

2. LEGISLATION/REGULATIONS

It is important to understand the various federal, provincial and municipal acts and bylaws that affect farm operations and practices. Producers must understand how these laws affect their operations. When provincial and federal acts or regulations change, producers must meet the new requirements.

The Government of Canada defines pesticides to include insecticides, fungicides, herbicides, rodenticides, miticides, avicides, plant growth regulators and fumigants. All pesticide products used in Canada must be registered under the Federal Pest Control Products Act.

Pesticides can be an environmental and health hazard when used improperly. In addition to meeting the requirements of the Federal Pest Control Products Act, any use of pesticides must be in accordance with the Province's Pesticides Control Regulations (CNR 1166/96) under the provincial Pesticide Control Act.

Pesticide Applicators must be licensed by the Pesticide Control Section, Department of Environment. Currently, no person shall store, use or apply a pesticide without an existing license of a prescribed class for that purpose unless exempt under the conditions for storing, use or application prescribed for the pesticide or unless exempted under the regulations (such as home or garden).

Protection of water resources from pollution is at the forefront of environmental concerns in this province. Water pollution is an environmental and health concern, and is regulated under federal (by Environment Canada) and provincial (by the Department of Environment) legislation. Pollution of water sources is illegal, and these agencies are responsible for preventing pollution, detecting pollution if it has occurred and taking legal action if necessary.

Pursuant to Section 10(2) (a) of the Environment Act, SN 1995, C. E-13, no person shall place, deposit, discharge or allow to remain within a protected water supply area any material of any kind that might impair the quality of the water. You must exercise great care when handling and applying pesticides, fertilizers or manure in water supplies.

You should obtain information on the various legislation relating to the operation of your horticulture operation.

2.1 Federal Legislation

1. Canadian Environmental Assessment Act, S.C. 1992, c. 37
2. Canadian Environmental Protection Act
 - ! Environmental Code of Practice for Underground Storage Tank Systems Containing Petroleum and Allied Petroleum Products
 - ! Environmental Code of Practice for Aboveground Storage Tank Systems Containing Petroleum Products

3. Fisheries Act, R.S.C. 1985, c. F-14
 - ! Meat and Poultry Products Plant Liquid Effluent Regulations
 - ! Meat and Poultry Products Plant Effluent Guidelines
 - ! Potato Processing Plant Regulations
 - ! Toxicity Guidelines for Potato Processing Plants
4. Meat Inspection Act, R.S.C. 1985, c. 25 (1st Supp.)
5. Canada Water Act, R.S.C. 1985, c. C-11
 - ! Guidelines for Canadian Drinking Water Quality
6. The Transportation of Dangerous Goods Act, R.S.C. 1989, c. T-19
7. Canadian Environmental Assessment Act, S.C. 1992, c. 37
 - ! Exclusion List Regulations, SOR 94-639
 - ! Law List Regulation, SOR 94-636
8. Pest Control Products Act.

2.2 Provincial Legislation

1. Environment Act, S.N. 1995, C. E-13, which includes:
 - ! Storage and Handling of Gasoline and Associated Products Regulations, CNR 775/96
 - ! Air Pollution Control Regulations, CNR 957/96
 - ! The Environmental Control (Water and Sewage) Regulations, CNR 1078/96
2. The Public Health Act, S.N. 95, C, P-37.1, which includes:
 - ! Sanitation Regulations, CNR 803/96
3. Pesticides Control Act, RSN 1990, c. P-8:
 - ! The Pesticide Control Regulations, CNR 1166/96
4. Waste Material Disposal Act, RSN 1990, c. W-4
5. Urban and Rural Planning Act, RSN 1990, c. U-7
6. Municipalities Act, RSN 1990, c. M-23
7. Meat Inspection Act and Guidelines

8. Lands Act:

- ! Development Area of Wooddale (Agriculture) Regulations, 1996
- ! The St. John's Urban Region (Agriculture) Development Area Regulations, 1996

2.3 Guidelines

1. Farm Practice Guidelines for Producers in Newfoundland and Labrador:

- ! Livestock;
- ! Poultry; and,
- ! Horticultural Producers.

2. Environmental Guidelines for Agriculture Development - Livestock and Poultry Operations Less Than Five Animal Units

3. Environmental Guidelines for Agriculture Development - Non-Livestock or Poultry Production

4. Guidelines and Conditions for the Approval of Swine, Poultry and Other Livestock Enterprises

5. Information Guide for Livestock Facilities, Manure and Waste Management in the Province of Newfoundland, May 1992.

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