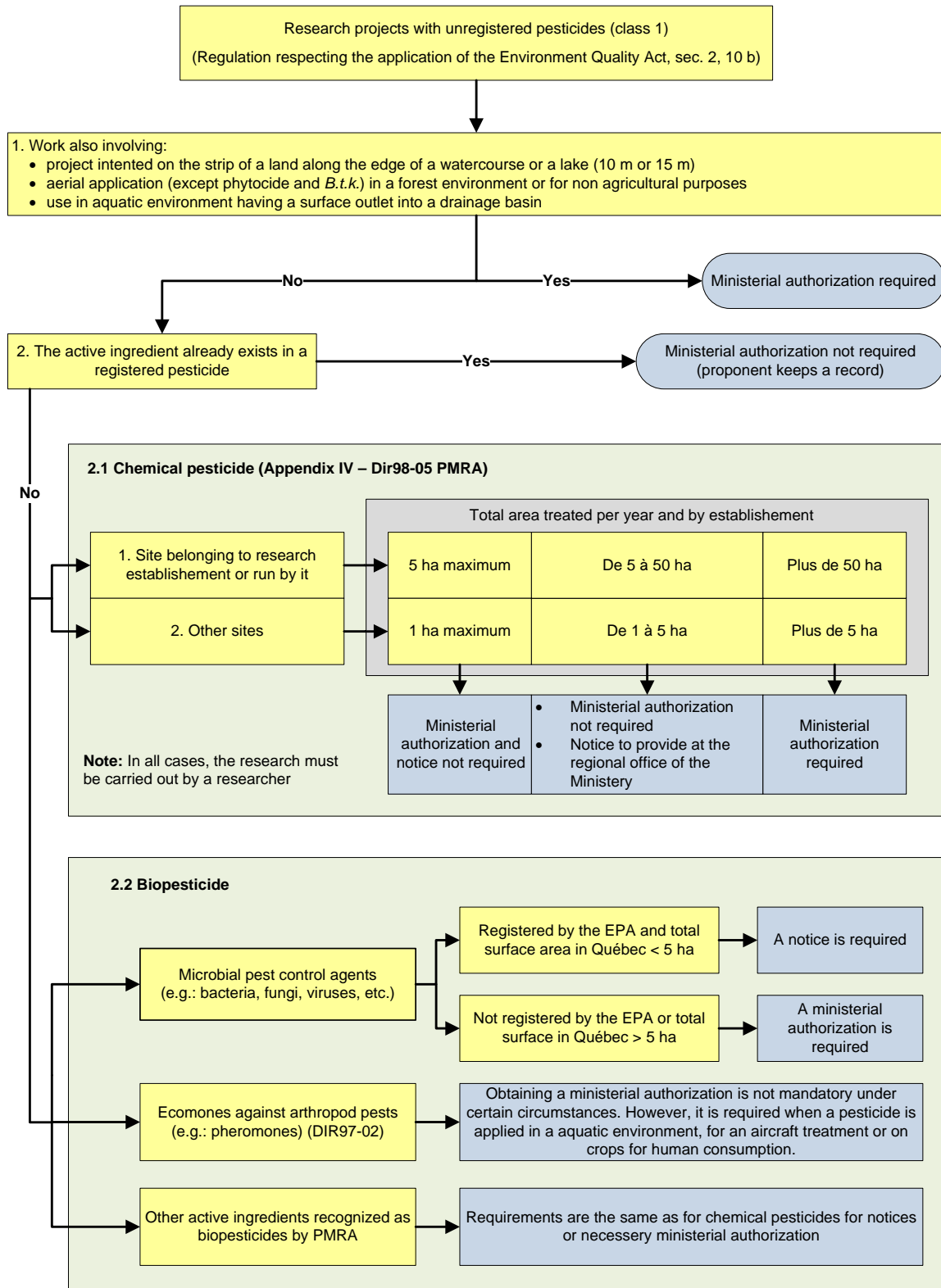
CROP LIFE INSTITUTE (QUÉBEC)

(Empty container storage standards and list of disposal sites)

613 230-9881

<http://croplife.ca/>

APPENDIX 2: PROCEDURE FOR RESEARCH PROJECTS WITH UNREGISTERED PESTICIDES AND EXPLANATIONS



1. Does the project take place in the areas and for uses requiring a ministerial authorization subject to the Regulation respecting the application of the Environment Quality Act (chapter Q-2, r. 3) s. 2, par. 10 c), d)?

For certain environments and uses a ministerial authorization is required, whatever pesticide will be used (registered, non registered, whether or not it contains a new active ingredient, etc.), whatever the quantity of pesticides in use or the area being covered. Here are circumstances requiring such a ministerial authorization:

- aerial application (except phytocide and *Bacillus thuringiensis* var. *kurstaki*) in a forest environment or for non-agricultural purposes;
- use in an aquatic environment having a surface outlet into a drainage basin;
- project intended on the strip of land along the edge of a watercourse or a lake, the limits of such strip of land being defined in the [Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains](#) (chapter Q-2, r. 35) (10 m or 15 m according to the slope (inclination of the slope)).

If the answer is YES, the project requires a ministerial authorization. If the answer is NO, a second question must be asked:

2. It is an active ingredient contained in a registered pesticide, or is it a brand new active ingredient?

2.1 If the active ingredient does exist.

If the active ingredient is actually present in a registered pesticide, the project does not need any ministerial authorization. Projected works are often related to trials in other environments as described on the label or designed to eliminate other target organisms. However, the proponent must keep a registry containing a minimum of information on the project.

2.2 If it actually is a new active ingredient.

If the new active ingredient is not included in any registered pesticide, the request will be processed according to the ingredient's nature whether it is a chemical pesticide, microbial pesticide or an ecomone (pheromone). Certain circumstances call for exemptions.

2.2.1 Chemical pesticide

Trials on a small scale are exempt from a ministerial authorization. Neither average or small scale projects do, but the proponent must transmit beforehand a research notice to the [regional office](#) of the MDDELCC. Conditions required to be exempted from a ministerial authorization and from the obligation of furnishing a research notice are the same as those of the federal government. Most of these mentioned in Appendix IV of the federal directive (Dir98-05), are mentioned in the table below. Information required in the research notice submitted to the MDDELCC are the same as those that must be furnished to the federal government.

According to the nature of the research project it may be: 1) exempt from a ministerial authorization and from a research notice, 2) exempt from a ministerial authorization and still have to transmit to the [regional office](#) a research notice or 3) need to obtain a ministerial authorization. Several situations are explained in the following table.

Total area treated per year and by establishment

	No m.a. ¹ No notice required	No m.a. Notice provides to the regional office of the MDDELCC	m.a. required
1) Site belonging to research establishment or run by it	5 ha maximum	5 to 50 ha	over 50 ha
2) Other environments	1 ha maximum ²	1 to 5 ha	over 5 ha

Source : Appendix IV, Regulatory Directive Dir98-05

¹ m.a.: ministerial authorization

² The Regulatory Directive Dir98-05 prescribes to choose whatever area surface is less up to 1 ha or 5% of total crop under research on establishment where research takes place. To simplify this rule, a hectare is the maximum area allowed exempt from requirements of any ministerial authorization or research notice.

Note: In all cases, the research must be carried out by a researcher.

Definitions

Researcher: any person who is responsible for using or supervising the use of a pesticide for research purposes.

Research establishment: any public or private corporation or institution of part thereof, engaged in research on pesticides.

When a project requires a ministerial authorization, restrictions on the maximum surface area of the treated area or types of environments where the treatment must be carried out are determined by the federal government. Such restrictions meet the criteria of the MDDELCC.

2.2.2 Biopesticide

Check with the PMRA if the active ingredient is designated as a biopesticide. Criteria vary according to one of the three categories to which the active ingredient belongs:

2.2.2.1 Microbial pest control agents

According to the size of the area or if the microbial pest control agent is already registered under EPA regulations, when using a new non registered microbial pest control agent requires, that the proponent provide a notice to the MDDELCC or obtain a ministerial authorization of this very Ministry. When a product is already registered in the United States, it shows that a favourable judgement was rendered about the acceptability of the said product relatively to risks for human health and the environment. Trials must be carried out in order to check impacts of the product and its efficiency in various ecological conditions (ecozones).

Definitions

Microbial Pest Control Agent: Refers to the active ingredient or the microbial entity to which the effects of the pest control can be attributed. Includes bacteria, algae, fungi, protozoa, viruses, mycoplasmae or rickettsiae and related organisms.

Microbial Pest Control Product: Refers to the end-use product (with or without formulants or additives).

2.2.2.2 Ecomones against arthropod pests

Most of the time, ecomones against arthropod pests are pheromones that react against insects (see below the general definition).

In order to harmonize usage criteria with those of the federal government, conditions for obtaining a ministerial authorization are the same as those for obtaining the federal government research permit. These conditions are described in the federal government Regulatory Directive Dir97-02. Since few of these requests for obtaining a ministerial authorization are sent for this particular type and given the complexity of conditions calling for such project to obtain a ministerial authorization or an exemption, we do not see fit to give every detail. To submit a request for authorization, consult the person in charge of pesticides at the Québec [regional office](#) of the PMRA at 514-283-7306. You may get the Regulatory Directive Dir97-02 on the Agency web site.

If the project includes one or the other following characteristics, it needs a ministerial authorization (as well as a permit of research from the federal government):

- ecomone is used in an aquatic environment;
- ecomone is applied by an aircraft;
- ecomone is applied on crops for human consumption.

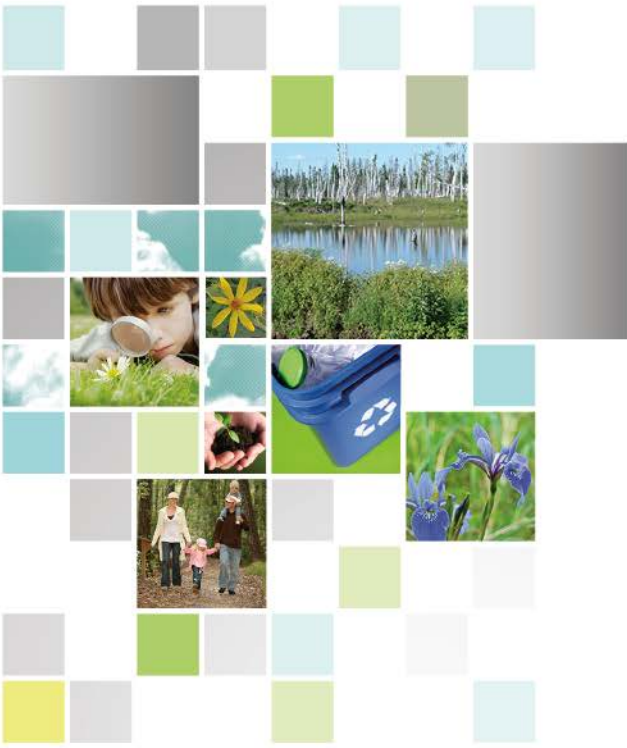
Definitions

Arthropod pest: invertebrate categories including animals whose body is covered with chitin is formed with articulated parts (e. g.: crustaceans, insects and arachnids).

Ecomone: substance with a message sent by a plant or an animal or, analogue synthetic of such substance, which releases a compartmental response amongst same species individuals or belonging to other species. Other examples are allomones, kairomones, pheromones and synomones.

2.2.2.3 Other active ingredients recognized as a biopesticide by the PMRA

However, PMRA may recognize some non registered active ingredients as biopesticides even if they are not microbial pest control agents or ecomones. Such pesticides usually are considered to have minimal impact on human health and the environment. Based on the same criteria as those applied to chemical pesticides, a project may be excluded from the process of obtaining a ministerial authorization, and instead simply require a notice for the [regional office](#) of the MDDELCC or under the obligation of obtaining a ministerial authorization from the [regional office](#) of the MDDELCC.



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