



**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**

Amendments to Ontario Regulation 63/09

Establishes:
New class of pesticides
(Class 12) for corn and soybean seed when treated with:

- imidacloprid
- thiamethoxam
- clothianidin

Establishes:
Methods for farmers to **assess** if pest problems require the use of neonicotinoid seeds

Sets out:
Requirements for the **sale and use** of neonicotinoid-treated seeds

Tracks:
Sale of neonicotinoid-treated seeds and untreated seeds

Class 12 Pesticides

Class 12 pesticides are corn and soybean seed treated with neonicotinoids

Corn refers to grain corn but does not include popping corn, sweet corn or corn used for seed production

The Act and O. Reg. 63/09 does not apply to soybean seed that are Class 12 pesticides used in accordance with a seed production contract

Class 12 does not include:
Treated seed for other field crops
Corn or soybeans seeds treated with other substances (e.g. fungicides)

Existing exemptions for industry and scientific research also apply to Class 12 pesticides

Vendor Types

Type	Definition	Licence Required
Treated Seed Vendor (TSV)	A person that sells, offers to sell or transfers Class 12 pesticides	Yes
Treated Seed Sales Representatives	A person who interacts directly with purchasers and facilitates sales on behalf of the TSV (may include administrative staff)	No
Direct-to-Farm Vendor	<p>A person who is not a licensed TSV and is not required to hold a General or Limited vendor licence and whose name is on a list provided to the MOECC by the TSV from whom Class 12 pesticides are purchased</p> <p>Sells, offers to sell or transfers directly to end-users</p>	No

Treated Seed Vendor: Sale of Class 12

- Obtain TSV Licence (for each location)
 - Provide names of Treated Seed Sales Representatives with licence application
 - Provide names of Direct-to-Farm Vendors at any time
- Submit List of Class 12 Pesticides Submission Form to MOECC at Class12forms@ontario.ca (by July 31, 2015). Updated lists will be posted on an ongoing basis as new seed varieties come to market.
- Also offer for sale, untreated or fungicide only treated, corn and/or soybean seeds
- When advertising
 - Indicate if corn and soybean seeds are Class 12 pesticides and which neonicotinoid they contain
 - Indicate that corn and soybean seeds not treated with neonicotinoids are also available for sale

Treated Seed Vendor: Sale of Class 12 cont'd

Need to collect from the purchaser and retain documents for four years

Fall 2015 (Starting August 31, 2015):

Seed Amount Declaration Form (if purchaser is planting 50% or less of the corn crop and soybean crop with Class 12 pesticides), or

Inspection of Soil – Pest Assessment Report (if purchaser is planting more than 50% of a corn or soybean crop with Class 12 pesticides)

Fall 2016 (Starting August 31, 2016):

IPM Certification Number and Written Declaration (that IPM principles have been considered),
Pest Assessment Report, either

- Inspection of Soil completed by any person before August 31, 2016 or IPM certified person on or after August 31, 2016
- Inspection of a Crop completed by Professional Pest Advisor (PPA) only

Fall 2017 (Starting August 31, 2017):

IPM Certification Number and Written Declaration (that IPM principles have been considered)
Pest Assessment Report, either

- Inspection of Soil completed by IPM certified person or PPA based on geographical regions (Refer to Schedules 1, 2, & 3 on slide 18)
- Inspection of a Crop completed by PPA only

Treated Seed Vendor: After Sale of Class 12

- Submit copies of all Pest Assessment Reports (PARs) provided by purchaser during previous 12 month period (e.g., August 31, 2015 to August 30, 2016) to OMAFRA by October 31 of each year, starting October 31, 2016
- Submit completed Sales and Transfer Report Forms to MOECC
 - Aggregated total sales of Class 12 pesticides and non-neonicotinoid treated corn and soybean seeds during previous 12 month period (e.g. August 31, 2015 to August 30, 2016), starting October 31, 2016
 - Includes sales facilitated by Sales Representatives and made by Direct-to-Farm Vendors as well as direct purchaser sales

TSV Sales Representatives: Before facilitating Class 12 Sale

- TSV must submit name and contact information of sales representatives to MOECC
- Must be trained by TSV about regulatory requirements
- Must carry identification provided by the TSV including:
 - Treated Seed Sales Representative name
 - TSV name and licence number
 - Statement that Treated Seed Sales Representative represents the TSV
- Class 12 pesticides offered for sale must appear on the MOECC's Class 12 pesticides list posted at www.ontario.ca/page/class-12-pesticides

TSV Sales Representatives: Facilitating Class 12 Sale

Need to collect from the purchaser* and retain documents and information for two years

Fall 2015 (Starting August 31, 2015):

Seed Amount Declaration Form (if purchaser is planting 50% or less of the corn and soybean crop with Class 12 pesticides), or

Inspection of Soil – Pest Assessment Report (if purchaser is planting more than 50% of a corn or soybean crop with Class 12 pesticides)

Fall 2016 (Starting August 31, 2016):

IPM Certification Number and Written Declaration (that IPM principles have been considered),
Pest Assessment Report, either

- Inspection of Soil completed by any person before August 31, 2016 or IPM certified person on or after August 31, 2016
- Inspection of a Crop completed by PPA only

Fall 2017 (Starting August 31, 2017):

IPM Certification Number and Written Declaration (that IPM principles have been considered)
Pest Assessment Report, either

- Inspection of Soil completed by IPM certified person or PPA based on geographical regions (Refer to Schedules 1, 2, & 3 on slide 18)
- 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

TSV Sales Representatives: After Facilitating Class 12 Sale

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

Direct-to-Farm Vendor: Before Class 12 Sale

- Direct-to-Farm Vendor must provide name, contact information and confirmation that he/she has met the criteria set out in O. Reg. 63/09 to the TSV
- Criteria includes:
 - Only sells Class 12 pesticides to end use purchasers who are not required to hold a TSV licence and are not direct-to-farm vendors
 - Does not sell Class 12 pesticides to TSV's (other than the TSV the pesticides were originally purchased from)
 - Is not required to hold a General Vendor or Limited Vendor licence
- TSV must submit name, contact information and a notice that the Direct-to-Farm Vendor has confirmed that he/she meets criteria set out in O. Reg. 63/09 to the MOECC
- Class 12 pesticides offered for sale must appear on the MOECC's Class 12 pesticides list posted at www.ontario.ca/page/class-12-pesticides

Direct-to-Farm Vendor: During Class 12 Sale

Need to collect from purchaser and retain documents/information for two years

Fall 2015 (Starting August 31, 2015):

Seed Amount Declaration Form (if purchaser is planting 50% or less of the corn and soybean crop with Class 12 pesticides), or

Inspection of Soil – Pest Assessment Report (if purchaser is planting more than 50% of a corn or soybean crop with Class 12 pesticides)

Fall 2016 (Starting August 31, 2016):

IPM Certification Number and Written Declaration (that IPM principles have been considered),
Pest Assessment Report, either

- Inspection of Soil completed by any person before August 31, 2016 or IPM certified person on or after August 31, 2016
- Inspection of a Crop completed by PPA only

Fall 2017 (Starting August 31, 2017):

IPM Certification Number and Written Declaration (that IPM principles have been considered)
Pest Assessment Report, either

- Inspection of Soil completed by IPM certified person or PPA based on geographical regions (Refer to Schedules 1, 2, & 3 on slide 18)
- Inspection of a Crop completed by PPA only

Direct-to-Farm Vendor: After Class 12 Sale

- Keep records of sale and information/documents obtained from purchaser (e.g. IPM Written Declaration) for 2 years
- Records of sale to include:
 - unique name of Class 12 pesticide as it appears on the MOECC's Class 12 Pesticides list
 - number of containers sold and quantity in each container
 - name and address of purchaser
 - date of sale
- Provide TSV with copies of all documents obtained during the sale

Custom Seed Treater: During Seed Treatment

Provides seed treating services where neonicotinoids are applied to corn and soybean seeds prior to planting (licence not required); needs to collect documents/information from the person* and retain for four years

Fall 2015 (Starting August 31, 2015):

Seed Amount Declaration Form (if purchaser is planting 50% or less of the corn and soybean crop with Class 12 pesticides), or

Inspection of Soil – Pest Assessment Report (if purchaser is planting more than 50% of a corn or soybean crop with Class 12 pesticides)

Fall 2016 (Starting August 31, 2016):

IPM Certification Number and Written Declaration (that IPM principles have been considered),
Pest Assessment Report, either

- Inspection of Soil completed by any person before August 31, 2016 or IPM certified person on or after August 31, 2016
- Inspection of a Crop completed by PPA only

Fall 2017 (Starting August 31, 2017):

IPM Certification Number and Written Declaration (that IPM principles have been considered)
Pest Assessment Report, either

- Inspection of Soil completed by IPM certified person or PPA based on geographical regions (Refer to Schedules 1, 2, & 3 on slide 18)
- Inspection of a Crop completed by PPA only

*Person needs to request confirmation that documents/information were provided

Custom Seed Treater: After Seed Treatment

- Submit to OMAFRA: copies of Pest Assessment Reports given to Custom Seed Treater during previous 12 month period (e.g. August 31, 2015 to August 30, 2016).
 - Due October 31 of each year; starting 2016
- Submit to MOECC: Record of Seed Treating Services at Class12forms@ontario.ca
 - Aggregate totals of Class 12 pesticides used for treating seed during previous 12 month period (e.g. August 31, 2015 to August 30, 2016).
 - Due October 31 of each year; starting 2016

Requirements Summary

	Treated Seed Vendor Licence	List of Class 12 Pesticides Submission	Keep Records of Sales/seed treatments	Verify and collect documents from end users	Submit Pest Assessment Reports to OMAFRA	Submit aggregate sales/seed treatments to MOECC
Treated Seed Vendor	√	√	√	√	√	√
Treated Seed Sales Rep			√	√		
Direct-to-Farm Vendor			√	√		
Custom Seed Treater			√	√	√	√

Timelines

July 1 – August 30, 2015

- Obtain Treated Seed Vendor licence if required
- Submit Class 12 pesticides list for sale in next 12 months to MOECC) by July 31 of each year)

August 31, 2015

- MOECC to post Class 12 pesticides list for sale on www.ontario.ca
- Treated Seed Vendor licence required to sell Class 12 pesticides

August 31, 2015 – beyond

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

October 31, 2016 – beyond

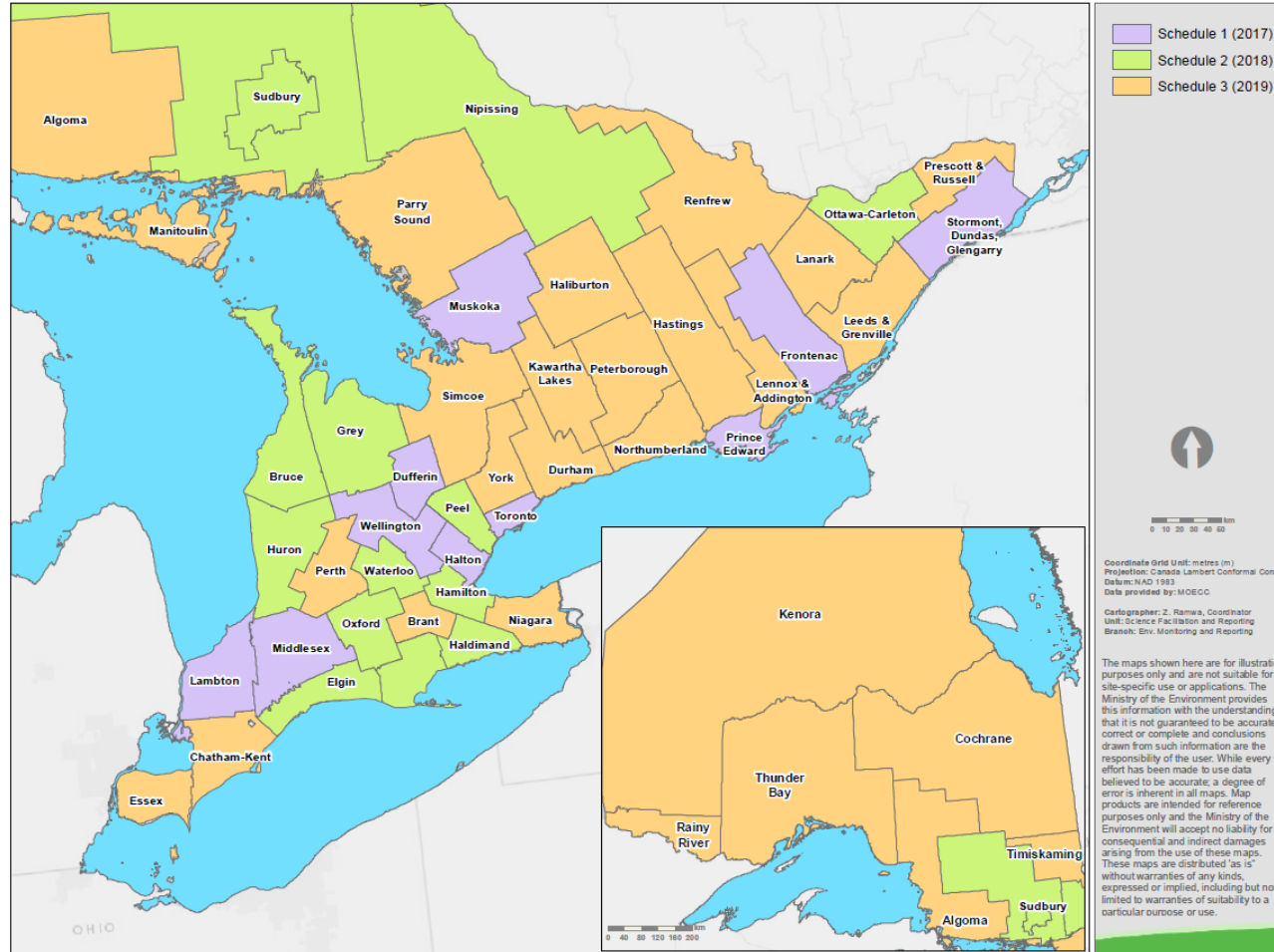
- Pest Assessment Reports due to OMAFRA (August 31 – August 30)
- Sales or Seed Treating Records due to MOECC (August 31 – August 30)

January 31, 2017 – beyond

- MOECC to post public aggregated results of all reports

Geographical Regions for Professional Pest Advisors

Schedules for Amendments to the Pesticides Regulation



Additional Resources

Forms available at www.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

Visit website: 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