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Re-evaluation Decision

RVD2022-07

Mustard Seed Powder (*Brassica hirta*) and Sodium Alpha-olefin Sulfonate and Its Associated End-use Products

Final Decision

(publié aussi en français)

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Re-evaluation decision

Under the authority of the *Pest Control Products Act*, all registered pesticides must be regularly re-evaluated by Health Canada's Pest Management Regulatory Agency (PMRA) to ensure that they continue to meet health and environmental safety standards and continue to have value. The re-evaluation considers information from various sources such as data and information from pesticide manufacturers and other regulatory agencies, as well as comments received during public consultations. Health Canada applies internationally accepted risk assessment methods as well as risk management approaches and policies.

Mustard seed powder (*Brassica hirta*) and sodium alpha-olefin sulfonate are registered to control Richardson ground squirrels and Norway rats in rangeland, ornamental plantings, orchards, golf courses, parks, nurseries and non-crop rights-of-way. It is applied as a foam to the burrows. Currently registered products containing mustard seed powder and sodium alpha-olefin sulfonate are listed in Appendix I.

This document presents the final regulatory decision¹ for the re-evaluation of mustard seed powder and sodium alpha-olefin sulfonate. All pest control products containing mustard seed powder and sodium alpha-olefin sulfonate that are registered in Canada are subject to this re-evaluation decision. Prior to finalizing this decision, Health Canada published the Proposed Re-evaluation Decision PRVD2021-09, *Mustard Seed Powder (Brassica hirta) and Sodium Alpha-olefin Sulfonate and Their Associated End-use Products*,² for 90-day consultation.

No comments were received during the consultation period. Therefore, this decision is consistent with the proposed re-evaluation decision stated in PRVD2021-09.

A reference list of all data used as the basis for the re-evaluation decision is included in PRVD2021-09.

Regulatory decision for mustard seed powder (*brassica hirta*) and sodium alpha-olefin sulfonate and their associated end-use products

Health Canada has completed the re-evaluation for mustard seed powder and sodium alpha-olefin sulfonate. Under the authority of the *Pest Control Products Act*, Health Canada has determined that continued registration of products containing mustard seed powder and sodium alpha-olefin sulfonate is acceptable. Following a scientific review of the available information, Health Canada has determined that the health and environmental risks and the value of mustard seed powder and sodium alpha-olefin sulfonate continue to be acceptable provided that the required mitigation measures are implemented. Label amendments, as summarized below and listed in Appendix II, are required. No additional data are required at this time.

¹ "Decision statement" as required by subsection 28(5) of the *Pest Control Products Act*.

² "Consultation statement" as required by subsection 28(2) of the *Pest Control Products Act*.

Risk mitigation measures

Registered pesticide product labels include specific directions for use. Directions must be followed by law and include risk mitigation measures to protect human health and the environment. The following label amendments are included as part of the re-evaluation:

Human health

- A label statement to indicate that the product contains the allergen mustard
- Update to standard label statements (wording related to protective eyewear)

Environment

- Updates to standard label statements (environmental precautions, directions for use and storage)

Next steps

To comply with this decision, the required amendments (label updates) must be implemented on all product labels no later than 24 months after the publication date of this decision document. Accordingly, both registrants and retailers will have up to 24 months from the date of this decision document to transition to selling the product with the newly amended updated labels. Similarly, users will also have the same 24-month period from the date of this decision document to transition to using the newly amended updated labels, which will be available on the Public Registry. Appendix I lists the products containing mustard seed powder and sodium alpha-olefin sulfonate that are registered under the authority of the *Pest Control Products Act* and impacted by this re-evaluation decision

Other information

Any person may file a notice of objection³ regarding this decision on mustard seed powder and sodium alpha-olefin sulfonate within 60 days from the date of publication of this Re-evaluation Decision. For more information regarding the basis for objecting (which must be based on scientific grounds), please refer to the [Pesticides section](#) of Canada.ca (Request a Reconsideration of Decision) or contact the PMRA's [Pest Management Information Service](#) by phone (1-800-267-6315) or by e-mail (pmra-info-arla@hc-sc.gc.ca).

The relevant confidential test data on which the decision is based (as referenced in PRVD2021-09) are available for public inspection, upon application, in the PMRA's Reading Room. For more information, please contact the PMRA's [Pest Management Information Service](#).

³ As per subsection 35(1) of the *Pest Control Products Act*.

Appendix I Registered mustard seed powder and sodium alpha-olefin sulfonate products in Canada as of 22 November 2021

Table 1 Registered mustard seed powder and sodium alpha-olefin sulfonate products in Canada as of 22 November 2021

Registration Number	Marketing Class	Registrant	Product Name	Formulation Type	Active Ingredient
29305	Technical Grade Active Ingredient (ISP)	Rodent Control Inc.	Rocon ISP	Emulsifiable Concentrate	BRA 10.89%; SAS 6.91%
27400	Commercial	Rodent Control Inc.	Rocon Concentrate Rodenticide	Emulsifiable Concentrate	BRA 10.89%; SAS 6.91%

BRA: Mustard Seed Powder (*Brassica hirta*)

SAS: Sodium Alpha-Olefin Sulfonate

Appendix II Label amendments for commercial class end-use products containing mustard seed powder and sodium alpha-olefin sulfonate

The label amendments presented below do not include all label requirements for individual end-use products, such as first aid statements, disposal statements, precautionary statements and supplementary protective equipment. Information on labels of currently registered products should not be removed unless it contradicts the label statements provided below.

The following label statements are required:

For the end use product containing mustard seed powder and sodium alpha-olefin sulfonate:

1. On the front panel, add the following statement

“Warning contains the allergen mustard”

2. The following statement must be included in a section entitled PRECAUTIONS:

“In addition, wear protective eyewear (goggles or face shield) during mixing and loading application, clean-up.”

3. The following statement must be included in a section entitled ENVIRONMENTAL PRECAUTIONS:

“The foam produced with this product is toxic through asphyxiation to wildlife using burrows. Ensure that only target species are using burrows where this product is applied. Do not apply to burrows occupied by non target species, including species at risk or endangered species. Follow instructions under Directions for Use.”

Under ENVIRONMENTAL PRECAUTIONS, remove the following statement

“Do not contaminate aquatic habitats, such as lakes, rivers, sloughs, ponds, coulees, prairies potholes, creeks, marshes, streams, reservoirs and wetlands, when cleaning and rinsing equipment or containers”

4. The following statements must be included in a section entitled DIRECTIONS FOR USE:

“DO NOT contaminate irrigation or drinking water supplies or aquatic habitats by cleaning of equipment or disposal of wastes.”

Under USE RESTRICTIONS, remove

“Consult your provincial regulatory agency to determine specific requirements in your area”

and replace with

“For information on Species at Risk in your area, contact your provincial or federal wildlife officials.”

5. The following statement must be included in a section entitled STORAGE:

“Store this product away from food or feed”