

Weed Control Act

## **R.R.O. 1990, REGULATION 1096**

### **GENERAL**

Consolidation Period: From August 25, 2010 to the e-Laws currency date.

Last amendment: O. Reg. 328/10.

This is the English version of a bilingual regulation.

1. (1) The plants named in the Schedule are designated as noxious weeds. R.R.O. 1990, Reg. 1096, s. 1 (1).

(2) In the Schedule,

“L.” is an abbreviation for Linnaeus; (“L.”)

“spp.” is an abbreviation for species. (“spp.”) R.R.O. 1990, Reg. 1096, s. 1 (2).

2. An order made by an inspector under section 13 of the Act shall be in Form 1. R.R.O. 1990, Reg. 1096, s. 2.

3. (1) No person shall transport farm produce containing noxious weeds or weed seeds on any public road or property, except in a manner that prevents the escape of noxious weed seeds, or transport any such farm produce to a farm that is free from noxious weeds or weed seeds. R.R.O. 1990, Reg. 1096, s. 3 (1).

(2) No person shall transport soil, gravel or other substances containing noxious weeds or weed seeds except in a manner that prevents the weeds or weed seeds from being scattered during transportation or from being deposited on any land where the weeds or weed seeds may grow to maturity. R.R.O. 1990, Reg. 1096, s. 3 (2).

4. (1) Noxious weeds shall be destroyed by means of,

(a) pulling or otherwise removing the plants from the soil;

(b) cutting the roots or stalks of the plants before the seeds have developed sufficiently to ripen after the cutting;

(c) plowing or cultivating the soil in which the plants are growing; or

(d) treating with a herbicide that causes the plants to be destroyed or prevents the growth of the plants or the ripening of their seeds. R.R.O. 1990, Reg. 1096, s. 4 (1).

(2) Where noxious weeds are destroyed in a manner mentioned in subsection (1) and the seeds have developed sufficiently to ripen, the seeds shall be destroyed in a manner mentioned in subsection (5). R.R.O. 1990, Reg. 1096, s. 4 (2).

(3) Where an inspector causes the destruction of noxious weeds, the destruction shall be in a manner mentioned in subsection (1) that is efficient and at a reasonable cost in the circumstances. R.R.O. 1990, Reg. 1096, s. 4 (3).

(4) Nothing in this section authorizes any use of a herbicide that is contrary to any other law in force in Ontario. R.R.O. 1990, Reg. 1096, s. 4 (4).

(5) Weed seeds shall be destroyed by means of,

(a) removal to locations where the seeds are unable to germinate, or, if germination takes place, where the noxious weeds are unable to grow to maturity;

(b) composting;

(c) use as silage or other form of fodder in which the weed seeds are consumed by animals;

(d) grinding or crushing; or

(e) burning. R.R.O. 1990, Reg. 1096, s. 4 (5).

5. The circumstances and conditions under which an inspector may cause noxious weeds to be destroyed under section 15 or 18 of the Act are,

(a) that the inspector is of the opinion,

(i) that propagation of the noxious weeds would be prevented or substantially reduced by reason of their destruction, and

(ii) except in the case of poison ivy and ragweed, that lands other than the lands on which the noxious weeds are growing are likely to be damaged by propagation of the noxious weeds;

(b) that the inspector does not cause damage to the property more than is necessary for or incidental to entering upon lands and transporting the equipment used in the destruction of the noxious weeds; and

(c) that in the destruction of noxious weeds in a growing crop, the inspector does not cause greater damage to the crop than is necessary for the economical and effective destruction of the noxious weeds. R.R.O. 1990, Reg. 1096, s. 5.

#### Schedule

#### NOXIOUS WEEDS

##### Item

Common Name

Scientific Name

1.

Barberry, common

*Berberis vulgaris* L.

2.

Buckthorn, European

*Rhamnus cathartica* L.

3.

Carrot, wild

*Daucus carota* L.

4.

Colt's-foot

*Tussilago farfara* L.

5.

Dodder spp.

Cuscuta spp.

5.1

Giant Hogweed

*Heracleum mantegazzianum*

6.

Goat's-beard spp.

*Tragopogon* spp.

7.

Hemlock, poison

*Conium maculatum* L.

8.

Johnson grass

*Sorghum halepense* (L.) Persoon

9.

Knapweed spp.

*Centaurea* spp.

10.

Milkweed spp.

*Asclepias* spp.

11.

Poison-ivy

*Rhus radicans* L.

12.

Proso millet, black-seeded

*Panicum miliaceum* L. (black-seeded biotype)

13.

Ragweed spp.

*Ambrosia* spp.

14.

Rocket, yellow

*Barbarea* spp.

15.

Sow-thistle, annual, perennial

*Sonchus* spp.

16.

Spurge, Cypress

*Euphorbia cyparissias* L.

17.

Spurge, leafy

*Euphorbia esula* L. (complex)

18.

Thistle, bull

*Cirsium vulgare* (Savi) Tenore

19.

Thistle, Canada

*Cirsium arvense* (L.) Scopoli

20.

Thistle, nodding, spp.

*Carduus* spp.

21.

Thistle, Russian

*Salsola pestifer* Aven Nelson

22.

Thistle, Scotch

*Onopordum acanthium* L.

23.

Vetchling, tuberous

*Lathyrus tuberosus* L.

R.R.O. 1990, Reg. 1096, Sched.; O. Reg. 328/10, s. 1.

Form 1

ORDER TO DESTROY NOXIOUS WEEDS OR WEED SEEDS

Weed Control Act

R.R.O. 1990, Reg. 1096, Form 1.