

Background

March 4, 2009

Ontario's Cosmetic Pesticides Ban

Ontario's cosmetic pesticides ban will take effect April 22, 2009. The requirements of the ban are detailed in Ontario Regulation 63/09 and the Pesticides Act, which was amended by the Cosmetic Pesticides Ban Act, 2008.

The provincial ban supersedes local municipal pesticides bylaws to create one clear, transparent and understandable set of rules across the province.

Pesticides cannot be used for cosmetic purposes on lawns, vegetable and ornamental gardens, patios, driveways, cemeteries, and in parks and school yards. There are **no** exceptions for pest infestations (insects, fungi or weeds) in these areas, as lower risk pesticides, biopesticides and alternatives to pesticides exist. More than 250 pesticide products are banned for sale and over 80 pesticide ingredients are banned for cosmetic uses.

Exceptions

- **Public health or safety:** Pesticides can be used to control plants that are poisonous to the touch, such as poison ivy; insects that bite, sting, are venomous or are disease carrying, like mosquitoes; and animals, insects or plants that may cause damage to a structure or infrastructure, such as termites.
- **Natural resources:** There is an exception, with Ministry of Natural Resources approval, to control invasive species that may be detrimental to health, the environment or the economy, or to protect a native plant, animal or a rare ecosystem.
- **Golf courses** are conditionally excepted from the ban provided they follow tough new rules. They must become accredited for Integrated Pest Management (IPM) by an approved accreditation body. IPM uses a variety of tools, including best practices, mechanical and biological methods, along with pesticides when necessary, to manage pest populations. Golf courses must prepare an annual report on how they minimized their pesticide use and make the report accessible to the public. Also, they must hold a public meeting annually to present the report.
- **Sports fields** are allowed a short term exception from the ban to host national or international level sports competitions. Written approval for the exception must be granted by the Minister of the Environment. Once the event concludes, the use of pesticides must end. Areas such as lawns and gardens around the sports fields are not excepted from the ban.
- **Specialty turf:** Pesticides can be used to maintain specialty turf used for lawn bowling, cricket, lawn tennis and croquet if certain conditions are met. Areas such as lawns and gardens around the specialty turf are not excepted from the ban. IPM and annual reporting conditions, similar to those imposed on golf courses, must be followed.
- **Trees:** Since trees are so important to protecting our climate, licensed exterminators can use conventional pesticides with the written opinion of a tree care professional that states that the use of the pesticide is necessary to

- protect the health of the tree. Homeowners and licensed exterminators can also buy and use biopesticides and lower risk pesticides (e.g., *Btk* - a biopesticide sprayed over Ontario cities for Gypsy moth control) to care for trees without requiring an opinion from a tree care professional.
- **Agriculture:** The use of pesticides is necessary for agriculture from an economic and operational perspective. Ontario farmers already have stringent rules on the use, handling, storage and application of pesticides, and these rules will continue. The exception does not apply to a farmer's household vegetable garden and lawn.
 - **Forestry:** The use of pesticides in forestry is essential to protect trees from pests, and to control competing vegetation. Ontario's forestry workers must follow stringent rules on the use, handling, storage and application of pesticides. The exception applies to a range of forestry activities including harvest and reforestation.
 - **Public works:** Under the health or safety exception, pesticides are allowed to be used to maintain safe conditions, and the security of and emergency access to public works. Public works include highways, railways, power works, gas works, water works and other utilities, transit/transportation corridors and the perimeter of nuclear facilities. The exception does not apply to the use of a pesticide on a portion of a highway to which pedestrians have access on a regular basis or where the public is invited to stop including picnic and rest areas.

Notice Signs

Homeowners can apply biopesticides or lower risk pesticides to control weeds and other pests on lawns, gardens, driveways and other areas around the home. However, if licensed exterminators use a lower risk pesticide or biopesticide, the exterminator must post a green notice sign on the lawn. This sign makes it clear that the exterminator is not using an illegal pesticide and satisfies the public's right to know about the use of a pesticide. For example, if an exterminator treated a lawn with corn gluten meal to suppress weeds, he/she would need to post a green sign.

Pesticide Storage and Fire Department Notification

The ministry has harmonized storage and fire department notification requirements for manufacturers with existing requirements for operators (including commercial lawn care companies) and vendors. These requirements ensure that local fire departments know where pesticides are stored to protect human health and the environment.

Pesticide Classification

To support the cosmetic pesticides ban, a pesticide classification system consisting of eleven classes of pesticides has been established. Please also refer to the [Pesticide Classification Guideline for Ontario](#) for the criteria for each class of pesticide.

- Class 1 are manufacturing concentrates used in the manufacture of a pesticide product.
- Classes 2, 3 and 4 are commercial or restricted pesticides that can continue to be used by farmers and licensed exterminators for non-banned uses. If the pesticide contains a Class 9 pesticide, it may only be used for an exception to the ban (e.g., agriculture, forestry, golf courses).
- Classes 5 and 6 pesticides can be used by homeowners and include biopesticides and lower risk pesticides allowed for cosmetic uses.
- Class 7 includes dual-use pesticides (i.e. indoor/outdoor uses). Such pesticides will only be allowed to be used for non-cosmetic purposes. For example, they can be used indoors to kill pests or outdoors for public health

- or safety reasons, but cannot be used outdoors to kill weeds. Retailers must give information to notify purchasers that only certain uses of these pesticides are legal. In two years' time, consumers will also not have ready access to these products, and continue to receive notification about the legal uses.
- Class 8 are banned domestic products. (e.g., pesticide-fertilizer combination products, weed and insect control products for lawns and gardens).
 - Class 9 lists ingredients in pesticide products. These ingredients are banned for cosmetic use. Commercial or restricted products containing these ingredients may still be used by farmers or licensed exterminators for exceptions under the ban.
 - Class 10 pesticides are ingredients in pesticide products. These are the only ingredients that may be used to control plants that are poisonous to the touch under the public health or safety exception.
 - Class 11 lists ingredients that are biopesticides or lower risk pesticides. Licensed exterminators that use Class 11 pesticides are required to post a green notice sign to provide public notice of the use of these pesticides.

-30-

Contacts:

Kate Jordan, Communications Branch, 416-314-6666

Contact information for the general public:

ontario.ca/environment-news

Disponible en français