

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE MINISTER OF ENVIRONMENT AND CLIMATE CHANGE
STRATEGY

Integrated Pest Management Act

Ministerial Order No. M305

Whereas pesticides which contain one or more of the active ingredients brodifacoum, bromadiolone, or difethialone are used in many areas of B.C.

And whereas the use of these pesticides, and the manner in which they are used, handled, released, transported, stored, disposed of or sold has had, or could result in, an unreasonable adverse effect on wildlife in B.C.,

And whereas those unreasonable effects have been documented to show an increased exposure to non-target wildlife increasing the risk of primary and secondary poisoning in raptors and other birds of prey, including owls,

And whereas section 8 of the *Integrated Pest Management Act* (the Act) provides that, if I am satisfied that such an unreasonable adverse effect has resulted, or is likely to result from the use of the pesticides or the manner in which they are used, handled, released, transported, stored, disposed of or sold, I may make orders to restrict or prohibit the use, handling, release, transport, storage, disposal of or sale of the pesticides on the terms and conditions I consider appropriate;

Now Therefore:

I, George Heyman, Minister of Environment and Climate Change Strategy, order that

July 21, 2021

Date



Minister of Environment and Climate
Change Strategy

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Integrated Pest Management Act, [SBC 2003] Chapter 58, section 8

Other: _____

1. In this Order,
 - “Agricultural Operation” means an agricultural operation defined in the Code of Practice for Agricultural Environmental Management,
 - “Certified” means certified under the Act,
 - “Essential Service” means an essential service set out in Schedule A of this Order,
 - “Licensed” means licensed under the Act,
 - “Second-Generation Anticoagulant Rodenticides” means pesticide products registered under the Pest Control Products Act (Canada) that contain the active ingredients: brodifacoum, bromadiolone, or difethialone, (hereinafter “SGARs”).
2. This Order applies to all persons and businesses, including all Licensed pesticide vendors, who sell SGARs to persons in B.C.
3. This Order applies even though the use, manner of application, storage, sale, transport, or disposal of the SGARs is authorized under the Act and despite the terms and conditions of any licence, certificate, or permit.
4. Subject to section 5, SGARS are prohibited for sale and use in B.C.
5. The following exemptions from section 4 apply:
 - a) SGARs may be sold by a Licensed vendor to
 - (i) a business or person considered an Essential Service if the business or person holds a pesticide applicators Certificate;
 - (ii) a business or person who owns or operates an Agricultural Operation;
 - (iii) a Licensed pest control company; or
 - (iv) an agent of the business or person in 5 (a)(i) to (iii), including an employee who is not directly involved in the use of the products and who is not a holder of a pesticide

applicators Certificate but who purchases and distributes supplies for the business or person, and is acting on behalf of the business or person.

- b) SGARs may be used by
 - (i) a business or person considered an Essential Service if
 - a. the business or person holds a pesticide applicators certificate in the appropriate category; or
 - b. the business or person hires a Licensed pest control company to apply the SGARs.
 - (ii) a business or person who owns or operates an Agricultural Operation.
 - (iii) a service Licensee who is hired by an Essential Service or Agricultural Operation to use SGARs.
- c) a business or person in 5(b) must not provide SGARs to a person who is not authorized by this order to use SGARs regardless of whether the person holds a pesticide applicator Certificate.

6. A Licensed vendor referred to in 5(a) must:

- a) ensure a Certified dispenser confirms the purchaser:
 - (i) is an Essential Service or is employed by an Essential Service, and is purchasing the SGARs for an “Essential Service”, a Licensed pesticide service company or a is a person who owns or operates an Agricultural Operation;
 - (ii) except where the person owns or operates an Agricultural Operation, holds a valid pesticide applicators Certificate showing the purchaser’s name and Certificate number and;
 - (iii) if acting as an “agent” of the Essential Service, company or Agricultural Operation in (i), provides written verification from the purchaser’s employer that the purchaser and Certificate holder (if not the same person and except where the person owns or operates an Agricultural Operation) are current employees of the organization and the purchase is authorized by the Essential Service, company or Agricultural Operation.

- b) store and display SGARs in a manner that prevents access to the SGARs without the assistance of a Certified dispenser.
- c) where SGARs are displayed for sale, post signage that is produced by the ministry that highlights the risks to wildlife,
- d) ensure a Certified dispenser advises authorized purchasers of SGARs of the following information:
 - (i) the risks to wildlife when using SGARs;
 - (ii) that the use of SGARs is subject to the new requirements surrounding Integrated Pest Management, record keeping and disposal as set out in this order.
- e) record the following information for each sale:
 - (i) the purchaser's name, the contact information of the employer (if the purchaser is an employee), the SGAR product trade name, the SGAR product Pest Control Products number and weight of the container in which the SGARs were sold and number of containers sold and the category of purchaser (Licensee, Essential Service, Agricultural Operator);
 - (ii) from a Licensee, the Licence number, Certificate holder's name (if different than the purchaser), Certificate number;
 - (iii) from an Essential Service, Certificate holder's name (if different than the purchaser), Certificate number.

7. A Certified dispenser must perform the duties as described in section 6 (a) and (d).

8. A user of SGARs described in 5(b)

- a) may use SGARs only after doing all the following in accordance with Integrated Pest Management principles:
 - (i) identify and implement, or identify and advise the owner or manager of the treatment area of, reasonable measures to prevent rodents;
 - (ii) identify the rodent species to be managed;
 - (iii) monitor to determine the population of rodents and their location;

- (iv) determine an injury threshold for each rodent and apply them to the determination of when to use SGARs;
- (v) select treatment methods based on
 - a. consideration of practical alternatives to the use of SGARs, and
 - b. protection of human health and the environment.
- b) must evaluate the effectiveness after each use of SGARs, in accordance with Integrated Pest Management principles.
- c) must dispose of unused SGARs and poisoned rodents properly.
- d) must record the following information when SGARs are applied:
 - (i) the applicators name;
 - (ii) the rodent species targeted;
 - (iii) Integrated Pest Management measures taken to prevent rodents and manage their population without the use of SGARs;
 - (iv) for each SGAR applied,
 - a. the product trade name and Pest Control Product registration number, and
 - b. the application method and amount applied.
 - c. the date, time and location of application;

9. Records required under this order must be retained for 3 years and must be made available for inspection upon request of an Inspector.

10. This Order except for section 9 expires 18 months from the date of its signing.

SCHEDULE A

Businesses and persons that provide:

1. Health and Health Services
 - a. Hospitals, emergency care services, primary care facilities.
2. Public Safety
 - a. The Department of National Defence (DND) facilities, the Canadian Armed Forces (CAF) facilities, and operations and services that support the Canadian Coast Guard and Coast Guard Auxiliary;
 - b. Emergency management facilities at local, regional, provincial, and federal levels.
3. Critical Infrastructure
 - a. Drilling and production, refineries, processing, treatment and completion facilities, storage, distribution network infrastructure and support operations critical in maintaining electricity, drinking water, waste water, oil and natural and propane gas, fuel, petroleum, crude oil and other fuel sources such as heating oil.
 - b. Gas stations, diesel, propane and heating fuel providers and providers of charging stations for electric vehicles.
4. Food and Agriculture Service Providers
 - a. Food processing, manufacturing, storage, transportation and distribution of foods, feed products and beverages;
 - b. Restaurants and other facilities that prepare and serve food;
 - c. Retail: Grocery stores, convenience stores, farmers' markets and other establishments engaged in the retail sale or provision of food;
 - i. Includes food banks

5. Transportation
 - a. Services and facilities that facilitate the interprovincial and intra-provincial transportation of essential supplies, personnel, and services, including port/waterfront operations, road, air and rail operations.

6. Sanitation
 - a. Waste (garbage and organics) and recycling collection, processing, and disposal.

7. Communications / Information Technology
 - a. Information technology, radio, cable providers, and telecommunications services, including phone, internet, wireless communications, data centres; satellite operations, undersea cable landing stations, Internet Exchange Points, and manufacturers and distributors of communications equipment.

8. Coroners and those Performing Mortuary and Related Services
 - a. Coroners and facilities performing mortuary services, including funeral homes, crematoriums, and cemeteries, as well as facilities supporting the appropriate handling, identification, storage, transportation, and certification of human remains.