
INFORMATION BULLETIN

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Ministry of Environment

PESTICIDE USER LICENCE NOW REQUIRED AT MULTI-RESIDENCES

VICTORIA – The application of pesticides on multi-residence properties will require a Pesticide User Licence beginning Jan. 7, 2007.

By requiring pesticide uses in multi-residence buildings to be performed under licence, the ministry is ensuring that pesticides are being used safely and that people who may be exposed to pesticides are informed of their use so they can take measures to avoid the exposure.

The Pesticide User Licence is a requirement of the Integrated Pest Management Act Regulation. Under the regulation, any pesticide use in or around multi-residence properties with four or more units will require a Pesticide User Licence.

All property owners and managers who apply pesticides will need to pass an exam on pest management and the safe handling of pesticides, and also register with the Ministry of Environment as pesticide applicators.

This regulation pertains to the application of chemicals used for such things as eliminating bedbugs, controlling cockroaches, combating rodents or even managing weeds.

Multi-residence property managers will not need Pesticide User Licences if they hire licensed pest management services to perform all pesticide applications or if they only apply certain low-risk (“Excluded” Class) pesticides.

The Integrated Pest Management Act and Regulation require that all pesticide use by licence-holders be part of an Integrated Pest Management program and that licence-holders provide pesticide use notices to all people who could be exposed to the pesticide.

A recent survey of multi-residence owners and managers found that the majority of respondents felt the new licensing requirement promoted the safe use of pesticides, helped to protect the environment and promoted best practices.

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Multi-residence Pesticide Licencing Requirement

Q & A

The *Integrated Pest Management Act Regulation* requires that, starting January 7, 2007, most pesticide uses inside and outside multi-residence buildings be performed by a Pesticide User Licence-holder.

What is the purpose of this licencing requirement?

The purpose of requiring a licence is to protect people and the environment from harmful effects of pesticide use.

Pesticide User Licence-holders are required to follow integrated pest management practices and pesticide handling standards designed to minimize pesticide use and protect human health and the environment.

Who will be affected by the licencing requirement?

Owners or managers of properties containing four or more separate units who apply non-Excluded pesticides either inside rooms used as living accommodation or in indoor or outdoor areas to which more than one occupier has access. Examples include:

- A motel owner applying insecticides in rooms to control bedbugs
- A strata complex applying Weed 'N Feed® to lawns
- An apartment building manager applying insecticides in locker rooms to control silverfish
- A campground owner applying herbicides along roadways in the campground
- A hotel applying fungicide in their rose garden
- The owner of a four-plex using rodenticide to combat mice

Do all owners/managers of multi-residence buildings need to obtain a Pesticide User Licence?

No. Only owners/managers who apply, or have their employees apply, non-Excluded pesticides need a licence.

- Pesticides designated by the *Integrated Pest Management Act Regulation* as "Excluded" may be applied without a licence.
- If all non-Excluded pesticide applications are performed by a licenced service company, the owner or manager of the property does not need a Pesticide User Licence

- Property owners or managers may apply pesticides to multi-residence properties with three or fewer separate units without a Pesticide User Licence

What are Excluded pesticides?

Excluded pesticides are pesticides listed in Schedule 2 of the *Integrated Pest Management Act* Regulation. It is unlikely that excluding these pesticides from use requirements imposed on licence-holders will increase the risk of unreasonable adverse effects.

Excluded pesticides that may be used without a Pesticide User Licence are listed in the following table.

COMMON EXCLUDED PESTICIDES

This is a partial list of Excluded pesticides. For a complete list, refer to Schedule 2 of the *Integrated Pest Management Act* Regulation.

(D) indicates that only Domestic formulations are Excluded

(D, C) indicates that only Domestic and Commercial formulations are Excluded

(D, C, R) indicates that Domestic, Commercial and Restricted formulations are Excluded

Animal Repellents

- capsaicin (D, C, R)
- polybutene bird repellents (D,C)
- other animal repellents (D,C) (except thiram)

Fungicides

- sulphur, including lime sulphur, sulphide
- sulphur and calcium polysulphide (D)

Herbicides

- acetic acid (D)
- corn gluten meal (D, C)
- fatty acids (D)

Insecticides

- bacillus thuringiensis kurstaki* (Btk) (D)
- boron compounds (D)
- boron compounds with up to 5% copper for insect control and wood preservation (C)
- d-phenothrin (D)
- insect bait stations (D)
- insect pheromones (D, C)
- insect repellents (D)
- methoprene (D)
- mineral oils for insect and mite control (D)
- n-octyl bicycloheptene dicarboximide (D)
- pesticides in aerosol containers (D)
- pesticides registered under the federal Act for application to pets (D, C)
- piperonyl butoxide (D)
- pyrethrins (D)

Insecticides (continued)

- resmethrin (D)
- rotenone (D)
- silica aerogel, also called silica gel, amorphous silica & amorphous silica gel (D, C)
- silicon dioxide, also referred to as "diatomaceous earth" (D, C)
- soaps (D, C)
- tetramethrin (D)
- trans-allethrin, also referred to as d-cis, trans allethrin (D)

Moss Killers

- fatty acids (D)
- ferrous sulphate (D, C)
- soaps (D, C)

Moth Balls/Flakes

- naphthalene for fabric protection (D)
- paradichlorobenzene for fabric protection (D)

Plant Growth Regulators (D)

Slug Control

- ferric phosphate (D, C)

Wood Preservatives

- boron compounds (D)
- boron compounds with up to 5% copper for insect control and wood preservation (C)
- wood preservatives (D)

What are some non-Excluded pesticides that would require a licence for use?

Common non-Excluded pesticides for treatment of lawn and landscape pests include:

- Ambush®
- Casoron®
- Killex®
- Malathion
- Later's Fruit-Guard™
- Roundup®
- Weed 'N Feed®

Common non-Excluded pesticides for treatment of indoor pests include:

- Dagnet®
- Ficam ®
- Prelude®
- Rat XB®
- Tempo®
- Warfarin®

How do I obtain a Pesticide User Licence?

There are two steps to obtaining a service licence.

1. Obtain, or have an employee obtain, a Pesticide Applicator Certificate. A Structural Pesticide Applicator Certificate is needed to apply pesticides indoors. A Landscape Pesticide Applicator Certificate is needed to apply pesticides outdoors.
2. Once a certificate has been obtained, apply to the Ministry of Environment for a Pesticide User Licence. An application form can be obtained at http://www.env.gov.bc.ca/epd/epdpa/ipmp/pesticide_pdfs/licence.pdf or by telephoning (250) 387-3205. The licence fee is \$250 per year if you operate out of one office.

How do I obtain a Pesticide Applicator Certificate?

Telephone 1-800-282-7955 and order the study materials for the Structural Pesticide Applicator Certificate (\$107.30), the Landscape Pesticide Applicator Certificate (\$107.30) or both certificates (\$171.80). Study the materials and then arrange to write the certification exam(s) by telephoning 1-866-205-2102. The exam fee is \$90 per exam. If you pass the exam with a score of 75% or more, you will be issued a certificate valid for five years. If you pass the exam with a score of 60% - 74%, you will be issued a certificate valid for one year.

Once I have a Pesticide User Licence, are there any other requirements I will have to meet?

Yes. All licence-holders are required to ensure compliance with:

- standards for the use of integrated pest management
- posting appropriate “treatment notices” prior to pesticide applications;
- standards for containment, transport, storage and use; and
- record-keeping requirements

What are the standards for use of integrated pest management?

Before using a pesticide, a licence-holder must undertake all of the following actions in accordance with integrated pest management principles:

- identify and implement, or identify and advise the owner or manager of the treatment area, of reasonable measures to prevent pests;
- identify pest species and pest complexes to be managed;
- monitor to determine the population of pests and their location;
- determine the injury threshold for each pest and apply them to the determination of when to use a pesticide;
- select pest treatment methods based on:
 - consideration of practical alternatives to pesticide use, and
 - protection of human health and the environment.

After each pesticide use, a licence-holder must evaluate, the effectiveness of that use.

What is a “treatment notice”?

A “treatment notice” is required for public notification of pesticide use. A treatment notice must contain all of the following information:

- a description of the area to be treated;
- name of the targeted pest;
- the federal *Pest Control Products Act* registration number of the pesticide to be used and its active ingredient;
- proposed date and start time, and proposed alternate dates and times, of the pesticide use;
- name and licence number of the licence-holder and a phone number at which the licence-holder or an employee can be reached for more information about the proposed pesticide use;
- precautions that should be taken to minimize exposure to a pesticide or its residues, including a statement that indicates the period following the use during which people should not enter the treated area (re-entry period); and
- if fruit-bearing trees or other food crops are treated, the number of days before food can be harvested safely.

Posted treatment notices are to have the following characteristics:

- for signs posted in outdoor areas, be at least 550 cm² in size (a letter size sheet of paper), or for signs posted in indoor areas, be at least 200 cm² in size (one half a letter size sheet of paper);
- if the notice may be exposed to water, be constructed of water resistant material;
- use type or letters that are clearly legible to a person approaching the treatment area;
- contain a cautionary symbol (such as a stop sign or raised hand) that will draw the attention of a person approaching the treatment area; and
- display, in bold block letters, the words “NOTICE OF PESTICIDE USE” – or in place of the word “pesticide,” the word “insecticide,” “herbicide,” or another category of pesticide.

Treatment notices must be posted so that the notice is clearly visible and will provide notice of the pesticide use to any person approaching the treatment area.

Treatment notices must not be removed by the licence-holder for 48 hours after the pesticide use.

What are the public notification requirements for a pesticide use?

a) Inside a residence

A licence-holder must provide a treatment notice, at least 72 hours prior to a proposed pesticide use, to the occupant of the living accommodations, and to the owner or manager of the building.

A licence-holder intending to use a pesticide in unoccupied living accommodations must provide a treatment notice, before or immediately following the use, to the owner or manager of the building and either:

- Provide a treatment notice to a person who will be occupying the living accommodations if that person will, within 48 hours after treatment, occupy the accommodations after the pesticide use; or
- Immediately following the use, post a treatment notice at each entrance to the unoccupied living accommodation.

b) In common areas (e.g. hallways, locker rooms, recreation areas, pathways, parking areas and outdoor areas within 5 m of an entrance or window)

At least 48 hours before using a pesticide a licence-holder must provide a treatment notice to the owner or manager of the building and either:

- Provide a treatment notice to each person who, within 48 hours after treatment, has access to the treated area; or

- Post a treatment notice at each entrance to an indoor treatment area, at each gate or opening to fenced outdoor common areas, and at intervals around outdoor common areas that are not fenced.

c) In restricted access areas (e.g. boiler rooms, elevator rooms, office areas)

A licence-holder must either:

- provide a treatment notice to each person who, within 48 hours after treatment, has access to the treatment area; or
- immediately following the use, post a treatment notice at each entrance to the treatment area.

Situations When the Notification Requirements May Be Altered

Notice periods may be shortened with the consent of each person who has access to the proposed treatment area and is entitled to notice of the proposed use.

If a medical health officer has given direction in writing for a differing notification requirement the licence-holder must comply with the medical health officer's direction.

The provision and posting of a treatment notice (except to the owner or manager where required) for pesticide use is not required if the pesticide is:

- an insecticide applied in cracks and crevices;
- an insect gel, or insect gel bait in a bait station, that is placed in a concealed location not accessible to children or pets;
- an insecticide applied to a wasp nest that is outdoors, or is indoors and no person will have access to the treatment area within the 48 hour period after the use;
- a rodenticide and is used in accordance with requirements under the Regulation;
- a herbicide and is used to manage weeds along fences or in cracks in the pavement on roads, in sidewalks or in parking lots;
- a granular pesticide used in flower, vegetable or shrub beds and mixed into soil; or
- a bacterial pesticide applied to water.

Written notice following pesticide use:

Immediately following a pesticide use that required giving or posting a treatment notice, the licence-holder must provide written notice to the owner, manager, administrator or principal (or their agent), giving notice that the pesticide use occurred and of any differences between the information given in the treatment notice and the actual pesticide use.

What are the standards for containment, transport, storage or use of pesticides?

Standards set out in the Regulation are intended to ensure that any person storing, transporting or using a pesticide does so only in a manner that minimizes hazards to human health and the environment.

Standards for pesticide containment

A pesticide must be kept, handled, stored or transported in the container in which it was originally packaged and with the label originally affixed by the manufacturer, or in an appropriately designed and labelled container.

Standards for pesticide transport

Pesticides must be transported in a manner that is sufficient to prevent escape, discharge or unauthorized removal of the pesticide from the transport vehicle; and that prevents contamination of food or drink intended for human or animal consumption, or of household items such as furnishings, clothes, toiletries, or bedding.

Standards for pesticide storage

Pesticides (other than domestic or excluded pesticides) must be stored in a storage facility that is:

- separated from (and not used for storage of) food intended for human or animal consumption;
- ventilated so that pesticide vapours are vented outside;
- locked when unattended; and
- accessible only to persons authorized by the person storing the pesticide.

Each door providing access to a pesticide storage facility must have a sign that is clearly visible to a person approaching, with the words "WARNING: CHEMICAL STORAGE – AUTHORIZED PERSONS ONLY" written in block letters. Pesticides that release vapours and bear a "poison" symbol on the label must be stored in a facility that is not attached to or within a building used for living accommodations.

Within 60 days after starting to store pesticides at a location, a pesticide licence-holder must provide notice of the storage location to the fire department closest to that location.

General standards for pesticide use

A licence-holder must ensure that:

- pesticides are used only as specified on the product label;
- all pesticides are applied by, or the application is directly supervised by, certified pesticide applicators;
- each individual who will be using a pesticide is informed of:
 - the boundaries of the proposed treatment area;
 - the requirements for personal protection;
 - the pesticide use procedures required to protect human health and the environment;

- the application equipment is in good working order and, if required, is calibrated to conform with the application rates on the pesticide label; and
- an inspection of the treatment area is carried out to ensure that the applicable regulatory requirements and standards can be met in carrying out the use.
- precautions are taken to ensure that water sources are protected including:
 - pesticides must not be applied within 30 m of a well or water supply intake;
 - a no-treatment zone between an outdoor pesticide use area and a body of water is sufficient to prevent the release of pesticide spray or runoff into the body of water;
 - a container used to prepare, mix or apply a pesticide is not be washed or submerged in a body of water;
- a no-treatment zone between an outdoor pesticide use area and an adjacent property is sufficient to prevent the release of pesticide spray or runoff onto the adjacent property (unless the adjacent property owner or manager agrees otherwise).
- precautions are taken to prevent unprotected human exposure to pesticide; and
- pesticides are not applied over vertebrate wildlife or domestic animals that are visible to the user.

A licence-holder must ensure that their use of a herbicide **does not** remove vegetation that is necessary to:

- prevent erosion of a streambank;
- prevent debris that would cause an unreasonable adverse effect from entering a stream; or
- maintain slope stability in areas where landslides have occurred.

A licence-holder must not:

- engage in broadcast spraying or foliar spraying outdoors if the wind speed exceeds 8 km an hour;
- use a residual pesticide on water-saturated soil, during heavy rainfall or if heavy rainfall is imminent;
- spray a pesticide on foliage covered by ice or frost or if water is flowing on the foliage; or
- apply a pesticide at night unless sufficient lighting is used to ensure that the use is visible from a distance of at least 30 metres.

Standards for use of slug bait

If using a non-Excluded slug bait pesticide, a licence-holder must place the pesticide in bait stations that are resistant to tampering by children and animals, or in areas that are inaccessible to children and domestic animals.

Standards for use of rodenticides

A licence-holder using a rodenticide must:

- deploy rodenticide bait only in rigid walled bait containers that are fastened down to prevent tipping or removal and that remain securely closed for the period of time that they are in use, or in locations and in a manner so that unauthorized people and domestic pets cannot gain access to them;
- ensure that any deployed container of a rodenticide is properly labelled with the word "Poison" or the symbol for poison, the name and phone number of the contact person who can provide information about the pesticide use, and the pesticide's active ingredient or its registration under the federal Act; and
- if the rodenticide bait is deployed in living accommodations or areas to which children have access, the rodenticide bait must contain an agent such as denatonium benzoate that causes a bitter taste, and the bait must be removed from the treatment area and destroyed when the baiting program is complete.

What are the reporting and record keeping requirements?

Licence-holders are required to maintain a record of pesticide use for each treatment location or day of use that includes:

- the name and address of the owner or manager of the treatment location;
- the name and certificate number of the certified applicator who used or supervised the use of the pesticide;
- the date and time of the pesticide use;
- the name of the pest targeted by, or the purpose of, the pesticide use;
- the trade name of each pesticide used and its registration number under the federal Act;
- for each pesticide used, the method and rate of application and total quantity used;
- if the use was outdoors, the prevailing meteorological conditions, including temperature, precipitation and velocity and direction of the wind;
- pest monitoring methods and injury thresholds used to fulfill the licence-holder's IPM requirements in relation to the use; and
- advice given to the owner or manager of the treatment area, including safe re-entry time, the number of days before a crop can be harvested safely (where applicable), and any additional precautions that should be taken to minimize exposure to the pesticide.

Records must be kept up to date, at the business location identified on the licence application (except as required during pesticide use) and for a period of three years after the use or application to which they relate. A licence-holder may keep records relating to a pesticide use at or near the treatment location during the use, provided that he or she ensures that these records are at the business location within 60 days after the completion of the pesticide treatment to which they relate.

A licence-holder must submit an annual report of pesticide use to the Ministry of Environment by January 31 of every year (for the previous calendar year's use). The annual report must include:

- the name, address and licence number of the licence-holder;
- for each pesticide used in the calendar year, the trade name, registration number under the federal Act, active ingredient and amount in kilograms; and

How is the Act enforced? What penalties may be imposed for non-compliance with terms of the Regulation?

Under the *Act*, the minister may designate specified provincial, federal or local government employees as "inspectors," with authority to audit for compliance and enforce provisions of the Regulation.

If the Administrator considers that the holder of a pesticide service or non-service licence, or certificate has not been or is not complying with the *Act*, the licence or certificate may be revoked or suspended, and the person ordered to refrain from using a particular pesticide. The Administrator may also restrict the eligibility of the holder to apply for another licence or certificate for the period of time that the Administrator considers appropriate.

If the Administrator believes on reasonable grounds that a person's handling, release, transport, storage, use or disposal of a pesticide has caused or is likely to cause an unreasonable adverse effect or that a person has contravened the *Act* or Regulation the Administrator may order the person to stop or refrain from the action, or take other actions to assess, repair, clean or decontaminate any premises, equipment or site.

The *Act* contains provisions for substantive penalties if deemed warranted (for a first offence, up to a maximum of \$200,000 for an individual or \$400,000 for a corporation), as well providing latitude to the Courts for sentencing options (e.g., directing payment of funds or services to environmental restoration).

What revenue does the government expect to generate by requiring licences for multi-residence buildings?

Probably very little. All people applying pesticides to multi-residence buildings on a fee-for-service basis are already required to hold a Pesticide User Licence. The new requirement will only affect owners and managers who do their own pesticide applications.

In a survey conducted by NRG Research Group for the Ministry of Environment, only a very small number of respondents indicated that they plan to become licenced. Most plan to hire licenced companies, stop using pesticides or use only Excluded pesticides.

Money that is generated will help cover training material development, printing and distribution, exam development and administration and licence processing.