

Beekeeper Compliance

Enforcement of Ontario's Pesticide Act and Ontario Regulation 63/09

Background

Ontario's pesticide act is not new. It came into existence in 1990 and has been updated from time to time since then. In 1990 tracheal mites and Varroa mites had only recently arrived in Ontario. Up until the time the Pesticide Act was drafted beekeepers had little reason to use pesticides in their operations. As mites spread across Ontario, beekeepers relied on synthetic and organic pesticides to control mites. Ontario Regulation 63/09 contains an exemption that allows beekeepers to purchase class B & C pesticides without having to complete the Grower Pesticide Safety Course that farmers were required to complete to purchase these pesticides.

The exemption is found in Section 98.1.1.2.ix. of O. Reg 63/09 and states that a licensed pesticide vendor of the general class may sell class B or C pesticides to "A person who is exempt under subsection 55 (2) of this Regulation from subsection 5 (1) of the Act if the person presents certification of registration issued by the Provincial Apiarist under the *Bees Act* and the pesticide is not a fumigant gas."

Beekeepers have not typically been asked to present their certificate of registration when buying miticides from beekeeping supply stores. Inspections conducted by The Ministry of the Environment, Conservation and Parks (MECP) in 2024, identified a couple of non-compliance issues related to the sale of pesticides to beekeepers. One issue was that some beekeeping supply stores were not a "licensed vendor of the general class" and were not therefore legally allowed to sell pesticides. The second issue was that at least some of the vendors were not asking for or recording beekeeper identification numbers from beekeepers' certification of registration when pesticides were purchased.

What has changed

These non-compliance findings have resulted in an increased number of inspections of beekeeping supply stores by the MECP with the goal of improving compliance. Vendors who are compliant with the legislation have started asking beekeepers to show their certificate of registration from the Ontario Ministry of Agriculture, Food, and Agribusiness (OMAFRA) with their beekeeper identification number.

How it impacts you

You may be asked to show your beekeepers certificate of registration next time you purchase a miticide. This would include synthetic miticides such as Apivar, Apistan, and Bayvarol. It could also include organic miticides including products using essential oils or organic acids (formic acid or oxalic acid) as the active ingredient.

What you can do about it

In anticipation of this change in practice some beekeepers have already begun to carry a copy of their beekeepers' certificate of registration. Some beekeepers have put a photocopy of their certificate in the glove box of the vehicle(s) they use to purchase pesticides or in their wallet. Other beekeepers have taken a photo of their certificate so they have a copy on their phone during pesticide purchases.

Beekeepers who have completed the Growers Pesticide Safety Course and passed the associated exam may present their certificate and purchase beekeeping associated pesticides as a certified farmer. Beekeepers are not required to complete the Growers Pesticide Safety Course but some beekeepers may have completed this course if they use pesticides for other parts of their farm business beyond beekeeping.