

AWSA newsletter

INSIDE

- 2 • CleanFarms
- 2 • Ammonia Code of Practice - The countdown is on!
- 3 • Compliance and Enforcement Reminder
- 3 • AWSA welcomes new Auditors
- 4 • Note from the Executive Director

Clarifying cross-border importation of pesticides

There are two distinct programs in place to allow Canadian growers the option to purchase and transport specific Pest Management Regulatory Agency (PMRA) designated products between the US and Canada. The two programs are completely separate and the rules for each program must be followed. A brief description of the programs is outlined below:

1. Grower Requested Own Use

The Grower Requested Own Use (GROU) Import program was created to allow Canadian farmers to purchase and import certain approved products from the US for their own use for one year. The GROU program is administered by PMRA and currently has 23 products eligible for the import permit application. In order for a farmer to be able to import product for their own-use into Canada, an import certificate must be applied for and approved by PMRA for each grower importation. The PMRA permit application also requires details of the land to be treated and the crops grown and the farmer accepting all liability. The farmer must also prepay the container disposal costs through a website managed by grower groups. The GROU program has specific requirements that work to ensure that imported products are for the sole use of the permit holder.

The program indicates that there are three options for the transportation of product:

- Individual “own”: Import certificate holder must be present upon importation at the border and provide Border Services Officers with the necessary documentation.
- Small group of growers working with one designated driver: If a group of farmers want to purchase and import approved products together, at minimum, one import certificate holder must be present at the border upon importation and provide the Border Services Officers with the necessary documentation.
- Customer broker or carrier: If the permit holder chooses to hire a customs broker or carrier, the permit holder is responsible to ensure that the product(s) being declared correspond to the approved Import Certificates

(i.e., original documents) and bills of sale, that the approved GROU labels are affixed to the product container and that all other conditions on the Import Certificate are met, including container disposal. If a customer's broker or carrier is used to deliver product to Canada, the import certificate holder still must be present to provide Border Services Officers with the necessary documentation.

The cost of empty pesticide container recycling of GROU containers is paid for by the importer as part of the import permit process. CropLife Canada and AWSA are working with the PMRA to ensure all of the GROU provisions are being respected in order to ensure the integrity of the program moving forward. For complete details on the GROU program, visit <http://www.hc-sc.gc.ca/cps-spc/pest/agri-commerce/import/index-eng.php>.

2. NAFTA Label

Under the North American Free Trade Agreement Technical Working Group on Pesticides, a program has been developed to register and label a pesticide that complies with the requirements of both Canada and the US. There are currently seven products that have been approved as NAFTA labelled products and may be transported both ways between Canada and the US. Canadian farmers may purchase and import products registered with a NAFTA label for their own use. A PMRA import certificate is not required to purchase or import NAFTA labelled products. For more information on both of these programs, visit <http://www.hc-sc.gc.ca/cps-spc/pest/agri-commerce/import/nafta-alena-eng.php>.

Ensuring safe warehousing and storage

Farmers importing pesticides must ensure products are transported and stored in a safe manner and adhere to provincial regulations for sale, transfer and storage. If there is a transfer of products on the farm, provinces will require farmers to meet vendor licensing and storage regulations.

For more information, visit the provincial Ministry of Environment website in your area.

CleanFARMS™ Inc. – a newly formed not-for-profit corporation to handle container and obsolete pesticide collection programs

On February 1, 2010, CropLife Canada formed a new corporation to take over the container management and obsolete pesticide collection programs. From an operating standpoint, this will represent no changes from a retail perspective. Containers will be collected in the same manner as before by current contractors.

The new company will, over time, also have the option to handle and recycle other agricultural plastic where it makes economic sense, as empty pesticide containers, in some provinces, represent a small percentage of the total Ag plastic usage.

Obsolete pesticide collection programs will also be handled by CleanFARMS™ Inc. Programs have been planned for central Alberta at several sites over the course of the summer, and Newfoundland in the fall of this year. For 2011, potential programs are planned for Nova Scotia, New Brunswick and PEI, Quebec and Saskatchewan. For more information please contact Russel Hurst at 416-622-9771 ext 2223.

The new company is managed by Barry Friesen, General Manager, and a separate Board of Directors. A stakeholder Advisory Committee will also be established. For more information, please call Barry Friesen at 416-622-4460 or email friesenb@cleanfarms.ca.



cleanfarms.ca

Ammonia Code of Practice – The countdown is on!

All ammonia retail sites must be in compliance with the code by the end of 2010 or they will be ineligible for delivery of ammonia by their supplier. Under this policy, Canadian manufacturers and distributors will not supply agri-retailers with ammonia if they do not meet the requirements of the Ammonia Code of Practice. All retail sites must successfully complete an audit by the end of 2010 in order to remain on the list of eligible sites to receive product.

To assist sites with the auditing process, a \$150.00 audit rebate is available to

those sites who have booked an audit by July 31, 2010. This is an increase above the \$60.00 rebate previously announced. To ensure availability of auditors, call an auditor by July 31st and schedule your final audit. You do not need to complete your audit by July 31, 2010 – you only need to have scheduled your audit. Pre-audits and audits completed before July 31, 2010 are also eligible for this rebate. All rebates will be deducted by your auditor on their invoice.

To find a list of auditors please visit <http://awsacanada.com/>

Easier access to AWSA online WHMIS and TDG training

Due to a number of problems experienced by our students in accessing our training programs, we have reworked our programs making them much more user-friendly. The courses now work in with any web browser on Mac or PC.

The training programs on our website will now allow a student to directly enter the course(s) without having to download any additional software.

Each program will supply a certificate and users will still be able to download the various modules prior to taking the test in each module.

The training programs will also be available in a CD format, if requested.

Both programs will be available in June 2010 via the AWSACanada.com website.

If you have ideas to further improve our online courses please contact the AWSA Canada office at 416-968-9424 or e-mail mail@awsacanada.com.

Ammonia Code of Practice Appendices

To assist dealers' preparations for the audit, a CD of the Ammonia Code of Practice Appendices has been included in this mailing. This document contains code clarifications, diagrams, sample sign off forms, logs, letters etc... Many sites have already found this resource to be very helpful.

For updates and further information on the Ammonia Code of Practice, visit the Fertilizer Safety & Security Council website at www.fssc.ca.

Compliance and Enforcement Reminder

AWSA announced new compliance and enforcement rules in 2008 for sites who are offside with the standards. While our philosophy is to promote compliance through education and support, these steps were approved by our Board last November to ensure a level playing field and to ensure that no site management takes advantage of AWSA's policy which in the past has allowed a site to be non compliant two years in a row without serious penalties. For your interest, the most common issue we deal with is overstocking with pesticides stored outside a certified building. However all mandatory items not found in compliance could also result in a notice of violation.

If a site is found to be non-compliant, the following graduated series of fines and penalties apply:

First offence – the site must fix problem within three working days, otherwise certification is withdrawn, all manufacturers notified and the “no-ship” rule applies.

Second offence (same protocol/same year) – a \$5,000 fine applies to be paid within 30 days, site must fix problem within three working days, otherwise certification is withdrawn, all manufacturers notified and the “no-ship” rule applies.

Third offence (same protocol/same year) – a \$10,000 fine applies to be paid within 30 days, site must fix problem within three working days, otherwise certification is withdrawn, all manufacturers notified and the “no-ship” rule applies.

Fourth offence (same protocol/same year) – certification withdrawn for one and one-half years, all manufacturers notified and the “no-ship” rule applies.

Please note that the government FPT Committee (a group representing the Ministries of Environment and Agriculture from the federal Government and all Provinces) are very interested in the AWSA standards and compliance program, and in some provinces the AWSA program is now referenced in regulations. Please ensure you maintain your site in compliance with the AWSA standards at all times during the year.

AWSA will continue its random audits during the season, which will now include a number of mandatory items not covered previously in these audits.

AWSA welcomes new Board Members

AWSA welcomes to the board:

- Robert Fu, BASF
- Cory McArthur, Monsanto
- Doug McLean, Cheminova

AWSA has a vacancy for one additional board member representing a warehouse. Interest candidates can contact AWSA Executive Director, Cam Davreux at Tel: 416-622-9771 Ext 2226 or by e-mail at davreuxc@croplife.ca

The current board is:

Dwight Osiowy - Acropolis Warehousing Inc
Cory McArthur - Monsanto Canada
Doug McLean - Cheminova Canada Inc
Gaston Gareau – Viterra
Rick Pierson - Univar Canada Ltd
Ian McNeill - United Farmers of Alberta Co-operative Ltd
Stephen Reid - Cargill Limited
Stan Prokopchuk - Bayer CropScience Canada
Lynne Sweeney - Richardson International Limited
Merle Hoegy - Brussels Agromart
Janet McLean - Alberta Ministry of the Environment
Robert Fu - BASF

New Product Listing Available

The 2010 Product Classification & Storage Requirements under the National Fire Code and the Transportation of Dangerous Goods Act is now available on the AWSA website. This is available in both PDF and Excel formats so dealers can import data into their own systems. The 2010 listing also includes fire fighting medium for each product. The listing can be found at www.awsacanada.com.

AWSA welcomes new Auditors to serve western Canada

Dennis Black joined the AWSA team last fall. Dennis based in Oak Lake, Manitoba.

Oleh Ilnyckyj joined the AWSA team last fall. Oleh is based in Winnipeg, Manitoba.

Kelly Ironstand from Grain Insurance and Guarantee Company, joined the AWSA team last fall. Kelly is based in Lloydminster, Alberta.

Lori Janz from Compliance Solutions, joined the AWSA team last fall. Lori is based in Waldheim, Saskatchewan.

Andrew Wright from Grain Insurance and Guarantee Company, joined the AWSA team last fall. Andrew is based in Winnipeg, Manitoba.

For a complete listing of AWSA auditors and their contact information please visit www.awsacanada.com.

Note from the Executive Director

AWSA has completed another successful audit cycle in 2009, with no fires or other serious incidents. We have 1,423 facilities certified across Canada. This is slightly lower than the numbers last year, and it appears that nationally the retail sector is reducing the number of sites by approximately 2% per year since 2000, when we hit a high water mark of approximately 1,800 certified sites.

The merits of the AWSA standards are significant for all sectors of our industry. Since the adoption of AWSA's standards and an outside third party audit in March, 1995, the number of "incidents" - namely fires at certified sites - has been reduced by 90% since the standards were introduced.

In terms of compliance issues, we found only four sites offside in 2009, after 15 follow-up audits from the past two years and a further 54 random audits nationally. To date we have eight sites non-compliant for the most part related to overstocking and outside storage. Please insure that all pesticides are stored in certified buildings.

Worthy of note is that the provinces are increasingly interested in adopting the AWSA standards in their Regulations. Quebec and Alberta have already done so. Ontario, Manitoba and Saskatchewan are considering this move. This will make enforcement easier, particularly if it comes to storage and sales from non-certified AWSA lactations.

Last June in Regina, we trained five new auditors, in both the AWSA and anhydrous ammonia protocols. We welcome Kelly Ironstand (Lloydminster, AB), Lori Janz (Waldheim, SK), Andrew Wright (Winnipeg, MB), Dennis Black, (Oak Lake, MB), and Oleh Ilnyckyj (Winnipeg, MB) to our ranks of certified auditors.

Note that the industry has formed a group to consider standards in the commercial seed treatment sector.

This year, our technical committee will be making some minor changes to the standards, to be issued in January, 2011. The last revision was in 2006 and we have adopted a five year cycle on updates.

As a reminder, please remember that AWSA has two on-line training courses for compliance on TDG and WHMIS compliance. You can enter these sites from the AWSA website

awsacanada.com. We are putting these two courses on an upgraded electronic platform for easier trouble-free use.

And speaking of our website, we are revising the National Fire Code/TDG classification list, these revisions are now posted. We are also including the recommended fire-fighting medium for each product, which is foam for over 99% of our industry's products. Water is not recommended unless the fire can be extinguished at the initial stage. This recommended fire fighting medium has been accepted by CANUTEC and the National Association of Fire Chiefs. We will also be meeting with National Volunteer Fire Chief's Association this year regarding this issue. See our website awsacanada.com for the consulting report from JG Henderson and Associates and the Guidance Note # 6-30 from the Ontario Fire Service Advisory Committee.

At the Board level, we welcome two new members. Representing the Manufacturers, Cory McArthur of Monsanto, and Doug MacLean of Cheminova have joined our Board. Additionally, Don Henderson of the Agromart Group has retired from the Board after serving the maximum three consecutive three year terms. We thank Don for his support and advice to the Board over these past nine years. As a result of Don's retirement, we have an opening for a representative from the warehousing sector. Please get in touch with me if you wish to consider volunteering for a Board position.

We, at AWSA, thank you for your continued support.

Best wishes for a successful, prosperous and safe 2010 season.
Cam Davreux

Contact AWSA

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