



**Reducing the Use of Neonicotinoid Insecticides:
Amendments to Ontario Regulation 63/09 under the Pesticides Act**

**Ministry of the Environment and Climate Change
and
Ontario Ministry of Agriculture, Food and Rural Affairs**

Overview of Changes to the Pesticides Regulation

**Vendor Requirements
Canadian Seed Trade Association**

Ontario Regulation 63/09

The amended regulation establishes a system for regulating neonicotinoid-treated corn and soybean seeds:

1. A new class of pesticides (Class 12) is established under Ontario's Pesticides Act and Ontario Regulation 63/09 for corn and soybean seed when treated with imidacloprid, thiamethoxam and clothianidin.
2. Establishes methods for farmers to assess if pest problems require the use of neonicotinoid seeds.
3. Sets out requirements for the sale and use of neonicotinoid-treated seeds.
4. Tracks the sale of noenicotinoid-treated seeds.

Vendor Types

Type	Definition	Licence Requirement
Treated Seed Vendor*	Someone that sells, offers to sell or transfers Class 12 pesticides.	Yes
Treated Seed Sales Representatives	A person who interacts directly with purchasers on behalf of the Treated Seed Vendor and facilitates sales of Class 12 pesticides (e.g. placing orders). May include administrative staff.	No
Direct-to-Farm Vendor	Purchases from the Treated Seed Vendor. Sells, offers to sell or transfers Class 12 pesticides only, and sells or transfers directly to end users (farmer).	No
Custom Seed Treater	Provides a seed treating service where neonicotinoids are applied to seeds prior to planting.	No
	*Only if sell Class 12 pesticide (neonicotinoid-treated corn or soybean seeds)	

Treated Seed Vendor: Before Sale of Class 12 Pesticides

- Obtain Treated Seed Vendor Licence, one for each location
 - Requires proof of legal company name (see application for list of documents)
 - Provide the MOECC with names of Treated Seed Sales Representatives (required at time of licence) and/or Direct-to-Farm Vendors (not required at time of licence; names can be provided at any time).
- Submit to MOECC: List of Class 12 Pesticides Submission Form (Class12forms@ontario.ca)
 - Include information about the Class 12 pesticides that you intend to sell over a 12-month period starting August 31 (when MOECC will post the list)
 - Submit the list by July 31 each year, starting 2015
 - Changes to the list can be made after this date.
- Offer for sale corn and/or soybean seeds that are not treated with neonicotinoids (untreated or fungicide only).
- If advertising Neonicotinoid-treated Corn and Soybean Seeds
 - Make known whether corn and soybean seeds being sold are Class 12 pesticides, and whether they contain imidacloprid, thiamethoxam or clothianidin
 - Also advertise that corn and soybean seeds not treated with neonicotinoids are available for sale.

Treated Seed Vendor: During Sale of Class 12 Pesticides

- Need to collect from the purchaser of Class 12 pesticides:
 - Fall 2015: Seed Amount Declaration Form (50 per cent calculation is completed separately by commodity for each corn and soybean), or Inspection of Soil – Pest Assessment Report (completed by farmer or any other person).
 - Fall 2016: IPM Certification Number, and Written Declaration (that IPM principles have been considered), and Pest Assessment Report, either
 - Inspection of Soil (completed by farmer or any other person if completed before August 31, 2016 or by IPM certified person if completed on or after August 31, 2016)
 - Inspection of a Crop (completed by PPA only).
 - Fall 2017: IPM Certification Number, and Written Declaration (that IPM principles have been considered), and Pest Assessment Report, either
 - Inspection of Soil (completed by IPM certified person or PPA based on geographical region)
 - Inspection of a Crop (completed by PPA only).

* Treated Seed Vendors must retain documents for four years

Treated Seed Vendor: After Sale of Class 12 Pesticides

- Submit to OMAFRA: copies of each Pest Assessment Reports given to the Treated Seed Vendor during previous 12 month period
 - Due October 31 of each year; starting 2016
 - For the 12-month period that ends August 30 of that year (e.g. August 31, 2015 to August 30, 2016).
- Submit to MOECC: Sales and Transfer Report Form (website)
 - Aggregate results of Class 12 pesticides and non-neonicotinoid treated corn and soybean seeds sales
 - To include sales information from Treated Seed Sales Representatives and Direct-to-Farm Vendors as well as direct purchaser sales
 - Due October 31 of each year; starting 2016
 - For the 12-month period that ends August 30 of that year (e.g. August 31, 2015 to August 30, 2016).
- MOECC to post aggregate results January 31 of the following year (e.g. January 31, 2017).

Treated Seed Sales Representative: Before Sale of Class 12 Pesticides

- Name and contact information must be submitted to MOECC by Treated Seed Vendor.
- Must be trained by Treated Seed Vendor about regulatory requirements.
- Must carry identification provided by the Treated Seed Vendor to include:
 - Treated Seed Sales Representative name
 - Treated Seed Vendor name and licence number
 - Statement that person represents the Treated Seed Vendor .
- Class 12 pesticides offered for sale must be posted on the MOECC's Class 12 pesticides list at ontario.ca .

Treated Seed Sales Representative: During Sale of Class 12 Pesticides

- Need to collect from the purchaser* of Class 12 pesticides:
 - Fall 2015: Seed Amount Declaration Form (50 per cent calculation is completed separately by commodity for each corn and soybean), or Inspection of Soil – Pest Assessment Report (completed by farmer or any other person).
 - Fall 2016: IPM Certification Number, and Written Declaration (that IPM principles have been considered), and Pest Assessment Report, either
 - Inspection of Soil (completed by farmer or any other person if completed before August 31, 2016 or by IPM certified person if completed on or after August 31, 2016)
 - Inspection of a Crop (completed by PPA only).
 - Fall 2017: IPM Certification Number, and Written Declaration (that IPM principles have been considered), and Pest Assessment Report, either
 - Inspection of Soil (completed by IPM certified person or PPA based on geographical region)
 - Inspection of a Crop (completed by PPA only).

* If the purchaser is a Treated Seed Vendor then only the licence number and expiry date are required

** Treated Seed Sales Representatives must retain documents for two years

Treated Seed Sales Representative: After Sale of Class 12 Pesticides

- Keep records of sale, including documents obtained from purchaser (e.g. IPM Written Declaration).
- Provide Treated Seed Vendor with copies of all documents obtained during the sale within 30 days of collecting the information.

Direct-to-Farm Vendor: Before Sale of Class 12 Pesticides

- Name, contact information and confirmation that the Direct-to-Farm Vendor has met the criteria set out in Regulation must be provided to the Treated Seed Vendor by the Direct-to-Farm Vendor.
- Criteria:
 - Class 12 pesticides can only be sold to end use purchasers
 - Class 12 pesticides cannot be sold to Treated Seed Vendors (other than the Treated Seed Vendor the pesticides were originally purchased from)
 - A General Vendor or Limited Vendor licence cannot be held by the Direct-to-Farm Vendor.
- The Treated Seed Vendor must submit to the MOECC the name, contact information and a notice that the Direct-to-Farm Vendor has met the criteria set out in Regulation.
- Class 12 pesticides offered for sale must be posted on the MOECC's Class 12 pesticides list at ontario.ca

Direct –to-Farm Vendor: During Sale of Class 12 Pesticides

- Need to collect from the purchaser of Class 12 pesticides:
 - Fall 2015: Seed Amount Declaration Form (50 per cent calculation is completed separately by commodity for each corn and soybean), or Inspection of Soil – Pest Assessment Report (completed by farmer or any other person).
 - Fall 2016: IPM Certification Number, and Written Declaration (that IPM principles have been considered), and Pest Assessment Report, either
 - Inspection of Soil (completed by farmer or any other person if completed before August 31, 2016 or by IPM certified person if completed on or after August 31, 2016)
 - Inspection of a Crop (completed by PPA only).
 - Fall 2017: IPM Certification Number, and Written Declaration (that IPM principles have been considered), and Pest Assessment Report, either
 - Inspection of Soil (completed by IPM certified person or PPA based on geographical region)
 - Inspection of a Crop (completed by PPA only).

* Direct-to-Farm Vendor must retain documents for two years

Direct-to-Farm Vendor: After Sale of Class 12 Pesticides

- Keep records of sale and documents obtained from purchaser (e.g. IPM Written Declaration).
- Records of sale to include:
 - unique name of Class 12 pesticides and quantity sold
 - number of containers sold
 - name and address of purchaser
 - date of sale .
- Provide Treated Seed Vendor with copies of all documents obtained during the sale.

Custom Seed Treater: During Seed Treatment

- Purchasers of Class 12 pesticides need to provide:
 - Fall 2015: seed Amount Declaration Form (50 per cent calculation is completed separately by commodity for each corn and soybean), or Inspection of Soil – Pest Assessment Report (completed by farmer or any other person).
 - Fall 2016: IPM Certification Number, and Written Declaration (that IPM principles have been considered), and Pest Assessment Report, either
 - Inspection of Soil (completed by farmer or any other person if completed before August 31, 2016 or by IPM certified person if completed on or after August 31, 2016)
 - Inspection of a Crop (completed by PPA only).
 - Fall 2017: IPM Certification Number, and Written Declaration (that IPM principles have been considered), and Pest Assessment Report, either
 - Inspection of Soil (completed by IPM certified person or PPA based on geographical region)
 - Inspection of a Crop (completed by PPA only).
- Purchasers will need to request confirmation that documents were provided.

*Custom Seed Treater must retain documents for four years

Custom Seed Treater: After Seed Treatment

- Submit to OMAFRA: copies of each Pest Assessment Report given to Custom Seed Treater during previous 12 month period
 - Due October 31 of each year; starting 2016
 - For the 12-month period that ends August 30 of that year (e.g. August 31, 2015 to August 30, 2016).
- Submit to MOECC: Record of Seed Treating Services (Class12forms@ontario.ca)
 - Aggregate results of Class 12 pesticides
 - Due October 31 of each year; starting 2016
 - For the 12-month period that ends August 30 of that year (e.g. August 31, 2015 to August 30, 2016).

Timeline

July 1 – August 30, 2015

- No seed sale or treatment requirements
- Obtain licence, include names of Treated Seed Reps and provide notice about Direct-to-Farm Vendors (Direct to Farm Vendor notices can be provided at any time)
- Provide MOECC with list of Class 12 pesticides for sale for next 12 months (by July 31 each year)

August 31, 2015

- MOECC to post list of Class 12 pesticides for sale on ontario.ca
- Licence required to sell Class 12 pesticides

August 31, 2015 – beyond

- Class 12 sale requirements in effect; documents dependant on year and geographic region

October 31, 2016 – beyond

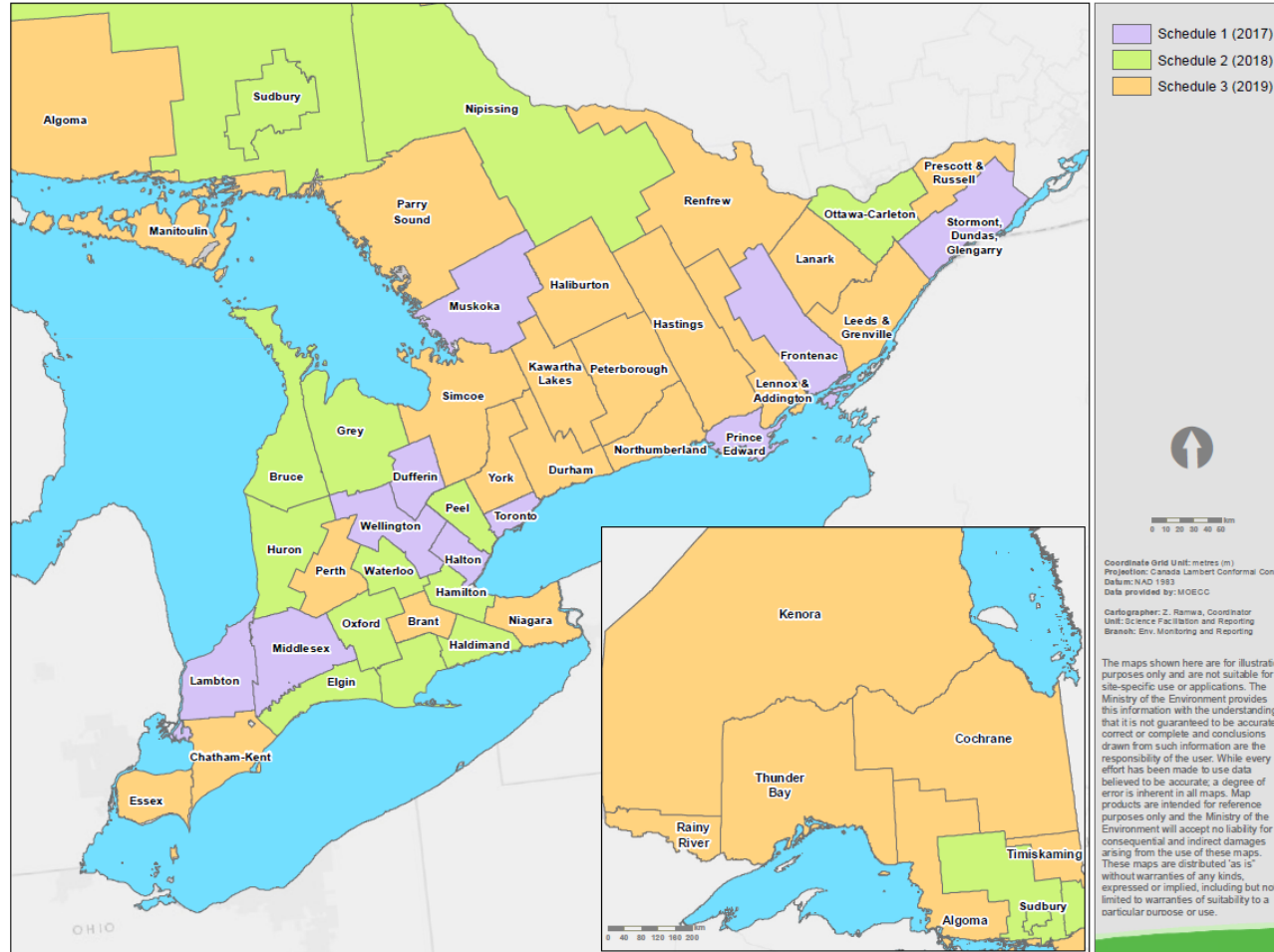
- Pest Assessment Reports due to OMAFRA (August 31 – August 30)
- Sales or Treating Records due to MOECC (August 31 – August 30)

January 31, 2017 – beyond

- MOECC to post for the public aggregate results of all reports

Geographical Regions for Professional Pest Advisors

Schedules for Amendments to the Pesticides Regulation



Pollinator Health Action Plan Forum

A Pollinator Health Action Plan Forum will be held in August 2015.

Expected Outcomes for the Forum:

To provide an update on the province's Pollinator Health Strategy, and share public input received in recent consultation with stakeholders and the public.

To report on the pollinator health literature review conducted by University of Guelph researchers, based on their interim report.

To share examples of current government initiatives that are already supporting pollinator health in the province.

To share potential new government actions that may require partnership and collaboration for successful implementation.

To identify current and potential new non-government actions.

To understand non-government capacity to support pollinator health.

To facilitate discussion among stakeholders and seek out collaborators and partners for government actions.

Format:

- The Forum will be a 1-day working event to be held in late August 2015 in Southwestern Ontario; targeting approximately 100 attendees to accommodate a broad range of technical expertise required as well as to ensure key potential partners at the table.
- Introductory presentations will be followed by break-out group discussions.

Other

- Forms available at ontario.ca:
 - Application for a Vendor Licence for Pesticides Sales
 - List of Class 12 Pesticides Submission
 - Seed Amount Declaration - 2016 Planting Season
 - Integrated Pest Management (IPM) Written Declaration
 - Inspection of Soil - Pest Assessment Report
 - Inspection of a Crop – Pest Assessment Report
 - Sales and Transfer Report Form – Treated Seed Vendor
 - Custom Seed Treater – Record of Seed Treating Service
- For more information www.ontario.ca/pollinators :
 - Ontario Ministry of the Environment and Climate Change
 - Tel: 416-325-4000 • TTY: 1-800-565-4923
 - E-mail: picemail.moe@ontario.ca
- Ontario Ministry of Agriculture, Food and Rural Affairs
- Tel: 1-877-424-1300 • TTY 1-855-696-2811
- E-mail: ag.info.omafra@ontario.ca