

Grower Requested Own Use (GROU) Program



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How to use the program - a grower's guide

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Background

GROU (Grower Requested Own Use) is a federal government program that allows growers to import the US version of Canadian-registered crop protection products for their own use should they be available in the US at a lower price than in Canada.

The Pest Management Regulatory Agency (PMRA) evaluates all nominated products to determine their eligibility for the program. The GROU Nomination Committee selects high priority products and requests that PMRA make them available for import.

Once a product has been approved for import, growers must submit an application for a GROU Import Certificate along with the container label and proof of participation in an acceptable container disposal program to the PMRA prior to being able to bring it into Canada. GROU products can only be purchased and imported by growers for their own use on their land and for one growing season only.

How to import products through GROU

1. Complete, sign and date a GROU Import Certificate, version PMRA/ARLA 6200 (07/2007). The version code is located in the lower left hand corner of the form.

Applications for GROU Import Certificates are available from PMRA - their website (<http://www.pmra-arla.gc.ca/forms/6200.pdf>), local PMRA offices or their toll free line, 1-800-267-6315. To speed up the delivery of Import Certificate applications, growers can courier documents to PMRA. If you include a pre-paid courier return envelope, PMRA will use that to courier documents back to you. In Ontario, the regional PMRA office is located at 255 Woodlawn Road, Unit 109, Guelph ON, N1H 8J1, Tel: 519-826-2895, Fax: 519-826-2129.

You must fill out a separate Import Certificate form for each product you wish to import, even if you are importing them at the same time. Your Certificate can only be used once, so even if you wish to import more of the same product at a later date, you will have to re-apply for a new Certificate.

2. Obtain a copy of the container label of the product(s) you wish to import. To find these, visit http://www.pmra-arla.gc.ca/english/appregis/grou/grou_imp-e.html. This is the GROU approved product list. Container labels and Directions for Use booklets can both be found on the right hand side of the chart of approved products. Print out the container label for the product(s) you wish to import and submit it with your application. You do not need to submit the Directions for Use booklet.
3. Make sure you are a registered participant in an acceptable container disposal program. For more information, visit <http://www.groucontainerfees.ca/>. You can register and pre-pay your container disposal fees on this site. You will need a credit card for payment.
4. Send the completed GROU Import Certificate application, along with a copy of the import container label and proof of participation in an acceptable container disposal program to:

The PMRA GROU Program

2720 Riverside Drive, A.L. 6602C
Ottawa, Ontario

K1A 0K9

Facsimile: 613-736-3540

Make sure you keep copies of all of your paper work for your own files.

5. If approved, PMRA will return to you your GROU Import Certificate form(s) with Box 19 complete for each product. This is the document/Import Certificate you will need to import the product.

The approval process can take two to six weeks, which includes Canada Post delivery time.
6. Once you have the approved Import Certificate, you can buy, import and use your product within specific dates.
7. Before buying and importing your product, please note that you should also:
 - a. Ensure that you have a valid Canadian passport or appropriate identification. The US will require a passport or US-approved enhanced driver's license for anyone entering the US as of June 1 2009.
 - b. Ensure that you have a Business Number issued by the government of Canada. If you have a GST number, that is your Business Number. If you do not have one, you may apply online: <http://www.cra-arc.gc.ca/tx/bsnss/tpcs/bn-ne/menu-eng.html> or by calling Canada Revenue Agency at 1-800-959-5525.
 - c. Ensure that your supplier has enough product on hand and make arrangements for payment.
 - d. Ensure that you meet all US regulations for purchasing pesticides. Some products are restricted and may require you to take a special training course in the US before you can buy them.

- 8.** Before bringing the product into Canada, you must:
- Enter the importer's name, Import for Own Use Certificate Number and metric net contents, address and phone number, along with date and signature, on the GROU container label.
 - Stick the GROU-approved container label and Direction for Use booklet on the containers in such a way that the US use directions are hidden but that the product name, US Environmental Protection Agency registration number, establishment number and net contents are still clearly visible.
 - Containers must have both the GROU container label and the Directions for Use booklet attached. Both are available on the PMRA website: http://www.pmra-arla.gc.ca/english/appregis/grou/grou_imp-e.html
 - Keep copies of bills of sale as proof of purchase of the GROU product - the name should be the same as that on the Import Certificate.
- 9.** To bring your product across the border, you must complete a Canada Customs Coding Form (B3) from the Canada Border Services Agency. It is available for download: <http://www.cbsa-asfc.gc.ca/publications/forms-formulaires/b3-3.pdf>.

In this document you have to determine the value for duty and taxes (GST) to be paid at the border. This is based on the price you paid for the product in US dollars, which you must then convert into Canadian dollars (Canada Border Services Agency uses the previous business day Bank of Canada noon exchange rate to calculate currency conversion). This form can be filled out before you get to the border, as long as you use the appropriate exchange rate.

Each product will have its own customs tariff classification number, depending on whether it is a herbicide, fungicide or insecticide and its mode of action. This number will determine if any duty rates apply. A complete list of customs tariff classification numbers can be found online: <http://www.cbsa-asfc.gc.ca/trade-commerce/tariff-tarif/2008/01-99/01-01-eng.html#toc-tdm>. Section VI deals with products of the chemical or allied industries. You can also contact Canada Border Services by telephone for product numbers: 1-800-461-9999

Information on how to complete the B3 form can be found online: <http://www.cbsa-asfc.gc.ca/sme-pme/i-guide-eng.html>.

- 10.** Keep your original documents and make at least two sets of copies of everything else. Canada Border Services will keep at least one copy for their files when you cross the border.
- 11.** At the border, the certificate holder needs to use the commercial lanes and present to the agent the customs paperwork as well as your bill of sale and the original GROU Import Certificate - photocopies are not accepted.

It is possible for one certificate holder to import product for other farmers, as long as those other individuals have completed all the required paperwork and have obtained their own necessary GROU Import Certificates. Only one certificate holder must be present at the border when the shipment crosses into Canada.

It is also possible to hire a customs broker or carrier to deliver your product from the point of purchase to your farm, but you must present yourself at the border to verify that the

product delivered corresponds to your approved Import Certificate, that the approved GROU labels are properly filled in and affixed to the containers, and that all other conditions on the Import Certificate are met.

- 12.** Once your paperwork has been reviewed, you will be asked to pay the GST amount on the value of your shipment, as well as any applicable duty. Any GST you pay can be claimed back when you file your GST returns. Once payment has been made (cheque or debit - they only accept credit card payments up to \$500), your shipment will be released.

Other things to keep in mind:

- Imported product under GROU is solely for the importer's own use.
- If you hire a trucking company to pick up your product, you must be at the border to verify that the product delivered corresponds to your approved GROU Import Certificate, that the approved GROU labels are properly attached and that all other conditions on the GROU Import Certificate are met. The shipment will be turned away if the paperwork is not in order.
- PMRA inspectors may audit importers to verify import certificates and bills of sale.
- Growers must sign off and accept the following Liability statement:
I, the importer and user, accept responsibility for compliance with the terms and conditions of the authorization of this certificate and assume all risks and responsibility for and in connection with the import, handling and use of this product and I shall be liable for all loss or damage resulting from the import, handling and use of the product including damage to treated crops and properties or properties of others, injury to persons and occupational health and safety, etc. and shall indemnify and save harmless the Crown from all such loss or damage. I am aware that as an importer I am responsible for the disposal of pesticide containers covered by this Certificate as indicated on the GROU Approved Labels.
- The GROU Import Certificate will be issued on this condition: The Canadian GROU Approved Labels updated with the Import for Own Use Certificate number, GROU Equivalency Certificate Number, importer's name, address and telephone number, importer's signature / date and the metric net contents of the product must be affixed to each product container prior to entry into Canada. Retain a copy of this Certificate for your records. This Certificate and copies of invoices must accompany the shipment at all times. The importer shall only use the imported GROU product in accordance with the directions on the GROU approved Labels (Container Label and Directions for Use Booklet). It is an offense under the Pest Control Products Act to distribute or sell the product imported under this Certificate and to use a control product under unsafe conditions. This Certificate is non transferable and is valid for one importation prior to the Certificate expiry date. Additional importations will require a new Certificate.
- For more information, visit the PMRA website: http://www.pmra-arla.gc.ca/english/appregis/grou/grou_imp-e.html or call 1-800-267-6315.

Disclaimer:

Please note that this document was written as a guide to help farmers use the GROU program. AGCare and its member groups accept no responsibility or liability as a result of any decisions made based on information contained in this document. Growers are responsible for their own business decisions and for verifying information in this document with the appropriate government agencies. The Pest Management Regulatory Agency bears responsibility for the administration of the GROU program.