

Agricultural Pests Act

In applying the Agricultural Pests Act to issues in local municipalities, you will:

- ✓ *define “pest” and “nuisance”;*
- ✓ *identify the potential for the presence of these organisms in your municipality;*
- ✓ *describe the powers of the inspector and distinguish between the duties of the individual and local authorities;*
- ✓ *describe the procedure for issuance and delivery of notices;*
- ✓ *describe options for dealing with non-compliance;*
- ✓ *describe options and process for appeals; and*
- ✓ *describe situations associated with the use of each form under the Pest and Nuisance Control Regulations of the Agricultural Pests Act.*

The *Agricultural Pests Act* is enabling legislation that allows the local authority to deal with native and introduced pests which affect agricultural production. The variety of organisms within your municipality declared as a “pest” or “nuisance” under the *Agricultural Pests Act* will influence your activities as an inspector.

Pests and Nuisances

Under the *Agricultural Pests Act*, the following can be declared a pest or nuisance if the Minister considers that they are destroying or harming, or are likely to destroy or harm, any land, livestock or property in all or part of Alberta (RSA 2000 A-8 s2).

- Animal;
- Bird;
- Insect;
- Plant; or
- Disease

* Define pest and nuisance.

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The categories above are very broad and would cause concern for other legislation such as the *Wildlife Act*. Therefore they have been further defined by specifying that animals and birds do not include the following:

- Big game,
- Birds of prey,
- Game birds, or
- Endangered animals.

 Test your knowledge

Learning Exercise 5.1

The following is a list of pests and nuisances (common name) named under the *Agricultural Pests Act*. To become more familiar with this list, refer to Alberta Regulation 184/2001 of the *Agricultural Pests Act* to determine their current classification. While going through the list also identify (with a ✓) which species you have within your municipality.

Pest Species in Alberta					
	(✓)		(✓)		(✓)
Bacterial ring rot		Golden nematode		Gypsy moth	
Black leg of canola (virulent strain)		Grasshopper		Africanized bee	
Columbia River root knot nematode		Head smut of corn		Lesser grain borer	
Dutch elm disease		Karnal bunt		Rabies	
Native elm bark beetle		Norway rat (and any other rat species or strain derived from the genus <i>Rattus</i>)		Fusarium head blight	
European elm bark beetle		Potato wart		Chalkbrood	
Dwarf bunt		Stem and bulb nematode		Clubroot	
Fireblight and the causal bacterium		Warble fly		Wild Boar	
Flag smut of cereals		White rot of onions			
Nuisance Species in Alberta					
	(✓)		(✓)		(✓)
Coyote		Columbian ground squirrel		Bushy-tailed wood rat	
Skunk		Northern pocket gopher		English sparrow	
Richardson's ground squirrel		Deer mouse		Rock dove	

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Franklin’s ground squirrel		Meadow vole		European starling	
Thirteen-lined ground squirrel		House mouse		Magpie	

To ensure that you have the correct species for each of the pests and nuisances refer to AR 184/2001 – Pest and Nuisance Control Regulation for the scientific names.

Powers of the Inspector, Individuals and Government

* Describe the powers of the inspector and distinguish between the duties of the individual and local authorities.

In the application of the *Agricultural Pests Act*, all parties involved have specific powers and responsibilities. Although these powers and responsibilities differ between the inspector, the landowner, the municipality, Alberta Agriculture and Forestry and the Minister of Agriculture, the goal is the same – to protect the land and farmer’s livelihood from the invasion of pests.

An inspector may be appointed by a local authority or by the Minister. An Agricultural Fieldman under the *Agricultural Service Board Act* is by virtue of that office an inspector under the *Agricultural Pests Act*. The **INSPECTOR** has the following powers and responsibilities under the *Agricultural Pests Act*:

- Power to invoke action to control and/or destroy pests on land, property, or livestock.
- Power to enter onto land without permission of landowner. An inspector can enter on any land at any reasonable hour (work day between 8:00 am to 6:00 pm) to inspect the land, buildings, property, or livestock for violations of the Act.
- Power to enter buildings to inspect for pests. An inspector can enter the following buildings without requiring the consent of the owner or occupant.
 - seed cleaning plants
 - grain elevators
 - auction markets

With consent, an inspector has the authority to enter any building other than a private dwelling house to inspect for pests. If consent is not granted, a notice can be issued indicating a reasonable time of entry and allowing 24 hours notice. If entry is still barred following notification, the local RCMP can be called for assistance. No authority is given for an inspector to enter a dwelling house. To enter a dwelling house suspected

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of containing pests or nuisances, a warrant may be issued by a provincial judge or justice of the peace. A peace officer shall be responsible for entering a dwelling house with or without the inspector.

- Power to issue notices. When an inspector is of the opinion that land, property or livestock contains a pest or should be protected against a pest, the inspector may issue a notice to the owner or occupant, or to the owner or person in control of livestock.
- Power to invoke action to control or destroy pests or nuisances. Subject to an appeal, if a person in receipt of a notice fails to comply to directions contained in a notice, an inspector may then carry out the required measures. If it is the opinion of an inspector that it is not practical to issue a notice, an inspector may carry out what is necessary or consistent with good agricultural practice.
- Power to set conditions considered appropriate on any authorization given by the inspector under the Pest and Nuisance Control Regulations.
- Responsibility to enforce the *Agricultural Pests Act* and Regulations.
- Responsibility to conduct field inspections and serve the appropriate notices for pests.
- Responsibility to investigate pest complaints.

An individual is defined as owner or occupant of land, or the owner or person in control of livestock. The **INDIVIDUAL** has the following powers and responsibilities under the *Agricultural Pests Act*:

- Power to appeal a notice.
- Responsibility to prevent the establishment of, control, or destroy a nuisance on the land.
- Responsibility to take active measures to prevent the establishment of pests on or in the land, property or livestock unless otherwise authorized by the Minister.
- Responsibility to take active measures to control, or destroy all pests on or in the land, property, or livestock unless otherwise authorized by the Minister.
- Responsibility to take active measures to destroy any crop, vegetation, or other matter that contributes, or may contribute to the maintenance or spread of a pest on or in the land, property or livestock.

Municipalities have been empowered by the Minister of Agriculture to administer the *Agricultural Pests Act* within their boundaries. The **LOCAL AUTHORITY** of

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a Municipality has the following powers and responsibilities under the *Agricultural Pests Act*:

- Power and responsibility to appoint sufficient inspectors to carry out the Act and the regulations;
- Responsibility to take active measures to prevent the establishment of pests in the municipality.
- Responsibility to take active measures to control or destroy pests in the municipality.
- Responsibility to provide proper identification to inspectors.
- Responsibility to make provisions to hear appeals by aggrieved individuals.

The role of Alberta Agriculture and Forestry is to provide the overall administration of the Act. This includes providing interpretative and consultative advice regarding the administration of the Act and providing training of inspectors. In carrying out this role, **ALBERTA AGRICULTURE AND FORESTRY** has the following powers and responsibilities under the *Agricultural Pests Act*.

- Power to suggest amendments to the Act.
- Powers and responsibilities of a government department.
- Responsibility to ensure that administrators of the Act are trained.
- Responsibility to ensure the Act is enforced fairly.

The role of the Minister of Agriculture is to provide the overall authority of the Act. In carrying out this role, the **MINISTER OF AGRICULTURE** has the following powers and responsibilities under the *Agricultural Pests Act*:

- Powers granted to the Minister by the Crown.
- Power to introduce Legislation and amendments.
- Power to appoint inspectors should local authority not do so, or if local authority is not carrying out responsibilities under the Act.
- Power of final authority of appeal.
- Power to investigate any matter for the purpose of preventing the establishment of, controlling or destroying a pest or nuisance and preventing or reducing damage caused by a pest or nuisance.
- Power to conduct surveys for the purpose of preventing the establishment of, controlling or destroying a pest or nuisance and preventing or reducing damage caused by a pest or nuisance.

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- Power to establish programs for the purpose of preventing the establishment of, controlling or destroying a pest or nuisance and preventing or reducing damage caused by a pest or nuisance.
- Power to enter into agreements with any person, local authority, agency or government for the purpose of preventing the establishment of, controlling or destroying a pest or nuisance and preventing or reducing damage caused by a pest or nuisance.
- Power to exempt any land from the operation of all or part of this Act.
- Power to delegate (in writing) a power, duty or function of the Minister to an employee of the Government of Alberta, Government of Canada, a local authority, or a member of a local authority. The power to make regulations cannot be delegated.
- Power to declare a quarantine in all or any part of Alberta of any infested land or infested item. The Minister has the authority to set the duration and conditions of the quarantine, including a prohibition or restriction on the movement of any infested item by any person.
- Responsibility to ensure the Act is enforced fairly.

Failure to appoint inspectors or properly enforce Act

As indicated under the *Agricultural Pests Act*, the local authority of a municipality shall appoint a sufficient number of inspectors to carry out the Act and the regulations. If the local authority does not appoint an inspector, or the Minister is of the opinion that an inspector is not properly enforcing the Act, the Minister may appoint inspectors to carry out the Act and its regulations within a municipality. Salary paid and expenses incurred by the inspectors appointed by the Minister are recoverable by the Minister as if they were a debt due to the Crown and shall be paid by the local authorities.

Procedure for Issuance and Delivery of Notices

A notice is issued when an inspector is of the opinion that land, property, or livestock contains, or is likely to contain a pest, or should be protected against a pest. A notice is in writing and is always issued against things or land and not people, and therefore the notice continues to be valid with transfer of ownership. However, a notice is directed to the owner or occupant of the land or property or to the owner or person in control of livestock. A notice must include the following information:

* Describe the procedure for issuance and delivery of notices.

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- Legal description of the land affected or description of livestock affected and the legal land description of the land on which the livestock are located.
- Name of the pest.
- Specific measures to be taken and the material, if any, to be used to prevent the establishment of or to control or destroy the pest.
- Specific time period within which the measures are to be taken.

Serving the Notice

1. Personally deliver the notice to the person intended to be served. This is the preferred method to serve a notice. If a notice is directed to a person other than the owner of the land property, or livestock, a copy of the notice shall also be served on the owner.
2. If it is not possible to personally deliver the notice to the person intended to be served, the notice shall be left with a person over 18 years of age at the dwelling place or place of business of the person who is intended to be served. Confirm that the person is over 18 years of age and is either a relative or employee of the addressee.
3. If it is not possible to personally deliver the notice to the person intended to be served, the notice shall be sent by registered mail, or courier service to the last known address.
4. If service of the notice is not possible by any of the above methods, the inspector shall post the notice in a conspicuous place on the land, property, livestock, or private dwelling house of the person who is intended to be served.

Notice is considered served and becomes effective at the time of delivery, either personally or at the time the post office delivers it to the violator or any person receiving it on their behalf.

Dealing with Non-Compliance

After issuing a notice, follow-up measures are required to determine if the violator has complied with the notice or whether action to control or destroy the pest is still required.

Follow-up Measures

- Make a final inspection shortly after the notice has expired. This is to confirm whether or not action was taken.

- If action was not taken, advise the violator of your plan of action.
- Carry out the measures described in the notice or such things consistent with good agricultural practice to destroy or control the pest or nuisance. An inspector can also carry out measures if a pest is found on land, property or livestock after the notice has expired and is unable to discover the owner, occupant or person in control.
- Keep detailed field notes throughout. Document all actions taken by you and details of facts dealing with non-compliance.
- Notify violator of actions taken.

Other actions that may be taken when dealing with non-compliance include issuing Stop Orders or Laying a Charge. Generally these methods are implemented only when all other options have been exhausted.

Issuing a Stop Order

An inspector may request the Minister to issue a stop order after detailing all approaches taken and their consequences. If the Minister is satisfied that a person has contravened or is contravening the Act or the regulations, or owns or operates anything that causes the maintenance or spread of a pest the Minister may direct a stop order to that person (RSA 1984 A-8 s20(1)). A stop order requires the person to do one or both of the following:

- Cease the contravention specified in the order, and/or
- Stop the operation of a plant, structure, piece of equipment or things specified in the order permanently or for a specified period of time.

It is important to provide detailed information to the Minister of all activities and communications related to the situation, as the stop order must contain the Minister's reasons for making it. A person who fails to comply with a stop order is guilty of an offense and liable to a fine of not more than \$1000.00 for each day that the offense continues. In addition, the Minister may apply to the Court for an order directing compliance with the stop order. Failure to comply with a Court order can result in:

- A charge of civil contempt of the Court.
- An inspector authorized by the Minister and any person assisting the inspector may without notice or liability, enter on any land and do any acts necessary to carry out the stop order.
- A civil enforcement bailiff assisting the inspector in enforcing their powers and duties

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- Recovery of any expenses incurred by the Crown in carrying out the stop order from the person to whom the stop order was directed.

A stop order can be amended or revoked by the Minister.

Laying a Charge

A person who contravenes the *Agricultural Pests Act* or the regulations is guilty of an offence and is liable to a fine or not more than \$5000.00 and in default of payment to a term of imprisonment of not more than 60 days (RSA 1984 A-8 s23). If a charge is to be laid it is to be carried out within six months of the offence.

Under the *Agricultural Pests Act* a person is guilty of an offence if he/she:

- Fails to comply with a notice (RSA 1984 A-8 s13).
- Does not follow a decision made by the appeal committee or a decision made by the Minister following a review (RSA 1984 A08 s14(7), 15(2)).
- Fails to comply with a stop order (RSA 1984 A-8 s20(4)).
- Obstructs an inspector in the discharge of his duties (RSA 1984 A-8 s22(a)).
- Willfully fails to use or willfully misuses any poison, insecticide, compound, device or equipment (RSA 1984 A-8 s22(b)).
- Acquires, sells, distributes or uses any seed, root, tuber or other vegetable material containing a pest (RSA 1984 A-8 s22(c)).

Recovery of Expenses

If expenses are incurred by the inspector in carrying out measures to prevent the establishment of or to control or destroy a pest as indicated in a notice, the municipal secretary shall serve a statement of expenses and a demand for payment on the owner of the land, property or livestock for which the work was carried out. The statement of expenses and the demand for payment shall be served in the same method as when serving a notice. Failure to pay, results in different collection methods depending on how the expenses were incurred.

Situation 1: If the expenses incurred were for activities carried out on land and the owner fails to file a notice of dispute within 30 days of receiving the statement of expenses, the amount owing shall be transferred to the tax roll against the land to which the work was carried out.

Situation 2: If the expenses incurred were for activities carried out on the land and the owner files a notice of dispute with the municipal secretary, the local authority is limited to recovering the expenses by court action against the owner of the land.

Situation 3: If the expenses incurred were for activities carried out on property or livestock and the owner fails to pay within 30 days after receiving the statement of expenses, the local authority is limited to recovering the expenses by court action against the owner of the property or livestock.

Options and Processes for Appeals

* Describe options and process for appeals.

An owner or person in control of livestock, or a landowner or occupant that feels personally aggrieved by a notice has the right to appeal to the local authority of the municipality within which the land, property or livestock is located. With the right to file an appeal comes certain responsibilities. The following components of an appeal that are required for an appeal to be valid include the following:

- Must be submitted in writing and include the name and address of the appellant.
- Must include a copy of the notice that is being appealed.
- Must include a legal land description for which the notice was issued, or a description of the livestock affected and the legal land description on which the livestock was located.
- Must include the reason the appeal is being filed.
- Must be served to the municipal secretary in one of the same methods in which a notice can be served.
 - In person
 - Leaving it with a person over the age of 18, or
 - Registered mail
- Must be served to the municipal secretary within the time specified in the notice, or within 10 days after service of the notice, whichever is less.
- Must be accompanied by a deposit in an amount prescribed by the regulations under the *Agricultural Pests Act*. The deposit shall be refunded if the appellant is successful in the appeal or in the review by the Minister.

Learning Exercise 5.1

Using the Pest and Nuisance Control Regulation (AR 184/2001) of the *Agricultural Pests Act*, determine the amount of the deposit that is to accompany a notice of appeal. Is it the same as the deposit required to file an appeal under the *Weed Control Act*?

Appeal Committees and Levels of Authority

The local authority shall appoint an independent appeal committee at the beginning of each year. Upon receiving a notice of appeal the local authority shall refer the appeal to the independent appeal committee, which begins the first level of appeal hearings. There are two levels in the appeal process.

1. Municipal level (local authority)

- Appeal is heard by an independent committee appointed by the local authority. Members of the committee must not be composed of people involved in the original decision.
- Appeal must be heard and a decision rendered within five days after receipt of a notice of appeal.
- Decision at the municipal level may uphold, rescind, or vary the notice.
- First level gives the local authority an opportunity to review the notice and recommendations included in the notice.

2. Ministerial level

- An appellant who is dissatisfied with the decision of the appeal committee can file an appeal with the Minister of Agriculture.
- Appeal must be filed within three days after receiving the municipal decision.
- Decision at the Ministerial level may uphold, rescind, or vary the notice.
- Minister's decision is final regardless of outcome.
- Provides the opportunity to review procedures and check for strict adherence to the Act, and to insure that the aggrieved individual was treated fairly.
- Second and final level allows neutrality. This level prevents the municipality from being the judge and jury.

A notice is stayed pending the outcome of an appeal or review, and therefore no action can be taken to control or destroy pests during this time.

Bylaw under the Agricultural Pests Act

Local municipalities have the authority to make a bylaw under the Agricultural Pests Act designating the owner or occupant of land responsible for pest control from the edge of their land to the center of the highway.

Forms Used Under the Pest and Nuisance Control Regulations

* Describe situations associated with the use of each form under the Pest and Nuisance Control Regulations of the *Agricultural Pests Act*.

A person shall not import, purchase, sell or otherwise dispose of, transport, distribute, or plant any time that is infested or any pest without the prior written authorization of a provincial inspector. However, if the item is to be kept in Alberta a local inspector from the jurisdiction where it is to be kept can provide the written authorization. Written authorization does not apply to the purchase, sale, importation, and transportation of livestock that bears a pest infestation tag.

There are several forms associated with the *Agricultural Pests Act*. They have been duplicated in the Appendix, but can also be found in the Pest and Nuisance Control Regulation (AR 184/2001) of the Act. However, each municipality can personalize the forms to include logos etc.

Pest Infestation Tag (Form 1)

A **pest infestation tag (Form 1)** is used to identify property or livestock containing a pest. An inspector may attach a pest infestation tag as in Form 1 to the property or livestock that is infested; to not only facilitate the identification of infested property or livestock, but to help prevent the spread of an infestation. A pest infestation tag is not required for livestock destined for immediate slaughter. Once an inspector has attached a pest infestation tag, it cannot be removed until:

- An inspector authorizes its removal, or
- in the case of cattle, the cattle have been sold and removed from the market.

For tracking purposes, a list of names and addresses of all people involved with anything that is infested, or suspected to be infested must be made available to the inspector within 24 hours of the request or within the time specified.

Inspectors shall also ensure that all livestock offered for sale at markets designated by the Minister in their jurisdiction are inspected for warble larvae. A pest infestation tag will be attached to livestock that have been found to be infested with warble larva. Inspection for warble larva shall coincide with the period when the larvae are usually visible in the bodies of livestock animals.

Notice to Control Pests (Form 2)

A **notice to control pests (Form 2)** is issued when an inspector is of the opinion that land, property or livestock contains or is likely to contain a pest or should be protected against a pest. On issuing a notice on livestock or property (excluding

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land), an inspector may also issue a detention order. This is done by attaching a **pest detention tag (Form 3)** which prevents a person from selling, or otherwise disposing of, purchasing, transporting, distributing or planting a pest or anything that is suspected to contain a pest. Once detained, release depends on compliance to the notice. An inspector may release the livestock or property detained by providing a written **notice of release (Form 4)**.

Assignment 5.1

Using information in the following scenario, complete Form 2 (see Appendix), a Notice to Control Pests.

During your Fusarium surveys in fall of 2014, you found that Mr. Fred Farmer of Box 15, Somewhere, Alberta had a mature barley field confirmed positive for *F. graminearum*. The location of the field was the NW 15-51-06-W4. The generally accepted approaches in the management of Fusarium in cereal crops are to cut and ensile immediately prior to maturity or if already mature, harvest and feed to cattle. It is important to tarp materials during transport, remove crop residue from all equipment before leaving an infested field and to incorporate residue in the soil after harvest. For the 2015 cropping season, Mr. Farmer should use shallow tillage or direct seeding to avoid disturbing the buried residue. You also know that grassy weeds should be controlled and non-host crops should be seeded for a minimum of 3 years following the detection of the disease. Assume today's date is September 5, 2014.

 Graded Assignment

Total Question Value
= 12 pts

Fill in blanks = 7 pts

Map = 1 pt

Measures = 4 pts

DUE DATE: March 24, 2017

Permit to Plant from Non-Certified Potatoes (Form 5)

Under the Pest and Nuisance Control Regulation (AR 184/2001), a person who imports seed potatoes shall, at the earliest practical time, give notice of the place where the potatoes will be made available for inspection to the local inspector. In addition, a person shall not

- Plant seed potatoes on land that was infested in the previous growing season.
- Store seed potatoes that are infested with bacterial ring rot.
- Plant seed potatoes unless they meet the standards of any of the classes established in section 47 of the Seeds Regulations of Canada. Documents to support the classification of the seed potatoes are required.

However, the above conditions do not apply if:

- Seed potatoes are being planted for consumption only by the immediate household and acquaintances with no sale involved, or
- A **permit to plant non-certified potatoes (Form 5)** has been issued.

Permit to Purchase, Keep or Sell Rats (Form 6)

A person shall not purchase, keep, or sell live rats unless the person holds a specific **permit to purchase, keep or sell rats (Form 6)** issued by the Minister. A permit may be issued to a person who operates a research facility or zoo, or an inspector provided that the facility where the rats are to be kept meets the minimum standards required by the Minister.

Permit for Coyote and Skunk Control on Another Person's Land (Form 7) and Permit to Use Coyotes or Skunk Control Material or Devices on Own Land (Form 8)

A person authorized by the Minister may issue **permits for coyote and skunk control on another person's land (Form 7)** to a person who has been trained by Alberta Agriculture and Forestry in the use, storage and handling of devices and poisonous material. Once a person holds a Form 7 permit he or she may issue **permits to use coyote or skunk control material or devices on own land (Form 8)**. The holder of a Form 7 permit may also issue the devices and poisonous materials listed in the permit to the holder of a Form 8 permit. Even though they have been issued to a person, all devices and poisonous materials remain the property of Alberta Agriculture and Forestry and may be recalled at any time.

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If a person does not hold a Form 7 or Form 8 permit he or she shall not use any device or poisonous material for the purpose of controlling coyotes or skunks. Any device or poisonous material used for controlling coyotes or skunks must display an indication of approval by the Minister.

Below is a list of responsibilities associated with holding a Form 7 or Form 8 permit.

- Form 7 **may** authorize the removal or alteration of a written warning issued by Alberta Agriculture and Forestry concerning the use or storage of any device or poisonous material to be on land belonging to another person.
- Form 8 **may** authorize the removal or alteration of a written warning issued by Alberta Agriculture and Forestry concerning the use or storage of any device or poisonous material to be on the permit holder's own land.
- The holder of a Form 7 permit requires permission contained in a Form 8 permit before using any devices or poisonous materials to control coyotes or skunks on land belonging to another person. However, if the land is unoccupied and is within the designated rabies control zone as indicated in Schedule 2 a person holding a Form 7 permit does not require permission to use devices or poisonous materials for the purpose of rabies control.
- The holder of a Form 7 permit may shoot or destroy dens of coyotes or skunks if the shooting is to take place on another person's land that has given written permission to undertake these activities. Even with permission, the holder of a Form 7 permit must be sure they are acting in compliance with all other applicable laws.
- A Form 8 permit is only valid for up to 30 days.

Permit to Destroy Coyote Using Dogs (Form 9)

A person authorized by the Minister may issue **permits to destroy coyotes using dogs (Form 9)** to an owner or occupant of land. The permit only pertains to activities on the permit holder's own land. A Form 9 permit is only valid for up to 30 days.

The holder of a Form 9 permit may control coyotes with the use of dogs under the following conditions:

- Predation has been confirmed in writing by an inspector, and livestock predation has occurred within 30 days of this confirmation.
- The Form 9 permit is still valid and the terms and conditions of the permit are followed.

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- If the destruction is to be carried out by an Alberta resident other than the landowner or occupant, authorization by the landowner or occupant is required in writing on the Form 9 permit.

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References and Additional Resources

For additional resource material dealing with these topics refer to the following websites:

[http://www1.agric.gov.ab.ca/\\$department/deptdocs.nsf/all/cpv4264](http://www1.agric.gov.ab.ca/$department/deptdocs.nsf/all/cpv4264) - Office of the Chief Provincial Veterinarian – Disease information, fact sheets, pertinent legislation.

<http://www.hc-sc.gc.ca/cps-spc/pest/index-eng.php> - Pest Management Regulatory Agency, Health Canada – Pest Control/Management and product registrations.

<http://www.inspection.gc.ca/english/toce.shtml> - Canadian Food Inspection Agency – Federally Reportable Diseases, programs and surveillance.

[http://www1.agric.gov.ab.ca/\\$department/deptdocs.nsf/all/ipc4687](http://www1.agric.gov.ab.ca/$department/deptdocs.nsf/all/ipc4687) - Alberta Agriculture Publications Office – publications on rodent, insect and mammalian pests.

[http://www1.agric.gov.ab.ca/\\$department/deptdocs.nsf/all/agdex6463?opendocument#control](http://www1.agric.gov.ab.ca/$department/deptdocs.nsf/all/agdex6463?opendocument#control) - Grasshopper Management - species identification, life cycles, and control.

<http://www1.agric.gov.ab.ca/general/progserv.nsf/all/pgmsrv201> - Ungulate damage and compensation for haystacks.

<http://www.qp.alberta.ca/index.cfm> - Queen's Printer - Provincial Acts and Regulations

[http://www1.agric.gov.ab.ca/\\$department/deptdocs.nsf/all/agdex3441](http://www1.agric.gov.ab.ca/$department/deptdocs.nsf/all/agdex3441) - History of Rat Control in Alberta – information sheet

[http://www1.agric.gov.ab.ca/\\$department/deptdocs.nsf/all/agdex816?opendocument](http://www1.agric.gov.ab.ca/$department/deptdocs.nsf/all/agdex816?opendocument) - Rat Control – information sheet

[http://www1.agric.gov.ab.ca/\\$department/deptdocs.nsf/all/prm2579?opendocument](http://www1.agric.gov.ab.ca/$department/deptdocs.nsf/all/prm2579?opendocument) - Exclusion of Rats – information sheet

APPENDIX

Schedule 1

Form 1

(Sections 5(1) and 12(4)(b))

Pest Infestation Tag (Number _____)

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Pest And Nuisance Control Regulation

This livestock animal is or is suspected to be infested with an infestation that has been declared a pest under the *Agricultural Pests Act*.

It is unlawful to remove this tag except in accordance with the Pest and Nuisance Control Regulation made under that Act.

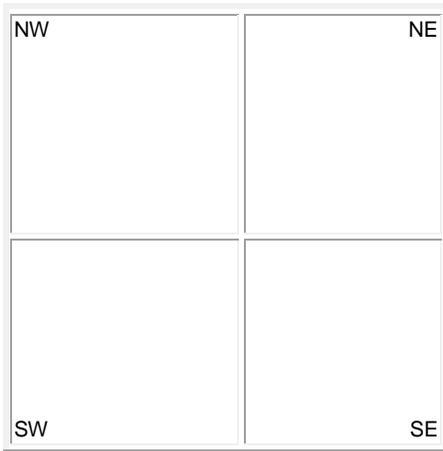
Form 2
(Section 6(1))

Notice To Control Pests
Agricultural Pests Act
Pest And Nuisance Control Regulation

To *(owner or occupant of land or property or owner or person in control of livestock)*
_____ of *(address)* _____.

You are hereby notified that *(description of land or livestock or other property)* located on the _____
quarter of section _____ township _____ range _____ west of the _____ meridian, Alberta,
as indicated on the diagram below, contains or is likely to contain or should be protected against
(name of pest) _____, which has been declared a pest by the Pest and
Nuisance Control Regulation made under the *Agricultural Pests Act*, and you are directed to
take the following measures:

(include description of measures to be taken, including the material, if any, to be used against the pest)



All of the above measures must be completed within _____ days from the date of issue of this
notice, failing which action may be taken in accordance with the legislation referred to above.
This notice is issued under section 12(1) of the *Agricultural Pests Act*. An appeal against this
notice may be served on the municipal secretary, accompanied by a deposit of \$100, before the
expiry of the time limit stated above or the period of 10 days from service of the notice,
whichever expiry date occurs first, and otherwise made in accordance with the *Agricultural
Pests Act*.

Date of Issue: _____

Inspector: _____

Telephone Number: _____

Form 3
(Section 6(2))

Pest Detention Tag (Number _____)
Agricultural Pests Act
Pest And Nuisance Control Regulation

The following _____ is ordered to be detained in accordance with the following conditions:

(Specify conditions of detention.)

(Signature of Inspector) _____

Form 4
(Section 6(4))

Notice of Release
Agricultural Pests Act
Pest and Nuisance Control Regulation

To *(owner of livestock or other property or person in control of livestock)*
_____ of *(address)* _____

You are hereby notified that *(livestock or other property detained)*
_____, marked *(way in which item is marked, if applicable)*
_____ and located at *(location of item)*_____, which was placed under detention and identified by having pest detention tag No. _____ under the Pest and Nuisance Control Regulation made under the *Agricultural Pests Act*, is now released from detention and may be disposed of. The pest detention tag may now be removed from it.

(Date of Issue)

(Signature of Inspector)

(Address)

(Telephone Number)

Form 5
(Section 9(6))

Permit to Plant From Non-Certified Potatoes
Agricultural Pests Act
Pest and Nuisance Control Regulation

This is to certify that *(name of permit holder)* _____ of
(address) _____ is authorized to plant _____
hectares of seed potatoes on _____ quarter of section _____ township _____
range _____ west of the _____ meridian, Alberta, from the following source of non-
certified potatoes:

The following conditions apply:

(Date)

(Minister responsible for the *Agricultural Pests Act*)

Form 6
(Section 11(1))

Permit to Purchase, Keep or Sell Rats
Agricultural Pests Act
Pest and Nuisance Control Regulation

Name: (Research facility or zoo operator or inspector)

Address of facility or zoo, or inspector: _____

Under the Pest and Nuisance Control Regulation made under the *Agricultural Pests Act*, the Minister responsible for that Act permits the above-named to purchase and sell live rats and to keep live rats at (location where to be kept) _____, Alberta until the day of _____, 20____.

This permit may be revoked by the Minister responsible for that Act at any time.

(Date)

(Minister responsible for the *Agricultural Pests Act*)

Form 7
(Section 14)

Permit for Coyote and Skunk Control on Another Person's Land
Agricultural Pests Act
Pest and Nuisance Control Regulation

Name of permit holder:
Permit holder's employer's name: Permit holder's employer's address:

The permit holder named above has been trained in the use, storage and handling of
_____ devices and poisonous material for coyote control.
_____ devices and poisonous material for skunk control.

The permit holder is authorized to do the things ticked below until *(date when permit expires)*:

_____ use, store and handle the following devices and poisonous material:
(list devices and poisonous materials covered by this permit) _____

- _____ issue them to an owner or occupier of land who holds a Form 8 permit referred to below and train that owner or occupier to use, handle and store them.
- _____ remove or alter a written warning issued by the Department concerning their use or storage.
- _____ shoot coyotes and/or destroy their dens.
- _____ shoot skunks and/or destroy their dens.
- _____ issue Form 8 permits under the Pest and Nuisance Control Regulation.

The rules and methods for using, storing and handling the devices and poisonous material are set out in applicable provisions of

- the *Agricultural Pests Act* and the Pest and Nuisance Control Regulation (Alberta)
- the *Pest Control Products Act* (Canada), and
- the policies of Alberta's Department of Agriculture and Forestry.

Authorized issuer: _____

Date: _____

Form 8
(Section 14)

Permit to use Coyote or Skunk Control Material or Devices on Own Land
Agricultural Pests Act
Pest and Nuisance Control Regulation

Name of land owner or occupant:	
Location of owner or occupant's own land on which device or poisonous material is to be used:	_____ Qtr of Sec _____ Twp _____ Rge _____ W of _____ meridian, Alberta
Mailing address/Postal Code: Telephone:	

The permit holder is authorized to use devices or poisonous material to control, on the land described above:

1. Coyote predation of: **2. Rabies of**

Cattle _____	Sheep _____	Goats _____	Swine _____	Skunks _____	Other _____
Farmed Deer or Elk _____	Poultry _____	Other _____			

The permit holder is authorized to remove or alter a written warning issued by the Department concerning the use or storage of those devices or _____ poisonous material on his/her own land.

Initial below:

_____ I have received

- the devices or poisonous material listed below
- the Pest Control Products Act (Canada) label and warning posters for them
- instructions for their use, storage and handling

_____ I agree to

- use the device or poisonous material only on the land described above
- follow the instructions given on the product label, and by the inspector named below
- keep a map of where I place them on the land
- return all unused devices and poisonous material by the expiry date given below
- report to the inspector on the success of my coyote or skunk control efforts by the expiry date given below.

_____ I give my permission for the holder of a Form 7 Permit for Coyote and Skunk Control to use the material listed below on the land described above.

Device or poisonous material	Serial numbers	Amount issued to owners or occupants	Amount used by inspectors	For inspector use only	
				Amount returned	Date returned
1080 tablets					
M44 devices					
M44 cartridges					
Neck snares					
Other					

AGRICULTURAL PESTS ACT

Signature of landowner or occupier

Date signed

Name of Inspector referred to above

Date this permit expires

Signature of issuer (*holder of a Form 7 permit*)

Form 9
(Section 14)

Permit to Destroy Coyote Using Dogs
Agricultural Pests Act
Pest and Nuisance Control Regulation

Name of land owner or occupant:	
Location of owner or occupant's own land on which coyote may be destroyed.	_____ Qtr of Sec _____ Twp _____ Rge _____ W of _____ meridian, Alberta
Mailing address/Postal Code: Telephone:	

_____ The permit holder is authorized to use dogs to destroy coyote on the land described above.

_____ I (*owner or occupant's name*) _____ authorize (*name and address of resident of Alberta*) _____ to use dogs to destroy coyote on the land I own and occupy as described above.

(*Signature of owner or occupant*)

(*Date*)

_____ I confirm that livestock predation caused by coyote has occurred on the land described above within the last 30 days.

(*Signature of Inspector*)

(*Date of issue*)

This permit is only valid for 30 days from the date of issue.

* The inspector is to delete whichever paragraph is not applicable.

AR 184/2001 Sched. 1;201/2001

Schedule 2
(Section 14(8))

Rabies Control Zones

1. The following areas are designated as rabies control zones:

- a. townships 1 to 63 in ranges 1 to 4, west of the 4th meridian;
- b. townships 1 to 5 in ranges 5 to 29, west of the 4th meridian except land within Waterton Lakes National Park;

townships 3 to 5 in ranges 1 to 5, west of the 5th meridian except land within Waterton Lakes National Park.