



Ontario Public Health Association
 l'Association pour la santé publique de l'Ontario
 Established/Établi 1949

The mission of OPHA is to provide leadership on issues affecting the public's health and to strengthen the impact of people who are active in public and community health throughout Ontario.

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- Constituent Societies**
- Association of Ontario Health Centres (AOHC)
 - Association of Public Health Epidemiologists in Ontario (APHEO)
 - Association of Supervisors of Public Health Inspectors of Ontario (ASPHIO)
 - Canadian Institute of Public Health Inspectors - Ontario Branch (CIPHIO)
 - Community Health Nurses' Initiatives Group (RNAO)
 - Health Promotion Ontario (HPO)
 - Ontario Association of Public Health Dentistry (OAPHD)
 - Ontario Association of Public Health Nursing Leaders (OAPHNL)
 - Ontario Dietitians in Public Health (ODPH)
 - Ontario Society of Physical Activity Promoters in Public Health (OSPAPPH)

Charitable Registration
 Number 11924 8771 RR0001

Nalisha Asgarali
 Environmental Policy Branch - Land Use Policy
 Ontario Ministry of the Environment, Conservation and Parks
 40 St Clair Avenue West, 10th Floor
 Toronto, ON, M4V 1M2

December 10, 2019

Dear Ms. Asgarali,

Re: ERO # 019-0601 - Amendments to the Pesticide Regulation (63/09 General) made under the Pesticides Act, R.S.O. 1990

The Ontario Public Health Association (OPHA) appreciates the opportunity to comment on amendments to the Pesticide Regulation (63/09 General). OPHA supports strong legislation that protects the health and safety of all Ontarians by reducing exposure to toxic chemicals including pesticides. Over the years, OPHA has communicated our position on the use of pesticides through our 2001 resolution on the non-essential use of chemical pesticides on public and private lands and in 2008 through our support for the ban of cosmetic use of pesticides in Ontario.

Effective and enforceable legislation is key to health protection. While regulations are intended to provide protection from exposure to pesticides, OPHA is aware that this is not a fail-proof system, and that Ontarians continue to be exposed to unsafe levels of pesticides.

The Auditor General of Ontario's 2019 report released earlier this month reported that between 2014 and 2018, a total of 76 samples out of 1,200 Ontario-grown produce samples tested by the Ontario Ministry of Agriculture had pesticide residues that exceeded Health Canada's allowable limits. OPHA recommends that the Government of Ontario work across ministries including the Ministry of Environment Conservation and Parks, the Ministry of Agriculture, and the Ministry of Health to ensure health protection through legislation that minimizes use and exposure to pesticides.

OPHA is pleased to see that Ontario is committed to retaining the ban on cosmetic use of pesticides. As we have noted in past submissions, the ban brought greater consistency to the sale and use of cosmetic pesticides in Ontario, provided opportunities for more informed choices on pesticide use by restricting access to certain products, and increased public awareness through requirements for public posting of pesticide usage. OPHA urges the

Ontario government to ensure that the ban on cosmetic use of pesticides remains robust in light of potential amendments and continues to provide for the protection of health and safety by reducing exposure to pesticides.

OPHA has the following comments with respect to two proposed amendments to the Pesticide Regulation and one general comment on environmental impact:

1. Criteria to add to the “Allowable List”

OPHA is very concerned with the proposed amendment to the Pesticide Regulation relating to the process for determining “...whether an active ingredient is appropriate for use for a cosmetic purpose.” Proposed section 17.(1) indicates that the Director could determine that “...*an active ingredient is appropriate for use for a cosmetic purpose...*” if the products in which the active ingredient is contained “...*are unlikely to be used in a manner that is likely to cause significant exposure to humans.*” Given the growing body of scientific evidence that points to known and suspected harms of even low-dose exposures to toxic substances including pesticides, during vulnerable life stages, OPHA is concerned that this arbitrary criterion significantly reduces protection from environmental exposures as well as public health and safety.

OPHA is also concerned with the proposal to give discretionary power to the Director within the Ministry to add pesticides to the “allowable list” with respect to cosmetic purposes. We urge the government to ensure that there is a robust and transparent process for considering additions to the allowable list, and to solicit input from expert advisors from all sectors including public health, the medical and scientific community, and members of the current Ontario Pesticide Advisory Committee. OPHA also recommends that the comment period for input on changes to the allowable list be extended from the proposed 30 days to a minimum of 60 days to allow for a comprehensive review.

2. Neonicotinoids

OPHA is concerned with changes to the Regulation with respect to the use of neonicotinoids. We urge the Ontario government to retain the current requirements to limit the use of neonicotinoid-treated seeds and to track their sale and use. These include requirements for integrated pest management, third party verification that a pest problem necessitates pesticide use, and the retention of records of pesticide use by vendors and farmers. It is important that researchers and risk assessors have comprehensive data on historical and current neonicotinoid use in order to determine environmental exposures and ultimately, impacts to ecosystem health. Pollinator health and the viability of ecosystems are essential to the health and well-being of our children, now and into the future.

3. Environmental Impacts

OPHA questions the basis for the statement in the ERO posting that “*The proposed legislation and regulatory changes are not anticipated to have significant environmental impacts.*” OPHA feels that allowing additional exemptions to the use of pesticides (e.g. exempt locations, exemptions from public meetings, changes to requirement for retaining records of neonicotinoid pesticide use, changes to criteria for allowing additional pesticides for cosmetic use, etc.) will very likely lead to

increased use of pesticides across Ontario. OPHA urges the Ontario government to continue to advance the progress that has been made in reducing pesticide use across Ontario and the potential for exposure and human health impacts. To this point, OPHA recommends that the Ministry enhance monitoring and reporting of the presence of pesticides in food, water and soil, and maintain this information in a publicly available database. Information provided by reliable sources knowledgeable in the monitoring and use of pesticides would be helpful for promoting a risk/benefit approach to pesticide use and for public health responses to questions from the public about pesticide levels in the environment.

In closing, OPHA would like to reiterate our support for legislation aimed at protecting public health and safety from exposure to pesticides. We urge the Ontario government to ensure that the ban on cosmetic use of pesticides remains robust considering potential amendments to the Pesticide Regulation, and that there are adequate resources available for effective enforcement. We also recommend that any amendments be accompanied by an education and awareness campaign, further promoting the government's existing information on reducing the use of pesticides and the safe use and disposal of pesticides.

Thank you for your consideration of our comments.

Pegeen Walsh

A handwritten signature in black ink, appearing to read 'P. Walsh', written in a cursive style.

Executive Director
OPHA