



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

PESTICIDES CONTROL ACT REGULATIONS

PLEASE NOTE

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This document is *not* the official version of these regulations. The regulations and the amendments printed in the *Royal Gazette* should be consulted on the Prince Edward Island Government web site to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the *Table of Regulations* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

If you find any errors or omissions in this consolidation, please contact:

Legislative Counsel Office
Tel: (902) 368-4292
Email: legislation@gov.pe.ca



PESTICIDES CONTROL ACT REGULATIONS

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PESTICIDES CONTROL ACT
CHAPTER P-04
REGULATIONS

Pursuant to section 22 of the *Pesticides Control Act* R.S.P.E.I. 1988, Cap. P-4, Council made the following regulations:

INTERPRETATION

1. Definitions

(1) In these regulations

- (a) “**Act**” means the *Pesticides Control Act* R.S.P.E.I. 1988, Cap. P-4;
- (a.1) “**AG-1 Pesticide Use Certificate**” means a pesticide use certificate that
 - (i) was issued by the Director under subsection 21(1) of the prior regulations,
 - (ii) was valid on December 31, 2005, and
 - (iii) was identified by the words “AG-1 Pesticide Use Certificate” or “Level 1 Agricultural Pesticide Use Certificate” on the face of the certificate;
- (a.2) “**AG-2 Pesticide Use Certificate**” means a pesticide use certificate that
 - (i) was issued by the Director under subsection 21(1) of the prior regulations,
 - (ii) was valid on December 31, 2005, and
 - (iii) was identified by the words “AG-2 Pesticide Use Certificate” or “Level 2 Agricultural Pesticide Use Certificate” on the face of the certificate;
- (b) “**Agreement**” revoked by EC711/08;
- (c) “**agricultural operation**” means an agricultural operation operated for the purpose of producing agricultural products or services in the expectation of gain or reward, including
 - (i) clearing, draining, irrigating and cultivating land,
 - (ii) raising or keeping livestock, including cattle, horses, sheep, swine and poultry,
 - (iii) raising or keeping fur-bearing animals, game birds, game animals and honey bees,
 - (iv) producing agricultural, horticultural, or silvicultural crops, including non-food crops,

- (v) operating agricultural machinery and equipment, including noise-scare devices,
 - (vi) preparing a farm product for distribution from the farm gate, including cleaning, grading and packaging,
 - (vii) on-farm processing of farm products for the purpose of preparing farm products for wholesale or retail distribution and consumption,
 - (viii) applying fertilizers, soil conditioners and pesticides, including ground and aerial application,
 - (ix) storing, using or disposing of organic wastes for farm purposes, and
 - (x) operating pick-your-own farms, road-side farm produce stands and farm tourist operations as part of the farm operation;
- (d) “**apply**” means to release a pesticide into the environment;
- (e) “**buffer zone**” means a buffer zone as defined in the Watercourse and Wetland Protection Regulations made pursuant to the *Environmental Protection Act* R.S.P.E.I. 1988, Cap.E-9;
- (f) “**certified applicator**” means a person who holds a Pesticide Applicator Certificate issued by the Minister under section 6;
- (f.1) “**certified assistant**” revoked by EC71/07;
- (g) “**concentrated pesticide**” means any non-domestic pesticide product that requires mixing or dilution prior to application and which has not yet been mixed or diluted;
- (h) “**continuing education credits**” or “**CECs**” means continuing education credits that may be earned by an individual in accordance with section 3;
- (h.1) “**controlled purchase domestic pesticide**” means
- (i) any domestic pesticide that is not designated as a self-select domestic pesticide, or
 - (ii) any fertilizer, within the meaning of the *Fertilizers Act* (Canada), that contains a pesticide;
- (i) “**domestic pesticide**” means a pesticide registered as domestic pursuant to the regulations made under the *Pest Control Products Act* (Canada);
- (j) “**enclosed leak proof container**” means a container that is impermeable to a liquid and has an obvious top and a bottom;
- (j.1) “**fertilizer-pesticide blended product**” means any fertilizer that contains a combination of fertilizer and pesticide;
- (j.2) “**granular spreadable pesticide**” means a pesticide that is granular or pelletized and is designed to be applied at a calculated rate by means of a user-adjustable spreading device;
- (j.3) “**hose-end pesticide**” means a pesticide concentrate or solution that is designed to be applied using a garden hose;
- (j.4) “**incompatible materials**” means materials that can react with a pesticide and may
- (i) destroy the structure or function of a pesticide,
 - (ii) cause a fire, explosion or violent reaction, or
 - (iii) cause the release of hazardous chemicals;
- (k) “**label**” has the same meaning as it does in the *PCP Act* (Canada);
- (l) “**Loader/mixer Certificate**” means a Loader/mixer Certificate issued by the Minister under section 10;



- (m) “**non-domestic pesticide**” means a pesticide registered as commercial, industrial, agricultural, or restricted by the regulations made under the *PCP Act (Canada)*;
- (n) “**Non-domestic Pesticide Vendor Business Licence**” means a licence issued by the Minister under section 13;
- (o) “**Non-domestic Pesticide Vendor Certificate**” means a certificate issued by the Minister under section 14;
- (p) “**noxious weed**” means a weed designated as a noxious weed under the *Weed Control Act R.S.P.E.I. 1988, Cap. W-2.1*;
- (q) “**package**” includes any container, wrapping, covering or holder in which any pesticide is wholly or partly contained, placed or packed;
- (r) “**PCP Act (Canada)**” means the *Pest Control Products Act (Canada)*;
- (r.1) “**PCP Act (Canada) Number**” means the registration number of the pest control product, signified as follows: “REGISTRATION NO. (assigned registration number) PEST CONTROL PRODUCTS ACT” or “REG. NO. (assigned registration number) PCP Act”;
- (s) “**Pesticide Application Business Licence**” means a Pesticide Application Business Licence issued by the Minister under section 5;
- (t) “**pesticide application equipment**” means equipment that is used to apply a pesticide and includes
 - (i) a tractor and a tow-behind unit,
 - (ii) a self-propelled unit, and
 - (iii) a truck with a spray tank and pump affixed within the cargo compartment of the truck;
- (u) “**Pesticide Application Permit**” means a Pesticide Application Permit issued by the Minister under section 19
- (v) “**Pesticide Applicator Certificate**” means a Pesticide Applicator Certificate issued by the Minister under section 6;
- (v.1) “**pesticide concentrate**” means a pesticide product or formulation that requires mixing, dilution, or some other form of measuring or measurement-related handling by the user prior to application;
- (w) “**Pesticide Purchase Permit**” means a Pesticide Purchase Permit issued by the Minister under section 16;
- (w.1) “**pesticide requiring preparation**” means a pesticide concentrate;
- (x) “**Phase III storage facility**” means a storage facility designed and maintained to store domestic and non-domestic pesticides, in accordance with the Canadian Warehousing Standards for the Storage of Agrichemical Products, Crop Life Canada, January 2002 as amended;
- (y) “**prior regulations**” means the prior regulations (EC583/84) made under the Act and revoked by these regulations;
- (y.01) “**ready-to-use herbicide**” means a herbicide that does not require dilution or mixing prior to application;
- (y.1) “**self-select domestic pesticide**” means any domestic pesticide designated as a self-select pesticide under subsection (8);
- (y.2) “**spot treatment**” means the limited application of a pesticide to an area that is not more than 10% of the potential area for treatment;
- (z) “**Steering Committee**” revoked by EC711/08;

- (aa) “**training event**” means a class or program that provides training in a subject within a pesticide training category listed in section 2;
- (bb) “**WHMIS**” means the Workplace Hazardous Materials Information System.

Application

- (2) Revoked by EC71/07.

Research not prevented

- (3) Nothing in these regulations shall be construed to prevent the use of a pesticide under the authority of a permit for the purposes of research or testing by officials or other qualified persons employed by a university or other institution of research and higher learning or by agencies of the federal or provincial Government.

Pesticide standards

- (4) The standards and requirements for registration, packaging and labelling, efficacy and safety, in respect of the sale, handling and use of any pesticide shall be the standards and requirements established by the *PCP Act* (Canada) and the regulations made under that Act together with the Act and these regulations.

Application

- (5) These regulations apply to all pesticides except as follows:
 - (a) sections 24, 24.1 and 25 do not apply to exempted pesticides listed in Schedule 7;
 - (b) subsection 1(8) and section 20.2 are the only provisions of these regulations that apply to self-select pesticides listed in Schedule 8;
 - (c) these regulations do not apply to excluded pesticides listed in Schedule 2.

Excluded pesticides

- (6) The pesticides listed in Schedule 2 are designated as excluded pesticides.

Exempted domestic pesticides

- (7) The pesticides listed in Schedule 7 are designated as exempted pesticides.

Self-select domestic pesticides

- (8) The pesticides listed in Schedule 8 are designated as self-select domestic pesticides. (EC761/05; 313/06; 71/07; 290/08; 711/08; 189/10; 189/10; 189/10; 656/15; 383/17)

PESTICIDE TRAINING

2. Categories of pesticide training events

For the purposes of these regulations, the following categories of pesticide training are prescribed:

- (a) General Information Training, respecting the general application, handling or storage of pesticides;
- (b) Pesticide Law Training, respecting federal and provincial laws relating to pesticides;
- (c) Pesticide Label Training, identifying pesticides and using the information on pesticide labels;
- (d) Human Health Effects Training, respecting the effect of pesticides on human health, including



- (i) acute and chronic toxicity,
- (ii) routes of exposure,
- (iii) factors affecting exposure,
- (iv) reducing exposure and risk, and
- (v) recognition of pesticide poisoning;
- (e) Pesticide Safety Training, including
 - (i) attitudes toward pesticide application and safety,
 - (ii) general precautions in the use of or exposure to pesticides,
 - (iii) selecting and purchasing pesticides,
 - (iv) protective clothing and equipment,
 - (v) transportation, storage and disposal,
 - (vi) mixing and loading,
 - (vii) safety during application,
 - (viii) *re*-entry of places where application has occurred, and
 - (ix) application records;
- (f) Environmental Impact Training, including
 - (i) residual impact of pesticides,
 - (ii) aquatic impact, and
 - (iii) land impact;
- (g) Pest Management Training, including
 - (i) integrated pest management,
 - (ii) pest identification and biology, and
 - (iii) monitoring methods, action and injury levels;
- (h) Pesticide Application Technology Training, including
 - (i) equipment selection,
 - (ii) proper equipment set up, use and maintenance,
 - (iii) equipment calibration and pesticide use calculations, and
 - (iv) pesticide products, and factors affecting their use and performance;
- (i) Emergency Response Training, including
 - (i) pesticide spills,
 - (ii) fire and pesticides, and
 - (iii) first aid,
- (j) Professional Conduct Training, including dealing effectively with clients and with the public regarding the use of pesticides;
- (k) other pesticide issues training, as may be approved by the Director. (EC761/05; 290/08; 94/12)

3. Earning CECs

A person who

- (a) holds
 - (i) a Class A Pesticide Applicator Certificate, or
 - (ii) a Class D Pesticide Applicator Certificate; and

(b) attends a training event approved by the Minister, shall earn CECs on an hour-for-hour basis or in a manner otherwise approved by the Minister. (EC761/05; 313/06; 290/08; 711/08; 94/12)

LICENCES, CERTIFICATES, PERMITS

4. Fees

(1) The fees for an application for, or renewal of, a licence, certificate or permit under these regulations shall be payable to the Minister of Finance and Municipal Affairs in the amount set out in Schedule 4 to these regulations.

Forms

(2) An application, and a licence, certificate or permit issued by the Minister under these regulations shall be in the appropriate form set out in Schedule 3 to these regulations.

Applicants shall be 18

(3) All applicants for a licence, certificate or permit issued by the Minister shall be at least 18 years of age and pay the required fee at the time of the application. (EC761/05; 189/10; 656/15)

5. Licences

(1) Subject to subsections (6) and (7), the Minister may, on application, issue one or more of the Pesticide Application Business Licences described in subsection (2) to a person who

- (a) provides proof of a current policy of insurance with coverage of
 - (i) at least \$500,000 for pollution liability, and
 - (ii) at least \$1,000,000 for general public liability;
- (b) provides proof of the ownership of, or access to, a pesticide storage facility described in subsection 20(2); and
- (c) provides proof that the business for which the licence is intended employs at least one person who holds a Pesticide Applicator Certificate appropriate to the Pesticide Application Business Licence applied for.

Classes of licence

(2) The following classes of Pesticide Application Business Licences may be issued by the Minister under subsection (1) in respect of the activities herein described:

- (a) a Class A Pesticide Application Business Licence authorizes the holder of the licence to operate ground agricultural equipment, if
 - (i) the person uses the equipment to apply a pesticide for a fee, charge or other valuable consideration, and
 - (ii) fifty per cent or more of the annual usage of the equipment is a use described in subclause (i);
- (b) a Class B Pesticide Application Business Licence authorizes the holder of the licence to offer a service involving the application of a pesticide for the control of mosquitoes or biting flies;
- (c) a Class C-1 Pesticide Application Business Licence authorizes the holder of the licence to offer a service involving the application of a non-fumigant pesticide to stored feed, or to dwellings or other structures;



- (d) a Class C-2 Pesticide Application Business Licence authorizes the holder of the licence to offer a service involving the application of a fumigant pesticide to stored feed, or to dwellings or other structures;
- (e) a Class D Pesticide Application Business Licence authorizes the holder of the licence to offer a service involving the application of a seed or seed-piece treatment pesticide;
- (f) a Class E Pesticide Application Business Licence authorizes the holder of the licence to offer a service involving the application of a pesticide to ornamental vegetation, golf course turf and other non-crop areas not referred to in clause (c) or (d);
- (g) a Class F-1 Pesticide Application Business Licence authorizes the holder of the licence to offer a pesticide application service for forestry herbicide application;
- (h) a Class F-2 Pesticide Application Business Licence authorizes the holder of the licence to supervise the application of a pesticide for the production of tree seedlings for reforestation purposes;
- (i) a Class G Pesticide Application Business Licence authorizes the holder of the licence to supervise the application of a pesticide in a greenhouse other than a person who holds a Class F-2 licence;
- (j) a Class H Pesticide Application Business Licence authorizes the holder of the licence to offer a service involving the application of a soil fumigant pesticide;
- (k) a Class I Pesticide Application Business Licence authorizes the holder of the licence to offer a service involving the application of a herbicide using a wiper, brush, roller or by a spot treatment;
- (l) a Class J Pesticide Application Business Licence authorizes the holder of the licence to offer a pesticide application service specified in the licence.

Conditions on licence

- (3) The Minister may impose any conditions on a Pesticide Application Business Licence issued or renewed under this section that the Minister considers necessary for the protection of human health or the environment.

Expiry

- (4) A Pesticide Application Business Licence shall be issued on Form 4 of Schedule 3 and expires on December 31 of the year in which the licence is issued.

Effective date of clause (2)(e)

- (5) Clause (2)(e) comes into force on April 1, 2007.

Insurance not required, where

- (6) A person who applies for a Class B Pesticide Application Business Licence is not required to hold the insurance coverage required by subclause (1)(a)(i) if the person provides to the Minister written confirmation that the person will not offer a service involving the application of a chemical-based pesticide during the term of the licence applied for.

Insurance not required for pollution liability

- (7) A person who applies for a Class D Pesticide Application Business Licence is not required to hold the insurance coverage required by subclause (1)(a)(i). (EC761/05; 313/06; 71/07; 290/08)

5.1 AG-1 Pesticide Use Certificate

- (1) An AG-1 Pesticide Use Certificate issued under the prior regulations is deemed to have been issued under these regulations.

Expiry of AG-1 Pesticide Use Certificate

- (2) An AG-1 Pesticide Use Certificate expires on
- (a) the date shown on the face of the certificate; or
 - (b) the date on which a conditional Class A Pesticide Applicator Certificate is issued to the holder under clause 8(3)(a),
- whichever is earlier.

Expiry of AG-2 Pesticide Use Certificate

- (3) Revoked by 71/07. (EC313/06; 71/07)

6. Applicator certificates

- (1) The Minister may, on application, issue or renew one or more of the Pesticide Applicator Certificates listed in subsection (2) to a person who has successfully completed a written examination approved by the Director and appropriate to the class of certificate applied for, with a mark in the examination of not less than 75%.

Classes of certificate

- (2) The following classes of certificate may be issued by the Minister under subsection (1) in respect of the activities herein described:
- (a) a Class A Pesticide Applicator Certificate authorizes the holder of the certificate to apply pesticides to control pests
 - (i) on an agricultural crop or a product that is not located in a greenhouse,
 - (ii) on agricultural land,
 - (iii) on seed grain, or
 - (iv) on potato seed pieces;
 - (b) a Class B Pesticide Applicator Certificate authorizes the holder of the certificate to apply a pesticide to control mosquitoes or biting flies;
 - (c) a Class C-1 Pesticide Applicator Certificate authorizes the holder of the certificate to apply a non-fumigant pesticide to stored feed, dwellings or other structures;
 - (d) a Class C-2 Pesticide Applicator Certificate authorizes the holder of the certificate to apply a fumigant pesticide to stored feed, dwellings or other structures;
 - (e) a Class D Pesticide Applicator Certificate authorizes the holder of the certificate to apply a pesticide as a seed or seed-piece treatment;
 - (f) a Class E Pesticide Applicator Certificate authorizes the holder of the certificate to apply a pesticide to ornamental vegetation, golf course turf and other non-crop areas not referred to in clause (c) or (d);
 - (g) a Class F-1 Pesticide Applicator Certificate authorizes the holder of the certificate to apply a forestry herbicide;
 - (h) a Class F-2 Pesticide Applicator Certificate authorizes the holder of the certificate to apply a pesticide for the production of tree seedlings for reforestation purposes;
 - (i) a Class G Pesticide Applicator Certificate authorizes the holder of the certificate to apply a pesticide in a greenhouse, other than a person who holds a Class F-2 certificate;



- (j) a Class H Pesticide Applicator Certificate authorizes the holder of the certificate to apply a soil fumigant pesticide;
- (k) a Class I Pesticide Applicator Certificate authorizes the holder of the certificate to apply a herbicide using a wiper, brush or roller, or by a spot treatment;
- (l) a Class J Pesticide Applicator Certificate authorizes the holder of the certificate to apply a pesticide for a purpose specified in the certificate.

Class D Certificate

- (2.1) Notwithstanding subsection (1), the Minister may, on application, issue a Class D Pesticide Applicator Certificate to an applicant who has successfully completed a seed and seed-piece treatment training program approved by the Director, with or without the completion of a written examination.

Class I Pesticide Applicator Certificate

- (2.2) Notwithstanding subsection (1), the Minister may, on application, issue a Class I Pesticide Applicator Certificate to an applicant who
 - (a) has successfully completed a training program on the application of a herbicide using a wiper, brush or roller approved by the Director, with or without the completion of a written examination; and
 - (b) holds a valid Class A Pesticide Applicator Certificate, a valid AG-1 Pesticide Use Certificate or a valid Loader/mixer Certificate.

Conditions

- (3) The Minister may impose any conditions on a Pesticide Applicator Certificate issued under this section that the Minister considers necessary for the protection of human health or the environment.

Expiry

- (4) A Pesticide Applicator Certificate shall be issued on Form 5 of Schedule 3 and expires on the expiry date shown on the certificate.

Waiver of exam requirement

- (5) Revoked by EC761/05.

Class A Pesticide Use Certificate to holder of AG-2

- (5.1) Revoked by EC71/07.

Expiry

- (5.2) Revoked by EC71/07.

Effective date of clause (1)(e)

- (6) Clause (2)(e) comes into force on April 1, 2007.

Subsection (5) revoked

- (7) Subsection (5) is revoked on January 1, 2011. (EC761/05; 313/06; 71/07; 290/08; 711/08; 94/12)

7. Renewal of Class A Pesticide Applicator Certificate

- (1) Subject to subsection (3), the Minister shall, on application, renew a Class A Pesticide Applicator Certificate or a class D Pesticide Applicator Certificate issued under subsection 6(2) if, before the expiry of the certificate, the holder of the certificate
- (a) has earned a total of not less than 15 CECs in the pesticide training categories listed in section 2 as follows:
 - (i) at least 8 CECs in the categories described as Pest Management Training, Pesticide Application Technology Training, Effects on Human Health Training, and Pesticide Safety Training,
 - (ii) the remaining 7 CECs in any other category described in section 2; or
 - (b) has
 - (i) successfully completed a written examination approved by the Director, with a mark in the examination of not less than 75%, and
 - (ii) demonstrated to the Director that he or she has the knowledge and skills necessary to safely and effectively handle, store and apply pesticides.

Acceptable CECs

- (2) The Minister may not accept, for the purposes of subsection (1),
- (a) more than 5 CECs in any one pesticide training category;
 - (b) more than 8 CECs earned in a calendar year.

Expiry

- (3) A Class A Pesticide Applicator Certificate renewed under subsection (1) is valid until
- (a) the date of expiry shown on the certificate; or
 - (b) five years from the date the certificate was issued,
- whichever is earlier. (EC761/05; 290/08; 711/08; 94/12)

8. Conditional Class A Pesticide Applicator Certificate

- (1) to (4) Revoked by EC94/12. (EC761/05; 313/06; 71/07; 290/08; 94/12)

9. Records of pesticide use or application

- (1) Every person who holds a Pesticide Applicator Certificate shall, in such manner as may be required by the Minister, keep records of each pesticide use or application, which shall include the following:
- (a) the name, address and telephone number, and Pesticide Applicator Certificate Number of the pesticide applicator;
 - (b) the name, address, and telephone number of the person for whom the pesticide is being applied;
 - (c) the location where the pesticide was applied;
 - (d) the date and start time of the pesticide application;
 - (e) the air temperature, wind speed, and wind direction measured at the point of application at the start time of the pesticide application;
 - (f) the name of any pest to be controlled or the purpose of the pesticide application;
 - (g) the trade name *and PCP Act* (Canada) number of the pesticide applied; and
 - (h) the rate of pesticide application.



Record to be made within 72 hours

- (2) Every person required to keep records under subsection (1) shall enter the use or application of a pesticide in the records not later than 72 hours after a pesticide use or application.

Records to be kept at least 3 years

- (3) A person who made, or caused to be made, the records under this section shall
- (a) keep the records for a period of at least three years from the date of the use or application of the pesticide; and
 - (b) make the records available to any environment officer appointed under the *Environmental Protection Act*, environmental health officer appointed under the *Public Health Act* R.S.P.E.I. 1988, Cap. P-30, medical practitioner registered under the *Medical Act* R.S.P.E.I. 1988, Cap. M-5 or conservation officer appointed or designated under the *Wildlife Conservation Act* R.S.P.E.I. 1988, Cap. W-4.1. (EC761/05; 313/06; 71/07; 290/08; 393/17)

10. Loader/mixer Certificate

- (1) The Minister may, on application, issue a Loader/mixer Certificate to a person who has successfully completed a loader/mixer training program approved by the Director.

Conditions

- (2) The Minister may impose such conditions on a Loader/mixer Certificate issued under subsection (1) as the Minister considers necessary for the protection of human health or the environment.

Expiry

- (3) A Loader/mixer Certificate
- (a) shall be issued on Form 1 of Schedule 3; and
 - (b) expires
 - (i) five years from the date on which the certificate was issued, or
 - (ii) on the date printed on the certificate
- whichever is earlier. (EC761/05; 313/06; 71/07)

11. Certificates expired

Revoked by EC94/12. (EC761/05; 71/07; 94/12)

12. Sales data

- (1) Not later than January 31 of each year, every person who operates a business involving the sale or supply of a domestic or non-domestic pesticide shall provide the Minister with sales data for all domestic and non-domestic pesticides sold to retail customers for the previous calendar year.

“sales data”, defined

- (2) For the purposes of this section, “sales data” means
- (a) the trade or product name of the domestic or non-domestic pesticide;
 - (b) the *PCP Act* (Canada) number; and
 - (c) the quantity sold, including the unit measure. (EC761/05)

Information to be provided to the Minister

- (3) Not later than January 31 of each year, every holder of a Class E Pesticide Application Business Licence and every operator of a golf course shall, for the previous calendar year, provide the following information, in writing, to the Minister:
- (a) the trade name, *PCP Act* (Canada) Number, and quantity of any herbicide, including the unit measure, applied on:
 - (i) residential properties,
 - (ii) commercial and industrial properties,
 - (iii) commercial golf courses;
 - (b) the trade name, *PCP Act* (Canada) Number, and quantity of any insecticide, including the unit measure, applied on:
 - (i) residential properties,
 - (ii) commercial and industrial properties,
 - (iii) commercial golf courses;
 - (c) the trade name, *PCP Act* (Canada) Number, and quantity of fungicide, including the unit measure, applied on:
 - (i) residential properties,
 - (ii) commercial and industrial properties,
 - (iii) commercial golf courses;
 - (d) the total area of turf under management, including the unit measure, that is comprised of:
 - (i) residential properties,
 - (ii) commercial and industrial properties,
 - (iii) commercial golf courses. (EC189/10)

13. Non-domestic Pesticide Vendor Business Licence

- (1) The Minister may, on application, issue or renew a Non-domestic Pesticide Vendor Business Licence to a person who
- (a) has provided proof that the person for which the licence is intended
 - (i) owns, or has arrangements to use, a Phase III storage facility to store non-domestic pesticides, and
 - (ii) employs at least one person who holds a Non-domestic Pesticide Vendor Certificate; and
 - (b) has provided the sales data required by section 12 for the calendar year previous to the year the licence is requested.

Licence must be displayed

- (1.1) A person who holds a Non-Domestic Pesticide Vendor Business Licence shall display the licence issued for each store or facility owned or operated by the person, at such store or facility.

More than one store, facility

- (1.2) Where a person owns more than one store or facility for which a Non-domestic Pesticide Vendor Business Licence is issued or renewed under subsection (1), the Minister shall charge only one fee for all of the stores or locations, but the fee shall be calculated on the sales data provided in respect of such store or location as the Minister determines.



Fee based on sales data

- (2) The fee payable for an application or a renewal of a Non-domestic Pesticide Vendor Business Licence under subsection (1) shall be based on the sales data provided in clause (1)(c) as determined in Schedule 4.

Where no historical sale data available

- (3) Where there is no historical pesticides sales data available on which to base the fee payable for a Non-domestic Pesticide Vendor Business Licence, the fee payable may be based on reasonable projections of sales data provided by the applicant and approved by the Minister, as determined in Schedule 4.

Conditions on licence

- (4) The Minister may impose any conditions on a Non-domestic Pesticide Vendor Business Licence issued or renewed under this section that the Minister considers necessary for the protection of human health or the environment.

Expiry

- (5) A Non-domestic Pesticide Vendor Business Licence shall be issued on Form 2 of Schedule 3 and expires
- (a) on the last day of February of the year following the date of issue of the licence; or
 - (b) when the person for which the licence is issued no longer employs at least one person who holds a Non-domestic Pesticide Vendor Certificate,
- whichever occurs earlier.

Transitional

- (6) - (8) Revoked by EC94/12.

Revocation

- (9) Revoked by EC290/08. (EC761/05; 71/07; 290/08; 94/12)

13.1 Domestic Pesticides Vendor Business Licence

- (1) The Minister may, on application, issue or renew a Domestic Pesticide Vendor Business Licence to a person who
- (a) owns or operates a store or location that sells or supplies a controlled purchase domestic pesticide;
 - (b) holds, or employs at least one person who holds, a Domestic Pesticide Vendor Certificate;
 - (c) provides to the Minister an estimate of the maximum size of all indoor and outdoor display areas and storage facilities for controlled purchase domestic pesticides required for the year for which the application is made; and
 - (d) pays the application fee.

Calculation of fee

- (2) The calculation of the fee payable for an application or a renewal of a Domestic Pesticide Vendor Business Licence under subsection (1) shall be based on the size of the display areas and storage facilities as provided to the Minister under clause (1)(b) and determined in accordance with Schedule 4.

Revised fee

- (3) Where the licensee or the Minister determines that the actual size of the indoor and outdoor display areas and storage facilities to be used during the term of the licence is less than or greater than the estimate provided under clause (1)(b), the Minister may revise the fee and send the applicant a written notice of the revised fee.

More than one store, location

- (4) Where a person owns more than one store or location for which a Domestic Pesticide Vendor Business Licence is issued or renewed under subsection (1), the Minister shall charge one fee only for all of the stores or locations, but the fee shall be calculated on the size of the display and storage facilities in respect of such store or location as the Minister determines.

Display licence

- (5) A licensee shall display a licence at each store or location for which the Minister has issued or renewed a licence under subsection (1).

Conditions

- (6) The Minister may impose any conditions on a Domestic Pesticide Vendor Business Licence issued or renewed under this section that the Minister considers necessary for the protection of human health or the environment.

Expiry

- (7) A Domestic Pesticide Vendor Business Licence shall be issued on Form 16 and expires
- (a) on the last day of February of the year following the date of issue of the licence; or
 - (b) on the date on which the licensee no longer holds, or employs at least one person who holds, a Domestic Pesticide Vendor Certificate,
- whichever occurs earlier. (EC71/07)

14. Non-domestic Pesticide Vendor Certificate

- (1) The Minister may, on application, issue a Non-domestic Pesticide Vendor Certificate to a person who has successfully completed a written examination, approved by the Director, with a mark in the examination of not less than 75%.

Conditions

- (2) The Minister may impose any conditions on a Non-domestic Pesticide Vendor Certificate issued under this section that the Minister considers necessary for the protection of human health or the environment.

Expiry

- (3) A Non-domestic Pesticide Vendor Certificate shall be issued on Form 3 of Schedule 3 and expires five years from the date of examination. (EC761/05; 71/07)

14.1 Domestic Pesticide Vendor Certificate

- (1) The Minister may, on application, issue a Domestic Pesticide Vendor Certificate to a person who has successfully completed a written examination, approved by the Director, with a mark in the examination of not less than 75%.



Conditions

- (2) The Minister may impose any conditions on a Domestic Pesticide Vendor Certificate issued under this section that the Minister considers necessary for the protection of human health or the environment.

Expiry

- (3) A Domestic Pesticide Vendor Certificate shall be issued on Form 17 and expires five years from the date of the examination referred to in subsection (1). (EC71/07)

15. Revocation of licence, certificate or permit

- (1) Where, in the opinion of the Minister, a holder of a licence, certificate or permit has contravened a provision of the Act or these regulations or a condition of the licence, certificate or permit, the Minister may revoke the licence, certificate or permit.

Notice of revocation

- (2) Notice of the revocation of a licence, certificate or permit pursuant to subsection (1) may be given by
- (a) personal service; or
 - (b) by registered mail to the last known address of the holder of the licence, certificate or permit as shown in the records of the Minister.

Deemed service

- (3) A notice mailed pursuant to clause (2)(b) shall be deemed to be served on the holder of the licence or certificate
- (a) on the date the holder of the licence or certificate actually receives the notice; or
 - (b) 5 days after the date on which the notice was mailed,
- whichever is earlier. (EC761/05; 290/08)

16. Pesticide Purchase Permit

- (1) The Minister may, on application, issue a Pesticide Purchase Permit to a holder of a Pesticide Application Business Licence or to the operator of an agricultural operation or golf course that employs at least one person who holds a Pesticide Applicator Certificate.

Expiry

- (2) A Pesticide Purchase Permit expires
- (a) on December 31 of the year in which the Permit was issued;
 - (b) on the expiry date of the Pesticide Applicator Certificate of the individual listed as the certified applicator on the Pesticide Purchase Permit application form submitted pursuant to subsection (1); or
 - (c) on the date when the operator of the agricultural operation or golf course ceases to employ the individual listed as the certified applicator on the Pesticide Purchase Permit application form submitted pursuant to subsection (1),
- whichever is earlier. (EC761/05; 313/06; 71/07)

17. Record of sale

- (1) A person who sells a non-domestic pesticide shall prepare a written record of sale, within 24 hours of the sale, indicating the name, number and expiry date indicated on the purchaser's Pesticide Applicator Certificate or Pesticide Purchase Permit.

Idem

- (2) A person who sells a Schedule 1 pesticide shall prepare a written record of sale within 24 hours of the sale indicating the
- (a) name, number and expiry date on the purchaser's Pesticide Applicator Certificate or Pesticide Purchase Permit; and
 - (b) number of the purchaser's Pesticide Application Permit. (EC761/05; 393/17)

18. Authorize employee to use permit

- (1) An operator of an agricultural operation or a golf course, or a holder of a Pesticide Application Business Licence may, in writing, authorize an employee to use a Pesticide Purchase Permit issued under subsection 16(1) for the purpose of purchasing a non-domestic pesticide for the use of the operator of the agricultural operation or a golf course, or the holder of a Pesticide Application Business Licence.

Expiry of authorization

- (2) An authorization under subsection (1) expires on the date that
- (a) is specified on the authorization;
 - (b) the employee is no longer employed by the operator of the agricultural operation or a golf course, or the holder of a Pesticide Application Business Licence; or
 - (c) the operator of the agricultural operation or a golf course, or the holder of a Pesticide Application Business Licence rescinds the authorization.

Permit to be returned

- (3) An employee who is no longer authorized to use a Pesticide Purchase Permit shall return the Permit immediately to the operator of the agricultural operation or a golf course, or the holder of a Pesticide Application Business Licence. (EC761/05; 290/08)

19. Pesticide Application Permit

- (1) Subject to subsection (2), the Minister may, on application, issue a Pesticide Application Permit to a person who
- (a) has submitted the application at least ten days prior to the planned date of pesticide application; and
 - (b) has provided such information as the Minister may request.

Use limited in buffer zone

- (2) A Pesticide Application Permit for use in a buffer zone may only be issued under subsection (1) for the purpose of controlling noxious weeds.

Form, contents of permit

- (3) A Pesticide Application Permit shall be in such form and contain such particulars as the Minister may determine and expires on the date shown on the permit.



Make copy of permit available

- (4) Every person who holds a Pesticide Application Permit shall, immediately upon the request of an environment officer, make available a copy of that Permit to that environment officer. (EC761/05)

20. Separate storage from food

- (1) Every person who
- (a) keeps or stores a pesticide; or
 - (b) has kept or stored a pesticide,
- shall do so in a manner that ensures that the pesticide or any container that holds a pesticide is kept and stored separately from any foodstuffs, feeds or any other material intended for consumption by humans or animals.

Storage facility

- (2) Every operator of an agricultural operation, every operator of a golf course, and every holder of a Pesticide Application Business Licence who possesses pesticides in amounts in excess of 100 kilograms or 100 litres of formulated product shall ensure that the pesticide is stored in a storage facility that
- (a) is free of an accumulation of waste materials other than pesticide containers;
 - (b) has a floor constructed of concrete or other water-impervious material;
 - (c) provides adequate ventilation, either mechanical or natural;
 - (d) has conspicuously placed “NO SMOKING” signs within storage areas and at all entrances;
 - (e) has a sign that states “WARNING—PESTICIDE STORAGE AREA” on all doors;
 - (f) is not accessible to the public and is secured or locked when the holder of the licence or an employee of that person is not present on the premises on which the pesticide is stored;
 - (g) has properly maintained and approved safety equipment to be used in emergency situations;
 - (h) has adequate equipment and material capable of stopping any leak or release and, if required, of cleaning up a leak or release;
 - (i) has no floor drainage;
 - (j) is positioned not less than 8 metres from incompatible materials;
 - (k) has posted, by the nearest phone, the following emergency telephone numbers:
 - (i) 911 (fire, police, ambulance),
 - (ii) provincial pesticide enforcement office,
 - (iii) provincial or regional poison control centre,
 - (iv) provincial environmental emergency office;
 - (l) includes a product storage inventory that lists each product and estimated quantities normally held in storage; and
 - (m) includes, on-site, reference Safety Data Sheets (SDSs) for all stored pesticides.

Effective date

- (3) Revoked by EC189/10.

Additional requirements

- (4) Every operator of an agricultural operation, every operator of a golf course, and every holder of a Pesticide Application Business Licence who possesses pesticides in amounts in excess of 100 kilograms or 100 litres of formulated product shall
- (a) keep a secondary product storage inventory and reference SDSs for all stored pesticides in a location on the property that is separate from the storage facility and readily accessible to emergency responders; and
 - (b) notify the local fire department regarding the location of the secondary product storage inventory and reference SDSs. (EC761/05; 71/07; 290/08; 189/10; 189/10; 94/12; 393/17)

20.1 Duties of licensee

- (1) Every person who holds a Domestic Pesticide Vendor Business Licence or a Non-domestic Pesticide Vendor Business Licence and sells controlled purchase domestic pesticides shall ensure that any display of such pesticides
- (a) is not accessible to any person other than the licensee or the licensee's employees; and
 - (b) is more than one metre away from any commodities that are intended to be used as
 - (i) food for humans or animals,
 - (ii) household furnishings, or
 - (iii) toiletries, clothes, bedding or similar commodities.

Storage of pesticide

- (2) No person who holds a Domestic Pesticide Vendor Business Licence or a Non-domestic Pesticide Vendor Business Licence shall store a controlled purchase domestic pesticide unless
- (a) such pesticides are accessible only to a person who
 - (i) is the licensee or an employee of the licensee, or
 - (ii) has been given express permission by the licensee to enter the pesticide storage compartment, room or structure;
 - (b) the compartment, room or structure in which such pesticides are stored is ventilated to the outside atmosphere;
 - (c) a placard is affixed and maintained on the outside of each door leading into the compartment, room or structure in which the pesticide is stored bearing, in clearly visible block letters,
 - (i) the words "Warning" and "Authorized Persons Only", and
 - (ii) the words "Chemical Storage" or "Pesticide Storage"; and
 - (d) the compartment, room or structure in which the pesticide is stored,
 - (i) does not have a drain that leads into or drains directly or indirectly into a storm sewer, sanitary sewer or watercourse,
 - (ii) has, located nearby, adequate respiratory protection and adequate protective clothing to be used for emergency purposes, and
 - (iii) is more than one metre away from any commodities that are intended to be used as
 - (A) food for humans or animals,
 - (B) household furnishings, or



- (C) toiletries, clothes, bedding or similar commodities. (EC71/07; 2010/89; 2010/89)

20.2 Selling pesticide

Every person who sells self-select domestic pesticides

- (a) shall display or store such pesticides in a manner that ensures that the pesticides do not present a hazard to children; and
- (b) shall not display or store self-select domestic pesticides less than one metre away from any commodities that are intended to be used as
 - (i) food for humans or animals,
 - (ii) household furnishings, or
 - (iii) toiletries, clothes, bedding or similar commodities. (EC71/07)

21. Permit to be carried, when

- (1) Every person who handles, loads, transports, mixes or applies a Schedule 1 pesticide shall carry on their person a Pesticide Application Permit at all times when the person is handling, loading, transporting, mixing or applying the Schedule 1 pesticide.

Labels

- (2) Revoked by EC290/08. (EC761/05; 290/08)

22. Package labels

Every person who applies, stores, handles, mixes, loads or transports a pesticide shall do so in the manner specified on the pesticide package label unless these regulations specify a more stringent requirement. (EC761/05; 71/07; 393/17)

22.1 Comply with terms, conditions

Every person who holds a licence, certificate or permit issued under these regulations shall comply with all terms or conditions placed on such licence, certificate or permit. (EC71/07)

22.2 Ready-to-use herbicide

- (1) Notwithstanding clause 28(2)(k), a person may apply a ready-to-use herbicide using a wiper, brush or roller if the person
- (a) has completed training regarding the application of ready-to-use herbicides that was
 - (i) approved by the Director,
 - (ii) conducted in a language appropriate to that person, and
 - (iii) provided or conducted by a person who holds a Class A or Class I Pesticide Applicator Certificate; and
 - (b) is supervised, when applying the ready-to-use herbicide, by another person who
 - (i) holds a Class A or Class I Pesticide Applicator Certificate, and
 - (ii) is present at the site where the ready-to-use herbicide is being applied and is within direct sight of the person applying the ready-to-use herbicide.

Record of training

- (2) A person who trains another person in the application of a ready-to-use herbicide using a wiper, brush or roller shall provide
- (a) the person, on the completion of the training; and
 - (b) the employer, if any, of the person at the time the person completes the training, with a written record of the training, which shall include
 - (c) a description of the training completed;
 - (d) the name of the person who was trained;
 - (e) the date the training was completed; and
 - (f) the name of the person that performed the training.

Records retention availability

- (3) An employer who, pursuant to subsection (2), receives a written record of the training of a person shall
- (a) keep the written record for a period of at least three years from the date the training was completed; and
 - (b) make the record available, on request, to any environment officer appointed under the *Environmental Protection Act*, any environmental health officer appointed under the *Public Health Act* R.S.P.E.I. 1988, Cap. P-30, any medical practitioner registered under the *Medical Act* R.S.P.E.I. 1988, Cap. M-5 or any conservation officer appointed or designated under the *Wildlife Conservation Act* R.S.P.E.I. 1988, Cap. W-4.1. (EC290/08)

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23. Disposal of pesticide, etc

No person who disposes of

- (a) a pesticide;
- (b) a mixture containing a pesticide;
- (c) a material treated or contaminated with a pesticide; or
- (d) a container that held a pesticide,

shall carry out the disposal other than in the manner and using the method recommended by the manufacturer or the Minister. (EC761/05; 71/07; 94/12; 393/17)

24. Prior notice of application

- (1) No person shall apply a non-domestic pesticide for the control of a landscape, structural, greenhouse or soil-based pest unless the person has provided notice, in accordance with subsections (2) and (3), to all persons who occupy a dwelling that is located within 25 metres of the proposed pesticide application, measured from the edge of the area to which the pesticide is to be applied,
- (a) in writing, at least 24 hours but not more than 72 hours prior to the pesticide application; or
 - (b) by phone, at least 24 hours but not more than 72 hours prior to the pesticide application and in writing immediately prior to the pesticide application.



Contents of notice

- (2) The notice required in subsection (1) shall include
- (a) the trade name *and PCP Act (Canada)* Number of the pesticide being applied;
 - (b) the active ingredient or ingredients of the pesticide or pesticides being applied;
 - (c) the pest or pests for which control is being undertaken;
 - (d) the proposed date and time of the commencement of the 48-hour application period;
 - (d.1) a statement that the application may, in accordance with subsection 24.1(1), be commenced and completed at any time within 48 hours after the proposed date and time stated in the notice;
 - (d.2) the date and time the notice was provided or posted;
 - (e) the name and phone number of the pesticide applicator; and
 - (f) the recommended caution interval and *re*-entry time, if such is available from the pesticide manufacturer, or as appears on the pesticide label.

Posting of notice

- (3) The notice that is to be provided under subsection (1) to a person who occupies a dwelling shall be provided by
- (a) affixing it to the entrance or entrances to the dwelling; or
 - (b) placing it in a mailbox used by the occupants of the dwelling to receive mail,
- and when so posted in accordance with subsections (1) and (2), the notice shall be deemed to be effective. (EC761/05; 71/07; 94/12; 277/14)

24.1 Application within 48 hours

- (1) An applicator shall commence and complete the application of a non-domestic pesticide for the control of a landscape, structural, greenhouse or soil-based pest within a maximum of 48 hours after the proposed date and time of commencement stated in the notice pursuant to clause 24(2)(d).

New notice required

- (2) If the application of a non-domestic pesticide for the control of a landscape, structural, greenhouse or soil-based pest cannot be commenced and completed within the 48-hour period required under subsection (1), the applicator shall provide new notice in accordance with section 24 to all persons who were previously notified under that section with respect to the proposed application.

Prohibition

- (3) No person shall apply a non-domestic pesticide for the control of a landscape, structural, greenhouse or soil-based pest after the expiry of the 48-hour period required under subsection (1). (EC277/14; 393/17)

25. Posting notices

- (1) No person shall apply a non-domestic pesticide for the control of a landscape, structural, greenhouse or soil-based pest unless, immediately prior to the pesticide application, the person posts a notice, in accordance with subsection (2), on the area to which the pesticide is to be applied.

Contents of notice

- (2) The notice required in subsection (1) shall include
- (a) the trade name *and PCP Act* (Canada) Number of the pesticide being applied;
 - (b) the active ingredient or ingredients of the pesticide or pesticides being applied;
 - (c) the pest or pests for which control is being undertaken;
 - (d) the date and time, or proposed date and time, of the application;
 - (e) the name and phone number of the pesticide applicator; and
 - (f) the recommended caution interval and *re*-entry time, if such is available from the pesticide manufacturer, or as appears on the pesticide label,
- and be posted on a sign or signs that
- (g) measure not less than 22 cm by 28 cm;
 - (h) are constructed of weather-resistant materials;
 - (i) have all the required information printed, in weather-resistant ink, on both sides of the sign; and
 - (j) are positioned in such a manner, and in such quantity, as to make them clearly visible to the public.

Signs at entrances and exits

- (3) No person shall apply a pesticide to, or within, a structure, or engage in the fumigation of a structure, unless the person first ensures that signs, in accordance with subsection (2), are posted at all entrances and exits to the structure.

Owner to ensure notices remain for 48 hours

- (4) Every owner of a property on which notice is posted under subsection (1) shall ensure that all posted signs remain in place and are clearly visible to the general public for a period of at least 48 hours following the pesticide application, or for the label-recommended caution period, whichever is greater. (EC761/05; 71/07; 94/12)

26. Storage of pesticides

No person who holds a Non-domestic Pesticide Vendor Business Licence shall store pesticides in a facility other than a Phase III storage facility. (EC761/05)

27. Transportation of pesticide

- (1) No person shall transport in, or on, a vehicle a pesticide together with commodities that are
- (a) foodstuffs, feeds or any other material intended for consumption by humans or animals;
 - (b) household furnishings; or
 - (c) toiletries, clothes, bedding or similar commodities,
- unless the pesticide being transported is separated from such commodities in a manner sufficient to prevent their contamination or likely contamination by the concentrated pesticide.

Idem

- (2) Every person who transports a concentrated non-domestic pesticide in, or on, a vehicle shall ensure that



- (a) the pesticide is packaged in the original manufacturer's sealed container in a manner that will ensure that the pesticide will not spill out of the container;
- (b) the container referred to in clause (a)
 - (i) remains upright at all times, and
 - (ii) is secured to the vehicle to prevent the escape or discharge of the pesticide from the vehicle; and
- (c) the pesticide is not left unattended in or on a vehicle unless the vehicle is located in a place inaccessible to the public, or the pesticide is locked in an enclosed part or compartment of the vehicle.

Exception

- (3) Clause 2(b) does not apply to a concentrated non-domestic pesticide packaged in a manufacturer's drum, or to other bulk containers if they are secured to the transport vehicle in accordance with the *Highway Traffic Act Commercial Vehicle (Cargo Securement) Regulations*.

Equipment to be locked

- (4) Every person who owns, or has possession of, pesticide application equipment shall ensure that the equipment is locked while unattended.

Transports, sells treated seed

- (5) Every person who
 - (a) transports seed treated with a pesticide shall ensure that all the treated seed is transported in sacks or other sealed containers or, if transported in bulk, is securely covered by a tarpaulin or similar cover to prevent the seed from spilling during transport;
 - (b) transports, sells or supplies seed treated with a pesticide shall ensure that each sack or other sealed container is labeled with the words "Seed treated with (name of pesticide). Do not use for food or feed"; and
 - (c) sells or supplies seed treated with a pesticide shall, at the time of sale or supply, provide the purchaser or another person who is picking up the seed on behalf of the purchaser with a copy of the pesticide label.

Exception

- (6) Clause (5)(b) does not apply to seed transported in bulk. (EC761/05; 313/06; 393/17)

28. Licence mandatory

- (1) No person shall
 - (a) operate ground agricultural equipment, if
 - (i) the person uses the equipment to apply a pesticide for a fee, charge or other valuable consideration, and
 - (ii) fifty per cent or more of the annual usage of the equipment is a use described in subclause (i),unless the person holds a Class A Pesticide Application Business Licence;
 - (b) offer a service involving the application of a pesticide for the control of mosquitoes or biting flies unless the person holds a Class B Pesticide Application Business Licence;

- (c) offer a service involving the application of a non-fumigant pesticide to stored feed, or to dwellings or other structures unless the person holds a Class C-1 Pesticide Application Business Licence;
- (d) offer a service involving the application of a fumigant pesticide to stored feed, or to dwellings or other structures unless the person holds a Class C-2 Pesticide Application Business Licence;
- (e) offer a service involving the application of a seed or seed-piece treatment pesticide unless the person holds a Class D Pesticide Application Business Licence;
- (f) offer a service involving the application of a pesticide to ornamental vegetation, golf course turf and other non-crop areas not referred to in clause (c) or (d) unless the person holds a Class E Pesticide Application Business Licence;
- (g) offer a pesticide application service for forestry herbicide application unless the person holds a Class F-1 Pesticide Application Business Licence;
- (h) offer a service involving the application of a pesticide for the production of tree seedlings for reforestation purposes unless the person holds a Class F-2 Pesticide Application Business Licence;
- (i) offer a service involving the application of a pesticide in a greenhouse unless the person offering such service holds a Class G Pesticide Application Business Licence, or a Class F-2 Pesticide Application Business Licence;
- (j) offer a service involving the application of a soil fumigant pesticide unless the person holds a Class H Pesticide Application Business Licence;
- (k) offer a pesticide application service for the application of a herbicide using a wiper, brush or roller, or by making a spot treatment, unless the person holds a Class I Pesticide Application Business Licence; or
- (l) offer a pesticide application service not specified in clauses (a) to (k), unless the person holds a Class J Pesticide Application Business Licence.

Certificate mandatory

- (2) No person shall
 - (a) apply a non-domestic pesticide to control pests
 - (i) on agricultural land, or
 - (ii) on an agricultural crop or product that is not located in a greenhouse,unless the person holds a Class A Pesticide Applicator Certificate;
 - (b) apply a non-domestic pesticide to control mosquitoes or biting flies unless the person holds a Class B Pesticide Applicator Certificate;
 - (c) apply a non-domestic, non-fumigant pesticide to stored feed, dwellings or other structures unless the person holds a Class C-1 Pesticide Applicator Certificate;
 - (d) apply a fumigant pesticide to stored feed, dwellings or other structures unless the person holds a Class C-2 Pesticide Applicator Certificate;
 - (e) apply a non-domestic pesticide as a seed or seed-piece treatment unless the person holds a Class D Pesticide Applicator Certificate;
 - (f) apply a non-domestic pesticide to ornamental vegetation, golf course turf and other non-crop areas not referred to in clause (c) or (d) unless the person holds a Class E Pesticide Applicator Certificate;
 - (g) apply a non-domestic forestry herbicide unless the person holds a Class F-1 Pesticide Applicator Certificate;



- (h) apply a non-domestic pesticide for the production of tree seedlings for reforestation purposes unless the person holds a Class F-2 Pesticide Applicator Certificate;
- (i) apply a non-domestic pesticide in a greenhouse, other than a person who holds a Class F-2 licence unless the person holds a Class G Pesticide Applicator Certificate;
- (j) apply a soil fumigant pesticide unless the person holds a Class H Pesticide Applicator Certificate;
- (k) apply a herbicide using a wiper, brush or roller, or by making a spot treatment, unless the person holds a Class I Pesticide Applicator Certificate; or
- (l) apply a non-domestic pesticide for any purpose not specified in clauses (a) to (k) unless the person holds a Class J Pesticide Applicator Certificate. (EC761/05; 313/06; 71/07; 290/08; 94/12)

28.1 Licence mandatory

No person shall operate a business involving the sale or supply of a controlled purchase domestic pesticide unless the person holds a Domestic Pesticide Vendor Business Licence or a Non-domestic Pesticide Vendor Business Licence. (EC71/07)

29. Mixing pesticide

No person shall mix a non-domestic pesticide unless the person

- (a) holds a Loader/mixer Certificate; or
- (b) holds a Pesticide Applicator Certificate. (EC761/05; 313/06; 71/07; 290/08)

30. Licence mandatory

No person shall operate a business involving the sale or supply of a non-domestic pesticide unless the person holds a Non-domestic Pesticide Vendor Business Licence.

30.1 Certificate required

No person shall

- (a) sell, or offer to sell, a controlled purchase domestic pesticide to another person; or
- (b) provide pesticide related information or recommendations regarding controlled purchase domestic pesticides to another person,

unless the person selling or offering to sell such pesticide, or providing such information holds a Domestic Pesticide Vendor Certificate or a Non-domestic Pesticide Vendor Certificate. (EC71/07)

31. Certificate required

- (1) No person shall sell a non-domestic pesticide or a Schedule 1 pesticide to any person unless the person selling the non-domestic pesticide holds a Non-domestic Pesticide Vendor Certificate.

Information or recommendations

- (2) No person, while acting as an employee of a business that is licensed to sell non-domestic pesticides, shall provide pesticide related information or recommendations to another person unless the person holds a Non-domestic Pesticide Vendor Certificate. (EC761/05; 393/17)

32. Certificate, permit or licence mandatory

- (1) No person shall sell or offer to sell a non-domestic pesticide to a purchaser unless the purchaser
- (a) holds a Pesticide Applicator Certificate;
 - (b) holds or is authorized to use a Pesticide Purchase Permit; or
 - (c) holds a Pesticide Applicator Business Licence.

Certificate or permit mandatory

- (2) No person shall purchase a non-domestic pesticide unless the person holds
- (a) a Pesticide Applicator Certificate; or
 - (b) is authorized to use a Pesticide Purchase Permit.

Idem

- (3) No person shall purchase a Schedule 1 pesticide unless the person
- (a) holds a Pesticide Applicator Certificate or is authorized to use a Pesticide Purchase Permit; and
 - (b) holds a Pesticide Application Permit.

Idem

- (4) No person shall sell or offer to sell a Schedule 1 pesticide to a purchaser unless the purchaser
- (a) holds a Pesticide Applicator Certificate, is authorized to use a Pesticide Purchase Permit or holds a Pesticide Applicator Business Licence; and
 - (b) holds a Pesticide Application Permit. (EC761/05)

33. Permit not to be used for another purpose

No person authorized under section 18 to use a Pesticide Purchase Permit shall use the Permit for any purpose other than to purchase a non-domestic pesticide for the use of the person authorizing the use of the permit. (EC761/05; 290/08)

34. Permit not transferable

No person shall give, transfer, sell, lend or assign a Pesticide Purchase Permit to any other person, except as authorized by the Director, in writing, or by an operator or a holder under section 18. (EC761/05; 313/06)

35. Prohibition

- (1) No person except the holder of a Pesticide Application Permit shall apply a pesticide
- (a) to an open body of water;
 - (b) within a buffer zone as that term is used in the Watercourse and Wetland Protection Regulations (EC720/08) under the *Environmental Protection Act*; or
 - (c) as a soil fumigant.

Exception

- (2) Notwithstanding clause (1)(b), a person who does not hold a Pesticide Application Permit may



- (a) apply a pesticide in a buffer zone surrounding a wetland that is a landlocked pond or solely or a combination of seasonally flooded flats, a shrub swamp, a wooded swamp, a bog or a meadow; or
- (b) apply an exempted pesticide in a buffer zone for the control of a landscape pest. (EC761/05; 290/08; 656/15; 393/17)

36. No application of Schedule 6 pesticide

No person shall apply a pesticide that is listed in Schedule 6 to these regulations. (EC761/05; 656/15)

37. No application by aircraft

No person shall use an aircraft to apply a pesticide or pesticide mixture. (EC761/05)

38. Filling, washing, etc. sprayer

- (1) No person shall permit or cause any sprayer or other equipment used to apply pesticides to be
 - (a) filled, discharged, washed or flushed out within 25 metres of the water's edge of any open body of water; or
 - (b) discharged, washed or flushed out within 25 metres of a water well.

Distance measured horizontally

- (1.1) The distances referred to in subsection (1) shall be measured horizontally.

Idem

- (2) No person shall permit or cause any sprayer or other equipment used to apply pesticides to be filled from an open body of water or a water well.

Idem

- (3) No person shall permit or cause any container in which any pesticide is, or has been stored, to be brought, used or abandoned within 25 metres, measured horizontally, of the water's edge of any open body of water. (EC761/05; 313/06)

39. Wind speed

- (1) Subject to subsection (2), no person shall apply a pesticide,
 - (a) in a dry formulation; or
 - (b) in a liquid formulation that is under pressure,when the wind speed, measured at the point of application, exceeds 20 km/h.

Exception

- (2) Subsection (1) does not apply to the application of a herbicide using a wiper, brush or roller. (EC761/05; 71/07)

40. Discharge in accordance with label

No person shall allow any pesticide, pesticide mixture or solution containing a pesticide to be discharged from any equipment used in the transport, storage or application of pesticides except in a manner permitted by the manufacturer's label. (EC761/05)

40.1 Prohibition

- (1) No person shall use pesticide products on a commercial golf course that contain any form of the chemical 2,4-Dichlorophenoxyacetic Acid for the control of lawn pests within 25 metres of
- (a) a watercourse boundary or wetland boundary; or
 - (b) the boundary of an adjacent property used for commercial, industrial, residential or institutional purposes.

Restriction

- (2) Where a person applies a pesticide product containing any form of the chemical 2,4-Dichlorophenoxyacetic Acid on a commercial golf course for the control of lawn pests, the person shall only apply the product on,
- (a) fairways;
 - (b) tee-off areas; and
 - (c) greens. (EC189/10)

40.2 Prohibition

No person shall sell, supply or use any domestic pesticide for the control of lawn pests that

- (a) is a fertilizer-pesticide blended product;
- (b) is a granular spreadable pesticide;
- (c) is a hose-end pesticide;
- (d) is a pesticide concentrate; or
- (e) contains the chemical 2,4-Dichlorophenoxyacetic Acid. (EC189/10)

41. Revocation

The *Pesticides Control Act Regulations* (EC543/84) are revoked. (EC761/05)



SCHEDULE 1**PESTICIDES FOR WHICH A PERMIT IS REQUIRED**

Revoked by 393/17

(EC761/05; 656/15; 393/17)

SCHEDULE 2**EXCLUDED PESTICIDES**

Pesticides are designated as excluded pesticides, where the pesticide is used

- (a) as a bactericide in petroleum products;
- (b) in household or agricultural
 - (i) cleansers,
 - (ii) deodorizers,
 - (iii) disinfectants, or
 - (iv) soaps;
- (c) as a dust control agent;
- (d) as a fabric softener;
- (e) as a bactericide or algaecide for use in swimming pools, domestic water supplies, industrial cooling systems, home aquaria, aquaculture facilities, or ornamental pools;
- (f) as a surfactant, preservative or adjuvant;
- (g) as wood preservatives;
- (h) as bait, attractant, or repellent for flies or biting insects;
- (i) in pesticide analysis and research work in a laboratory or experimental research plot;
- (j) in an industrial process incorporating a pesticide into a manufactured product on the premises where the product is manufactured;
- (k) by medical practitioners, veterinarians or health officers for the purpose of treatment, control, mitigation or prevention of pests in or on humans or animals;
- (l) as a mechanism to repel, attract or otherwise control or kill flies or biting insects;
- (m) to control or kill lice on livestock;
- (n) for application to pets, provided the pesticide is registered under the *Pest Control Products Act* (Canada) for this purpose;
- (o) as an animal repellent, provided the product is not polymerized butene-based or thiram-based;
- (p) as an anti-fouling paint;
- (q) as a pruning paint (asphalt solids);
- (r) as an insect pheromone;
- (s) as a plant growth regulator, provided the pesticide is a domestic class pesticide.

(EC761/05; 71/07; 290/08; 417/10; 656/15)

SCHEDULE 3

FORMS

FORM 1 – LOADER/MIXER CERTIFICATE

LOADER/MIXER CERTIFICATE
Name: Address: Phone: Certificate Number: Expiry Date: Authorized Signature:

(EC761/05; 94/12)

FORM 2 –NON-DOMESTIC PESTICIDE VENDOR BUSINESS LICENSE

Province of Prince Edward Island Department of Environment, Labour and Justice Non-Domestic Pesticide Vendor Business Licence This certifies that a licence was issued by the Minister to <i>(Company Name)</i> to sell pesticides in the Province of Prince Edward Island pursuant to section 13 of the <i>Pesticides Control Act</i> regulations.
Licence Number: Issue Date: Expiry Date: Authorized Signature

(EC761/05; 94/12)



**FORM 3 – NON-DOMESTIC PESTICIDE
VENDOR CERTIFICATE**

NON-DOMESTIC PESTICIDE VENDOR CERTIFICATE
Name: Address: Phone: Certificate Number: Expiry Date: Authorized Signature:

(EC761/05; 94/12)

FORM 4 - PESTICIDE APPLICATION BUSINESS LICENCE

Province of Prince Edward Island Department of Environment, Labour and Justice Pesticide Application Business Licence This certifies that a licence was issued by the Minister to <i>(Company Name)</i> to operate a <i>(Class of Licence)</i> pesticide application service in the Province of Prince Edward Island pursuant to section 5 of the <i>Pesticides Control Act</i> regulations.
Licence Number: Issue Date: Expiry Date: Authorized Signature:

(EC761/05; 94/12)

FORM 5 - PESTICIDE APPLICATOR CERTIFICATE

PESTICIDE APPLICATOR CERTIFICATE
Contact Name: Address: Phone: Applicator Class: Certificate Number: Expiry Date: Authorized Signature:

(EC761/05; 94/12)

FORM 6 – PESTICIDE PURCHASE PERMIT

Revoked by EC94/12 (EC761/05;94/12)

FORM 7

APPLICATION FOR PESTICIDE APPLICATION BUSINESS LICENCE

Under section 28 of the *Pesticides Control Act* Regulations, a person who operates a business or provides a service that involves the application of a domestic or non-domestic pesticide for a fee must hold a Pesticide Application Business Licence.

Personal information on this form is collected under section 5 of the *Pesticides Control Act* Regulations as it relates directly to and is necessary for an application for a Pesticide Application Business Licence. If you have any questions about this collection of personal information, you may contact the Manager of the Pesticide Regulatory Program, 11 Kent Street, Jones Building, Charlottetown, PEI C1A 7N8, Phone: (902) 368-5474.

Applicant Contact Information	
Company Name:	
Contact Name:	
Phone:	Fax:
Mailing Address:	
Postal Code:	Email:

Applicant's Signature: _____ Date: _____
 (Where applicant is a partnership or a corporation, the signature of a partner, or an authorized officer of the corporation is required.)

Licence Class – check one	
<input type="checkbox"/>	Class A, Agricultural – operating ground agricultural equipment for pesticide application
<input type="checkbox"/>	Class B, Mosquito & Biting Fly - application of a pesticide for the control of mosquitoes or biting flies
<input type="checkbox"/>	Class C-1, Structural - application of a non-fumigant pesticide to stored feed, dwellings or other structures
<input type="checkbox"/>	Class C-2, Structural Fumigation - application of a fumigant pesticide to stored feed, dwellings or other structures
<input type="checkbox"/>	Class D, Seed/Seed-piece Treatment - application of a seed or seed-piece treatment pesticide
<input type="checkbox"/>	Class E, Landscape - application of a pesticide to ornamental vegetation
<input type="checkbox"/>	Class F-1, Forestry Herbicides - forestry herbicide application
<input type="checkbox"/>	Class F-2, Reforestation - application of a pesticide for the production of tree seedlings for reforestation purposes
<input type="checkbox"/>	Class G, Greenhouse - application of a pesticide in greenhouses
<input type="checkbox"/>	Class H, Soil Fumigation - application of a soil fumigant pesticide
<input type="checkbox"/>	Class I, Manual Herbicide Treatment - application of a herbicide using a wiper, brush, roller or by spot treatment
<input type="checkbox"/>	Class J, Other - other pesticide applications
<input type="checkbox"/>	New Applicant
<input type="checkbox"/>	Renewal of Licence
Present Licence Number:	
Certified Applicator Information (Pesticide Applicator Certificate Holder)	
Name:	
Phone:	Fax:
Mailing Address:	
Postal Code:	Email:
Certified Applicator Status: <input type="checkbox"/> Owner of Company <input type="checkbox"/> Employee of Company	
Certificate Class and No.:	
Certificate Expiry Date:	

Signature of Certified Applicator: _____ Date: _____
(if not company owner)

- The application fee for a Pesticide Application Business Licence is \$200 per licence
- A separate application is required for each licence applied for
- A copy of the insurance policy required by clause 5(1)(a) of the regulations
 (limited pollution liability and general public liability) must accompany all applications

Method of Payment

(Check appropriate box)

- Cheque
 Money Order
 Cash or Debit Card
 Credit Card

Amount Enclosed: \$ _____**Please forward application and payment to:**

Department of Environment, Labour and Justice
 Environment Division
 Pesticide Regulatory Program
 PO Box 2000, 11 Kent Street
 Charlottetown, PE C1A 7N8
 Tel: (902) 368-5474

Cheques or money orders should be made payable to the Minister of Finance, Energy and Municipal Affairs. Pesticide Application Business Licences will be mailed to the applicant's address above. Please allow two weeks for delivery.

(EC761/05; 290/08; 189/10; 94/12; 393/17)



FORM 8

APPLICATION FOR PESTICIDE APPLICATOR CERTIFICATE

Under subsection 28(2) of the *Pesticides Control Act* Regulations, a person who applies a non-domestic pesticide must hold a Pesticide Applicator Certificate.

Personal information on this form is collected under section 6 of the *Pesticides Control Act* Regulations as it relates directly to and is necessary for an application for a Pesticide Applicator Certificate. If you have any questions about this collection of personal information, you may contact the Manager of the Pesticide Regulatory Program, 11 Kent Street, Jones Building, Charlottetown, PEI C1A 7N8, Phone: (902) 368-5474.

Applicant Contact Information	
Name:	
Phone:	Fax:
Mailing Address:	
Postal Code:	Email:
Are you over the age of 18? Yes <input type="checkbox"/> No <input type="checkbox"/>	

Applicant's Signature: _____ Date: _____

Certificate Class – check one
<input type="checkbox"/> Class A, Agricultural – operating ground agricultural equipment for pesticide application <input type="checkbox"/> Class B, Mosquito & Biting Fly - application of a pesticide for the control of mosquitoes or biting flies <input type="checkbox"/> Class C-1, Structural - application of a non-fumigant pesticide to stored feed, dwellings or other structures <input type="checkbox"/> Class C-2, Structural Fumigation - application of a fumigant pesticide to stored feed, dwellings or other structures <input type="checkbox"/> Class D, Seed/Seed-piece Treatment - application of a seed or seed-piece treatment pesticide <input type="checkbox"/> Class E, Landscape - application of a pesticide to ornamental vegetation <input type="checkbox"/> Class F-1, Forestry Herbicides - forestry herbicide application <input type="checkbox"/> Class F-2, Reforestation - application of a pesticide for the production of tree seedlings for reforestation purposes <input type="checkbox"/> Class G, Greenhouse - application of a pesticide in greenhouses <input type="checkbox"/> Class H, Soil Fumigation - application of a soil fumigant pesticide <input type="checkbox"/> Class I, Manual Herbicide Treatment - application of a herbicide using a wiper, brush, roller or by spot treatment <input type="checkbox"/> Class J, Other - other pesticide applications
Office Use Only
Examination Date:
Examination Mark:
Certificate Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied

- The application fee for a Pesticide Applicator Certificate is \$75
- A separate application is required for each certificate
- Prior to a certificate being issued, the applicant must successfully complete a written examination appropriate to the class of certificate applied for, with a mark in the examination of not less than 75%

Method of Payment

(Check appropriate box)

- Cheque
 Money Order
 Cash or Debit Card
 Credit Card

Amount Enclosed: \$ _____**Please forward application and payment to:**

Department of Environment, Labour and Justice
 Environment Division
 Pesticide Regulatory Program
 PO Box 2000, 11 Kent Street
 Charlottetown, PE C1A 7N8
 Tel: (902) 368-5474

Cheques or money orders should be made payable to the Minister of Finance, Energy and Municipal Affairs. Pesticide Applicator Certificates will be mailed to applicant's address above. Please allow two weeks for delivery.

(EC761/05; 290/08; 189/10; 94/12; 393/17)

FORM 9**APPLICATION FOR LOADER/MIXER CERTIFICATE**

Under clauses 29(1)(a) and (2)(a) of the *Pesticides Control Act* Regulations, a person who transports or mixes a non-domestic pesticide must hold a Loader/Mixer Certificate or other certificate identified in section 29.

Personal information on this form is collected under section 10 of the *Pesticides Control Act* Regulations as it relates directly to and is necessary for an application for a Loader/Mixer Certificate. If you have any questions about this collection of personal information, you may contact the Manager of the Pesticide Regulatory Program, 11 Kent Street, Jones Building, Charlottetown, PEI C1A 7N8, Phone: (902) 368-5474.

Applicant Contact Information	
Name:	
Phone:	Fax:
Mailing Address:	
Postal Code:	Email:
Are you over the age of 18? Yes <input type="checkbox"/> No <input type="checkbox"/>	

Applicant Experience
Describe successful completion of a relevant loader/mixer training program (include dates):

Applicant's Signature: _____ Date: _____

The application fee for a Loader/Mixer Certificate is \$50

Method of Payment

(Check appropriate box)

- Cheque
 Money Order
 Cash or Debit Card
 Credit Card

Amount Enclosed: \$ _____**Please forward application and payment to:**

Department of Environment, Labour and Justice
 Environment Division
 Pesticide Regulatory Program
 PO Box 2000, 11 Kent Street
 Charlottetown, PE C1A 7N8
 Tel: (902) 368-5474

Cheques or money orders should be made payable to the Minister of Finance, Energy and Municipal Affairs. Loader/Mixer Certificates will be mailed to the applicant's address above. Please allow two weeks for delivery.

(EC761/05; 189/10; 94/12; 393/17)



FORM 10

APPLICATION FOR NON-DOMESTIC PESTICIDE VENDOR BUSINESS LICENCE

Under section 30 of the *Pesticides Control Act* Regulations, a person who operates a business involving the sale or supply of non-domestic pesticides must hold a Non-Domestic Pesticide Vendor Business Licence.

Personal information on this form is collected under section 13 of the *Pesticides Control Act* Regulations as it relates directly to and is necessary for an application for a Non-Domestic Pesticide Vendor Business Licence. If you have any questions about this collection of personal information, you may contact the Manager of the Pesticide Regulatory Program, 11 Kent Street, Jones Building, Charlottetown, PEI C1A 7N8, Phone: (902) 368-5474.

Applicant Contact Information	
Company Name:	
Contact Name:	
Phone:	Fax:
Mailing Address:	
Postal Code:	Email:

Applicant's Signature: _____ Date: _____
 (Where applicant is a partnership or a corporation, the signature of a partner, or an authorized officer of the corporation is required).

Licence Details	
<input type="checkbox"/> New Applicant	<input type="checkbox"/> Renewal of Licence
Present Licence Number:	
Type of Sales to be made (<i>check all that apply</i>) : <input type="checkbox"/> Retail <input type="checkbox"/> Wholesale	

Storage Facility	
CropLife Canada Phase III Compliance Number:	
Status of Storage Facility: <input type="checkbox"/> Own <input type="checkbox"/> Lease <input type="checkbox"/> Other (specify):	

Certified Vendor Information (<i>Non-Domestic Pesticide Vendor Certificate Holder</i>)	
Name:	
Phone:	Fax:
Mailing Address:	
Postal Code:	Email:
Certified Vendor Status: <input type="checkbox"/> Owner of Company <input type="checkbox"/> Employee of Company	
Certificate Expiry Date:	

Signature of Certified Vendor: _____ Date: _____
 (*if not company owner*)

The application fee for a Non-Domestic Pesticide Vendor Business Licence is as follows:

- where up to 10,000 kg of active ingredients sold in the previous year - \$100
- where between 10,001 kg and 30,000 kg of active ingredients sold in the previous year - \$500
- where between 30,001 kg and 50,000 kg of active ingredients sold in the previous year - \$1,000
- where over 50,000 kg of active ingredients sold in the previous year - \$2,500

The sales data for all domestic and non-domestic pesticides sold to retail customers for the previous calendar year must be included with the application.

Method of Payment

(Check appropriate box)

- Cheque
- Money Order
- Cash or Debit Card
- Credit Card

Amount Enclosed: \$ _____

Please forward application and payment to:

Department of Environment, Labour and Justice
 Environment Division
 Pesticide Regulatory Program
 PO Box 2000, 11 Kent Street
 Charlottetown, PE C1A 7N8
 Tel: (902) 368-5474

Cheques or money orders should be made payable to the Minister of Finance, Energy and Municipal Affairs. Non-Domestic Pesticide Vendor Certificates will be mailed to the applicant's address above. Please allow two weeks for delivery.
 (EC761/05; 189/10; 94/12; 393/17)

**FORM 11
 APPLICATION FOR NON-DOMESTIC PESTICIDE VENDOR CERTIFICATE**

Under section 31 of the *Pesticides Control Act* Regulations, a person who sells non-domestic pesticides or Schedule 1 pesticides, to another person or while acting as an employee of a business that is licensed to sell non-domestic pesticides or provide pesticide related information or recommendations to another person, must hold a Non-Domestic Pesticide Vendor Certificate.

Personal information on this form is collected under section 14 of the *Pesticides Control Act* Regulations as it relates directly to and is necessary for an application for a Non-Domestic Pesticide Vendor Certificate. If you have any questions about this collection of personal information, you may contact the Manager of the Pesticide Regulatory Program, 11 Kent Street, Jones Building, Charlottetown, PEI C1A 7N8, Phone: (902) 368-5474.

Applicant Contact Information	
Name:	
Phone:	Fax:
Mailing Address:	
Postal Code:	Email:

Applicant's Signature: _____ Date: _____

Office Use Only
Examination Date:
Examination Mark:
Certificate Status: <div style="text-align: right;"> Approved <input type="checkbox"/> Denied <input type="checkbox"/> </div>

- The application fee for a Non-Domestic Pesticide Vendor Certificate is \$75 per certificate
- Prior to a certificate being issued, the applicant must successfully complete a written examination appropriate to the class of certificate applied for, with a mark in the examination of not less than 75%.

Method of Payment

(Check appropriate box)

- Cheque
- Money Order
- Cash or Debit Card
- Credit Card

Amount Enclosed: \$ _____

Please forward application and payment to:

Department of Environment, Labour and Justice
 Environment Division
 Pesticide Regulatory Program
 PO Box 2000, 11 Kent Street
 Charlottetown, PE C1A 7N8
 Tel: (902) 368-5474

Cheques or money orders should be made payable to the Minister of Finance, Energy and Municipal Affairs. Non-Domestic Pesticide Vendor Certificates will be mailed to applicant's address above. Please allow two weeks for delivery.
 (EC761/05; 189/10; 94/12; 393/17)

FORM 12

APPLICATION FOR PESTICIDE PURCHASE PERMIT

Under section 32 of the *Pesticides Control Act* Regulations, a person who buys non-domestic pesticides must hold, or be authorized to use a Pesticide Purchase Permit or a licence or certificate identified in the section.

Personal information on this form is collected under section 16 of the *Pesticides Control Act* Regulations as it relates directly to and is necessary for an application for a Pesticide Purchase Permit. If you have any questions about this collection of personal information, you may contact the Manager of the Pesticide Regulatory Program, 11 Kent Street, Jones Building, Charlottetown, PEI C1A 7N8, Phone: (902) 368-5474.

Applicant Information	
Company Name:	Phone:
Contact Name:	Fax:
Mailing Address:	
Number of Permits Requested:	Postal Code:

Signature of Applicant _____ Date _____

Certified Applicator Information	
Name:	Phone:
Mailing Address:	Postal Code:
Pesticide Applicator Certificate No.:	
Pesticide Applicator Class:	
Pesticide Applicator Certificate Expiry Date:	
Are you currently employed by the Applicant? Yes <input type="checkbox"/> No <input type="checkbox"/>	

Signature of Certified Applicator: _____ Date: _____

- The application fee for one or more Pesticide Purchase Permit is \$50.
- Payment must be received by the Department before the application will be processed.

Method of Payment

(Check appropriate box)

- Cheque
- Money Order
- Cash or Debit Card
- Credit Card

Amount Enclosed: \$ _____

Please forward application and payment to:

Department of Environment, Labour and Justice
 Environment Division
 Pesticide Regulatory Program
 PO Box 2000, 11 Kent Street
 Charlottetown, PE C1A 7N8
 Tel: (902) 368-5474

Cheques or money orders should be made payable to the Minister of Finance, Energy and Municipal Affairs. Pesticide Purchase Permits will be mailed to agricultural operation address above.

Please allow two weeks for delivery.

(EC761/05; 290/08; 189/10; 94/12; 393/17)



FORM 13

APPLICATION FOR PESTICIDE APPLICATION PERMIT

Under section 35 of the *Pesticides Control Act* Regulations, a person who applies pesticides to an open body of water, to control mosquitoes or biting flies within a designated protected zone, or apply Schedule 1 pesticides must hold a Pesticide Application Permit.

Personal information on this form is collected under section 19 of the *Pesticides Control Act* Regulations as it relates directly to and is necessary for an application for a Pesticide Application Permit. If you have any questions about this collection of personal information, you may contact the Manager of the Pesticide Regulatory Program, 11 Kent Street, Jones Building, Charlottetown, PEI C1A 7N8, Phone: (902) 368-5474.

Section 1 - Applicant Contact Information						
Name:						
Phone:				Fax:		
Mailing Address:						
Postal Code:				Email:		
Section 2 – Complete for Mosquito & Biting Fly Control						
Type of Application:						
<input type="checkbox"/> New Permit		<input type="checkbox"/> Modification of Permit				
Existing Permit Number:						
Treatment Type:						
<input type="checkbox"/> Water Treatment		<input type="checkbox"/> Private Treatment				
<input type="checkbox"/> Land Treatment		<input type="checkbox"/> Commercial Treatment				
Applicators/Certificates (list all applicators):						
Applicator Names		Pesticide Applicator Certificate No.			Class	
Treatment Details:						
Treatment	Pest to be controlled	Pesticide Name	PCP No.	Proposed Date of Treatment	Proposed Rate of Application	Total Amount of Pesticide Used
1						
2						
3						
4						
5						
Describe the process and level of community support for the program:						
Are “Permission to Enter Private Property” authorizations required? Yes <input type="checkbox"/> No <input type="checkbox"/>						
If “Yes”, include authorizations with application						
Requirements:						
A map (1:25,000 scale) must be attached and identify:						
(a) all property lines, fields, and treatment areas; and						
(b) all open bodies of water, as defined under the Prince Edward Island <i>Pesticides Control Act</i> ; saltwater environments and perimeter						

coastline.

Section 3 – Complete for Application to Open Body of Water

Type of Application:
 New Permit Modification of Permit
 Existing Permit Number: _____

Treatment Type:
 Private Treatment Commercial Treatment

Pesticide Applicator Certificate
 Name: _____
 Number: _____
 Class: _____
 Expiry date: _____

Treatment Details:

Treatment	Total Treatment Area Acres Hectares	Pest to be controlled	Pesticide Name	PCP No.	Proposed Date of Treatment	Proposed Rate of Application	Total Amount of Pesticide Used
1.							
2.							
3.							
4.							
5.							

Requirements:
 A map (1:10,000 scale) must be attached and identify:
 (a) all property lines, fields, and treatment areas; and
 (b) all open bodies of water, as defined under the Prince Edward Island *Pesticides Control Act*; saltwater environments and perimeter coastline.

Section 4 – Complete for Schedule 1 Pesticides (Soil Fumigant Formulations)

Type of Application:
 New Permit Modification of Permit
 Existing Permit Number: _____

Pesticide Applicator Certificate
 Name: _____
 Number: _____
 Class: _____
 Expiry date: _____

Treatment Details:

Property Identification No.	Field No.	Crop	Pesticide Name	PCP * No.	Total Treatment Area
					<input type="checkbox"/> Acres <input type="checkbox"/> Hectares

* Pest Control Product Registration Number

A map (1:10,000 scale) must be attached and identify:
 (a) all property lines, fields, and treatment areas; and
 (b) all open bodies of water, as defined under the Prince Edward Island *Pesticides Control Act*; saltwater environments and perimeter coastline.

By signing below, I acknowledge that all information that I have provided is, to my knowledge, true and accurate, and that I understand the above listed criteria for approval of a Pesticide Application Permit.

Applicant Signature: _____ Date: _____

- The application fee for a Pesticide Application Permit is \$50 per permit.
- A separate application is required for each Pesticide Application Permit.

Method of Payment

(Check appropriate box)

Cheque Environment Division

Money Order

Cash or Debit Card

Credit Card

Amount Enclosed: \$ _____

Please forward application and payment to:

Department of Environment, Labour and Justice

Pesticide Regulatory Program

PO Box 2000, 11 Kent Street

Charlottetown, PE C1A 7N8

Tel: (902) 368-5474

Cheques and money orders should be made payable to the Minister of Finance, Energy and Municipal Affairs. Pesticide Application Permit will be mailed to the applicant's address above. Please allow two weeks for delivery.

(EC189/10; 94/12; 393/17)

FORM 14

APPLICATION FOR DOMESTIC PESTICIDE VENDOR BUSINESS LICENCE

Under subsection 28.1 of the *Pesticides Control Act* Regulations, a person who operates a business involving the sale or supply of a controlled purchase domestic pesticide must hold a Domestic Pesticide Vendor Business Licence or a Non-Domestic Pesticide Vendor Business Licence.

Personal information on this form is collected under section 13.1 of the *Pesticides Control Act* Regulations as it relates directly to and is necessary for an application for a Domestic Pesticide Vendor Business Licence. If you have any questions about this collection of personal information, you may contact the Manager of the Pesticide Regulatory Program, 11 Kent Street, Jones Building, Charlottetown, PEI C1A 7N8, Phone: (902) 368-5474.

Applicant Contact Information	
Company Name:	
Contact Name:	
Phone:	Fax:
Mailing Address:	
Postal Code:	Email:

Applicant's Signature: _____ Date: _____

(Where applicant is a partnership or a corporation, the signature of a partner, or an authorized officer of the corporation is required).

Licence Details
<input type="checkbox"/> New Applicant <input type="checkbox"/> Renewal of Licence
Present Licence Number:

Certified Vendor Information (Domestic Pesticide Vendor Certificate Holder)	
Name:	
Phone:	Fax:
Mailing Address:	
Postal Code:	Email:
Certified Vendor Status: <input type="checkbox"/> Owner of Company <input type="checkbox"/> Employee of Company	
Certificate Expiry Date:	
Pesticide Vendor Certificate # _____	

Signature of Certified Vendor: _____ Date: _____
 (if not company owner)

Display Area and Storage Facility (check box to indicate size)		
<input type="checkbox"/> surface area up to 5 m ²	<input type="checkbox"/> surface area between 5 m ² and 14 m ²	<input type="checkbox"/> surface area greater than 14 m ²
Previous Years Display and Storage Facility Size		
Please indicate the actual area (m ²) used to display or store controlled purchase domestic pesticides in the previous licence year:		
_____ year	_____ m ²	

The application fee for a Domestic Pesticide Vendor Business Licence is as follows:

(a) where the maximum surface area for the calendar year of any shelf, or indoor or outdoor floor space used to display or store controlled purchase domestic pesticides is up to 5 m ²	\$100
(b) where the maximum surface area for the calendar year of any shelf, or indoor or outdoor floor space used to display or store controlled purchase domestic pesticides is between 5 m ² and 14 m ²	\$250
(c) where the maximum surface area for the calendar year of any shelf, or indoor or outdoor floor space used to display or store controlled purchase domestic pesticides is greater than 14 m ²	\$500

The size of display areas and storage facilities for the previous calendar year must be included with the application.

Method of Payment
 (Check appropriate box)

Cheque
 Money Order
 Cash or Debit Card
 Credit Card

Please forward application and payment to:
 Department of Environment, Labour and Justice
 Environment Division
 Pesticide Regulatory Program
 PO Box 2000, 11 Kent Street
 Charlottetown, PE C1A 7N8
Tel: (902) 368-5474

Amount Enclosed: \$ _____

Cheques or money orders should be made payable to the Minister of Finance, Energy and Municipal Affairs. Domestic Pesticide Vendor Licences will be mailed to the applicant's address above. Please allow two weeks for delivery.
 (EC71/07; 189/10; 94/12; 393/17)

FORM 15

APPLICATION FOR DOMESTIC PESTICIDE VENDOR CERTIFICATE

Under section 30.1 of the *Pesticides Control Act* Regulations, a person who sells controlled purchase domestic pesticides to another person or while acting as an employee of a business that is licensed to sell controlled purchase domestic pesticides and who provides information or recommendations regarding a controlled purchase domestic pesticide to another person, must hold a Domestic Pesticide Vendor Certificate or a Non-domestic Pesticide Vendor Certificate.

Personal information on this form is collected under section 14.1 of the *Pesticides Control Act* Regulations as it relates directly to and is necessary for an application for a Domestic Pesticide Vendor Certificate. If you have any questions about this collection of personal information, you may contact the Manager of the Pesticide Regulatory Program, 11 Kent Street, Jones Building, Charlottetown, PEI C1A 7N8, Phone: (902) 368-5474.

Applicant Contact Information	
Name:	
Phone:	Fax:
Mailing Address:	
Postal Code:	Email:

Applicant's Signature: _____ Date: _____

Office Use Only
Examination Date:
Examination Mark:
Certificate Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/>

- The application fee for a Domestic Pesticide Vendor Certificate is \$75 per certificate
- Prior to a certificate being issued, the applicant must successfully complete a written examination approved by the Director, with a mark in the examination of not less than 75%.

Method of Payment

(Check appropriate box)

- Cheque
- Money Order
- Cash or Debit Card
- Credit Card

Amount Enclosed: \$ _____

Please forward application and payment to:

Department of Environment, Labour and Justice
 Environment Division
 Pesticide Regulatory Program
 PO Box 2000, 11 Kent Street
 Charlottetown, PE C1A 7N8

Tel: (902) 368-5474

Cheques or money orders should be made payable to the Minister of Finance, Energy and Municipal Affairs. Domestic Pesticide Vendor Certificates will be mailed to applicant's address above. Please allow two weeks for delivery.

(EC71/07; 189/10; 94/12; 393/17)

FORM 16

DOMESTIC PESTICIDE VENDOR BUSINESS LICENCE

Province of Prince Edward Island
Department of Environment, Labour and Justice

Domestic Pesticide Vendor Business Licence

This certifies that
a licence was issued by the Minister to

(Company Name)

to operate a business involving the sale
or supply of a controlled purchase domestic pesticide
in the Province of Prince Edward Island
pursuant to section 13.1 of the
Pesticides Control Act Regulations.

Licence Number:

Issue Date:

Expiry Date:

Minister:

(EC71/07; 94/12)

FORM 17

DOMESTIC PESTICIDE VENDOR CERTIFICATE

DOMESTIC PESTICIDE VENDOR CERTIFICATE

Name:

Address:

Phone:

Certificate Number:

Expiry Date:

Authorized Signature:

(EC71/07; 94/12)

SCHEDULE 4
APPLICATION FEES

1 LICENCES

Non-domestic Pesticide Vendor Business Licence

(a) where up to 10,000 kg of active ingredients sold in the previous year	\$100
(b) where between 10,001 kg and 30,000 kg of active ingredients sold in the previous year	\$500
(c) where between 30,001 kg and 50,000 kg of active ingredients sold in the previous year	\$1,000
(d) where over 50,000 kg of active ingredients sold in the previous year	\$2,500

Pesticide Applicator Business

Licence	\$200 per class of licence
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Domestic Pesticide Vendor Business Licence

(a) where the maximum surface area for the calendar year of any shelf, or indoor or outdoor floor space used to display or store controlled purchase domestic pesticides is up to 5 m ² *	\$100
(b) where the maximum surface area for the calendar year of any shelf, or indoor or outdoor floor space used to display or store controlled purchase domestic pesticides is between 5 m ² and 14 m ² **	\$250
(c) where the maximum surface area for the calendar year of any shelf, or indoor or outdoor floor space used to display or store controlled purchase domestic pesticides is greater than 14 m ²	\$500

Section 1.01 2 Certificates

Non-Domestic Pesticide Vendor Certificate	\$75
***Pesticide Applicator Certificate	\$75 per class of certificate
Loader/Mixer Certificate	\$50
Domestic Pesticide Vendor Certificate	\$75

Section 1.02 3 Permits

Pesticide Application Permit	\$50
Pesticide Purchase Permit	\$50

NOTES:

* 5m² = 54 sq feet

** 14m² = 151 sq feet

*** The fee for a Class D, Class G and Class I Pesticide Applicator Certificate may be waived if the applicant holds a valid Class A Pesticide Applicator Certificate, a valid AG-1 Pesticide Use Certificate or a valid Loader/mixer Certificate.
(EC761/05; 71/07; 290/08)



SCHEDULE 5**PHASE-IN OF CONTINUING EDUCATION CREDITS**

Revoked by EC94/12
(EC761/05/ 94/12)

SCHEDULE 6**PROHIBITED PESTICIDES**

- | | |
|--|--------------------------|
| 1. Telone II Liquid Soil Fumigant | <i>PCP Act No. 15893</i> |
| 2. Telone C-17 Liquid Soil Fungicide and Nematicide | <i>PCP Act No. 16324</i> |
| 3. Vorlex Plus Liquid Soil Fumigant | <i>PCP Act No. 18353</i> |
| 4. Vorlex Plus CP Liquid Soil Fumigant
(EC761/05) | <i>PCP Act No. 18354</i> |

SCHEDULE 7**EXEMPTED PESTICIDES**

The pesticides listed below are designated as exempted pesticides.

1. acetic acid;
2. *Bacillus subtilis* mbi 600;
3. *Bacillus subtilis* qst 713;
4. *Bacillus thuringiensis kurstaki*;
5. *Bacillus thuringiensis tenebrionis*;
6. borax;
7. boric acid;
8. *Chondrostereum purpureum* strain PFC2139;
9. citric acid - (present as fermentation products of *Lactobacillus rhamnosus* strain R-11, *Lactobacillus casei* strain R215, *Lactococcus lactis* ssp. *cremoris* strain M11/CSL, *Lactococcus lactis* ssp. *lactis* strain LL102/CSL, and *Lactococcus lactis* ssp. *lactis* strain LL64/CSL);
10. copper as elemental, present as tribasic copper sulphate;
11. copper as elemental, present as copper oxychloride;
12. corn gluten meal;
13. fatty acid;
14. hydrogen peroxide;
15. iron (ferrous or ferric) phosphate;
16. iron (ferrous or ferric) sodium;
17. iron (ferrous or ferric) sulfate;
18. iron, if present as FeHEDTA;
19. lactic acid - (present as fermentation products of *Lactobacillus rhamnosus* strain R-11, *Lactobacillus casei* strain R215, *Lactococcus lactis* ssp. *cremoris* strain M11/CSL, *Lactococcus lactis* ssp. *lactis* strain LL102/CSL, and *Lactococcus lactis* ssp. *lactis* strain LL64/CSL);
20. lime sulphur or calcium polysulphide;



21. liquid corn gluten;
22. *Metarhizium anisopliae* strain F52;
23. monosodium, dibasic sodium, potassium, or ammonium phosphates;
24. mineral oil;
25. nuclear polyhedrosis virus of douglas fir tussock moth;
26. oil of black pepper;
27. *Phoma macrostoma* strain 94-44B;
28. pyrethrins to control insects;
29. *Sclerotinia minor*;
30. silicon dioxide (diatomaceous earth);
31. soap (alkanolamine salts of fatty acid);
32. soap (ammonium salts of fatty acid);
33. soap (potassium salts of fatty acid);
34. sodium chloride;
35. spinosad;
36. *Streptomyces acidiscabies* strain rl-110T;
37. sulphur;
38. *Typhula phacorriza* strain 94671;
39. *Verticillium albo-atrum* strain wcs850;
40. n-octyl bicycloheptene dicarboximide for control of crawling insects;
41. permethrin;
42. d-phenothrin;
43. piperonyl butoxide to control flying insects;
44. resmethrin to control flying insects;
45. silica aerogel, also referred to as silica gel, amorphous silica and amorphous silica gel to control ants, earwigs, and other crawling insects;
46. tetramethrin to control house and garden insects;
47. d-trans-allethrin, also referred to as d-cis, trans allethrin for control of mosquitoes.

(EC71/07; 417/10; 656/15)



SCHEDULE 8

SELF-SELECT DOMESTIC PESTICIDES

The pesticides listed below are designated as self-select pesticides.

- (1) The domestic pesticide is composed exclusively of a mixture containing one or more of the following active ingredients
- (a) acetic acid;
 - (b) *Bacillus subtilis* mbi 600;
 - (c) *Bacillus subtilis* qst 713;
 - (d) *Bacillus thuringiensis kurstaki*;
 - (e) *Bacillus thuringiensis tenebrionis*;
 - (f) borax;
 - (g) boric acid;
 - (h) *Chondrostereum purpureum* strain PFC2139;
 - (i) citric acid - (present as fermentation products of *Lactobacillus rhamnosus* strain R-11, *Lactobacillus casei* strain R215, *Lactococcus lactis* ssp. *cremoris* strain M11/CSL, *Lactococcus lactis* ssp. *lactis* strain LL102/CSL, and *Lactococcus lactis* ssp. *lactis* strain LL64/CSL);
 - (j) copper as elemental, present as tribasic copper sulphate;
 - (k) copper as elemental, present as copper oxychloride;
 - (l) corn gluten meal;
 - (m) fatty acid;
 - (n) hydrogen peroxide;
 - (o) iron (ferrous or ferric) phosphate;
 - (p) iron (ferrous or ferric) sodium;
 - (q) iron (ferrous or ferric) sulfate;
 - (r) iron, if present as FeHEDTA;
 - (s) lactic acid - (present as fermentation products of *Lactobacillus rhamnosus* strain R-11, *Lactobacillus casei* strain R215, *Lactococcus lactis* ssp. *cremoris* strain M11/CSL, *Lactococcus lactis* ssp. *lactis* strain LL102/CSL, and *Lactococcus lactis* ssp. *lactis* strain LL64/CSL);
 - (t) lime sulphur or calcium polysulphide;
 - (u) liquid corn gluten;
 - (v) *Metarhizium anisopliae* strain F52;
 - (w) monosodium, dibasic sodium, potassium, or ammonium phosphates;
 - (x) mineral oil;
 - (y) nuclear polyhedrosis virus of douglas fir tussock moth;
 - (z) oil of black pepper;
 - (aa) *Phoma macrostoma* strain 94-44B;
 - (bb) pyrethrins; without the addition of piperonyl butoxide;
 - (cc) *Sclerotinia minor*;
 - (dd) silicon dioxide (diatomaceous earth);
 - (ee) soap (alkanolamine salts of fatty acid);
 - (ff) soap (ammonium salts of fatty acid);
 - (gg) soap (potassium salts of fatty acid);
 - (hh) sodium chloride;
 - (ii) spinosad;
 - (jj) *Streptomyces acidiscabies* strain rl-110T;
 - (kk) sulphur;
 - (ll) *Typhula phacorriza* strain 94671;
 - (mm) *Verticillium albo-atrum* strain wcs850.
- (2) The domestic pesticide is sold in a form requiring no preparation or dilution and in a volume or weight equal to or less than one litre or one kilogram provided any products sold as ant, cockroach, or earwig bait protect users against direct contact with the product.
(EC71/07; 656/15)