

# Distribution and sale of pesticides: Information from Health Canada

*This document aims to increase awareness about the legislative requirements under the Pest Control Products Act for the distribution and sales of pesticides.*



Health Canada's [Pesticide Compliance Program](#) (PCP) is responsible for promoting, monitoring and enforcing the [Pest Control Products Act](#) (PCPA). The primary objective of the PCPA is to prevent unacceptable risks to the human health and the environment from the use of pest control products, also known as pesticides.

In Canada, pesticides can also be regulated by provinces, territories and municipalities.

Pesticide distributors and retailers may be subject to a compliance verification under the PCPA. When a violation is identified as a result of an inspection, sample analysis or verification of records, enforcement actions are taken in accordance with Health Canada's [Compliance and enforcement policy for pesticides](#). Health Canada has a number of enforcement tools at its disposal, including warning letters, compliance orders and administrative monetary penalties up to \$10,000 per violation.

## Most relevant legislative requirements

This section identifies the most relevant requirements of the PCPA with which pesticide distributors and retailers are required to comply:

- Unregistered pest control products - PCPA 6 (1):** *No person shall manufacture, possess, handle, store, transport, import, distribute<sup>1</sup> or use a pest control product that is not registered under this Act, except as otherwise authorized (...)*

**Example of non-compliance:** Selling products not registered in Canada, including products whose registration has been discontinued, cancelled or not renewed.

- Packaging and labelling - PCPA 6 (3):** *(...), no person shall store, import, export or distribute a pest control product that is not packaged and labelled in accordance with the regulations and, if it is registered, the conditions of registration.*

**Example of non-compliance:** Selling products not packaged in accordance with the regulations and the conditions of registration.

- Packaging, labelling and advertisement - PCPA 6 (7):** *No person shall package, label or advertise a pest control product in a way that is false, misleading or likely to create an erroneous impression regarding its character, value, quantity, composition, safety or registration.*

**Example of non-compliance:** Advertisement making claims about uses not specified on a pesticide label.

<sup>1</sup> Definition: *Means distribute in any way, whether or not for consideration, and includes sell, offer for sale or distribution, and expose, display or advertise for sale or distribution. (distribution) - PCPA 2 (1)*

## Pesticides eligible for distribution and sale

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The PCPA requires all pesticides distributed in Canada to be registered by Health Canada, except under certain cases set out in the regulations. Pesticides that can be lawfully distributed in Canada must fall in one of the following categories:

### Registered products

A pesticide registered by Health Canada has a bilingual label, in English and French, and an assigned registration number (e.g., Reg. No. 12345 P.C.P. Act).

### Authorized products

- **During the prescribed phase-out period**, products whose registration is cancelled by Health Canada as a result of a re-evaluation decision (RVD) or a special review decision (SRD).
- Products that are identified by a valid import certificate under the Grower Requested Own Use (GROU) program, issued by Health Canada and carrying a numeric code (e.g., 123456-123).

### Scheduled products

Products listed in Schedule 2 of the [Pest Control Products Regulations](#) (PCPR) and meet all the required conditions.

*\*Scheduled products are not assigned a registration number.*

### Exempted products

- Products that are subject to the *Food and Drugs Act* and carries a drug identification number (DIN).
- Ultraviolet radiation-emitting device that meets all the requirements listed in subsections 4 (c) to (e) of the PCPR.

*\*Exempted products are not assigned a registration number.*

## Re-evaluation decisions

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Pesticides are periodically re-evaluated by Health Canada to ensure that they continue to meet health and environmental requirements. Re-evaluation decisions (RVD) or special review decisions (SRD) may result in the cancellation of products or product uses. Health Canada may also request changes to a product's label, including adding, removing or changing risk mitigation measures, use sites and application methods. For more information, consult the [Decisions and Updates](#) webpage.

### Implementation of decisions

The 2018 [Policy on Cancellations and Amendments Following Re-evaluation and Special Review \(updated in 2021\)](#) states that in cases where decision results in the cancellation of a pesticide for which risks of concern are not considered imminent and serious, existing stocks of the product can be phased-out following these timelines:

- One (1) year of **sale by registrants** from the date of an RVD or a SRD,
- One (1) year of **sale by distributors/retailers** from the last date of sale by registrants,
- One (1) year of **permitted use** from the last date of sale by retailers.

In case of serious risks to the health or the environment, expedited timelines for phase-outs are determined on a case-by-case basis.

- ✓ **Distributing or selling a product after the applicable “Last date of sale” stipulated in the phase out timeline of a decision (RVD or SRD) is prohibited.**
- ✓ **Importing cancelled pesticides in Canada is strictly prohibited, as of the day of the publication of a decision (RVD or SRD).**

### **Pesticide product information database**

Health Canada's [Pesticide product information database](#) contains information on pesticides regulated by Health Canada under the authority of the PCPA. By consulting the database, you can find information such as registration applications, active ingredients or phase-out periods for cancelled products. To facilitate the navigation throughout this database, consult the [Help using the query builder tool](#) and [Finding information on cancelled pesticide products during the phase-out period](#) webpages.

\*The Registration Status of a cancelled pesticide will be “Phase-out” in the database during the phase-out period.

For pesticides requiring label amendment as a result of a re-evaluation or a special review decision, registrants have typically up to two years from the decision date to amend the labels. **Once that period is over, distributors and retailers must only sell the pesticide with the amended label.**

### **Advertising pesticides**

Anyone distributing pesticides must ensure they advertise them in compliance with the PCPA. Restrictions surrounding the advertisement of pesticides are intended to prevent false or misleading claims about the health, safety, environmental impact, or value of the products, whether those claims are expressed or implied. For more information on key requirements for advertising pesticides, consult the [Guidelines for the Advertising of Pest Control Products](#) webpage.

### **Report problems involving pesticides**

#### **Report suspected non-compliance**

If you come across suspected non-compliance with the PCPA, please report it to the PCP. Consult the [Pesticides compliance and enforcement - Contact us](#) webpage for contact information. You can request for anonymity.

#### **Report a pesticide incident**

A pesticide incident is a negative effect (adverse reaction) to humans, animals or the environment that can result from being exposed to a pesticide. For more information, consult the [Report a pesticide incident](#) webpage.

## For more information

### Regulatory framework

- *Pest Control Products Act* (PCPA): <https://laws-lois.justice.gc.ca/eng/acts/p-9.01/>
- *Pest Control Products Regulations* (PCPR): <https://laws-lois.justice.gc.ca/eng/regulations/SOR-2006-124/index.html>
- Health Canada Compliance and enforcement policy for pesticides: <https://www.canada.ca/en/health-canada/services/consumer-product-safety/reports-publications/pesticides-pest-management/policies-guidelines/compliance-enforcement-policy-pesticides.html>

*The above documents are the official Health Canada documents. In the event of any discrepancy with the contents of this information package, the regulatory documents shall prevail.*

### Pesticide compliance

- Decisions and updates: <https://www.canada.ca/en/health-canada/services/consumer-product-safety/reports-publications/pesticides-pest-management/decisions-updates.html>
- Regulatory directive DIR2018-01, Policy on cancellations and amendments following re-evaluation and special review: <https://www.canada.ca/en/health-canada/services/consumer-product-safety/reports-publications/pesticides-pest-management/policies-guidelines/regulatory-directive/2018/dir2018-01-policy-cancellations-amendments.html>
- Information note: Update on implementation of post-market decisions: <https://www.canada.ca/en/health-canada/services/consumer-product-safety/reports-publications/pesticides-pest-management/fact-sheets-other-resources/update-implementation-post-market-decisions.html>
- Health Canada's Pesticide product information database: <https://pest-control.canada.ca/pesticide-registry/en/index.html>
- Help using the query builder tool: <https://pest-control.canada.ca/pesticide-registry/en/query-builder-help.html>
- Finding information on cancelled pesticides during the phase-out period: <https://www.canada.ca/en/health-canada/services/consumer-product-safety/pesticides-pest-management/public/protecting-your-health-environment/public-registry/information-cancelled-pesticide-products-during-phase-out-period.html>
- Regulatory directive DIR2016-01, Guidelines for the advertising of pest control products: <https://www.canada.ca/en/health-canada/services/consumer-product-safety/reports-publications/pesticides-pest-management/policies-guidelines/regulatory-directive/2016/guidelines-advertising-pest-control-products-dir2016-01.html>
- Report a pesticide incident: <https://www.canada.ca/en/health-canada/services/consumer-product-safety/pesticides-pest-management/public/protecting-your-health-environment/report-pesticide-incident.html>

Health Canada's Pesticide Compliance Program (PCP) is responsible for the enforcement of the *Pest Control Products Act* (PCPA).

Visit: [canada.ca/pesticide-compliance](https://canada.ca/pesticide-compliance) or contact [pcp-ppc@hc-sc.gc.ca](mailto:pcp-ppc@hc-sc.gc.ca).

*Ce document est également disponible en français.*