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M. P. Stewart

*Pesticides Division*

G. W.J. Laidlaw

*Pesticides Division*

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# THE PEST CONTROL PRODUCTS ACT REGISTRATION REQUIREMENTS AND PROCEDURES

M.P. Stewart & G.W.J. Laidlaw  
Pesticides Division  
Agriculture Canada

In Canada there are in excess of 100 laws that have some authority over the sale, use, or consequence of use of pesticides. This includes legislation adopted by federal, provincial, and municipal governments, but only a few of these relate only to pesticides.

The principal federal law that governs sale and use of pesticides is the Pest Control Products Act. Under the authority of the P.C.P. Act, the Pesticides Division of Agriculture Canada reviews registration applications for all pesticides intended for use in Canada. The Act defines a control product as anything that is manufactured (including devices), represented, sold, or used in controlling, preventing, destroying, mitigating, attracting, or repelling any pest. Thus, in addition to the traditional agricultural herbicides, insecticides, fungicides and vertebrate control products, such product classes as disinfectants, algaecides, slimicides, wood preservatives, antimicrobial additives to plants, plastics, cements, textiles, etc., require registration.

The Act may be broken down into four major clauses:

- (1) No person shall manufacture, store, display, distribute, or use any control product under unsafe conditions related to human health or environmental quality.
- (2) No person may package, label, or advertise any control product which could be deceptive in character, value, quantity, composition, merit, or safety.
- (3) No person shall sell or import any control product, unless it is registered.
- (4) No person shall export or convey from province to province any control product which is not made in a registered manufacturing establishment.

The remaining elements of the Act and the Regulations are oriented to provide authority to achieve these purposes.

## **Pesticides Division Organization**

The Pesticides Division is one of five divisions of the Plant Health and Plant Products Directorate, Food Production and Inspection Branch of Agriculture Canada. The Division consists of three sections, the Evaluation Section, Compliance Section and a Technical Service Section. The Evaluation Section establishes the standards and rules concerning acceptance for registration of any new product or new use that has no current registration.

## **Data Requirements**

Evaluation of a proposed registration (which is a permit or license to sell a pesticide in Canada) begins with a submission of data from industry to the Pesticides Division. The maximum amount of data would be required for a new active ingredient (also wide-scale uses such as forestry), and would consist of the following items:

- (1) Application for registration.
- (2) Specification form that includes full details on formulation components.

- (3) A draft label.
- (4) Product chemistry, including information on product identity, manufacturing process, specifications, analytical methods and physical and chemical properties.
- (5) Efficacy data, including phytotoxicity data.
- (6) Toxicology data, including:
  - acute oral, dermal, inhalation, skin and eye irritation tests on both technical materials and formulated products;
  - short term oral, dermal and inhalation tests on technical material;
  - long term or chronic toxicity feeding studies on rodents and possible non-rodents;
  - special studies, including reproduction, teratology, mutagenicity, carcinogenicity, neuro-toxicity, and metabolism studies.
- (7) Residue data on food crops including analytical methodology and animal metabolism studies.
- (8) Environmental data including information on:
  - physical-chemical degradation, metabolism, mobility, field dissipation, accumulation, disposal;
  - effects on birds and mammals, aquatic organisms and non-target such as predators, parasites and honeybees.
- (9) Samples
  - (a) analytical grade
  - (b) technical grade
  - (c) formulation

Copies of data submitted to the Evaluation Section are distributed to various advisors in four federal departments for consultation: Agriculture, Health and Welfare, Environment, Fisheries and Oceans.

More specifically, the advisors in Agriculture could include members from the following groups:

- (1) The Laboratory Services Division which could comment on the chemistry sections of the submission.
- (2) Plant Health Division, if the submission relates to quarantine control.
- (3) The Animal Pathology Division of the Health of Animals Branch, if the submission is a product for use on animals.
- (4) The Canadian Grain Commission, if the product is intended for control of stored product pests.
- (5) The Research Branch is consulted from time to time in areas of their expertise relating to pest management/control and impact.

In Health and Welfare, the members of the following may be consulted:

- (1) The Additives and Pesticides Division of the Health Protection Branch, which would comment on the acceptability of the toxicology and residue data relative to proposed pre-harvest intervals and residue tolerance for the purposes of the Food and Drugs Act.
- (2) The Bureau of Chemical Hazards, Environmental Health Directorate, assesses occupational, environmental, and public health aspects and gives advice on first aid statements, toxicological information, use of protective equipment, health effects of residues in potable water for humans, and advice relating to precautionary symbols and classification.

In Environment Canada, officers in the following groups may be consulted:

- (1) The Environmental Contaminants Branch for assessment of disposal and environmental contamination, e.g., disposal of pesticide containers, storage and disposal of unwanted pesticides and decontamination of spills.
- (2) The Canadian Wildlife Service, which would comment on environmental data relating to the safety of birds and mammals.
- (3) The Forest Pest Management Institute, if the product is intended for use in forests, would comment on efficacy, spray application techniques, and environmental impact.

In Fisheries and Oceans Canada, the Habitat Management Branch would be consulted for aquatic toxicity and impact. Depending upon the proposed use of the product, other agencies may also be asked for expert opinions from time to time.

The advisors in the various departments review the data and report back to the evaluation officer with their comments on the data in areas of their concern. After the appropriate evaluation officer has read the submission, his assessment is combined with the comments received from his advisors and he makes the decision to register or not to register a product or use. If the decision is negative, the applicant may be requested to supply additional information. If the decision is positive, he issues a new registration number and sends a copy of the draft label to the registrant. Copies of the label, registration form, and the product specification form are entered into a file known as the Register. They are stored by the Section Registry when final printed labels are received. When copies of the final printed label are submitted, the Pesticides Division will issue a registration certificate. The product is then officially registered.

The Pesticides Division is also involved in other programs in addition to primary evaluations for new chemicals. These include re-evaluation and research permits.

### **Re-evaluation**

Registered products are subject to evaluation and re-evaluation in the light of new information that becomes available during the life of the product. Once a product has been registered and becomes established in pest control practices in agriculture or elsewhere, the scope of any re-evaluation process is expanded to include provincial agencies. Re-evaluation involving a long registered product is a longer and more complex procedure because of the essential participation of provincial advisers.

### **Pesticides Used for Research Purposes**

Registration is by far the most readily recognized regulatory status accorded pesticides under the Act, but it is not the only regulatory procedure through which pesticides are made available to the public. An example of one such alternate procedure is that provided for pesticides used for research purposes.

Small quantities of unregistered pesticide product may be imported or made available to recognized researchers so long as the work is confined to the research premises of the employing agency. Thus, research stations and laboratories of government departments or private companies are not encumbered by permit requirement under the P.C.P. Act.

Pesticide research conducted off the premises of the research agency must be documented and approved by the Evaluation Unit. Usually such work involves pesticides that have already been subjected to considerable study and additional information is needed on their use under practical conditions. These tests may be termed field trials.

Approval for field trials research involving unregistered pesticides on food crops requires that the crop be destroyed or otherwise prevented from entry into normal food marketing channels. Occasionally such crops may be allowed to enter food marketing channels where this has been agreed to by officials of the Health Protection Branch of Health and Welfare Canada, in respect to the Food and Drugs Act.

Field trial research involving unregistered pesticides on non-food crops or in other resource situations such as forestry, are approved when sufficient data indicated that no undue risk to environmental quality will occur. Affected disciplines are consulted in these cases of field trial research. Departments consulted in the case of forestry research permits include Environment, Fisheries and Oceans, and Health and Welfare.

As can be seen from the details just provided, the regulatory data requirement is formidable. Now you have seen the official line. But lest you become too discouraged to apply for registration for that wonderful home discovery, we do have provisions which can allow for some modification. In the area of judicious regulation, I believe part of the Canadian regulatory strength relates to the structure of the Pesticides Division. Officers in their areas of responsibility for the most part carry the full responsibility for registration, including the acceptance or rejection of advice from our consultants in other government departments. These officers usually are well experienced in their areas.

Practical experience does allow the so-called hard and fast rules to be interpreted in regards to the actual use and manner of application. Pressure to ensure that all the pesticides meet the current data requirements does limit the degree of this "interpretation", but without this common sense approach we would become "block checkers" or wiggit counters. Everything would need the same information, no consideration for the uniqueness of the avicide or other pesticide could be considered.

Bird control with repelling devices and avian pesticides such as toxicants, i.e. strychnine, 4-Aminopyridine, fenthion or chemosterilants, i.e. ornitrol, are from the general public's view a sinister indication of the demise of Western society. Birds are not to be killed or controlled; they represent part of the beauty of nature.

For the most part, this sacrosanct view in North America and the United Kingdom is correct. Certain birds do provide pleasure from direct observation, others provide recreational sport such as duck hunting. This mixture of controlled killing and wildlife management has in fact increased the water fowl populations and people, for the most part, can accept it.

Certain other nations use small birds as a food source and killing of these songsters is considered acceptable. Here such an attitude would be open to instant sanctions by both the public and governing bodies. What the general public doesn't realize is the damage a flock of one species or another can do to a farmer's crop, whether it's a high cash crop like grapes or a lesser valued crop such as corn. The contamination by droppings and other extraneous matter can also become a hardship in marketing a food because of customer retribution or reaction to the food; it can also create problems with manufacturers, processors and retailers.

Birds are held in high esteem by the public. There was a recent instance where a gull was "put out" in a N.Y. Yankee — Toronto Blue Jay baseball game by a famed player. The spectacle and the public outcry is an indication of this concern. The public needs to be informed or re-educated on certain situations concerning birds where human health and happiness can be influenced. The bird hazard to aircraft is an extreme example but is a real life situation.

Pest control operators have the responsibility of ensuring all non-toxic methods, where applicable, are tried to reduce or solve the bird problem. Many times, the reasons for the problems are not bird-related, but people-related. Poor management or poor environmental awareness may result in the bird problem. Open doors, windows, garbage sites or canisters, to list a few, might be the cause of and answer to the problems. Most of man's problems with nature are due to his failure to understand his own actions as they relate to and interact with his fellow life forms.

Birds in North America are protected under the Migratory Birds Act Convention (1917), jointly managed by the U.S. and Canada. It protects all native birds or migratory birds with several exceptions, i.e., introduced species such as house sparrows, starlings and rock pigeons. Certain groups, while not covered by the "Migratory" Act,

have provincial legislation which provides levels of protection. These include falcons, cormorants and galliformes. Several species, including water fowl, upland game birds and certain marine species like murrens, have seasons and bag limits specific to the region and the managed bird population.

From Canada, we have watched with interest the deregulation and the "corrections" in the regulatory handling of pesticides in the U.S. We face many of the same pest problems you are faced with — the methods of control are often identical. We are aware that public attitude can be fickle and limited in its understanding of a problem and the related complexities which cause or control it. As public officials we are always in public view, our hides are toughened through exposure and we still attempt to view the real need of a treatment without the clouding issues of esthetics and emotion. Those regulators in the audience, as well as the pest control operators, can quickly realize it is very difficult to remove the emotional demands placed on us by our bosses, our customers and our politicians.

The area of bird control will always be fraught with the non-scientific opinions. It is up to the practitioner and research personnel to allow the decision to more adequately identify the benefits and judge the risks. It is only by the application of good science that we will be able to judge the virtues of our feathered friends.

