

Permanently inhabited area with a population of 10,000 or more	OR	Area containing substantial infrastructures or services such as <ul style="list-style-type: none"> - another dam in the Severe Consequence category - a hospital - a major industrial complex - a large dangerous substances storage site 	Severe
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”

(2) by adding the following paragraph at the end: “For an infrastructure or service that does not match one of the types listed in the table above, an equivalency must be established with the type of infrastructure or service that, by analogy, provides the best match with the infrastructure or service under consideration.”.

59. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

106326

Gouvernement du Québec

O.C. 990-2023, 14 June 2023

Pesticides Act
(chapter P-9.3)

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation
(chapter M-11.6)

Pesticides Management Code

Permits and certificates for the sale and use of pesticides

— Amendment

Regulation to amend the Pesticides Management Code and the Regulation to amend the Regulation respecting permits and certificates for the sale and use of pesticides

WHEREAS, under section 32 of the Pesticides Act (chapter P-9.3), the Government, by regulation, is to designate, among the classes of pesticides it establishes, those for which a permit or certificate is required and contents of the regulations may vary according to the factors referred to in section 101 of the Act;

WHEREAS, under section 101 of the Act, the content of the Pesticides Management Code (chapter P-9.3, r. 1) and of the other regulations may vary according to the nature, importance and extent of the activities carried on, the classes of persons carrying them on, the environment in which the activities are carried on, the means or systems used, the pesticides or classes of pesticides or the classes or subclasses of permits or certificates;

WHEREAS, under section 105 of the Act, the Government is to enact by regulation a Pesticides Management Code which may prescribe rules, restrictions or prohibitions respecting activities related to the distribution, sale, manufacture, acquisition outside Québec, possession, storage, transportation or use of any pesticide, pesticide container or any equipment used for any of those activities as well as to the management of any waste consisting in whole or in part of pesticides or contaminated by pesticides;

WHEREAS, under section 105.1 of the Act, the Pesticides Management Code (chapter P-9.3, r. 1) may require a person who stores pesticides of a determined category or in a determined quantity to subscribe civil liability insurance, the kind, extent, duration, amount and other applicable conditions of which are determined in the said Code, and to furnish thereof to the Minister;

WHEREAS, under section 106 of the Act, the Pesticides Management Code may cause any rule elaborated by another government or by a body to be mandatory and in addition, the code may cause any instructions of the manufacturer of a pesticide or of equipment used for any activity referred to in the code to be mandatory;

WHEREAS, under section 107 of the Act, the Government may prescribe that the contravention of the provisions of this code which it determines constitutes an offence;

WHEREAS, under subparagraphs 1, 3, 8, 10, 11, 11.2, 12 and 13 of the first paragraph of section 109 of the Act, in addition to its other regulation-making powers under the Act, the Government may, by regulation,

— establish classes of pesticides;

— establish classes and subclasses of permits and certificates, and fix for each the date from which the permits or certificates become exigible;

— prescribe the requirements to be observed by the holder of a permit or certificate;

— indicate the registers that must be kept by all or some of the permit holders and determine the conditions which apply thereto;

— indicate the records or other documents to be preserved by all or certain permit holders and prescribe the applicable requirements and the time for which they must be preserved;

— determine the activities that require the supervision of a certificate holder and the applicable conditions;

— prescribe that contravention of the provisions of the regulations which it indicates constitutes an offence;

— prescribe any other measure required to facilitate the carrying out of the Act;

WHEREAS, under the first paragraph of section 30 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (chapter M-11.6), the Government may, in a regulation made in particular under the Pesticides Act, specify that failure to comply with a provision of the regulation may give rise to a monetary administrative penalty, the regulation may set out the conditions for applying the penalty and determine the amounts or the methods for calculating them and the amounts may vary in particular according to the extent to which the standards have been violated;

WHEREAS, under the first paragraph of section 45 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation, the Government may determine the provisions of a regulation the Government has made in particular under the Pesticides Act whose contravention constitutes an offence and renders the offender liable to a fine the minimum and maximum amounts of which are set by the Government;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Pesticides Management Code and a draft Regulation to amend the Regulation respecting permits and certificates for the sale and use of pesticides were published in Part 2 of the *Gazette officielle du Québec* of 22 February 2023 with a notice that they could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulations with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks:

THAT the Regulation to amend the Pesticides Management Code and the Regulation to amend the Regulation respecting permits and certificates for the sale and use of pesticides, attached to this Order in Council, be made.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation to amend the Pesticides Management Code

Pesticides Act
(chapter P-9.3, ss. 101, 105, 105.1, 106, 107 and 109, 1st par., subpars. 10, 11, 11.2, 12 and 13)

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation
(chapter M-11.6, ss. 30, 1st par. and s. 45, 1st par.)

1. The Pesticides Management Code (chapter P-9.3, r. 1) is amended by replacing “INTERPRETATION AND SCOPE” in the heading of Chapter I by “GENERAL”.

2. Section 1 is amended

(1) by replacing “a tourist accommodation establishment within the meaning of section 1 of the Regulation respecting tourist accommodation establishments (chapter E-14.2, r. 1)” in subparagraph *c* of paragraph 2 of the definition of “protected immovable” by “an establishment in which at least one accommodation unit is offered for rent to tourists, in return for payment, for a period not exceeding 31 days, and the availability of the unit is made public by the use of any media”;

(2) by replacing “a camping establishment referred to in paragraph 9 of section 7 of the Regulation respecting tourist accommodation establishments” in subparagraph *c* of paragraph 3 of the definition of “protected immovable” by “an establishment that offers ready-to-camp units or campsites, constituted of fixed locations for tents or motorized or non-motorized recreational vehicles, including services”.

3. Section 1.1 is amended by inserting the following after subparagraph 5 of the first paragraph:

“(6) bioclimatic domains are those referred to in Schedule III of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1).”

4. The following is inserted after section 1.1:

“**1.2.** For the purposes of this Code, any provision that applies to a pesticide also applies to each active ingredient it contains.”

5. Section 4 is amended by replacing “and 29 to 33” in the first paragraph by “, 29 to 33, 35, 38, 48.1, 48.2, 48.3, 48.4, 50, 59, 60, 68, 76, 80, 86 and 86.3”.

6. The following is inserted after 4:

“**4.1.** Any person who sends a notice to the Minister or any other information or document required under this Code must use the appropriate forms when they are available on the website of the Minister’s department.”

7. Section 6 is amended by striking out “pesticide”.

8. Section 18 is amended by replacing “Holders of a Class A or Subclass B1, C4, C5 or D4 permit who store” by “A person who, as part of an activity described in permit Class A or permit Subclass B1, C4, C5 or D4, who stores”.

9. Section 19 is amended

(1) by replacing “Holders of a Class A or Subclass B1 permit who load or unload Class 1, Class 2 or Class 3” by “A person who, as part of an activity described in permit Class A or permit Subclass B1, loads or unloads”;

(2) by inserting “dans un lieu d’entreposage,” after “décharge,” in the French text.

10. Section 23 is amended by replacing “remunerated work” in the portion before subparagraph 1 of the first paragraph by “work for another person”.

11. Section 25 is replaced by the following:

“**25.** It is forbidden to sell at retail or offer for sale at retail Class 4 or 5 pesticides that contain

(1) one of the active ingredients listed in Schedule I and are intended to be applied for the maintenance of green areas;

(2) one of the active ingredients listed in Schedule III and are intended to be applied for the maintenance of indoor plants;

(3) one of the active ingredients listed in Schedule IV and are intended to be applied for pest control inside a building used as a dwelling;

(4) permethrin or pyrethrin and are intended to be applied for the maintenance of green areas or indoor plants.

The prohibition does not apply to a pesticide used in solid form in traps, stations or containers that prevent any contact with a person or a non-target animal.”

12. Section 27 is replaced by the following:

“**27.** It is forbidden, as part of an activity described in permit Class A or permit Class B, to place a pesticide in such manner that the customers can help themselves, except in the case of Class 3A or 3B pesticides or Class 4 pesticides used as wood preservatives or antifouling paint.”

13. Section 29 is amended

(1) in the second paragraph

(a) by replacing “fir white” in subparagraph 3.1 by “fir-paper”;

(b) by adding the following at the end:

“(5) by injection into a tree or shrub to control or destroy harmful insects or protect it from parasitic diseases.”;

(2) by inserting “and 5” after “3.1” in the third paragraph.

14. The following is inserted after section 29:

“**29.1.** Despite section 29, a pesticide may be applied on the following conditions:

(1) it is applied by paint-on treatment, injection, basal application, cut stump application or foliar application using a backpack sprayer;

(2) it is applied under a program, directive or intervention plan established by the government, the federal government, a department or body of such a body or a municipality to control

(a) poison-ivy (*Toxicodendron radicans*);

(b) hogweed (*Heracleum sphondylium*);

(c) giant hogweed (*Heracleum mantegazzianum*);

- (d) alder buckthorn (*Frangula alnus*);
 - (e) European buckthorn (*Rhamnus cathartica*);
 - (f) Japanese knotweed (*Reynoutria japonica*);
 - (g) giant knotweed (*Reynoutria sachalinensis*);
 - (h) the introduced sub-species of common reed (*Phragmites australis* (Cav.) Trin. ex Steud. subsp. *australis*);
 - (i) wild parsnip (*Pastinaca sativa*);
- (3) it is applied in the unwatered portion of the target site.

The species mentioned in subparagraph 2 of the first paragraph include all varieties, cultivars and hybrids of those species.

The person responsible for the work to control plants must, at least 21 days before its application, notify the Minister and the local municipality concerned or, in the case of an unorganized territory, the regional county municipality concerned.”

15. The following is inserted after section 30:

“**30.1.** Despite section 30, a pesticide may be applied on the following conditions:

- (1) it is applied by paint-on treatment, injection, basal application, cut stump application or foliar application using a backpack sprayer or horizontal boom sprayer equipped with a wind guard;
- (2) it is applied under a program, directive or intervention plan established by the government, the federal government, a department or body of such a body or a municipality to control or destroy a Class 1 plant under the Weed Seeds Order (SOR/2016-93);
- (3) it is applied in the unwatered portion of the target site.

The person responsible for the work to control plants must, at least 21 days before the application, notify the Minister and the local municipality concerned or, in the case of an unorganized territory, the regional county municipality concerned.

30.2. A notice sent pursuant to section 29.1 or 30.1 must contain the following information:

- (1) the name and contact information of the person responsible for the work;

- (2) the name and permit number of the permit holder proposing to apply the pesticide;
- (3) the total area of the territory where each pesticide is to be applied;
- (4) the identification of the species and, where applicable, the sub-species to be controlled;
- (5) a description and analysis of the various possible phytosanitary interventions, including alternative pest control methods, and a description of the proposed interventions, including the pesticide application work;
- (6) the name and registration number of each pesticide to be applied;
- (7) the proposed quantity, dosage and number of applications of each pesticide and the type of equipment to be used;
- (8) the proposed dates for the work;
- (9) the steps taken to inform the public, if the work is to be carried out in a place that is accessible to the public and, where applicable, riparians concerned by the work;
- (10) the steps proposed to eliminate residual plant matter after treatment, if any;
- (11) the revegetation program following the application of a pesticide in accordance with section 29.1;
- (12) the contact information of any person in charge of providing information on the work.

The following documents must be sent with the notice:

- (1) a map at a scale of at least 1:10 000 showing the pesticide application zones, the littoral zone boundary, the wetland boundary and the populations of plant species that are targeted by the work;
- (2) a copy of the label of each pesticide used.

30.3. The person responsible for work carried out in accordance with section 29.1 or 30.1 must, at the latest 2 months after the end of the application work, send a report on the pesticide application work carried out containing the following information:

- (1) the name and permit number of the permit holder who carried out the work;
- (2) a description of the various phytosanitary interventions conducted, including alternative pest control methods;

(3) the name and registration number of each pesticide applied;

(4) the quantity, dosage and number of applications of each pesticide;

(5) the dates on which the work was carried out;

(6) a description of the equipment used;

(7) a description of the changes made to the revegetation program since the notice sent pursuant to 29.1;

(8) a description of the results obtained through the application of the pesticide.

A map at a scale of at least 1:10 000 showing the pesticide application zones must be sent with the report.

The person responsible for the work must keep the report for a period of 5 years from the date of completion of the work and send a copy to every person authorized by the Minister who so requests.

30.4. Despite sections 29 and 30, a pesticide may be applied if its use is authorized as part of a research and experimental project in accordance with section 29 of the Environment Quality Act (chapter Q-2):”.

16. Section 32.1 is amended

(1) in the first paragraph

(a) by replacing “a pesticide containing any of the following active ingredients” in the portion before subparagraph 1 by “any of the following pesticides”;

(b) by replacing “cythruflin” in the portion of subparagraph 1 before subparagraph i by “a pesticide containing beta-cyfluthrin, cyfluthrin, imidacloprid or lambda-cyhalothrin”;

(c) by inserting the following after subparagraph ii of subparagraph 1:

“iii. is carried out on a surface that is not accessible to children;”;

(d) by inserting “a pesticide containing” at the beginning of subparagraph 2;

(e) by replacing “bromadiolone in combination with denatonium benzoate or bromethalin in combination with denatonium benzoate” in the portion of subparagraph 3 before subparagraph i by “a pesticide”;

(f) by replacing “human beings and that are locked” in subparagraph i of subparagraph 3 by “a person or a non-target animal”;

(g) by inserting the following after subparagraph 3:

“(4) a pesticide containing permethrin to control or destroy carpenter ants or termites if

i. the pesticide is applied on a surface that is not accessible to children;

ii. the pesticide is applied by the holder of a Subclass C5 permit.”;

(2) in the third paragraph

(a) by inserting “and no more than 5 days” after “hours”;

(b) by inserting “, the place where the pesticide is to be applied” after “the application of the pesticide”;

(3) by adding the following paragraphs at the end:

“The holder of a permit referred to in this section must also notify the administrator of the establishment of the time at which a pesticide referred to in the first or second paragraph is to be applied at least one hour before its application if the notice referred to in the third paragraph was sent between 48 hours and 5 days before the application of the pesticide.

Despite the third paragraph, no notice is needed before the application of a pesticide referred to in subparagraph 2 of the first paragraph.”.

17. Section 33 is amended

(1) in the first paragraph

(a) by striking out “of a biopesticide or”;

(b) by replacing “or 2” by “, 2 or 4”;

(2) by replacing the third paragraph by the following paragraphs:

“When the application of a pesticide referred to in the first paragraph is carried out inside

(1) an establishment referred to in paragraph 1 of section 32, it must be followed by a period of at least 24 hours before services or activities resume in the treated premises;

(2) an establishment referred to in paragraph 2 of section 32, it must be followed by a period of at least 12 hours before services or activities resume in the treated premises.

Despite subparagraph 2 of the third paragraph, if the pesticide applied in accordance with the first paragraph contains beta-cyfluthrin, cyfluthrin, imidacloprid, lambda-cyhalothrin or permethrin, a period of at least 24 hours must elapse before services or activities resume in the treated premises and must include a sufficient airing out period.”.

18. Section 48 is replaced by the following:

“48. It is prohibited to remove a sign or give access to treated premises as long as the concentration of fumigant in the premises has not stabilized below the concentrations given on the label of the fumigant.

IV – Indoor plant maintenance

48.1. A person who applies pesticides as described in a Subclass C10 or D10 permit may not apply a pesticide containing one of the active ingredients mentioned in Schedule III that is intended to be applied for indoor plant maintenance, except if the pesticide is used in solid form in traps, stations or containers that prevent any contact with a person or a non-target animal.

V - Pest control

48.2. A person who applies pesticides as described in a Subclass C5 or D5 permit may not apply a pesticide containing one of the active ingredients mentioned in Schedule IV inside a building used as a dwelling, except if the pesticide is used in solid form in traps, stations or containers that prevent any contact with a person or a non-target animal.

48.3. A person who applies pesticides as described in a Subclass C5 or D5 permit may apply a pesticide to control or destroy rodents inside a building used as a dwelling only if the pesticide is used in solid form in traps, stations or containers that prevent any contact with a person or a non-target animal.

48.4. A person who applies pesticides as described in a Subclass C5 or D5 permit inside a building used as a dwelling must notify all the occupants of the building after the application of a pesticide.

The notice must contain the following information in particular:

(1) at the top of the notice, the words “TRAITEMENT AVEC PESTICIDES” and a warning “NE PAS ENTRER EN CONTACT AVANT LE:” with the date and time of the end of the prohibition period in legible characters;

(2) beneath the words and warning, the following words:

- (a) “Endroit traité.”;
- (b) “Numéro d’homologation.”;
- (c) “Nom commercial du pesticide.”;
- (d) “Titulaire du permis.”;
- (e) “Numéro de permis.”;
- (f) “Numéro de téléphone.”;
- (g) “Centre antipoison du Québec.”;

(h) “Si un proche a été incommodé par des pesticides, amenez-le dans un endroit bien aéré et demandez-lui de se coucher sur le côté. Communiquez avec le Centre antipoison du Québec et suivez à la lettre les directives qui vous seront données. Si l’état de la personne vous paraît grave, conduisez-la à l’hôpital en prenant soin d’apporter le présent avis.”;

and, for each item above, information about the place treated with the pesticide, the registration number of the pesticide, the trade name of the pesticide used, the name, permit number and telephone number of the permit holder, and the telephone number of the Centre antipoison du Québec.

This section does not apply

(1) when the pesticide is applied by spraying or fumigation in accordance with section 43 or 46;

(2) when the pesticide is used in solid form in traps, stations or containers that prevent any contact with a person or a non-target animal.”.

19. Section 50 is amended

(1) by adding the following subparagraphs at the end of the first paragraph:

“(4) less than 3 m from the boundary of the land of an establishment referred to in section 32;

(5) less than 30 m from the boundary of the land of an establishment referred to in section 32 if applied using an air-blast sprayer other than a sprayer equipped with a horizontal ramp or tunnel sprayer”;

(2) in the second paragraph

(a) by replacing “extermination” in subparagraph 1 by “pest management”;

(b) by replacing “ornamental horticulture” in subparagraph 2 by “maintaining green areas “;

(c) by striking out “, except in the case of a golf course” in subparagraph 2;

(3) by adding the following paragraph at the end:

“The prohibition set out in subparagraph 4 of the first paragraph applies only during the period when activities are dispensed inside or outside an establishment referred to in that subparagraph.”.

20. Section 53 is amended by inserting “and registration number” after “name” in the second paragraph.

21. Section 59 is amended in the first paragraph

(1) by replacing “on wooden hydro or telephone poles” in subparagraph 6 by “in wooden poles used for the distribution or transmission of electrical power or telecommunications”;

(2) by replacing “fir white” in subparagraph 7 by “fir-paper”.

22. Section 60 is amended by replacing “on wooden hydro or telephone poles” in subparagraph 6 by “in wooden poles used for the distribution or transmission of electrical power or telecommunications”.

23. Section 64 is amended

(1) in the first paragraph

(a) by replacing “regional office of the Ministère du Développement durable, de l’Environnement et des Parcs” by “Minister”;

(b) by replacing “the municipality” by “the local municipality”;

(2) in the second paragraph

(a) by replacing “at the regional office” in the portion before subparagraph 1 of the second paragraph by “by the Minister”;

(b) by replacing “the proposed date of” at the beginning of subparagraph 6 by “any date proposed for”.

24. The heading before section 67 is amended by replacing “Ornamental horticulture” by “Maintenance of green areas”.

25. Section 67 is amended

(1) by striking out “remunerated”;

(2) by inserting “or D4” after “C4”.

26. The heading before section 68 is moved after the section and amended by replacing “Ornamental horticulture and extermination” by “Maintenance of green areas and pest management”.

27. Section 68 is replaced by the following:

“**68.** A person who applies pesticides as described in a Subclass C4 or D4 permit may not apply a pesticide containing an active ingredient listed in Schedule I.

Despite the first paragraph, a pesticide may be applied

(1) as an injection into decorative or ornamental plants if

(a) the necessary measures are taken to prevent any person from coming into contact with the injector;

(b) the injection holes are sealed after the application;

(2) in solid form in traps, stations or containers that prevent any contact with a person or a non-target animal.”.

28. Section 71 is amended

(1) in the first paragraph

(a) by replacing “or a paved surface or on trees or ornamental or decorative bushes” by “, on inert materials or on decorative or ornamental plants”;

(b) by adding “and at the foot of each decorative or ornamental plant treated individually” at the end;

(2) by inserting “or less” before “along the perimeter”;

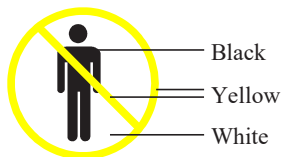
(3) in the third paragraph

(a) by striking out “a pesticide application on a golf course or”;

(b) by replacing “ornamental or decorative” by “decorative or ornamental”.

29. Section 72 is amended

(1) by replacing the pictogram in subparagraph *b* of subparagraph 1 of the first paragraph by the following:



(2) by inserting “or inert materials” after “plants” in subparagraph *c* of subparagraph 1 of the first paragraph;

(3) by striking out the second paragraph.

30. The following is inserted after section 72:

“5.1 Golf course maintenance

72.1. The holder of a Subclass C11 or D11 permit who prepares Class 1, Class 2 or Class 3 pesticides or who loads or unloads a sprayer containing such pesticides must do so in a containment works.

72.2. Until 5 July 2025, a person who applies pesticides as described in a Subclass C4 or D4 permit may not apply pesticides within 3 m from the boundary of a golf course or from a building used as a dwelling situated on such golf course.

As of 6 July 2025, a person who applies pesticides as described in a Subclass C11 or D11 permit may not apply pesticides within 3 m from the boundary of a golf course or from a building used as a dwelling situated on such golf course.”.

31. Section 74.5 is amended in the first paragraph

(1) by replacing “regional office of the Ministère du Développement durable, de l’Environnement et des Parcs” by “Minister”;

(2) by replacing “the municipality” by “the local municipality”.

32. Section 74.6 is amended

(1) by adding the following after paragraph 4:

“(4.1) the contact information of the person in charge of the work;”;

(2) by striking out “issued under the Regulation respecting permits and certificates for the sale and use of pesticides (chapter P-9.3, r. 2)” in paragraph 5.

33. Section 74.7 is amended by striking out “issued under the Regulation respecting permits and certificates for the sale and use of pesticides (chapter P-9.3, r. 2)” in subparagraph 2 of the first paragraph.

34. Section 76 is amended by adding the following at the end of the first paragraph:

“(4) less than 30 m from the boundary of the land of an establishment referred to in section 32 if the height of the application apparatus from the ground is less than 5 m, and less than 60 m from the boundary of the land if the height of the application apparatus from the ground is 5 m or more.”.

35. Section 83 is amended in the first paragraph

(1) by replacing “regional office of the Ministère du Développement durable, de l’Environnement et des Parcs” by “Minister”;

(2) by replacing “the municipality” by “the local municipality”.

36. Section 86 is amended by replacing “or protected immovable” in the first paragraph by “, protected immovable or bicycle path physically separated from the automobile traffic and that has its own right of way”.

37. Section 86.2 is amended in the first paragraph

(1) by replacing “3A” in the portion before subparagraph 1 by “3B”;

(2) by inserting “or 3B” after “3A” in subparagraph 7;

(3) by inserting “or 3B” after “3A” in subparagraph 9.

38. The following is inserted after section 86.2:

**“CHAPTER IV.1
POSSESSION OF PESTICIDES**

86.3. It is forbidden for a permit holder or certificate holder to possess a pesticide without holding a permit or certificate that permits its sale or use.

It is forbidden for a permit holder or certificate holder who sells retail Class 5 pesticides to possess a pesticide of another class or whose retail sale is prohibited for the holder.

CHAPTER IV.2 MONETARY ADMINISTRATIVE PENALTIES

86.4. A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who

(1) fails to send a declaration or provide information or a document required under this Code or to comply with the terms and conditions for sending such a declaration or providing such information or document, in cases in which no monetary administrative penalty is otherwise provided for such a failure;

(2) fails to send a report or an agronomic prescription or agronomic justification in accordance with the third paragraph of section 30.3, the fourth paragraph of section 74.3, the fifth paragraph of section 74.4 or the second paragraph of section 88.1, or to keep it for the period specified in those sections;

(3) fails to keep information or a document in a register referred to in this Code for the time prescribed by section 65, 84 or 86.2;

(4) fails to have an agronomic plan or prescription signed by an agronomist who is a member of the Ordre des agronomes du Québec in accordance with the third paragraph of section 73 or the second paragraph of section 74.4;

(5) fails to have an agronomic justification or agronomic prescription numbered in accordance with the second or fourth paragraph of section 74.4 or the third paragraph of section 88.1.

86.5. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who

(1) fails to include a warning, pictogram or information on a poster as provided for in section 21, section 44 or 47, the second or third paragraph of section 57, section 72, the second, third or fourth paragraph of section 74 or section 74.6, or fails to meet any other condition for a poster in those sections;

(2) fails to update a register provided for in this Code, to enter a document or information in such a register, or to sign or have signed an entry in such as register;

(3) fails to send a notice in accordance with section 29.1, 30.1, 32.1, 64, 74.5 or 83;

(4) fails to send, contained in a notice, the information referred to in section 30.2 or 74.7 or to send the necessary documents with the notice as required by those sections;

(5) fails to produce a report in accordance with the first and second paragraphs of section 30.3 or to send a report with the contents required by section 85, within the time prescribed in those sections;

(6) fails to include information on a feeder in accordance with the second paragraph of section 53;

(7) fails to publish a message describing the work to be carried out in a newspaper circulated in the territory where the work will be carried out or broadcast the message on a radio or television station in that territory, in accordance with section 58, the first paragraph of section 63, or section 82, or to comply with the standards for such a message set out in the second or third paragraph of section 63.

86.6. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who

(1) fails to maintain in force, for the entire duration of storage, a civil liability insurance contract for damage to the environment arising from storage activities or from sudden and accidental events occurring on the storage premises, in contravention of section 23 or 24;

(2) applies a pesticide in accordance with an agronomic justification or agronomic prescription that does not comply with the conditions in the second or third paragraph of section 74.3.

86.7. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who

(1) fails to store a pesticide in accordance with the conditions of section 5 or 18;

(2) fails to keep a tank or mobile tank closed outside of leading and unloading periods in accordance with section 9;

(3) installs a tank elsewhere than in a containment works in contravention of the first paragraph of section 10 or fails to protect it from vehicle impact in accordance with that section;

(4) installs a tank in a containment works if the containment works cannot contain at least 110% of the capacity of the largest tank or largest mobile tank installed or placed at the containment works, in contravention of the second paragraph of section 10 or the second paragraph of section 11;

(5) places a mobile tank elsewhere than in a containment works in contravention of the first paragraph of section 11;

(6) fails to comply with a provision of this Code for the preparation, application, loading or unloading of a pesticide as provided for in section 12 or 19, the first or second paragraph of section 38, section 56, 62, 67 or 69, the second paragraph of section 70, or section 72.1, 72.2, 77 or 78;

(7) fails to remove a pesticide or rainwater that have accumulated in a containment works in accordance with section 13;

(8) stores pesticides in a tank, mobile tank or tank car and fails to control the use of the loading and unloading pipes by means of a safety device that prevents their use outside loading and unloading periods in accordance with section 14;

(9) does not have, on the premises where pesticides are stored, adequate equipment and material capable of stopping any leak or release of pesticides and, if required, of cleaning the premises in accordance with the first paragraph of section 20;

(10) fails to post or install a sign or fails to post a sign at premises in accordance with the first paragraph of section 21, section 43, the second or third paragraph of section 46, the first or fourth paragraph of section 57, the first or second paragraph of section 71, section 74 or 74.6 or section 81, or to maintain a sign in place for the period mentioned in those provisions;

(11) places a pesticide in such manner that the customers can help themselves, in contravention of section 27;

(12) uses equipment to apply, load or unload pesticides that does not meet the conditions of section 39;

(13) fails to comply with the conditions for carrying out a fumigation in section 46;

(14) removes a sign or gives access to treated premises in contravention of section 48;

(15) fails, after applying a pesticide, to notify the occupants concerned by the application of a pesticide in a building in accordance with the first paragraph of section 48.4 or to provide in the notice the information prescribed by the second paragraph of that section;

(16) fails to place birdseed treated with an avicide in a feeder equipped with a device preventing the wind from carrying the seed away, as prescribed by the first paragraph of section 53.

86.8. A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who

(1) fails to notify Urgence-Environnement in accordance with section 6;

(2) starts work to apply a pesticide before the publication, broadcasting or sending of a notice or message in contravention of the second paragraph of section 58, the fourth paragraph of section 63, the fourth paragraph of section 64, the second paragraph of section 82 or the second paragraph of section 83, or before the expiry of the period provided for in the second paragraph of section 74.5;

(3) fails to send the Minister a pesticide reduction plan in accordance with the first and second paragraphs of section 73.

86.9. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who

(1) buries a pesticide tank in contravention of section 8;

(2) stores a pesticide in contravention of section 15, 16 or 17;

(3) sells or offers for sale a pesticide in contravention of section 25 or 26;

(4) uses a pesticide containing one of the active ingredients listed in section 28;

(5) applies a pesticide in contravention of section 29.1, 30.1, 31, 32, 32.1, 42, 51, 55, 61, 68 or 74.1;

(6) fails to comply with a condition of this Code for the application of a pesticide prescribed by section 33, 48.1, 48.2 or 48.3, the first paragraph of section 74.3 or the first or third paragraph of section 74.4;

(7) prepares or applies a pesticide in contravention of section 35, 36 or 37;

(8) fails to send an agronomic prescription with an agronomic justification in accordance with section 74.2;

(9) fails to obtain an agronomic prescription or agronomic justification in accordance with the second or fourth paragraph of section 74.4 within the time provided for in that section;

(10) possesses a pesticide in contravention of section 86.3;

(11) fails to obtain an agronomic justification containing the information provided for in the second paragraph of section 88.1;

(12) fails to obtain the opinion of an agrologist in accordance with the third paragraph of section 88.1 within the time prescribed by that section.

86.10. A monetary administrative penalty of \$2,000 in the case of a natural person or \$10,000 in other cases may be imposed on any person who

(1) fails to take measures to stop the leak or release of pesticides or to clean the premises in accordance with the second paragraph of section 20 or the third paragraph of section 38;

(2) applies a pesticide in contravention of section 29, 30, 40, 45, 50, 52, 59, 60, 76, 80 or 86;

(3) fails, before any pesticide application, to ensure that no livestock or pets remain in the premises treated in accordance with the first paragraph of section 46;

(4) fails, before any pesticide application, to take measures to avoid contaminating a surface or object that must not be treated or to ensure that no pet is exposed to the pesticide, in contravention of the first paragraph of section 70.”

39. Section 87 is replaced by the following:

“**87.** Every person who

(1) fails to send a declaration or provide information or a document required under this Code or to comply with the terms and conditions for sending such a declaration or providing such information or document, in cases in which no other penalty is otherwise provided for such an offence,

(2) fails to send a report or an agronomic prescription or agronomic justification in accordance with the third paragraph of section 30.3, the fourth paragraph of section 74.3, the fifth paragraph of section 74.4 or the second paragraph of section 88.1, or to keep it for the period specified in those sections,

(3) fails to keep information or a document in a register referred to in this Code for the time prescribed by section 65, 84 or 86.2,

(4) fails to have an agronomic plan or prescription signed by an agronomist who is a member of the Ordre des agronomes du Québec in accordance with the third paragraph of section 73 or the second paragraph of section 74.4,

(5) fails to have an agronomic justification or agronomic prescription numbered in accordance with the second or fourth paragraph of section 74.4 or the third paragraph of section 88.1,

commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

87.1. Every person who

(1) fails to include a warning, pictogram or information on a poster as provided for in section 21, section 44 or 47, the second or third paragraph of section 57, section 72, the second, third or fourth paragraph of section 74 or section 74.6, or fails to meet any other condition for a poster in those sections,

(2) fails to update a register provided for in this Code, to enter a document or information in such a register, or to sign or have signed an entry in such a register,

(3) fails to send a notice in accordance with section 29.1, 30.1, 32.1, 64, 74.5 or 83,

(4) fails to send, contained in a notice, the information referred to in section 30.2 or 74.7 or to send the necessary documents with the notice as required by those sections,

(5) fails to produce a report in accordance with the first and second paragraphs of section 30.3 or to send a report with the contents required by section 85, within the time prescribed in those sections,

(6) fails to include information on a feeder in accordance with the second paragraph of section 53,

(7) fails to publish a message describing the work to be carried out in a newspaper circulated in the territory where the work will be carried out or broadcast the message on a radio or television station in that territory, in accordance with section 58, the first paragraph of section 63, or section 82, or to comply with the standards for such a message set out in the second or third paragraph of section 63,

commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

87.2. Every person who

(1) fails to maintain in force, for the entire duration of storage, a civil liability insurance contract for damage to the environment arising from storage activities or from sudden and accidental events occurring on the storage premises, in contravention of section 23 or 24,

(2) applies a pesticide in accordance with an agronomic justification or agronomic prescription that does not comply with the conditions in the second or third paragraph of section 74.3,

commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$ 250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

87.3. Every person who

(1) fails to store a pesticide in accordance with the conditions of section 5 or 18,

(2) fails to keep a tank or mobile tank closed outside of leading and unloading periods in accordance with section 9,

(3) installs a tank elsewhere than in a containment works in contravention the first paragraph of section 10 or fails to protect it from vehicle impact in accordance with that section,

(4) installs a tank in a containment works if the containment works cannot contain at least 110% of the capacity of the largest tank or largest mobile tank installed or placed at the containment works, in contravention of the second paragraph of section 10 or the second paragraph of section 11,

(5) places a mobile tank elsewhere than in a containment works in contravention of the first paragraph of section 11,

(6) fails to comply with a provision of this Code for the preparation, application, loading or unloading of a pesticide as provided for in section 12 or 19, the first or second paragraph of section 38, section 56, 62, 67 or 69, the second paragraph of section 70, or section 72.1, 72.2, 77 or 78,

(7) fails to remove a pesticide or rainwater that have accumulated in a containment works in accordance with section 13,

(8) stores pesticides in a tank, mobile tank or tank car and fails to control the use of the loading and unloading pipes by means of a safety device that prevents their use outside loading and unloading periods in accordance with section 14,

(9) does not have, on the premises where pesticides are stored, adequate equipment and material capable of stopping any leak or release of pesticides and, if required, of cleaning the premises in accordance with the first paragraph of section 20,

(10) fails to post or install a sign or fails to post a sign at premises in accordance with the first paragraph of section 21, section 43, the second or third paragraph of section 46, the first or fourth paragraph of section 57, the first or second paragraph of section 71, section 74 or 74.6 or section 81, or to maintain a sign in place for the period mentioned in those provisions,

(11) places a pesticide in such manner that the customers can help themselves, in contravention of section 27,

(12) uses equipment to apply, load or unload pesticides that does not meet the conditions of section 39,

(13) fails to comply with the conditions for carrying out a fumigation in the second paragraph of section 46,

(14) removes a sign or gives access to treated premises in contravention of section 48,

(15) fails, after applying a pesticide, to notify the occupants concerned by the application of a pesticide in a building in accordance with the first paragraph of section 48.4 or to provide in the notice the information prescribed by the second paragraph of that section,

(16) fails to place birdseed treated with an avicide in a feeder equipped with a device preventing the wind from carrying the seed away, as prescribed by the first paragraph of section 53,

commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

87.4. Every person who

(1) fails to notify Urgence-Environnement in accordance with section 6,

(2) starts work to apply a pesticide before the publication, broadcasting or sending of a notice or message in contravention of the second paragraph of section 58, the fourth paragraph of section 63, the fourth paragraph of section 64, the second paragraph of section 82 or the second paragraph of section 83, or before the expiry of the period provided for in the second paragraph of section 74.5,

(3) fails to send the Minister a pesticide reduction plan in accordance with the first and second paragraphs of section 73,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, and, in any other case, to a fine of \$15,000 to \$3,000,000.

87.5. Every person who

(1) buries a pesticide tank in contravention of section 8,

(2) stores a pesticide in contravention of section 15, 16 or 17,

(3) sells or offers for sale a pesticide in contravention of section 25 or 26,

(4) uses a pesticide containing one of the active ingredients listed in section 28,

(5) applies a pesticide in contravention of section 29.1, 30.1, 31, 32, 32.1, 42, 51, 55, 61, 68 or 74.1,

(6) fails to comply with a condition of this Code for the application of a pesticide prescribed by section 33, 48.1, 48.2 or 48.3, the first paragraph of section 74.3 or the first or third paragraph of section 74.4,

(7) prepares or applies a pesticide in contravention of section 35, 36 or 37,

(8) fails to send an agronomic prescription with an agronomic justification in accordance with section 74.2,

(9) fails to obtain an agronomic prescription or agronomic justification in accordance with the second or fourth paragraph of section 74.4 within the time provided for in that section,

(10) possesses a pesticide in contravention of section 86.3,

(11) fails to keep an agronomic justification containing the information provided for in the second paragraph of section 88.1,

(12) fails to obtain the opinion of an agrologist in accordance with the third paragraph of section 88.1 within the time prescribed by that section,

commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, and, in any other case, to a fine of \$24,000 to \$3,000,000.

87.6. Every person who

(1) fails to take measures to stop the leak or release of pesticides or to clean the premises in accordance with the second paragraph of section 20 or the third paragraph of section 38,

(2) applies a pesticide in contravention of section 29, 30, 40, 45, 50, 52, 59, 60, 76, 80 or 86,

(3) fails, before any pesticide application, to ensure that no livestock or pets remain in the premises treated in accordance with the first paragraph of section 46,

(4) fails, before any pesticide application, to take measures to avoid contaminating a surface or object that must not be treated or to ensure that no pet is exposed to the pesticide, in contravention of the first paragraph of section 70,

commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 3 years, or to both the fine and imprisonment, and, in any other case, to a fine of \$30,000 to \$6,000,000.”

40. Section 88.1 is amended by replacing “3A” in the portion before subparagraph 1 of the first paragraph by “3B”.

41. Section 88.2 is revoked.

42. Schedule I is replaced by the following:

SCHEDULE I
(ss. 25, 31 and 68)

Prohibited active ingredients for green area management

Insecticides

Acephate
Acetamiprid
Afidopyropen
Piperonyl Butoxide
Carbaryl
Clothianidin
Dicofol
Dimethoate
Flupyradifurone
Imidacloprid
Lambda-cyhalothrin
Malathion
N-Octyl bicycloheptene dicarboximide
Fenbutatin oxide
Spiromesifen
Tetraniliprole
Thiamethoxam

Fungicides

Azoxystrobin
Benomyl
Benzovindiflupyr
Boscalid
Captan
Carbendazim
Chlorothalonil
Difenoconazole
Etridiazole
Fludioxonil

Fluopicolide

Fluopyram

Folpet

Mancozeb

Mandestrobin

Metconazole

Myclobutanil

Penthiopyrad

Propiconazole

Pydiflumetofen

Pyraclostrobin

Quintozene

Thiabendazole

Thiophanate-methyl

Triforine

Herbicides

2,4-D, in all its chemical forms

Bensulide

Bentazon

Chlorthal-dimethyl

Dichlobenil

Dithiopyr

Halosulfuron

MCPA, in all its chemical forms

Mecoprop, in all its chemical forms

Mecoprop-p, in all its chemical forms

Napropamide

Propyzamide

Simazine

S-Metolachlor

Trifluralin

Molluscicide

Metaldehyde

Plant growth regulator

Daminozide

- 43.** Schedule II is replaced by the following:

SCHEDULE II
(ss. 32, 32.1 and 72)

Authorized active ingredients inside or outside an establishment referred to in Section 32

Insecticides

Boric acid

Borax

Disodium octaborate tetrahydrate

- 44.** The following schedules are added at the end:

SCHEDULE III
(ss. 25 and 48.1)

Prohibited active ingredients for indoor plant maintenance

Insecticides

Piperonyl butoxide

Tetramethrin

SCHEDULE IV
(ss. 25 and 48.2)

Prohibited active ingredients for pest control inside a building used as a dwelling

Insecticides

Dichlorvos

Propoxur

45. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except

(1) the following provisions, which come into force on 6 July 2025:

(a) section 5, enacting “48.1, 48.2,” in section 4 of the Pesticides Management Code;

(b) sections 8 and 11;

(c) section 18, enacting sections 48.1 and 48.2 of the Code;

(d) subparagraph *c* of paragraph 2 of section 19;

(e) section 27;

(f) subparagraph *a* of paragraph 3 of section 28;

(g) section 29;

(h) section 30, enacting section 72.1 of the Code;

(i) section 38, enacting “48.1, 48.2,” in paragraph 6 of section 86.9 of the Code;

(j) section 39, enacting “48.1, 48.2,” in paragraph 6 of section 87.5 of the Code;

(k) sections 42 and 44;

(2) sections 12, 37 and 40, which come into force on 1 January 2025;

(3) section 38, enacting Chapter IV.1, paragraph 10 of section 86.9 and paragraph 10 of section 87.5, which come into force on 6 July 2024.

Regulation to amend the Regulation respecting permits and certificates for the sale and use of pesticides

Pesticides Act

(chapter P-9.3, ss. 32, 101 and 109, 1st par., subpars. 1, 3, 8, 10, 11, 12 and 13)

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (chapter M-11.6, s. 30, 1st par. and s. 45, 1st par.)

1. The Regulation respecting permits and certificates for the sale and use of pesticides (chapter P-9.3, r. 2) is amended in the heading of Division I by replacing “SCOPE” by “GENERAL”.

2. The following is inserted after section 1.1:

“**1.2.** Every person who sends an application, a declaration or any other information or document required under this Regulation to the Minister must use the forms when they are available on the website of the Minister’s department. A declaration referred to in sections 54 to 55.1 must also be submitted electronically.”

3. Section 3 is amended by replacing “that is exempt from registration under paragraph *e* of subsection 1 of section 4 of” in paragraph 1 by “whose use is limited to research work in accordance with”.

4. Section 5.1 is replaced by the following:

“**5.1.** Seeds of oats, wheat, canola, forage corn, grain corn, sweet corn, barley or soybean coated with a pesticide that is not a biopesticide are included in Class 3A.

5.2. Seeds of oats, wheat, canola, forage corn, grain corn, sweet corn, barley or soybean coated with a fungicide or a biopesticide and that is not specifically Included in another class are included in Class 3B.”

5. Section 7 is amended in the first paragraph

(1) by replacing the words “users” and “human beings” wherever they occur by “a person”;

(2) by replacing “pyrethrin” in subparagraph *f* of subparagraph 2 by “pyrethrins”.

6. Section 9 is amended

(1) by inserting “spas” after “swimming pools,” in paragraph 1;

(2) by adding the following paragraph at the end:

“A device intended to control, destroy, mitigate, attract or repel any organism that is injurious to or noxious or troublesome for humans, animal life, vegetation, crops or any other object is also not included.”

7. Section 10 is revoked.

8. Section 11 is amended

(1) by replacing “Remunerated Work Permit” in paragraph 3 by “Work for Others Permit”;

(2) by replacing “Non-Remunerated Work Permit” in paragraph 4 by “Work Permit for Own Activities”.

9. Section 13 is amended by replacing the term “3A” wherever it appears in paragraph 1 by “3B”.

10. Section 14 is amended in the first paragraph

(1) by replacing “Remunerated Work Permit”, “1 to Class 4”, “for remuneration” and “C11” in the portion before subparagraph 1 by “Work for Others Permit”, “1 to Class 5”, “for others” and “C12”, respectively;

(2) in subparagraph 4

(a) by replacing ““Application in Ornamental Horticulture”” in the portion before subparagraph *a* by ““Application for maintaining green areas””;

(b) by inserting “and other than on a golf course” after “aircraft” in the portion before subparagraph *a*;

(3) by replacing ““Application for Extermination”” in subparagraph 5 by ““Application for Pest Management””;

(4) by striking out “Class 1 to Class 4” in subparagraph 8;

(5) by replacing subparagraph 11 by the following:

“(11) Subclass C11 “Application on a golf course” covers the application of a pesticide on a golf course, using an application method other than by aircraft; fumigation of a gas mentioned in Subclass C6 is not covered by this Subclass:

(a) in every location where decorative or ornamental plants are cultivated, except in a building, in order to destroy or control plants and animals harmful to those plants, to control the growth of those plants or to protect them from parasitic diseases;

(b) in pedestrian areas, or parking or sports areas, in order to destroy plants growing therein; or

(c) in ornamental lakes and ponds without a surface outlet flowing towards a drainage basin, in order to control or destroy plants growing therein;

(12) Subclass C12 “Other Applications” covers the application of a Class C pesticide that is not included in Subclasses C1 to C11 and for which the application method, the purpose and the place of application are specified in the permit.”;

(6) by striking out the term “Class 1 to Class 3 and Class 4” wherever it appears.

11. Section 15 is amended

(1) by replacing the portion before paragraph 1 by the following:

“A Class D “Work Permit for Own Activities”, covers activities involving the use of a Class 1 to Class 5 pesticide, carried out for one’s own activities and included in Subclasses D1 to D12 described below:”

(2) in the portion before subparagraph *a* of paragraph 4

(a) by replacing ““Application in Ornamental Horticulture”” by ““Application for maintaining green areas””;

(b) by inserting “and other than on a golf course” after “aircraft”;

(3) by replacing ““Application for Extermination”” in paragraph 5 by ““Application for Pest Management””;

(4) by replacing “ornamental or decorative” in subparagraph *a* of paragraph 9 by “decorative or ornamental”;

(5) by replacing paragraph 10 by the following:

“(10) Subclass D11 “Application on a golf course” covers the application of a pesticide on a golf course, using an application method other than by aircraft; fumigation using a gas mentioned in Subclass C6 is not covered by this Subclass:

(a) in every location where decorative or ornamental plants are cultivated, except in a building, in order to destroy or control plants and animals harmful to those plants, to control the growth of those plants or to protect them from parasitic diseases;

(b) in pedestrian areas, or parking or sports areas, in order to destroy plants growing therein; or

(c) in ornamental lakes and ponds without a surface outlet flowing towards a drainage basin, in order to control or destroy plants growing therein;

(11) Subclass D12 “Other Applications” covers the application of a Class D pesticide that is not included in Subclasses D1 to D11 and for which the application method, the purpose and the place of application are specified in the permit.”;

(6) by striking out the term “Class 1 to Class 3” wherever it appears.

12. Section 16 is amended

(1) by inserting the following paragraph at the beginning:

“A pesticide used for personal use by a natural person is exempted from the application of sections 14 and 15.”;

(2) by replacing “the second paragraph of section 34 of the Pesticides Act (chapter P-9.3)” in the portion before paragraph 1 by “section 15”.

13. The following is inserted after section 28:

“**28.1.** A permit holder shall, within 30 days after one of the following events, notify the Minister of

(1) any change which makes the information or documents furnished for the issue or renewal of a permit under sections 17 and 18 inaccurate or incomplete;

(2) the cessation of the permit holder’s activities, specifying the date on which the activities end;

(3) any amalgamation, sale or transfer to which the permit holder is subject and of any change in its name in the case of a legal person or partnership.

The notice shall be made using the form provided for in section 17 and shall include the information or documents referred to in subparagraph 1 of the second paragraph of that section, the permit number, the date of expiry and the information related to the changes.

The notice shall be accompanied by the documents referred to in section 18 related to the changes.”.

14. Section 34.1 is amended by replacing the term “3A” wherever it appears in paragraph 1 by “3B”.

15. Section 35 is amended

(1) by replacing “Class 1 to Class 4” and “CD11” in the portion before paragraph 1 by “Class 1 to Class 5” and “CD12”, respectively;

(2) by replacing “Application in Ornamental Horticulture” in paragraph 4 by “Application for Maintaining Green Areas”;

(3) by replacing “Extermination” in paragraph 5 by “Application for Pest Management”;

(4) by replacing “Certificate for” in paragraph 6 by “Certificate for Application by”;

(5) by striking out “in respect of a Class 1 to Class 4 pesticide,” in paragraph 8;

(6) by replacing paragraph 11 by the following:

“(11) a Subclass CD11 “Certificate for Application on a Golf Course” authorizes the natural person holding it to carry on the activities described in permit Subclass C11 and the activities described in permit Subclass D11 or to supervise those activities at the places where they are performed;

(12) a Subclass CD12 “Certificate for Other Applications” authorizes the natural person holding it to carry on the activities described in permit Subclass C12 and the activities described in permit Subclass D12 or to supervise those activities at the places where they are performed.”;

(7) by striking out the terms “, in respect of a Class 1 to Class 3 and Class 4 pesticide,” and “in respect of a Class 1 to Class 3 pesticide,” wherever they appear.

16. Section 36 is amended

(1) by replacing the term “3A” wherever it appears by “3B”;

(2) by replacing “for the Fumigation of Certain Gases” in paragraph 5 by “for Application by Fumigation”.

17. The following is inserted after section 42:

“**42.1.** A certificate holder shall, within 30 days, notify the Minister, on the same form as that referred to in section 38, of any change which makes the information furnished for the issue or renewal of the certificate under sections 38 and 41 inaccurate or incomplete.

The notice shall include the information referred to in subparagraph 1 of the second paragraph of section 38, the certificate number, the date of expiry and the information related to the changes.”.

18. Section 43 is amended by replacing “3A” in paragraph 1 by “3B”.

19. Section 44 is amended by adding the following at the end:

“(7) Class 1 to Class 3 pesticides that contain an active ingredient listed in

(a) Schedule I to the Pesticides Management Code (chapter P-9.3, r. 1) and that are intended to be applied for maintaining green areas to a holder of a Subclass C4 or D4 permit, except if the pesticide is intended to be injected in decorative or ornamental plants or is used in solid form in traps, stations or containers that prevent any contact with a person or a non-target animal;

(b) Schedule III to the Pesticides Management Code and that are intended to be applied for maintaining indoor plants to a holder of a Subclass C10 or D10 permit, except if the pesticide is used in solid form in traps, stations or containers that prevent any contact with a person or a non-target animal;

(c) Schedule IV to the Pesticides Management Code and that are intended to be applied for pest management inside residential dwellings to a holder of a Subclass C5 or D5 permit, except if the pesticide is used in solid form in traps, stations or containers that prevent any contact with a person or a non-target animal;

(8) a Class 3B pesticide only to a person who meets either of the following conditions:

(a) the person holds a Subclass C8 permit;

(b) the person is exempt, under section 35 of the Pesticides Act, from the requirement to hold such a permit, but the person is the holder of a Subclass E1 or E2 certificate authorizing the person to apply the pesticide or the person employs a person holding such a certificate.”

20. The following is inserted after section 44:

“**44.1.** The holder of a Subclass B1 retail sale permit must keep any agronomic prescription sent to the holder as part of a sale provided for in section 44 for a period of 5 years following the sale and send, within 10 days, a copy to any person authorized by the Minister who requests it.”

21. Section 47 is amended by inserting “or Class 3B” after “Class 3A” in subparagraphs 4 and 7 of the second paragraph.

22. Section 48 is amended in the second paragraph,

(1) in subparagraph 4,

(a) by inserting “or Class 3B” after “Class 3A”;

(b) by replacing “the name and concentration of its active ingredients” by “the name of its active ingredients and their concentration expressed in weight of active ingredient per seed weight”;

(2) by inserting “or Class 3B” after “Class 3A” in subparagraph 7.

23. Section 49 is amended

(1) by replacing “3A” in the first paragraph by “3B”;

(2) by inserting “or Class 3B” after “Class 3A” in subparagraphs 3 and 4 of the second paragraph.

24. Section 50 is amended by inserting “or Class 3B” after “Class 3A” in subparagraphs 5, 9 and 11 of the second paragraph.

25. Section 54 is amended

(1) by replacing “the sales of pesticide” by “the sales of Class 4 and Class 5 pesticides” in the first paragraph;

(2) in the third paragraph

(a) by striking out “and, in the case of a Class 3A pesticide, the name and concentration of its active ingredients” in subparagraph 1;

(b) by striking out “in the case of a Class 1 to Class 3, a Class 4 and a Class 5 pesticide,” in subparagraph 2;

(c) by striking out “where applicable,” in subparagraph 3;

(d) by striking out “or, in the case of a Class 3A pesticide, the quantity of seeds sold and the plant species concerned” in subparagraph 4.

26. The following is inserted after section 54:

“**54.1.** A holder of a Class A permit who ceases activities must send the declaration provided for in section 54 within 30 days after the cessation.”

27. Section 55 is revoked.

28. Section 55.1 is amended

(1) by replacing “of Class 3A pesticide or of pesticide containing atrazine, chlorpyrifos, clothianidin, imidacloprid or thiamethoxam made in the preceding year under paragraphs 3 and 4 of section 44” at the end of the first paragraph by “Class 1 to Class 3B pesticides made in the preceding year”;

(2) In the third paragraph

(a) by replacing “Class 3A pesticide, the name and concentration of its active ingredients” at the end of subparagraph 1 by “Class 3A or Class 3B pesticide, the name of its active ingredients and their concentration expressed in weight of active ingredient per seed weight”;

(b) by inserting “or Class 3B” after “Class 3A” in subparagraph 4;

(c) by replacing “the number” at the beginning of subparagraph 5 by “the name, address and number”;

(d) by adding “in the case of a Class 3A pesticide or a pesticide containing atrazine, chlorpyrifos, clothianidin, imidacloprid or thiamethoxam sold under paragraphs 3 and 4 of section 44,” at the beginning of subparagraph 6.

29. The following is inserted after section 55.1:

“**55.2.** A holder of a Subclass B1 permit who ceases activities must send the declarations provided for in sections 55 and 55.1 within 30 days after the cessation.

DIVISION V.1 **MONETARY ADMINISTRATIVE PENALTIES**

55.3. A monetary administrative penalty of \$250 in the case of a natural person and \$1,000 in any other case may be imposed on every person who fails

(1) to send a declaration or provide information or a document required by this Regulation, or to comply with the time limits and procedure for the filing or sending, if no other monetary administrative penalty is provided for such a case;

(2) to keep an agronomic prescription in accordance with section 44.1;

(3) to keep information or a document in a register referred to in this Regulation for the period prescribed by section 52;

(4) to keep a map in accordance with the second paragraph of section 53.

55.4. A monetary administrative penalty of \$350 in the case of a natural person and \$1,500 in any other case may be imposed on every person who fails

(1) to update a register provided for in this Regulation, to enter a document or information in such a register or to sign or have signed an entry in the register;

(2) to send to the Minister the declaration provided for in section 54, 55 or 55.1 within the time and in the manner and form prescribed by that section.

55.5. A monetary administrative penalty of \$500 in the case of a natural person and \$2,500 in any other case may be imposed on every person who fails

(1) to notify the Minister of an event provided for in subparagraph 1 or 3 of the first paragraph of section 28.1 or section 42.1 within the time prescribed by that section;

(2) to provide a guarantee on the conditions set out in section 29, 30 or 32;

55.6. A monetary administrative penalty of \$750 in the case of a natural person and \$3,500 in any other case may be imposed on every person who fails to delimit on a map the locations treated and the take-off sites of the aircraft used, for each application of a pesticide, in accordance with the first paragraph of section 53.

55.7. A monetary administrative penalty of \$1,000 in the case of a natural person and \$5,000 in any other case may be imposed on every person who

(1) fails to notify the Minister of the cessation of activities in accordance with subparagraph 2 of the first paragraph of section 28.1 within the time prescribed by that section;

(2) offers to sell, sells or causes to be sold a pesticide in contravention of section 43, 44 or 45;

(3) fails to send the declaration provided for in section 54.1 or 55.2 within the time and in the manner and form prescribed by that section.”

30. Section 56 is replaced by the following:

“**56.** Every person who fails

(1) to send a declaration or provide information or a document required by this Regulation, or to comply with the time limits and procedure for the filing or sending, if no other monetary administrative penalty is provided for such a case,

(2) to keep an agronomic prescription in accordance with section 44.1,

(3) to keep information or a document in a register referred to in this Regulation for the period prescribed by section 52,

(4) to keep a map in accordance with the second paragraph of section 53,

commits an offence and is liable to a fine of \$1,000 to \$100,000 in the case of a natural person and a fine of \$3,000 to \$600,000 in any other case.

57. Every person who fails

(1) to update a register provided for in this Regulation, to enter a document or information in such a register or to sign or have signed an entry in the register,

(2) to send to the Minister the declaration provided for in section 54, 55 or 55.1 within the time and in the manner and form prescribed by that section,

commits an offence and is liable to a fine of \$2,000 to \$100,000 in the case of a natural person and a fine of \$6,000 to \$600,000 in any other case.

58. Every person who fails

(1) to notify the Minister of an event provided for in subparagraph 1 or 3 of the first paragraph of section 28.1 or section 42.1 within the time prescribed by that section,

(2) to provide a guarantee on the conditions set out in section 29, 30 or 32,

commits an offence and is liable to a fine of \$2,500 to \$250,000 in the case of a natural person and a fine of \$7,500 to \$1,500,000 in any other case.

59. Every person who fails to delimit on a map the locations treated and the take-off sites of the aircraft used, for each application of a pesticide, in accordance with the first paragraph of section 53, commits an offence and is liable to a fine of \$4,000 to \$250,000 in the case of a natural person and a fine of \$12,000 to \$1,500,000 in any other case.

60. Every person who

(1) fails to notify the Minister of the cessation of activities in accordance with subparagraph 2 of the first paragraph of section 28.1 within the time prescribed by that section,

(2) offers to sell, sells or causes to be sold a pesticide in contravention of section 43, 44 or 45,

(3) fails to send the declaration provided for in section 54.1 or 55.2 within the time and in the manner and form prescribed by that section,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, and, in any other case, to a fine of \$15,000 to \$3,000,000.”

31. Class A, Subclass B1 and Subclass C8 permits and Class A, Subclass B1, Subclass CD8, Subclass E1 and Subclass E2 certificates become exigible for a Class 3B pesticide as of 1 January 2025.

32. Class A and Subclass C8 permits and Class A, Subclass CD8, Subclass E1 and Subclass E2 certificates issued before 1 January 2025 include a Class 3 B pesticide as of that date, with no further formality.

33. A Subclass B1 “Retail Sale of Class 1 to Class 3 Pesticides” permit issued before 1 January 2025 corresponds as of that date to the Subclass B1 “Retail Sale of Class 1 to Class 3B Pesticides” permit and includes Class 3B pesticides, with no further formality.

34. A Subclass B1 “Certificate for the Retail Sale of Class 1 to Class 3A Pesticides” issued before 1 January 2025 corresponds as of that date to the Subclass B1 “Retail Sale of Class 1 to Class 3B Pesticides” certificate and includes a Class 3B pesticide, with no further formality.

35. Classes C and D permits and Class CD certificates issued before 6 July 2023 include Classes 4 and 5 as of that date, with no further formality.

36. The activities described in paragraph 11 of section 14 of the Regulation respecting permits and certificates for the sale and use of pesticides (chapter P-9.3, r. 2), as amended by section 10 of this Regulation, paragraph 10 of section 15 of the Regulation respecting permits and certificates for the sale and use of pesticides, as amended by section 11 of this Regulation, and paragraph 11 of section 35 of the Regulation respecting permits and certificates for the sale and use of pesticides, as amended by section 15 of this Regulation, are respectively covered by the Subclass C4 permit, the Subclass D4 permit and the Subclass CD4 certificate until 6 July 2025.

37. As of 6 July 2025, a Subclass C11 or D11 “Other Applications” permit issued before that date becomes a Subclass C12 or D12 “Other Applications” permit and a Subclass CD11 “Certificate for Other Applications” issued before that date becomes a Subclass CD12 “Certificate for Other Applications”, with no further formality.

38. This Regulation comes into force on the fifteenth days following the date of its publication in the *Gazette officielle du Québec*, except

(1) sections 4, 9 and 14, paragraph 1 of section 16, section 18, section 19, as it enacts paragraph 8 of section 44 of the Regulation respecting permits and certificates for the sale and use of pesticides (chapter P-9.3, r. 2), section 21, subparagraph *a* of paragraph 1 and paragraph 2 of section 22, sections 23, 24, 25 and 27, paragraph 1, subparagraph *a* of paragraph 2 as regards Class 3B and subparagraphs *b* and *d* of paragraph 2 of section 28, which come into force on 1 January 2025;

(2) section 19, as it enacts paragraph 7 of section 44 of the Regulation respecting permits and certificates for the sale and use of pesticides, which comes into force on 6 July 2025.

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