PRINCE EDWARD ISLAND LEGISLATIVE ASSEMBLY

Speaker: Hon. Kathleen M. Casey

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Standing Committee on Agriculture, Forestry and Environment

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MEETING STATUS: PUBLIC

LOCATION: POPE ROOM, COLES BUILDING, CHARLOTTETOWN

SUBJECT: MOTION #13 - COSMETIC LAWN PESTICIDES

COMMITTEE:

Alan McIsaac, MLA Vernon River-Stratford (Chair)
Jim Bagnall, MLA Montague-Kilmuir
Paul Biggar, MLA Tyne Valley-Linkletter, replaces Valerie Docherty, Minister of Tourism
Olive Crane, MLA Morell-Mermaid, Leader of the Opposition
Bush Dumville, MLA West Royalty-Springvale replaces Robert Henderson, MLA O'Leary-Inverness
Cynthia Dunsford, MLA Stratford-Kinlock
Charles McGeoghegan, MLA Belfast-Murray River
Robert Vessey, MLA York-Oyster Bed
Buck Watts, MLA Tracadie-Hillsborough Park

COMMITTEE MEMBERS ABSENT:

Carolyn Bertram, Minister of Communities, Cultural Affairs and Labour
Valerie Docherty, Minister of Tourism
Robert Henderson, MLA O'Leary-Inverness

GUESTS:

City of Charlottetown (Mayor Clifford Lee, Roy Main); Atlantic Graduate Lawn Care Pest Control Services (Robert Gallant); Dr. John DeMarsh (virtual presentation); Michael LeClair; Andy Jamieson; Pest Management Regulatory Agency of Health Canada (Lindsay Hanson); Canadian Cancer Society (Micheline Lévesque)

STAFF:

Marian Johnston, Clerk Assistant and Clerk of Committees
Ryan Conway, Research Officer

Edited by Hansard

The Committee met at 1:30 p.m.

Chair (McIsaac): I'd like to welcome everyone to the Standing Committee on Agriculture, Forestry and Environment. This afternoon we're dealing strictly with cosmetic pesticide issue, following up on the motion from the House that we were to deal with. I'm just going to read through that again just to briefly outline our job here and our role:

Be it resolved that the Legislative Assembly give the Standing Committee on Agriculture, Forestry and Environment a mandate to fully review the implementation and potential impacts of a province-wide ban on the use of cosmetic lawn pesticides.

Just read that in for the record.

Before we get going here, I'd ask everyone to turn their cell phones or blackberries at least down to vibrate if they would, please.

We have an agenda in front of us. Could we have any changes, additions, deletions, or a motion to approve the agenda as presented?

Ms. Biggar: I move.

Chair: Moved by Paula.

Shall it carry?

Some Hon. Members: Carried.

Chair: All those opposed?

Good.

Okay, we'll move on, and we'll welcome for our first presentation this afternoon, the City of Charlottetown. I believe we have the honour of His Worship Mayor Lee.

I'd ask you to introduce yourself and whoever you have with you, members you have with you, for Hansard, okay? Then we'll let you do your presentation. You leave us some time for questions. We have about 15 minutes set aside.

Clifford Lee: With me is Roy Main, the chief administrative officer for the City of Charlottetown. He'll be dealing with all the difficult questions. I do have copies of the presentation for the members.

Thank you, Chairman McIsaac, members of the standing committee, for the opportunity to make this brief presentation regarding the use and control of cosmetic lawn pesticides. This is an issue of concern to many of the citizens of Charlottetown and I would suggest, to residents across the Island.

City council recognized the importance of this issue for the past several years and in 2006 commissioned a group of citizens with varied backgrounds to investigate and make recommendations to council. The report has been filed with this standing committee and forms an excellent reference document outlining the various issues and the legislative controls enacted by jurisdictions across this country.

In August 2007, council received a report and agreed to make its findings public. At the same time, council adopted a resolution requesting the province to enact the necessary legislation giving authority to the city to regulate cosmetic pesticides. This action was taken so that council could debate this issue further if given the appropriate authority. This action was also necessary given an apparent reluctance by the province to take any action on a provincial-wide basis.

As the standing committee is aware, municipalities lack the jurisdiction to impose any regulations or rules regarding the use of cosmetic lawn pesticides. In addition, any enforcement of the issue would result in the municipality taking on

yet another service. Further, the use of pesticides and their availability to the general public has no regard for municipal boundaries. How futile it would be if one municipality banned the sale and use and the products were readily available in the adjacent municipality. This seems particularly true given the size of our province.

Consequently, it seems most logical and reasonable that the province take on this responsibility and impose meaningful rules and regulations and carry out the necessary enforcement in a consistent Island- wide approach. This will avoid needless duplication and the potential of multiple rule books for controlling cosmetic lawn pesticides.

In conclusion, I want to make it clear that city council has neither stated its support nor lack of support for any ban on cosmetic pesticides. We have no such legislative authority and therefore council cannot even address the issue. What seems most logical, is for the province to take a responsible lead role in this manner and create and enforce consistent regulations across the Island.

Again, thank you for the opportunity to discuss this issue with your committee.

Chair: Thank you very much. Have any questions, comments?

I'm going to ask you, on your third paragraph there, "apparent reluctance by the Province to take any action..." Where did you find that? Was this dealt with before we came in?

Clifford Lee: I think it's an issue that has been out there for quite a number of years, Mr. Chairman, and the city's position has consistently been: we believe the role should be for the province to regulate the issue of cosmetic pesticides, not for municipalities. As I've said, you can take the Charlottetown area, you could have one set of rules in Stratford, another set of rules in Charlottetown, another set of rules in Cornwall, another set of rules out in Miltonvale Park, and after awhile it really becomes a waste of everyone's time.

Not only that, if you force the municipalities to deal with the issue then you've added another responsibility through the municipal government, which means all the municipalities then have to go out and hire someone with the expertise to enforce the rules and regulations. Municipalities in PEI simply don't have that expertise.

Chair: Just on a larger scale of that, I know we've heard when Quebec went ahead with this, they saw the sales of cosmetic pesticides soar just across the border in Ontario and in New Brunswick, we've been told. I can see what you mean by one municipality versus the other.

Any other questions or comments?

Buck.

Mr. Watts: Mayor Lee, with your conversations with citizens and residents of Charlottetown and surrounding areas, you must have a feel for what they feel about the use of cosmetic pesticides in the Charlottetown area. On a percentage basis, how would you judge it from what you've been hearing? Like, how many would be in favour of a total ban? How many are indifferent to it?

Clifford Lee: I'm just guessing, Buck. We're probably looking at the area of 65-35 in favour. I'm not sure if people are looking for a ban on the use of the pesticides. I think what needs to be addressed is: What is the purpose of a cosmetic pesticide? It depends on who you talk to as to what risks are involved with pesticide use and everything else. The question that most people are

saying is: Is the risk worth the benefit that you're achieving? I guess that's the question that ultimately has to be answered.

Chair: Cynthia.

Ms. Dunsford: Was there any discussion during your deliberations after you received the report as to kind of - even though it was focused on the City of Charlottetown, could you see that that piece of work that was created with all of those recommendations transferring to other jurisdictions on Prince Edward Island? Was that ever discussed?

Clifford Lee: It was never discussed but as I indicated, the committee has the report. I think it's a very well documented and researched piece of information. We've never talked about other municipalities. In fact, we really haven't gone into any great discussion at council since receiving the report, other than, you know, obviously we're wasting our time talking about the report if we don't have the legislative authority to deal with the issue anyway. So let's ask the province for that authority.

As I've said, the only reason we asked for that authority was because of the apparent reluctance on the part of the province of PEI to deal with the issue. Our clear preference and it seems to make logical sense to me, is for the province to create a set of rules and regulations for the province and to enforce them.

Ms. Dunsford: So when the province showed that apparent reluctance was not really there, considering a motion on the floor and all, was that, as far as the city goes, a bit of a relief knowing that the province then was considering looking at this? Would you say that's fair to say?

Clifford Lee: I think that's fair to say. As I've said, I think the city's position has been consistent on that, Cynthia. That has been that we truly believe it's a provincial responsibility and not one - there are 75 municipalities in the province. Do we want 75 different sets of rules?

Ms. Dunsford: Yeah. I think it's evident in other jurisdictions who have imposed some kind of restriction or ban on the use and/or the sale of cosmetic pesticides that varied problem exists within provinces. I think that's why we see more of a provincial effort right across the country right now.

Chair: Okay, Jim.

Mr. Bagnall: First of all, you mention on municipalities, how come if you can't put it through on your municipality, how come all over Canada other municipalities are putting this through? We've had figures brought forth to us during this committee that a great number of municipalities have brought legislation forward but not the provinces. So why is Charlottetown different than any place else in Canada?

Clifford Lee: Charlottetown is no different than any other municipality in the province of PEI. The reason for the difference is because the municipal act that governs the things that municipalities are allowed to deal with in this province is just so restrictive that, basically, the province is almost like the big brother of municipalities: We'll tell you what you can do and what you can't do. In the provincial legislation that governs the operation of municipalities we're given certain areas of responsibility, and no others. The same as taxation. We're allowed to collect a property tax but no -

Mr. Bagnall: So did Charlottetown make a request to the province to change the act so that the municipality of Charlottetown could deal with this issue?

Clifford Lee: We did make the request to the province. But again, I want to be clear. The only reason that request was made to the province was because the province

appeared not willing to want to address the issue on a province-wide basis.

Our clear preference is for the province of PEI to create one set of rules for the province of PEI, and for the provincial environment department to enforce those rules and regulations. Because not to do that - if you give the authority to municipalities, as I've said, you could end up with 75 different sets of rules. You then force the municipality to take on an additional responsibility, which means we have to go out and hire an expert in the field to administer the rules and regulations. It just seems to me to be a waste of taxpayers' money.

Mr. Bagnall: It seems to me, yeah, that could be too. You had questioned the report for the City of Charlottetown had put through, knowing that you couldn't do anything with it. Then when you got the report you turned around and said: We're not going to do anything because we're going to turn it back to the province.

But I mean, your council sanctioned a report on this, and then were more than willing to throw it up in the thing and say: We can't do anything, our hands are tied, it's going to be the provincial government that's going to have to make that decision. You're trying to get it both ways here. The city was leading the charge on pesticides, and then you turn around and you throw your hands up in the air and put everything on government after you go ahead and sanction the report, get the report in. Then you still won't even make a comment on the report, whether you support it or you don't support it.

Clifford Lee: Mr. Bagnall, I appreciate your political motive for saying what you're saying. But in the real world what you're saying is not reality at all.

What has happened is, as you are likely aware, the city has consistently urged the province of PEI to take action on the issue. The previous administration refused to do so, which forced the city, after receiving a petition with thousands of names on it to council, at that time said: Obviously somebody has to do something, and if the province doesn't have the courage to do it, then maybe it is going to fall to municipalities. What ended up happening was the council of the day said: Let's get someone to go out and research the issue, someone independent of politicians and everything else outside of city hall.

We've done that. We've asked for legislative authority from the province only as a last result, if the province doesn't deal with it in the appropriate manner.

Mr. Bagnall: But you've also stated that after you got the report that you're not for it or not against it. So why would you want anybody to move forward if the city can't come out and be supportive one way or the other on the issue? You're (Indistinct) teetered on both sides that are saying: We've sanctioned the report yet we won't support it. You haven't come out and said that you support the report.

Clifford Lee: Again, with all due respect, we tend to, at city hall, operate in such a manner in a reasonable fashion. The first step is there's not much sense in standing up and making all kinds of noise if you don't have any authority to deal with the issue. That's why we've taken the first step of asking the province to change the legislation to allow municipalities the authority.

Since then, a Member of the Legislative Assembly asked for this committee to review the issue. As a city, we're pleased that it's at this level and we're hopeful that the province of PEI will deal with it quickly and in the appropriate manner.

Chair: Going to cut if off there. I got two more questions and we're running out of

time.

Paula, and then Bush.

Ms. Biggar: Mayor Lee, in reference to your report, is that posted on the city website or how can you access it?

Clifford Lee: It is on the city's web site and I do understand that copies were made available previously to the committee.

Ms. Biggar: Oh excuse me, I'm filling in today.

Clifford Lee: Oh, sorry.

Chair: Okay, Bush.

Mr. Dumville: Mayor Lee, in regards to the whole issue, like I mean, obviously residents of your city will be affected and sometimes you have residents that do not have nice properties and you're probably concerned about that and the look of your city.

What are you actually doing as a city in regards - what policy is the city following now? Are you using pesticides? Because I mean, you fellows are the largest property keeper of grass and grounds within the city. So what are you fellows doing right now? What's you policy been the last year and where do you see the city going? Regardless, as a city, you can make a policy decision, regardless of the law, in terms of backing off in chemical use?

Clifford Lee: The City of Charlottetown hasn't used any type of chemical on municipally-owned property in a number of years. I think that goes back at least four years, if not longer.

Mr. Dumville: What procedure are you using? Because the city looks pretty nice.

Clifford Lee: I couldn't hazard a guess at how the staff are maintaining the properties, to be honest. I don't know what type of program they have in place for maintenance of the properties.

Mr. Dumville: Thank you.

Chair: Thank you very much for the presentation.

Clifford Lee: Thank you.

Chair: We really appreciate you putting that together and coming in.

Our next presenter is Atlantic Graduate Lawn Care Pest Control Services. I'd like to welcome Mr. Gallant.

Robert Gallant: I'm just going to put a little presentation in here. I'm not going to be able to go over the whole thing, so there are going to be parts of it that I'm going to be skipping. But I am going to leave a copy of it with you to hopefully review from front to back.

Chair: Will there be time for questions at the end?

Robert Gallant: I hope so. I'll go through it as quick as I can. As long as you can just let me ramble on and run through it very quickly and then entertain questions afterwards.

Chair: Good. Just give an introduction before you start there so (Indistinct) Hansard.

Robert Gallant: Yes I will, that's all part of it here. It's been a while since I've done a presentation.

For those of you who don't know me, my name is Robert Gallant. I'm the owner and operator of Atlantic Graduate Lawn Care Pest Control Services. I'd like to thank you all for giving me this opportunity to come in and have my say. Unfortunately, I can't say

everything in such a short period of time. There is quite a bit of information on this presentation. I'm just going to go through it quickly, skipping quite a bit of it, but I will leave a copy of it with you so that if you choose you can look at it further. I'm available at any time for any questions or concerns.

The history of Atlantic Graduate. I've been in business since 1993. I'm a non-franchise lawn care pest control company. Born and raised in Prince Edward Island, married with two children, and for those who are wondering, both children do have all their fingers and toes. I am a graduate of environmental pest management.

I'm going to get right into it here. What is a cosmetic pesticide? The reason I bring this up is there are no pesticides registered out there today that are for cosmetic purposes only. There are many pesticides out there that are used for what some call cosmetic purposes, but there's no one registered pesticide out there that is for cosmetic pesticides, or for cosmetic uses.

Pesticide is a general term for pesticides. Herbicides are used for controlling herbs, insecticides for insects, fungicides etc. The list goes on. We need to actively define what is a cosmetic pesticide. Some say it's a pesticide being used on lawns for beautification purposes only - trees, shrubs- some say it's a pesticide used to protect my biggest investment, my property, my health, comfort. Regardless of what one defines what a cosmetic pesticide is, I think it's very important here, at the end of the day, when you guys decide to put in more regulations or a bylaw or a ban, that you accurately define what is a cosmetic pesticide. Because these products are being used for many different things, not just for controlling weeds on a lawn.

Integrated Pest Management. This is what I've been practising since 1993 since I started my business. What integrated pest management is in the lawn care part of it is it's a combination of pest monitoring, education, physical-mechanical and biological pest control with pesticides being used as needed.

Pesticides are a tool in my tool box. The best way for me to describe integrated pest management to you, how I practice it, is look at it as a tool box. In that tool box it's a very small part of my tool box, but a very important part of my tool box, is pesticides. The best way to describe it is a carpenter. He has a tool box. He doesn't haul out a hammer to insert a screw, he hauls out a screwdriver, but he has a hammer in that tool box when he needs it.

The same thing is true with pesticides with me. I have pesticides in my tool box. If I have an infestation I haul out the pesticide tool, keeping in mind that we use this tool in a manner that will assure minimal exposure and potential risk to ourselves, others and the environment. PEI has many regulations, as you know, in place to see that we do that.

Now that we have cleaned up the infestation with this tool, let's now concentrate on how we can prevent or reduce its use in the future. Some sitting here will say there are alternatives out there. Lawn care companies that are ecologically friendly, pesticide free, why are we not using them? We do use them. We do use the alternatives, they are the rest of the tool box, but the rest of the tool box is no good to us without the pesticide tool to clean up the infestation. Now we use the alternatives.

The only alternatives out there to lawn care are properly fertilizing, mowing, watering, aeration, dethatching, over seeding. There are no products out there that eliminate insects and weeds that are natural organic non-pesticide. Anybody that tells you that, I want them, because I'll be the first to use them. They're not out there.

But now that we have cleaned up the infestation, the most important thing here is educating the homeowner. Let's educate the homeowner on all those other alternatives which is the proper fertilizing, mowing heights, the watering, etc. If you can educate them on how to identify an infestation early, it will lead to spot treatments versus blanket treatments.

As for pesticide-free franchise companies, ecologically friendly, I'm not badmouthing any of these companies, I just need to state a few things here. They're no different than any other conventional company out there, absolutely not. They use pesticides, they use as many pesticides as we do, and they're all certified through your department, each and every one of them, because it's great advertising, it's great marketing. Why are they certified? Because they cannot provide you with the service without the pesticides.

A common question I get in neighbourhoods is: I see a sign on the lawn down the street that says pesticide-free and their lawn is absolutely beautiful. No weeds, no insects, it's gorgeous. But if they had have got within six inches of that sign they would have seen that it says: This application was pesticide free. Back to my IPM toolbox. That application was pesticide free. It doesn't mention that a month ago or two months ago that that lawn was treated. It just mentions that that application was pesticide free.

Dr. Joe Schwarez, he's a doctor, he's the director, actually, of McGill University with chemistry and society. I had the pleasure of sitting in on one of his seminars in Ontario. The question was put to him: Can lawn pesticides be guaranteed safe? His response was no and yes. He said: It's like asking if it is safe to take medications. The answer is both yes and no. It depends on which medications and what dose, how it was taken, by whom it was taken, for what reason it was taken. There are no safe substances, only safe ways to use them.

So, vitamin B-6, vitamin A, caffeine, there is a huge list of everyday things we use that on a weight for weight basis, are more toxic than herbicides. Basically, instead of classifying substances as safe or dangerous, it is far more appropriate to think in terms of using them in a safe or dangerous fashion. He goes on to say that two aspirin tablets can make a headache go away but a handful of tablets can kill. Unfortunately, in rare cases, even two tablets can cause side effects. So it is with pesticides. While there are safe ways to use these chemicals, there can be no universal guarantee of safety. That's with everything out there. There is no universal guarantee with anything out there.

The best we can do is evaluate the risk-benefit ratio of each substance and make appropriate judgements. Risk equals toxicity times exposure. If you're using something with low toxicity, which these cosmetic pesticides are and has been proven over and over, if they're applied properly, where is the exposure? It all equals to risk. Low toxicity, very minimal chance of exposure, where's the risk?

The PMRA. I'm not going to go into this. I hear that they're here today and I'm sure that they'll tell you the lengthy process of registering the products. But there is one thing I would like to mention. Not only do they register these products for our use, but they keep a very close eye on us as well. They're contacting us on a regular basis, they audit us on a regular basis, they will test properties, take soil samples and swab samples of properties we just treated. Send them back to their chemistry labs to see that we're using the products that we say we're using and that we are applying them at the concentrations that we say we're applying them.

There is a lot of eyes out there. That's just the feds, that's not to mention what the

provincial guys do as well. It's hard to imagine what more can be done to ensure that a pesticide has an acceptable risk-benefit ratio. I'm just going to keep going on here.

Facts on lawn care. It's estimated that up to 20% of home owners hire professional companies to care for their lawns. The other 80% do it themselves. Up to two-thirds of homeowners use pesticides on their property, whether they admit it or not. The most common pesticides of course include the granular weed and feed products. Homeowners purchase 5 to 10% of the pesticides used in Canada. This is all on the Environment Canada website. Homeowners purchase 5 to 10% of the pesticides used in Canada, but it's estimated that only 20% of them hire professional companies like myself. So you could ban cosmetic pesticide use from all guys like myself out there tomorrow right across Canada and you might be dealing with about 1% of the pesticides used in Canada. So really, are you addressing the problem or not, if there is a problem out there with pesticides? We're about 1% of the industry out there.

Many individuals who state they are against pesticides unknowingly use pesticides. Again, it's back to the weed and feeds. I'm not badmouthing the homeowners. We're not the bad guys here. There is a lot of times that you hear of these surveys and meet these homeowners who say: What are you using pesticides for? You'll see: No, I take care of mine, I don't have to use pesticides, I use Weed and Feed. They're using the exact same product that we're using. But they believe that they don't use pesticides. If they get a phone call from somebody saying: We're doing a survey on whether you want to see a ban on cosmetic pesticides, yes, ban it, it's no good, you don't need to be using cosmetic pesticides. Little do they know, they're using it themselves.

Over 120 municipalities have implemented a pesticide ban. I think some even have this up as high as 130 now. This is not true. Over 120 municipalities have implemented bylaws to monitor, control or promote the reduction and responsible use of pesticides. It's not 120 banned it. Better yet, PEI is one of those 120. We've got the most stringent pesticide regulations anywhere in the world, anywhere.

The provincial government back in 2000, reviewed the existing pesticide regulations - regardless of what the mayor just said here, that the previous government didn't want to deal with the issue, boy, they dealt with it, and they dealt with it big time. Provincial government back in 2000 reviewed the existing pesticide regulations and in 2003 formed an environmental advisory committee which consisted of many individuals - schoolteachers, lawyers, doctors, environmentalists, farmers, etc. - and came back after two years, not two months like this ad hoc report that the mayor presented you with. Over two years.

They came back with 60-plus recommendations. In December 2005 the new regulations were passed, and one of those 60-plus recommendations was not to implement a ban on cosmetic pesticides. I really hope that you'll dig out that very valuable document and go over it with a fine tooth comb. I mean, this wasn't done over night. I can just imagine how much this cost the taxpayers. They took it pretty serious and came back with some pretty serious regulations as well. I promote regulations. A ban I don't.

Again, some of the regulations - I'm not going to go through them all here - that they hit us with - because I hope that you'll comb through it and see for yourselves - but there is a section here - again, this is all - like, fines range from 500 to $150,000. But one thing I would like to mention here today that everybody can hear is that there are several pesticide officers out there patrolling the

streets to make sure that we're in accordance with these regulations. They'll go into an area and if they see a pesticide sign on a property that we treated, they'll go to the sign, they'll see who treated it, what was done, when it was done, and then they'll go to all properties. In some cases this could be 15, 16, 12, 18, 20 properties. Because the new legislation is 25 metres from the edge of the property - that means from the edge of the back, the edge of the sides, the edge of the front - will have to be notified a minimum 24 hours in advance.

These pesticide officers go to their door and they say: Are you aware that there was an application of such-and-such at such-and-such a time, done at such-and-such a property, and were you given the proper documentation on the product that was used, etc.? I mean, there are very strict regulations.

That's just touching the iceberg here. There is a lot of regulations here. That's a great opportunity there for homeowners who may have a problem with the application being done. We've notified them a minimum 24 hours in advance so now they come home and call us and say: Listen, we have something going on tomorrow, or we're against it. We say: Here's the homeowners' number, talk to them. At least it gives them that opportunity to have their say, whether they want that application in their area done or not.

A ban on pesticides will not work. Halifax is a fine example of this with an underground economy going right now. Global, *Live at 5*, have done several documentations on this showing how many people now treat at night or make it look like they're fertilizing when in fact they're applying pesticides. The famous saying around there now is: No signs, no complaints, no problem. It's so true.

Chair: We're at a time here. Do you want to -

Robert Gallant: Oh, you can't be out of time yet, let me go right to the end.

Chair: You're going to have to do a quick wrap.

Robert Gallant: Okay. In here is basically what's happened in Quebec, how one guy in Ontario who says his sales have gone up 20 to 25%,says they've created the same as prohibition of the Quebec government. They're purchasing it that much now. The 2,4-D-has just underwent a $35 million re-registration process. That's the main cosmetic product that they're speaking about. This is on the ad hoc committee. These are some weeds that were treated with everyday stuff. I'm going to go right to the back here, I guess, on my summary.

A complete ban will not work. It will create an underground market for pesticide use. Ban professional use and I and hundreds of Islanders will be out of work. It's as simple as that. If I can't have pesticides in my tool box I'm out of business, it's as simple as that. You cannot provide the service without it. Cosmetic pesticides have the lowest toxicity and have more studies done than most registered products in Canada.

I promote tighter regulations on what can be purchased over the counter and from the untrained do-it-yourselfers. I'm not saying take it away from them, but let's promote a good public education program promoting IPM. I promote adequate resources. More of these pesticide officers that are out there, they're doing a heck of a job.

I, too, have children. I, too, care about my health and theirs. If we cannot trust the advice of Health Canada's professionals and over 400 scientists, then we have a heck of a lot more to be worrying about than a few lawns being treated.

I personally believe PEI is a leader when it comes to pesticide regulations and can continue to be a leader by promoting and enforcing very stringent regulations. Here is a nice picture of - here's the real poison in PEI, the PEI toxic cocktail. This is Sharon Labchuck in a potato field, nude - thank God we can't see anymore - with a respirator on promoting this across the world. This was on a front cover of a tourism magazine. It's not something to laugh at, telling the rest of the world that PEI is a toxic cocktail and that it'll kill your children and our water is toxic.

I'll finish up with this I found two weeks ago. This was in every - right across Canada, this right here. I didn't see it anywhere on PEI: PEI residents live the longest in Canada. It went on to say: If you want to outlive your fellow Canadians, maybe you should start packing for Prince Edward Island. According to Statistics Canada figures for 2005, residents of the Island province lived the longest in Canada to an average of 75.6 years.

Not bad for a toxic cocktail, outliving the rest of the country.

Thank you.

Chair: Thank you very much.

One quick question, that's all we got time for.

Robert Gallant: Sure.

Ms. Dunsford: (Indistinct).

Chair: That's all. We're over time now. Cynthia.

Ms. Dunsford: I agree, I think we do have to clearly define what we mean when we say cosmetic pesticides, because it isn't really an accurate term, it's true. Herbicides, insecticides, pesticides, fungicides, all fall into that so-called category. So I think one of the first steps in putting forward any recommendations - and I agree - is to clearly define what those parameters are. I know that other jurisdictions have even lists. They'll have a list of what is acceptable and what isn't based on their own determinations from their studies, studies they've used to determine that.

So I guess my question would be: Is there any other kind of input that you would have from somebody who is in the industry that we could use for recommendations? I think it's obvious that the potential impact for you is that you would be talking about a transition, if you were even thinking in those terms.

Robert Gallant: It wouldn't be a transition. If you take the pesticides away from me, if you take them out of the tool box, I'm out of business because you can't provide that service.

Ms. Dunsford: Let's just say for the sake of argument you could because of other companies' records across Canada who don't use anything. They provide - it's really labour intensive, but they do provide an organic solution. Do you have any kind of ideas about how that could be part of an industry on PEI, or how you would take a company like yours through a transition to be able to offer a lawn care service that people would be more comfortable with?

Robert Gallant: The only solution, I guess, would be - the average property size in Charlottetown, we'll say, for the Sherwood area as an example, is approximately about 12,000 square feet of lawn. We can go in and service that property and keep that property weed free, insect free, for probably around $350. If you were to go in and bring a landscaper in and pull all that sod off and redo that whole lawn, you'd be looking at probably 35 to $4500. That still doesn't guarantee you that you're not going to end

up -

Ms. Dunsford: I think part of the education process, too, is not necessarily to have the perfect lawn, and I think that's what people are saying. That it's not about the perfect lawn, it's about a safer alternative, that's all.

Robert Gallant: Yeah, your tolerance.

Ms. Dunsford: So I was just wondering if you had recommendations in that area.

Robert Gallant: Again, it's all in here and that's the thing. The IPM thing is the recommendations, what I've been promoting for years. A lot of my clients, they will have their lawns treated every few years. You're not treating them every year. But when I originally took them on as a client, Cynthia, they had an infestation. That's why they called me. They couldn't do it themselves any more. I said: Here is the only tool we have. Here are your two options. That's the education part of it.

Ms. Dunsford: That's the education, that's what we're talking about. In order to not make that happen, people have to not think about it every five years (Indistinct), yeah.

Robert Gallant: Exactly, and once you get that and once you get the health of that lawn back, educate them on: What would I be looking for at the early stages of an infestation? If they can see that, then they can call us right away and we can deal with it.

Chair: Have to cut it off there, we're way over time here. Other people wanted questions. Really appreciate you coming forward.

Robert Gallant: Thank you very much. Again, I'm going to leave this here and I really hope you look it over. Any questions or concerns, please give me a call.

Chair: Appreciate it. Thank you.

Our next presentation actually is a virtual presentation. It's a 15-minute DVD from Dr. John DeMarsh. So there is no action, no presenter with it, so we'll watch that DVD.

[A DVD was played. The following remarks are by Dr. John DeMarsh]

Dr. John DeMarsh: I'm Dr. John DeMarsh and I'm doing a presentation for the Standing Committee on Cosmetic Pesticides.

Mr. McIsaac, and members of the committee, thank you for the opportunity and the privilege of being able to do this presentation. I'm sorry I can't be there in person, but at least we can use our modern technology in a useful way and I can be there this way.

I'm speaking to you as a physician who's been working on PEI for the last 28 years. I was personally exposed to pesticides about a year and a half ago and that got my interest in this topic, and I've been looking into the issue since then. I see it as a concern, as a public health issue, and my interest is in finding out the truth about pesticides, and in this case cosmetic pesticides. In doing this I want to look briefly at the scientific evidence on the health or adverse effects of pesticides and I want to find the truth in this area.

First of all, I'm going to look briefly at the scientific evidence, and then, secondly, I'm going to apply common sense to the issue. One of my best professors when I was studying epidemiology at medical school in the 1970s said: When you're looking after patients, pay attention to the medical evidence regarding their disease, pay attention to the medical evidence regarding their treatment, but always use common sense. There's always a place for that.

While I'm doing this talk I'd like you to keep in mind some of the comments we've heard over the last several months and last year, comments like: Pesticides are safe, or a little pesticide never hurt anybody. Is that true? Another one would be: There's no scientific evidence of harm to humans from pesticides, or, scientific evidence on this issue is inconclusive. Is that true? Another comment is: Epidemiology can never give conclusive answers and can't apply to individuals. Is that true?

So I'm going to be looking at the evidence in general, and first of all I would like to say that science is a tool for understanding our world. It's never 100%, it's always a gradual process of increasing our knowledge. Epidemiology is a branch of medicine involved in studying causes of disease and the control of diseases. Virtually all diseases have multiple causes. It's rare to have one single cause resulting in a disease. It's more of a chain of events. As with smoking, you're exposed to cigarette smoke, you're exposed to other toxins, you develop an illness, eventually you get lung cancer. It's a chain of events. Epidemiology really is the single most important tool we have in our quest for the truth involving cosmetic pesticides, in my opinion.

So what is the evidence? The main thing here is that we cannot do experiments on humans with pesticides, so we can't do randomized control trials, which is the best evidence we can get. Now, we can do that with pharmaceutical drugs, we can give them to humans and see what the effects are. Why can't we do it with pesticides? The reason is because we know that pesticides are poisonous substances by their very nature, so we can't give them to humans experimentally.

Animal experiments are very useful. Some question the ethics of that as well, but nevertheless, animals are given pesticides and the toxic effects are measured. Their organs can be taken out and analysed to see where the poisons go in their body. So animal experiments are very important, but we need human studies.

The types of studies we need are case controlled studies, (Indistinct) studies, ecological studies, and I don't have time to go through all the methods of these studies right now. But they all have strengths, they all have weaknesses. We require a lot of these studies, we require a variety of the studies on a certain topic, before we can come to conclusions about cause. So it is a long process, it requires a team of experts. They review huge numbers of studies, they pick the best ones, they rate the quality, they rate the strength of the associations. They look out for bias, to make sure it's not influencing the outcome, and they find the associations, and then eventually they come to conclusions about cause.

In the case of smoking, the first study for case controlled studies which showed that smoking was associated with lung cancer and it was a very strong association. There was a lot of lobbying however, to undermine the medical evidence. We heard comments back in the 1990s that there's no conclusive evidence that cigarette smoking causes lung cancer. Now, does that sound familiar? It's not that different. Eventually the weight of evidence of all of these studies builds up and the experts start to talk about cause.

The first study I'm going to talk about is from the Ontario College of Family Physicians. This study was triggered by a complaint from some pro-pesticide lobbying group. They complained that the college had brochures which warned patients to avoid exposure to pesticides. This is a review article. It's called a systematic review of pesticides in human health effects. This review looked at huge numbers of studies. They had a team go over all of the evidence. I'll give you some of their findings. They found that it was a strong association with

many different illnesses. Neurodegenerative diseases such as Parkinson's and Alzheimer's disease, cognitive dysfunction, neurodevelopmental effects. In the area of reproductive problems they found birth defects, infertility problems, they found abnormal growth of fetuses, and fetal death. They've also found evidence of genetic toxicity, they found chromosomal aberrations, and this is one of the theories about how pesticides may cause cancer, because of genetic damage. In the area of cancer they found associations with non-Hodgkin's lymphoma, leukemia, prostate cancer, stomach cancer, kidney cancer, and brain cancer, and they found weaker associations with lung cancer and breast cancer and cancer of the pancreas.

This study, in their conclusion, they noted that they couldn't find any evidence that any pesticides were safer than other pesticides. They also expressed a great deal of concern about children's health, especially regarding association with cancer in children.

The second study was performed by the epidemiologist at McGill University in Montreal. This is called a critical review of pesticides in childhood cancer. It was published in 2007 in the *Journal of Toxicology and Environmental Health*. They also found strong associations with cancer in children. In addition to that, they applied the criteria for causation to this evidence and they showed quite a dramatic consistency in all of these studies which all seemed to show similar associations between these types of cancers and pesticide.

Some of the types of cancer they found in children were leukemia. It's interesting to note that the main exposure to children causing leukemia is from preconception, from exposure to their parents before they're conceived. Another major source of the exposure is during pregnancy to their mothers. They also found association with brain cancer, non-Hodgkin's lymphoma, kidney cancer and Ewing's sarcoma.

When they applied the criteria for causation, as I noted above, they felt that there was enough evidence to start to talk about causation in this case. Let me read you their conclusion:

"At this point in time one can cognitively state that there is at least some association between pesticide exposure and childhood cancer. Furthermore, based on the Hill (1965) causation criteria, recent epidemiological studies suggest that this relationship may be causal due to the repeated finding of pesticide exposures significantly increasing the risk of childhood cancer."

They go on to say that there is a current theory that genetic damage is probably behind this but there needs to be more research in that area.

So in conclusion, regarding these review articles, I am submitting copies of these articles to the committee, and I would strongly encourage the committee to invite an epidemiologist with an interest in this area to speak to the committee. I feel that doing the research that I've done that there has been a lot of emphasis on toxicology on this discussion, but not enough emphasis on epidemiology. I think these two need to go together. They're like two legs, and dealing with toxicology without epidemiology is like hopping on one leg. The result of this, I believe, has been too much emphasis on acute toxicity and not enough emphasis on the chronic illnesses. I was personally very surprised at the strength of the evidence in a variety of chronic diseases related to pesticides.

So what about common sense in this whole issue? In my opinion, common sense could say that pesticides are, by necessity, poisons. That comes from the pesticide book which is commonly used in the industry.

Also, acute toxicity should be taken seriously. As it says in the pesticide book: Even if the exposure seems trivial, you should contact a health professional or go to a hospital if you've been exposed to pesticides.

Also, we should keep in mind pesticides are invisible. They get on the grass, they get on children's feet. Children play in the grass, they get on the pets, it comes in the house, it spreads around the environment, and we can't see it. So it's very hard to protect ourselves, especially for children. Also, children are very vulnerable to pesticides for many reasons, but mostly because of their small size and because they play in the grass. We need to protect the children. Also, we're talking about potentially fatal illnesses in children. We have to keep that in mind.

We are talking about exposures occurring in and around the house, we're talking about exposures occurring during pregnancy and even prior to the pregnancy causing leukemia in children, and there's a good association there.

I think it's time to invoke the precautionary principle. There's no doubt in my mind about that. We know that education alone will not help this problem. It was tried in second-hand smoking, it was tried with the seatbelt issue, it was tried with drunk driving, and we know from our agricultural pesticide problems in PEI that education alone is not very effective. It's expensive, it's labour intensive, and it doesn't work very well. But if we combine a ban and education and enforcement, that'll work.

I would urge members of the committee to recommend to government action to drastically reduce the exposure of people to pesticides. That should be the objective. Then the long-term goal, of course, is to reduce illness and disease related to these exposures. We don't want window dressing, we don't want legislation that can't be enforced, we don't want a cosmetic solution to the cosmetic pesticide problem. This is a health issue. It is a health issue.

I would like to thank the committee for the chance to express my opinions, and I'd like to say that I'm not representing anyone else in this. These are my own opinions. I'm not being paid by anyone to be here, and I have no financial interest in the pesticide industry.

Thank you.

[The DVD ended]

Chair: Good. That was Dr. John DeMarsh. He had research articles that are to be circulated.

Clerk Assistant and Clerk of Committees: Yes. I haven't got copies. I will be making copies for the committee. They will be circulated, yes.

Chair: He also suggested that we talk to a epidemiologist. We can consider that too. Take that into consideration.

The next presenter is Mr. Michael LeClair. Welcome. I'll get you to introduce yourself for Hansard and then your presentation is - we have 15 minutes. Time for questions at the end, possibly?

Michael LeClair: Yeah, I think there will be more questions than the length of the presentation.

Chair: Good, this crew is good at asking questions. That will work out very good.

Michael LeClair: It's Michael LeClair and I'm from the City of Charlottetown. I was helpful in Dr. DeMarsh's presentation.

I'm not a scientist or a doctor so it's good to - if you need a scientist, go speak to one,

and if you need a doctor, speak to one. I'm glad to have been able to have brought the doctor here today even though he's in Florida, and I hope having a warmer time than we're having.

I have a letter - and I'm just submitting it around to all of you on the committee. I'd like to thank Alan McIsaac, the chairperson, for creating this opportunity, in particular in response to the motion that was passed by Cynthia Dunsford and seconded by yourself -

Chair: Buck Watts.

Michael LeClair: - Buck Watts. So we're here.

I don't have much to say about why I come to my position. I think the weight of evidence is in, I think the committee has probably heard, if not tens, maybe even hundreds of submissions and e-mails. What I come to say is that the choice really is the health of children in the Province of Prince Edward Island, and the look of our lawns and other green areas.

I remember 50 years ago sitting on my great-grandfather's couch in West Prince and he was listening to the 6:00 news, and they were talking about tractors and fertilizers. At that time he - you know, a dirt farmer with little manure, grew some cucumbers for his little market cache, and by hand. He said: You know, Mikey, I don't think I'm every going to go modern. Well, we went modern. He's gone his way. We can't say how we got here but we seem to have reached the fork in the road where over the last few decades we've reached the position where modern technology and advances in biochemistry and in chemical engineering has brought us to a place where our environment is being impacted. At the time in the 1960s we didn't know where we were going, really. We just thought we kind of bought into it and here we are now trying to figure out where we have arrived.

I believe it's important when we look at the whole question of, and to take it serious, whether it is our lawns that we're concerned about or whether it is the health of our children, that we look at it from the point of view of the health of the jurisdiction of the province, that it is a provincial jurisdiction. It is not the right or the responsibility of the province to be particularly concerned about a number of things, but it is particularly the right and responsibility of the province to be responsible for the health of its citizens.

As Dr. DeMarsh, as many others, have said, including Philip Brown in his presentation before this committee, this is a health issue. Primarily, significantly, a health issue. It's our responsibility, and how we are going to deal with it? The weight of science is there. There's some argument about the importance of epidemiology when we look at this. We know that if you send maybe 100 kids across a busy intersection, two of them will be hit. We don't know which two, but we know two will be hit. That's a simple way of putting it. I would encourage the committee to have someone far more qualified than myself to talk about epidemiology. We've submitted a report from the University of McGill. Someone like that might be of some benefit to the committee.

John DeMarsh mentions the precautionary principle. I think this is important from a public policy in directing your way forward. When the municipality of Hudson in Quebec first stepped forward and implemented a bylaw there was great opposition to it. It took a number of years before it worked its way forward to the Supreme Court of Canada. The Supreme Court of Canada, which is the highest court in the land, and we give it some weight, decided that in this matter there was the precautionary principle that came into play, that it was the

predominant principle that came into play, and that is basically that the health of people takes precedence over any other considerations. That we are to be prudent. Some of us in the old-fashioned school used to talk about virtue, and we'd talk about prudence as being the highest of all virtues.

It's good to see the Supreme Court still considering those things.

In this matter, they said the precautionary principle comes into play, and this is the principle that should be applied in the matters of all public policy discussion throughout the land, whether it's a municipality or whether it's a province.

In the Province of Quebec at that time, as soon as Hudson, the decision came down, all these municipalities stepped up and they wanted to enact their own response to the citizens' call for the elimination of these cosmetic pesticides. Because we have to remember, this is not something that came from the ether. It came from citizens signing petitions, it came from little groups on the Internet, and from scientists doing research. It's coming from the grass roots up, if I might be so bold. Even here in the City of Charlottetown with our unheard of 4,200, I think, signed petitions.

So all these municipalities in Quebec stepped forward. Even across the land, at last count I think it was 147 municipal responses. In the Province of Quebec - and they're ever ready to step to the plate when it comes to provincial jurisdictions and matters affecting provincial jurisdictions - stepped to the plate and they said: We are a nation, after all, in a nation of nations, and we'll have provincial legislation. They enacted the legislation, and to this day it is the most successful attempt by any municipality or other jurisdiction in the country of Canada to eliminate cosmetic use of pesticides. That's really what we're talking about here. We're talking about the elimination of these. The goal is the elimination. How do we get to the goal?

Rightly speaking, in Halifax, it's been marginally successful. There's all kinds of holes, there's all kinds of loops and whatever. In the Province of Quebec it's been most successful, but it has been noted that some people drive across the bridge at Hull and get their pesticides, and I suppose go into New Brunswick and get their pesticides. But it has been the most successful. Provincial legislation has been, without question, the most effective of them all.

In the early days I don't think any jurisdiction in Canada really stepped up and said: This is a health issue. How do we look at it from particularly that side? We've done that with nicotine and cigarettes. It took a long time to get there, it took a lot of struggling, and at first there was a lot of people feeling that their rights were being infringed upon. Other people were saying: My corner store would go out of business if I couldn't sell tobacco in an unhindered way. But we evolved beyond that. There's no, I don't think, clearer parallel than the situation with nicotine, and it's the situation with cosmetic pesticides.

I don't have a whole lot other to say on that other than we do need a provincial act. The provincial act has to have a number of elements. It has to be provincial, like the mayor of the City of Charlottetown mentioned. We need a provincial response that isn't just giving powers to an array of municipalities, but the province has to - and it is their jurisdiction, after all. The municipalities are little more than creatures of the province. So it really is - and health and the environment and provincial responsibilities. So the province is called to act.

I would recommend to the committee that it suggest to government in its final report that

it does act, and that at the upcoming session of the Legislative Assembly that it recommend that provincial legislation be at least introduced. You can send it back to the committee in the fall to look at it in more detail, but at least introduce provincial legislation whose aim is really clearly to eliminate the cosmetic use of pesticides in the Province of Prince Edward Island. That will open the door on how you list chemicals, it will open the door on a number of issues, but at least it will move us the next logical step forward to protect the health of our children.

I've only looked at it in the last six months probably, the research, but the research is incredibly persuasive. The effects on our environment are clear, the effects on the health of present children and future children are clear. I've heard it mentioned that Prince Edward Island, we should be grateful for having people who live to be 100 years of age. We all live here. Well, 100 years ago we weren't using cosmetic pesticides. So I wonder what we will be saying in 35 more years. Will we be living so long or will we be referring to the time when we use to live long and farmed with manure and ate the food that was grown next door, or will we be saying: We can't afford our health care? I tend to think that the real costs are today, tomorrow, and into the future, and that we are blessed to have a lot of senior citizens and old people here. But you can't draw the relationship between present pesticide practices on people's lawns and the longevity of your old great-grandmother.

So that's about all I would like to say. I think it's important, though, to remind ourselves that when the City of Charlottetown - and the member suggested the City of Charlottetown cares for more green space in our municipality than probably any other entity, and that for a number of years they haven't seen the necessity of using cosmetic pesticides. I would further suggest that if you were to drive around the City of Charlottetown in the middle of summer you would not know that we were somehow restricted to access to cosmetic pesticides. People would drive around and they say: You have a beautiful city, your green spaces are well cared for, it looks like you have a reasonable handle on the job. I wonder if the province could be so keen to follow the direction of the city and to restrict it immediately, starting in the spring, its cosmetic use of pesticides, whether it be on hospitals or whether it be on the side of the road, throughout the departments, as a show of good intent - as a first step - and secondly to come up with the legislation.

I don't know how my time is doing and I tend to ramble, but that's basically the (Indistinct).

Chair: We have three minutes and we have got questions here.

Michael LeClair: Go for it.

Chair: Cynthia's got a question for you here. We'll start with her.

Ms. Dunsford: I assume in your research you found different kind of examples of how it's been applied, some kind of restriction or ban in a jurisdiction. It would seem that there are different combinations. For instance, coupling the ban of the actual sale of the products, according to a list, and the use of. In Halifax, you mentioned Halifax, and so has a previous presenter, that the product is still available there for sale and that it's been documented that they see now that that is definitely one of the problems with it. Just wondering if what you have found out kind of concurs.

Michael LeClair: Without question, the fastest way home here is to have provincial legislation that brings everybody into the game. The second one is that there has to be

a restriction on the access to the cosmetic pesticides which must be listed. So in the regulations you have to decide on how you go listing the chemicals. Then, once listed, they're no longer available on the shelf.

It really cuts deeply into the need for enforcement. Simply put, if you can't use particular chemicals on your lawn, if they're not available for purchase to use on your lawn, you won't need the enforcement to go out and find out whether you have or not, because you simply won't be doing it, or at least the need will be greatly reduced.

The other thing that's incredibly important here is the kind of the information educational program that a province would have to buy into at the same time to say: We're moving in this direction, this is the rationale for moving in this direction. These are workable alternatives for 99.99% of the problems, or perceived problems, and this is the direction that we feel we should be going, leading into the 21st century.

We hear a lot these times about the green of this and the green of that and it seems to be that we are at a time when energy prices are going through the roof and there is all kinds of stresses on our ecology. We seriously have to look at how we're going to fundamentally change paths. This is an example of how we could go about that (Indistinct).

Ms. Dunsford: I think in keeping with that kind of the different combinations of ways that this has been done, the education piece is always key to whatever combination is used.

Michael LeClair: The status quo simply isn't an option. That's if we're seriously concerned about the health of our children. If we're not seriously concerned about the health of our children, and it's kind of, well, there is this consideration and that consideration and there seems to be confusion in science, well, we can stay there, we can stay with that.

But if we are concerned about the health of our children, I would argue that we have to have strong provincial legislation. Like the good doctor says, we don't need a cosmetic solution here. Better no solution, better to throw it to the dogs, than something that doesn't work. If we want something that works we don't have to reinvent the wheel. We need provincial legislation equal in its application. We have to have a way of listing chemicals and we have to take them off the shelves and educate about the benefits of this. Not the reason why you have to not do it, but there is a lot of good stories in not doing it.

That's it for me.

Chair: Okay, really want to thank you for the presentation this afternoon. Appreciate you putting that together and bringing it in.

Michael LeClair: Thank you for the opportunity. All the best with your deliberations, and we look forward to the final report.

Chair: Okay,

Our next presenter is Mr. Andy Jamison.

Welcome. Good afternoon. I'd ask you to introduce yourself for Hansard. You will allow time for some questions at the end? We have 15 minutes set aside.

Andy Jamieson: By all means, Alan.

Chair: Super.

Andy Jamieson: Excuse me. Andy Jamieson is my name. I have no claim to fame other than being one of the silent majority, okay? I appreciate the fact that you've given me time to make my presentation.

I'm concerned, and I believe there's an alternative to banning, because I think banning is a very negative approach in our so-called free society. The banning of tobacco has only come about when it was realized that 30% of the medical treatment is caused by tobacco, so then the government learned that way. Hopefully we can do something else before we get to that level.

The idea of banning substances produces all negative attitudes, spying on neighbours. The cost associated and incorporated in that is in hiring inspectors and things like that, so that's not my suggestion at all. I suggest rather that we demonstrate another way.

There is another way. As we know, pesticides do kill, so should be - and I don't subscribe to the idea that there is no alternative. There is an alternative. Unfortunately, somewhat likened to - I read in reports - it's somewhat likened to the drug addict. He has to keep feeding his disease because the consequences are too disabling for him. It's too unfortunate. He's got himself in a situation, in a fix, where it's easier to take another fix rather than to quit cold turkey. It's the same with really treating the soil.

The more pesticides you put in, the more you have to add to it, and that's just common sense to me. So really, look for another way. Surely, maybe going cold turkey is a good expression, but really, if one treats the soil and enhances the quality of the soil, one would not have to use pesticides. It may take a little while to achieve that but I'm convinced that is an avenue to take.

While previous presenters mentioned education, education, I think we should go further than education. We should demonstrate - the government should demonstrate. The government should be the last organization to use pesticides on their properties, around their government buildings, around their schools, around their hospitals. How much does the government spend while at the same time trying to discourage people who are not, from using it?

For example, PEI gets a lot of - I'm happy to have lived here 34 years, choosing to live here, and probably will see out my days here. But some of the publicity - and I'm amazed - much of the publicity that the Island gets is really amazing. It has ceased to amaze me on a bus in Venezuela when half the bus turns around to look at us because we said we're from Prince Edward Island.

We do have a capacity of getting a lot of good publicity, but we also have bad publicity. You know, those people in the rest of the country, when they hear of reports that fish kills and that our population, the highest rate of cancer in the country is here, can't do anything but offset. So we have in a sense - our two large industries, agriculture and tourism, are fighting in themselves with the publicity that one generates over the other. I don't think that's a good policy.

How much does the government actually spend on buying pesticides? Why don't you set the example of banning it in all your properties, okay?

To that end, I have a suggestion. I was at Crowbush, for example - I don't know whether it was last year or the year before - when I went - they said: You're teeing off on the 10th hole because we've just treated the front nine and we don't think it's wise for you to go there for awhile. So start off on the 10th. By the time you go around in two hours, the spray will have settled and one thing and another it'll be clear. So pesticides are being used on the Island.

I've got a suggestion that we use Crowbush as a sample. I have a company - in my travels - and you might know that I was a

travel agent by profession - I came across this country, and I'd like you all to - one, two, three, four, five. Would you give one to Alan, too? One, two, three, four on that side - I think I've got enough. Okay. In which I advocate that the province, using Crowbush as an example for the rest of the world, uses organic fertilizers that this company produces. It costs approximately 50, 60,000 bucks a year to provide fertilizers for golf courses. This is the figure that the groundskeeper out in Dundarave gave me, so I may be wrong but it's a good estimate.

I'm going on line to say that this company, Bradfield Organics, will put up the fertilizers for a year, given the due consideration that it's doing, and offer Crowbush as a demonstration plot golf course for the world. Because it's a problem not just here but worldwide, pesticides being treated, and they'd like to find an alternative solution. This company's solution is treat the soil. Make the soil healthy and you'll get - you won't need as much, or occasionally, I guess like everything else, your health breaks down. I'm just coming off of a cold, so I know that you can't remain healthy all the time. So occasionally, the soil would break down, something would happen, because we live in an imperfect world. But the idea is treat the soil and it'll get better. This company will venture into a program with the province to make a test case for the world in general.

Marlene, I have another piece of paper for people. I think I have a enough of these. I'm not going out on a limb because the company, Bradfield Organics, have entered into a program with Washington, DC, the capitol of the United States, to do a test pattern there. So this company is willing to stick its neck out to prove that you can get by without pesticides. There is an alternative.

So that's what I have to say. I'm prepared for questions.

Chair: Questions?

Andy Jamieson: For example, I do have - and I can show you the example of their product.

Chair: Does it give a listing of what all is included in the product?

Andy Jamieson: Does it give a list?

Chair: Is it on the bag?

Andy Jamieson: I'm sure they are.

Chair: I was looking here.

Andy Jamieson: The web site is there. You can go to the web site and answer any information you want, the preamble that the company gives.

Chair: It gives like the NPK sort of thing, but I'm just wondering. It's not like Weed and Feed or anything like that, then, is it?

Andy Jamieson: No, no, no. This is all from food product material. You don't have to put warnings on your lawn at all. It's not harmful to animals or pets. The people can run on the grass or do whatever and not worry about tracking it into the house. I guess they can do that, but it won't hurt you. It's not harmful being tracked into the house.

Ms. Dunsford: Did you say there was -

Andy Jamieson: Sorry.

Ms. Dunsford: In keeping with your idea about the golf course application -

Andy Jamieson: Right.

Ms. Dunsford: - did you say that there was an example of a golf course that uses a product similar to this?

Andy Jamieson: I didn't say that but, actually, there is one. It's a private course outside of Ottawa. There is one because the members insisted that they do not use pesticides. I visited it. Because it's a private course it doesn't wish publicity, but they're basically - no, the problem with golf courses is the groundskeeper is scared. Because you remember in Avondale just a few years ago that they left the sheets on the tees too long and the tees - or the greens, sorry - the greens were not playable, and so the groundskeeper lost his job.

So in a sense, the groundskeeper at Crowbush would need the support of the government to sit down. It's quite possible that they'd send a technician. Although what a technician would do in a case like this I'm not sure, I'm not a landskeeper. But the fact is the company is willing to go and stick its neck out and provide the materials. The government is always looking for ways to save money. The $60,000 bucks would save Crowbush.

Chair: It'd be kind of interesting maybe to do it on the front nine or the back nine and then when you're playing the course you could see one side versus the other.

Andy Jamieson: Maybe so. Yes it is, except that unfortunately at Crowbush the nines aren't broken up that way. They are intermingled.

Chair: Well, certain holes, use it on certain holes.

Andy Jamieson: One program could be done, I'm sure. The golf industry is interested in this, actually. The golf industry considers - because they do have a problem. It's recognized in the industry that there is a problem with the fact that people want golf courses to look nice and so they have a tendency to use too much pesticide. Unfortunately, they have that problem but it takes somebody with courage, I guess is the word, to go and try it, okay?

But this company is willing to put its money where its mouth is. Hopefully, what a boost for our economy if we did it. Because other - I'm sure groundskeepers from around North America for sure would come to see the experimentation. They would come to see it because if PEI does it and it works - there's no reason why it won't work - that we'll be a leader, once again, in that field.

Chair: Kind of interesting you picked on a golf course, because I think in the Charlottetown report it exempts golf courses.

Andy Jamieson: Sorry?

Chair: In the Charlottetown report, it exempts golf courses.

Andy Jamieson: For the use of that. See, that doesn't make sense, doesn't make sense, doesn't make sense.

Chair: Very interesting.

Any other questions?

Andy Jamieson: Sold all of you?

Chair: Pardon me?

Andy Jamieson: Have I sold all of you?

Ms. Dunsford: If I could just add not necessarily a question -

Chair: Okay.

Ms. Dunsford: - but the approach is so educational because, you know, it's not that we're not - we don't have access to information about companies who offer an alternative, and then you have to find out what's on the list and what's not and everything else.

But to come from the approach that government demonstrate to the rest of the Island by example, lead by example -

Andy Jamieson: Example, right.

Ms. Dunsford: - I think is something we haven't heard and I appreciate that perspective especially because I think (Indistinct) -

Andy Jamieson: And I did sweetened it. I sweetened it too, Cynthia.

Ms. Dunsford: You did.

Andy Jamieson: Didn't I?

Ms. Dunsford: You did.

Chair: Charlie has a question here, then we're just about out of time.

Mr. McGeoghegan: You said that it would save 50 to $60,000. You mean just the first year when they were willing to provide that as a test case, or do you know what the cost is in relation to spraying if you did have to buy it?

Andy Jamieson: It's $50,000, $60,000 now to use whatever they're doing. I based that - actually, I called the groundskeeper at Dundarave to just get a figure. So that's what it costs if you continue to treat it now, or presumably it goes up to 66 or whatever. What it costs - obviously, the company is - I don't know. I can't give you the figure of what it would cost for the use there, but the company has put it on there and the first year - now obviously, in treating a sickness, it's a time period. So if the first year is to succeed, I'm sure they wouldn't want to let it go down the second year.

Actually, if you treat it, if you read the materials, if you read the information in the company's folder, it says it's cheaper in the long run because as you treat it, you leave less down the road rather than more and more and more. So, yes, it is a cost saving feature down the road.

Thanks, (Indistinct).

Chair: Good, We really want to thank you for coming in and bringing solutions with you. That's terrific.

Andy Jamieson: Okay, good.

Chair: Thanks a lot.

Our next presenter came from out-of-province. It's PMRA. Actually, we asked this group to come because their name kept coming up in first presentations, so I'd like to welcome them to make their presentation. You're making a video presentation too?

Unidentified Speaker: (Indistinct) power point presentation.

Chair: Okay. I'll get you to introduce yourself and then I'll let you go right into your presentation You will leave time for questions near the end? Super. Thank you.

Lindsay Hanson: Good afternoon. My name is Lindsay Hanson. I work for the Pest Management Regulatory Agency that is a branch of Health Canada, and I'm here today to provide some information on federal pesticide regulation in Canada.

The number one mandate of the Pest Management Regulatory Agency is found under the *Pest Control Products Act* and that is to prevent the unacceptable risks to people and the environment from the use of pest control products. We also have a mandate to enable users access to pest management tools - those being those pest control products - and also sustainable pest management strategies.

This slide shows the distribution of responsibilities of pesticide regulation in

Canada. We look at each level of government having a complementary role with respect to pesticide regulation. At the federal level we have the pesticide registration process and also re-evaluation. This includes the areas of health, environment, and value assessments. We also have a compliance and enforcement arm, and we also have an area that looks at sustainable strategies with respect to pesticide use, both in the agricultural setting and in the urban setting.

At the provincial level they look at regulation of transportation, sale, use, storage, and disposal. They also have a training, certification and licensing programs and can create regulations for further conditions on use. We also have the municipality which can also have bylaws for further conditions on use.

To talk about the federal responsibilities, I mentioned that we regulate all pest control products that are imported into or sold or used in Canada under the *Pest Control Products Act*. This involves a process of pre-market review and that's the scientific assessment - and I'll say a little bit more about that - post registration compliance and monitoring, the re-evaluation process, which is a scientific re-assessment every 15 years.

Under the pre-market assessment, this is the science that looks at whether or not a product can be registered. It looks at whether the risks are acceptable. Acceptable risks is defined and that is: reasonable certainty of no harm to health, future generations, or the environment from the use or exposure when a product is used according to directions.

The pre-market assessment is an extensive evaluation process for a new chemical or a new substance introduced to the agency. You're probably looking at a period of at least 18 months to two years for that product to be evaluated within Health Canada. There are over 200 studies that are required for registering a new pesticide. These fall under the areas of health assessment, under toxicological evaluation. We also look at occupational and bystander exposure studies. We also look at food residue exposure assessments, and that is to mainly to look at those products used in agriculture for products that may end up on foods.

We also have a division or directorate that looks specifically at environment. The environmental assessment looks at environmental toxicology and also looks at environmental chemistry and fate.

We also have an area of the agency, a directorate, which looks specifically at the agricultural side in terms of the value assessment. That is, whether the product is efficacious. Does it actually do what it claims to do on the label? We also look at competitiveness of that product and sustainability of the use of that product.

The scientific approach that is outlined in the *Pest Control Products Act* is a decision framework that is based on assessment and management of risks. This is comprised of identification of the hazards, identifying the sources, what activities create exposure, what is the magnitude of risk. We also have interaction with other jurisdictions - being provincial bodies or municipalities - and also consultation with the Canadian public.

There is strong reliance on a comprehensive body of scientific evidence and scientific methods. This reflects approaches of other regulatory bodies. Certainly, the regulation of pesticides around the world follows typically the same sort of risk assessment processes that we use. It's a systematic application of science to support regulatory decisions. We have a large number of in-house qualified scientists with a wide range of expertise. There are approximately 500 employees at the Pest Management Regulatory Agency in Ottawa. About 350 of

those are scientists with graduate degrees in their particular area of expertise.

The data requirements with respect to registering a pesticide are those scientific studies that are required in order to assess the hazards and the risks to health and the environment. These studies follow specifically OECD test guidelines for study protocols.

This slide basically shows the risk assessment paradigm in terms of looking at the toxicology in determining what is the potential, what is the hazard, what are the properties of that chemical. We also look at the exposure, whether that exposure occurs through food residue assessment, through the product being used by occupational use and residential use, and also on the environment side. It's the combination of the toxicology and the exposure which allows us to conduct the risk assessment. We also then have the risk mitigation and management of that risk.

We have an area specific to urban pesticide use. We have the Healthy Lawn Strategy which was brought in in 2002 with respect to looking at pesticide use specifically in the urban sector. We also have product re-evaluation, and this was a priority re-evaluation of the most common active ingredients that are used in lawn and turf care.

The main goal of the healthy lawn strategy was to reduce reliance on pesticide use for lawn care through the application of integrated pest management principles with emphasis on pest prevention and application of pesticides only when necessary.

Under re-evaluation, there was a commitment in 2000 to review 401 pesticide active ingredients that were registered prior to 1995. As of September 30, 2007, we have addressed 241 of the 401 actives, a target date of completion of 2008-2009. Under the *Pest Control Product Act* actives will require re-evaluation every 15 years.

I mentioned the priority re-evaluation of the lawn and turf chemicals. Those included the insecticides chlorpyrifos, diazinon, carbaryl, and malathion; the herbicides 2,4-D, MCPA, dicamba, and mecoprop. The re-evaluation status of those products: the reviews of chlorpyrifos, diazinon, and malathion have been completed. Carbaryl is scheduled for 2008. A review of mecoprop has been completed. The re-evaluation of the lawn and turf uses of 2,4-D has been conducted. A re-evaluation note was also released with interim measures in 2006. The re-evaluation of the lawn and turf uses of MCPA has been conducted, and the re-evaluation of the lawn and turf uses of dicamba has also been conducted.

Under the *Pest Control Products Act*, the new *Pest Control Products Act* came into force June 28, 2006. Fundamentally, the new *Pest Control Products Act* strengthens the health and environmental protection of Canadians, makes the registration system more transparent, and strengthens the post-registration controls on pesticides.

Strengthening health and environmental protection, those current practices that are now used are now codified. An example of this is the sub-group sensitivities that is used by our health evaluation directorate, also the principle of aggregate exposure and cumulative affects.

Some new regulations that came in under the new *Pest Control Products Act*: a list of formulants and contaminants of health or environmental concern, the revised pest control products regulations, sales information reporting regulations, and incident reporting regulations.

It's a more transparent registration system under the new *Pest Control Products Act*. Mandatory public consultation; there's an

electronic public registry, the public may actually inspect the test data - and this was referred to as confidential test data previously; and the public may file objections to major registration decisions.

There are strengthened post-registration controls, that being the re-evaluation program. There are new provisions under the act, new offences, and required duties with increased fines and new punishments.

I put up a slide for contact information, and certainly I would be happy to address any questions that you might have.

Chair: Thank you very much for that.

We'll start with Paula.

Ms. Biggar: Just in regard to, well, the previous presentation, when we get products coming into the country like this, who actually tests them to say that they are what they are?

Lindsay Hanson: If that product - and I haven't looked at that specifically - if it is a product that is introduced, and it makes some claims of some activity as far as pest control, then it needs to be registered in Canada. If it was being sold without that registration it would actually be a violation under the *Pest Control Products Act*.

So to be registered in Canada, it would be required to meet the criteria that I put up there with regards to the types of information that have to be submitted, the list of toxicology studies, environmental studies and so forth.

Ms. Biggar: So even though they claim to be not a pesticide, they still would have to go through -

Lindsay Hanson: If it has pesticidal activities, it would have to go through the agency.

Ms. Biggar: Okay, thank you.

Chair: Cynthia.

Ms. Dunsford: First of all, I don't really have a whole lot of problems with the presentation as far as what PMRA is mandated to do.

I have a couple of issues as far as the 15-year re-evaluation period, and the fact that epidemiology seems to be missing from that assessment piece.

However, what I find to kind of be more key to my concerns with PMRA is centered around a report back in May of 2000 from the House of Commons that the Standing Committee on the Environment and Sustainable Development came out with on pesticides and making the right choice for protection of health and the environment. One of the key recommendations from the report for the PMRA was to dissolve its economic management advisory committee. I assume that in the presentation, would that have been the competitiveness and sustainability parts to that piece? If so, why has the PMRA not acted on those recommendations to remove that influence of the inner workings of PMRA with the cosmetic pesticide industry? Or have they?

Lindsay Hanson: There's a couple of things that I would address in your question there.

With respect to the epidemiology, I didn't put the specifics of the entire body of work that our toxicologists at the agency would look at, but certainly we do look at epidemiology studies at the agency. That is a bit of a misconception. Our scientists do look at, of course, the specific toxicology data that has to be submitted by the registrants. That's the list of some 200 studies that are required. Our scientists also look at the body of public literature that is out there. There's a lot of research that is

conducted by universities, by other research facilities, with regards to pesticides. There's also lots of epidemiology studies that are out there. We look at that entire body of evidence when we make a registration decision.

So it's important not to look at really either of those, either the toxicology or the epidemiology in isolation. So we combine both of those aspects.

Ms. Dunsford: With regard to the question, the real question I had, though, was: Why haven't the PMRA not acted on the parliamentary recommendation to cut the ties with the economic piece, with the competitiveness and the sustainability, knowing that - just to me, there's a disconnect between Health Canada and PMRA. If Health Canada is mandated to regulate health matters affecting all Canadians and not the viability economically for pest control products in Canada, and that's what PMRA - there's a piece in there that goes to that point.

I find that there just seems to be a disconnect there, in that one group is involved in the interests of the industry and another group's mandate is to protect the health of Canadians. So I wonder why that recommendation hasn't - it's the year 2000. That's eight years ago, and the economic management advisory committee, as far as I know, still exists.

Lindsay Hanson: That specific recommendation from the CESD report I'm not familiar with that - I have to apologize for that - with respect to the economic management agency committee. That committee does still exist.

The mandate under the *Pest Control Products Act* certainly, first and foremost, is to prevent unacceptable risk to human health or the environment, but there is also the aspect of providing access to those pest control products or those sustainable pest management strategies. So that does form a component under the *Pest Control Products Act*.

The slide where I talked very briefly about some of the competitiveness, that was under the value assessment that is conducted by our value assessment directorate at the agency. It's an expanded definition we have of value under the new *Pest Control Products Act* that brings in more than just looking at - in the past, we looked specifically at efficacy. Does the product actually do what it claims to do? We look at that specifically for the reason of: What is the lowest rate possible for that product to be used at? Thereby, you would have the least amount for potential human exposure or environmental exposure.

But bringing as well into the expanded definition of value is to look at: How does that product compare, how does it fit with existing registered products that might be on the market? So it's maybe not to the degree of economics that you're thinking about, but it's looking at it mainly from: How does that fit in terms of its risk profile, really, with other products that are out on the market?

Ms. Dunsford: So does the PMRA at all have any dealings with any study results made by the industry itself or are they completely cut from - are any of those studies ever looked at by the PMRA?

Lindsay Hanson: Which studies?

Ms. Dunsford: By the industry themselves, by pesticide companies who conduct their own studies with their own scientists.

Lindsay Hanson: And again, which studies are you referring to?

Ms. Dunsford: It's just a general question. Does the PMRA consider those studies valuable to their research?

Lindsay Hanson: And you're referring specifically to studies on economics of -

Ms. Dunsford: Just the scientific studies of the effects of certain pesticides in making decisions on re-evaluation and evaluations on products.

Lindsay Hanson: Okay. You're referring then to the actual studies which companies must submit to the agency in order to demonstrate what are the potential risks of that product?

Ms. Dunsford: Sure.

Lindsay Hanson: Okay. Certainly, I mean, the requirements for a product to be registered in Canada, as I said, are extensive in terms of the number of studies that are required. There's some 200 studies. These studies must be conducted according to OECD guidelines. These are the guidelines used around the world for assessing chemicals for their potential affects on human health and the environment.

So there is no question those studies have to be submitted to us. They submit the raw data to our evaluators. That's really the job of our evaluators at the agency, to assess those studies, to review those studies, to make our own determination of what the potential impacts may be on human health or the environment.

Chair: I'm just going to cut in here. I'll get back to you, okay, but the other guys have questions too.

Buck, and then Bush.

Mr. Watts: Lindsay, on the re-evaluation here, 241 of the 401 actives, as of September 30, 2007, have been addressed. Can you tell me what that means? What has been addressed or what is the results of those having been addressed?

Lindsay Hanson: In an extensive process once a re-evaluation program starts, when I say addressed it would mean that our evaluators have done the initial assessment, both from the human health aspect, from the environmental aspect, and from the value aspect, and have published our results. Typically, once we publish our results based on the open-end transparency of the new act, we post those results or publish them for the Canadian public to have comment.

So when that process occurs, there of course is quite a period of time for us to take back comments from the Canadian public, build that into the next step of the assessment, before a final document would then be released.

Mr. Watts: Thank you.

Chair: Bush.

Mr. Dumville: Two questions. This is a US company. Now does it have to go through 200 research tests to become bona fide in Canada?

Lindsay Hanson: Now, depending on what sort of claim the company is making, there is opportunity for that company to meet with out evaluators at the agency and make a determination: Is this something that - we do have a division that looks at what we call low risk products. There are specific criteria that it has to meet. It doesn't necessarily reduce the data requirements. It may reduce the time lines because there is an effort to bring those products that have a reduced risk profile to market.

Mr. Dumville: Now the 15 year re-evaluation, what number of products, or do you have the capacity that if a product is proved to be so dangerous that you pull it from the market and, you know, like, what would be the quickest product you pulled from the market after it wasn't performing in the safety environment?

Lindsay Hanson: I don't have an example of a specific product, but certainly the minister has the powers to pull a product immediately off the market if it was deemed that that posed an unacceptable risk, a serious hazard, to the Canadian public or to the environment.

Mr. Dumville: Does that happen very often?

Lindsay Hanson: Not really. Yet, typically, for a product to be on the market, the product has to have met the criteria that it does not pose an unacceptable risk. If there was some information that came to bear - I talked about the incident reporting system that we now have available. If there was something in that that made us look at that product a little closer and it was deemed that it presented imminent danger, it could be immediately pulled from the market.

Mr. Dumville: Thank you.

Chair: Cynthia, did you have a follow up there?

Ms. Dunsford: Just kind of more on labels and how the PMRA participates in that whole part of it too, and warning people properly.

We know that there are active chemicals and we know that there are inert chemicals, and we don't seem to have very much data on what happens when those chemicals are mixed and how they behave. One of the reasons that I can find, or that we've been told as well, is that with the inert products it involves trade secret oftentimes. So a company doesn't want to divulge that information because they're afraid of the competition, of course. That makes sense.

However, these are now part of scientific data in proving that these inert chemicals when mixed with other chemicals can actually cause more damage than, say, the product on its own, i.e., 2,4-D and what have you.

Where is the PMRA as far as that kind of data? Because I find that it just seems - there's a lot - you hear a lot about the lack of research in that area. When we talk about pesticides in general - herbicide, fungicide, insecticide - it's a mixture that we're talking about. When we approve a substance, we approve a chemical as opposed to how it reacts or behaves with others. Where is the PMRA with that?

Lindsay Hanson: Again, there's a couple of things that you've touched on there, including the labels, and I'll talk also about the end use product itself.

With respect to the label, that is basically the legal arm of the *Pest Control Products Act*. The label must contain the information that allow for the directions of use. It also contains any of the warning symbols, hazard statements, that would reflect on how that product has to be used in order to protect the Canadian public and also the environment. So the label is paramount. The directions must be followed. The basis for our assessment at the agency - when we conduct our risk assessment - is based on how that product is used on the label.

Secondly, when you're looking at the - if you looked at a label, it would show you what the active ingredient is. You also brought up the word 'inerts.' I would call them formulants. That's the technical term that we use. There is some misconception out there that the agency doesn't know what's in the product in terms of what are the formulants, and that's not true. In order for a product to be registered in Canada we have to know exactly what's in that product. When you referred to confidential business information, that would be with respect to: What are those formulants in there that are specific to that product that the company wants to keep as a trade secret from other

companies? However, they can't keep it secret from us. We have to know exactly what's in that end use product. So we know what the active ingredient is. We also know the list of formulants that are in each pesticide.

Ms. Dunsford: But why don't I know?

Lindsay Hanson: Again, that goes to confidential business information. There are some -

Ms. Dunsford: But if I'm using that product, you see what my question is -

Lindsay Hanson: Certainly.

Ms. Dunsford: - I know it's great that the PMRA knows.

Lindsay Hanson: There are some formulants that they would be required to list if we determine them to be hazardous. We call them list one formulants that have those toxic properties that present a hazard to Canadians. They would be required to list those on the pesticide label. However, the majority of formulants don't have those properties. Our scientists at the agency do look at the formulants that are there to make sure that they also can be used in that formulation and not present an unacceptable risk. So we do have studies on the active ingredient.

Ms. Dunsford: You've done the studies.

Lindsay Hanson: We have the studies that look at - for the inactive ingredient, we look at the full body of scientific evidence in terms of the acute effects, sub-chronic effects, chronic effects. We look at potential for that chemical to cause birth defects, reproductive effects, and if it's a potential cancer causing agent.

But we also look at the end use product, and that is the product that is formulated and is on the shelf. We look at acute studies with that end use product that would allow us to then create the proper labeling with respect to hazards for that product, and that's what appears on the label.

Ms. Dunsford: So would a label ever include warnings that would specifically deal with affecting someone's hormones or affecting someone's chemistry in their body or potentially harmful to cause a certain disease? Is there any kind of detailed label like that ever put on a product?

Lindsay Hanson: That sort of detail would not be on a product label because that's the reason why the agency exists, in terms of the regulatory program in Canada, is to assess those risks with respect to that chemical.

If a chemical per se had those types of effects then it would not be on the market. The main goal of the agency under the *Pest Control Products Act* is to prevent those unacceptable risks. So those sorts of human health effects would not be found on a product label that would be on the shelf.

Chair: We're running out of time here and I've got to get a question in here, too.

What's the take on behalf of PMRA when you see 150 communities, the Province of Quebec, the Province of Ontario, looking at it that they would move to a ban when we have an organization and an agency such as PMRA that has approved these things? Why would they bother going that way? What's the take from your point of - your aspect on that? Do they not believe your research or -

Lindsay Hanson: I would answer that in this way, in that under the *Pest Control Products Act* certainly the provinces can create further regulations with respect to those areas which I mentioned as far as sale, transport, use of the product. They also deal specifically with licensing and certification.

Under the *Pest Control Products Act*, the provinces and some municipalities, depending on their provincial authority, have the ability to, I guess you could say, tighten up regulation of pesticides. They can't go the other way. The *Pest Control Products Act* sits at the top and it sets the guidelines, the baseline, for regulation in Canada. If the provinces wish to further tighten things up, if a municipality wishes to add additional regulations, then they may be able to do so, but they can't go the other way. They can't bring in a product from the US and say: We're going to use it in Prince Edward Island without it having a federal pesticide regulation registration number.

Chair: Did you have many of these municipalities meet with you and say: We don't believe your research even though you have 350 research scientists there that are experts in their field? I mean, they've laid out the rules and regulations on how these tests were all to be done and they were done that way and they were proved to be acceptable to you people, and then they say well - did they have you in and talk to them about this, or why did they decide they had to take up this ban if Health Canada has said everything is A-OK by us? That's where we're at here. We have people coming forward telling us: Hey, it's not safe. We have Health Canada telling us it's safe.

Lindsay Hanson: I have had opportunity to speak to a number of municipalities across Canada and make similar presentations and answer similar questions. In terms of the decisions that those municipalities have taken, you would have to ask those municipalities why they chose in their area to take that step. As I said, it's completely under their jurisdiction to be able to take that step and I'm not going to say whether that's a good thing or a bad thing.

Chair: Well, I didn't really think it was fair to ask your opinion I suppose. I just want to - but this is what we're hearing. We have things like this little card that was passed out, said that the cancer institute says that children are six times more likely to develop leukemia if they're using pesticides. And they say the breakdown products of pesticides are even more toxic than the original active ingredients. I mean, we read that kind of stuff on these cards. I have no idea if that's true or if it's fearmongering or what it is.

Lindsay Hanson: You know, I can't speak to that specific document that you're looking at. But what I can tell you is that the 300 or so scientists back at the agency in Ottawa certainly take their job very seriously, and under the PCPA it's designed to examine those specific sorts of concerns.

As I've stated many times throughout the presentation, the mandate is to prevent those unacceptable risks to Canadians or the environment. That is the mandate and that will remain the mandate. With respect to information that is out there, I talked a little bit about how it's somewhat dangerous to look at individual studies in isolation. What we do, our scientists are able to look at what we call the weight of evidence, the body of evidence, with respect to a particular chemical. Includes, as I said, the toxicology studies which are the animal studies, but also the epidemiology studies, and other research papers that might exist in the public literature.

So it is our job to compile all of that information to make a decision but, ultimately, the goal again is to prevent any unacceptable risk to Canadians.

Chair: Right. I really appreciate you coming down and taking the time. We're out of time. That's the problem.

Mr. McGeoghegan: (Indistinct) on the list.

Chair: Yes, I do. I owe you a question. Go ahead. That'll be it. That's right.

Mr. McGeoghegan: As we know, the United States is doing testing on measurements of human effects and environmental effects and you guys use that as part of your evaluation on Canadians, use that information, I understand.

We also know that because of precipitation and with rainfall and other things, that the farther north you get the heavier those amounts of pesticides show up in the environment. How can we use the United States as an example to human and environmental effects if we know that the farther north you get, the worse it gets? I'm just wondering what's your take on that.

Lindsay Hanson: I would answer that in this way, in that the agency does work extensively internationally, not just with the United States Environmental Protection Agency, but also many of the OECD countries, the United Kingdom and the other countries of the European Union, with respect to pesticide regulation.

So there's an extensive body of information out there with respect to most of the common active ingredients, pesticides, in the world. As I said, we work closely with those countries and would look at additional studies. Certainly, that is part of the re-evaluation process, to look at what other information is out there. What other reviews have other countries done to make a determination of whether that product can be safely used in Canada?

Mr. McGeoghegan: Right. Just as a link to that, in Sweden 2,4-D is banned as a product. How does that relate to you guys when you guys say it's all right?

Lindsay Hanson: I believe in Sweden the product was withdrawn by the manufacturer for the use of that chemical in their specific situation. Certainly, 2,4-D has been re-evaluated in Canada. I touched briefly on the priority review that was done for the lawn and turf use specifically because it would probably the number one herbicide of use in Canada with respect to lawn and turf. So we have conducted that re-evaluation which did, as I said, look at international reviews as well.

I can't speak specifically as to why Sweden has that situation, but in Canada that herbicide is registered for use for lawn and turf and it's used extensively in agriculture. I believe that is part of it, that Sweden doesn't have the same sort of use with respect to that product as far as agricultural use.

Mr. McGeoghegan: Right. Just one quick thing on - it's not in regards to cosmetics as much as food. I'm just wondering, do you guys in your testing, do you test vegetables, both the outside of the vegetable and the inside, to see if there's any trace chemicals transferred? Is that part of your testing or not?

Lindsay Hanson: The agency, no. We don't do specific testing on that sort of information. What you're referring to there is the work done by the Canadian Food Inspection Agency. We work closely with them with respect to the pesticides which are registered and which can be used in Canada, particularly in the agriculture sector, and that refers then to what are potential residues that may end up on foods. They do that sort of sampling for us.

We do actually - and I should correct myself - we do have labs that do work on the chemistry side to examine chemicals specifically, so they would do some of that assessment work, but in conjunction with the CFIA.

Mr. McGeoghegan: So it's mainly CFIA?

Lindsay Hanson: Yes.

Mr. McGeoghegan: Okay. Thank you.

Chair: Again, I want to thank you, Mr. Hanson, for coming down. I really appreciate it, because we are dealing with a pretty interesting topic here and we wanted to hear from you because the PMRA name kept coming up. Appreciate your coming down and answering our questions and making your presentation.

Lindsay Hanson: You're welcome.

Chair: Good. We're going to take a two minute break. We have two more presenters. I've had a request that we adjourn by four so it will be shortly after that. Item number 4 on the agenda, I think, will be put off until the 7th. Anyway, take a two minute break and be back. The clock is running.

[There was a short recess]

Chair: Okay, we'll resume.

Our next presenter is Ms. Micheline Lévesque.

Micheline Lévesque: That's good.

Chair: Pretty good. C'est bon?

Micheline Lévesque: C'est tres bon.

Chair: Welcome, and I'll ask you to introduce yourself for the sake of Hansard. How long is your presentation here?

Micheline Lévesque: It's about 10 to 15 minutes, depending on -

Chair: We have a 15 minute time frame and we'd like to have a few questions at the end.

Micheline Lévesque: I know, that's my challenge.

Chair: Okay, go ahead.

Micheline Lévesque: If I forget some words you need to help me out, okay.

Chair: We will.

Micheline Lévesque: Okay, my name is Micheline Lévesque, I'm a agronomist and a biologist and I've got my credentials a little bit further and I want to talk about it because you need to know the story to understand why I'm sitting here.

First of all, thank you for having me speak to the committee on behalf of the Canadian Cancer Society. It's great because I've never been to Charlottetown. It is beautiful. I want to come back.

I put that slide up with cosmetic pesticide legislation because you don't want to use the word "cosmetic." I put it there so that I'd address that issue. Because again, try to define cosmetic, okay? So we'll come back with different words during the presentation, non-essential, and we'll define also words like synthetic use of pesticides and low impact pesticides.

I've actually worked most of my professional life with pesticides. I've worked in golf courses and garden centres and greenhouses. I grew up in an orchard where my Dad used DDT. Now, nicotine used to be a powerful insecticide. It was actually taken off the market also. So I've grown up with that, and I loved horticulture, so I decided to go back to school and study that.

I can tell you that through university, be it the bachelor, the master's, my first question was: Why is it are we using so much pesticides, so many pesticides? Why are we using pesticides? Why is the plant having problems? That was the driving issue behind all my research and all the studies. I was a little bit obsessed by that question, actually.

So I started teaching at Guelph, Alfred College. I taught some golf superintendents, but also different types of clientele, and always looking at finding the alternatives.

When I was elected as a city councillor I was faced with a decision about pesticide bylaws a couple of years after Hudson passed their own and went to the Supreme Court. So I was always asking that question, and everybody has asked: If we do ban or restrict, heavily restrict, the use of synthetic pesticides in the urban area, landscape or lawns or whatever, are there alternatives?

PMRA was saying that they're registering, it's coming in, slowly but surely, but there are a lot of alternatives. I actually wrote a whole book on this because people need answers and they need help. People don't need pesticides, they need answers and solutions. So if you bring them a solution that doesn't have such an impact on environment or health, they'll go for the low impact.

I started helping different municipalities look at their bylaws and look at also the provincial code in order for it to be applicable in the field. Because most bylaws or laws are written by lawyers and that makes them work in court, but you need horticulturists, you need agronomists, you need people who are working with this issue, to make sure that you can actually live with a bylaw. Because I do not recommend any bylaw if you can't apply it and make sure that people are educated, have solutions, but also that if people are cheating, well, there's a consequence also.

Actually, Mr. Hanson are you still there? I'd love to have your business card because we're having problems with some - I don't want to call them professionals, but people selling (Indistinct), which is off the market for urban use around houses, on lawns, and stuff like that. We have people still applying those products. We've tested them and everything, and I'm having a bit of trouble with the Montreal office getting replies on the complaints that we're doing.

So there's federal legislation, there's provincial, there's municipal, and we all have to work together, because it's true, there are some people that will cheat. But the average person only wants to know how they can fix their problem. If you can have a solution without using synthetic pesticides, why not?

I've worked with over 20 different municipalities doing this across Quebec, but also in Ontario, and we do a lot of professional training to municipal staff, city councillors, bylaw officers. I've trained all of the Montreal botanical garden staff and horticulturalists on different ways of doing on the alternatives and on plant health care.

Because you see IPM coming up, and IPM is a good thing if you're doing true IPM, which is not happening. Because you make a lot more money to spray pesticides, you don't have to think that much, then really going through the whole process of IPM which is scouting, identifying. You'll have to measure: Is there enough insect or problem to actually take action? The first action you should take is low impact action. Is it to cut the branch, is it mechanical, physical, is it a low impact product, and then, if all else fails and you're really having a serious problem, then you'll look into having the use of synthetic pesticides.

So this is not about a prohibition, but a lot of the industry has to learn about agronomy and plant health care. Because again, some speakers came before us, if you have a healthy biological soil, if you have healthy plants, if you don't have a disaster like ice storms bringing different problems, well then, normally a healthy plant will resist and not attract problems. So we need to work on prevention also and that's the educational part of this, okay?

We've actually won a Phoenix prize for the environment - and that was given to us by the minister of the environment of Quebec - for a project that I'm going to come back to,

where we actually worked with seven municipalities in a regional county municipality, where we put one bylaw, one system, one educational campaign, for 145,000 people urban area. It really worked very well and it's still happening now.

I've written a couple of books, like I mentioned. Why? Because people want answers. What we do while helping, we put a green line at the service of the population, and people can call any time and ask whatever questions they need. A lot of the times we need to train the staff that's going to be answering those calls. They're starting to teach this in school, but we're actually all learning. We don't have all this information. We are learning, but there are some alternatives out there.

So why limit and control pesticide use for urban use? I'm not going to talk about the health issues because you've heard a lot about that and I think they were very efficient on it. The only thing I want to show you is that you can actually access - I'm sorry it's in French, but it's on the web site of the Quebec provincial code. You can see tables like that explaining the products that are lower impact or could be cancer carcinogens - I think that's how you pronounce it - or have an impact on the endocrine system, right?, or on bees if you're a beekeeper, or if you have crops or whatever. So you can access information like that and it's very practical for people to be informed. Because of course, if they're writing it there, there's an issue with it.

Now I'd rather speak about the economic and environmental issues. These are statistics from the EPA and a scientist called David Pimentel. He was looking at when you spray a crop, when you spray a lawn, when you spray a bush that has an insect problem or disease, how much of the product really hits the target? They came with the statistics that less than 1% really hits the target. So where else is it going? It's going in the air, in the atmosphere, it's going in the soil, it's going in the water, and you're going to target not what you're wanting to kill. Other creatures are going to get it, or the environment. Economically it's not viable if you look at it that way.

I've done a lot of looking at - because in some situations we give permits of using certain pesticides in the municipal bylaws. But I've been going back to check what kind of results were we having with these chemical products? I shouldn't say chemical, they're all chemical of course, but the synthetic ones. Sometimes you get 30%, sometimes you get 50%. There is a magical idea out there that using pesticides will kill 100% of the bugs. That just doesn't happen. The fact that you're using over and over the same pesticide, you're going to have resistence problems. Then you need to develop newer products and different products, and that's a lot of money for society and, of course, the health impacts.

So why limit and control the use of pesticides in urban areas? The first thing is because gardening and lawn care can be done without the use of pesticides. You just have to know how to do it. The other thing is most often - and please remember I said most often - pesticide use is needed to compensate lack of knowledge or deficient management practices. It's a lot easier to cut the grass short, to pick up the grass clippings, and to spray the lawn and keep it green, but if you stop anything - you stop watering it, you stop fertilizing it, you stop doing anything - it goes berserk. But if you let it grow, if you put organic fertilizers or what the product seed was showing for example, if you feed the soil, if you take care of the plants, if you have a bit of clover in it, you're probably not going to have problems. You can go on vacation and you're grass is going to be green when you come back also.

Chair: You have about five minutes.

Micheline Lévesque: Oh my goodness, that's not fair.

Okay, new products, new lawn (Indistinct) products do exist.

I won't go into this, but again, management practices make all the difference. The more its intensive, the more you don't take care of the health, the more you need pesticides. Actually, no, let me go back to that one. I put a little thing on PMRA here because - go to the healthy lawns web site. There's great information on how to really change our management practices. Go to the Canadian Mortgage and Housing Corporation. You'll get great information on what they call low maintenance lawns where you're going to cut on water use, fertilizer use, pesticide use, and you know, nowadays, we have a problem with all these issues. We have waste management problems, so we got to stop picking clippings and clippings is food for the grass and for the soil. So you're going to waste less money too.

Now, what was the impact of legislation on the markets in Quebec, for example? I've been working on this for the past eight years. I've worked with several municipalities, I've worked with lawn care companies, and actually sales of low impact products go up, seeds. The market really gets dynamic, and then the industry starts developing new tools, new products, new everything. So the market's not collapsing.

The other thing is there's a new market for sustainable lawn care. The question you were asking the lawn care gentleman that was here earlier is lawn care companies have changed. (Indistinct) that we knew was totally chemical. Well, I've worked very closely with them and I have a lot of respect for them. They lost business in the first year, in the transition, because some people are cheating - that does exist too - but they really stuck to their guns. They're doing natural, they're pulling weeds. It costs a little bit more. But you know what? People are willing to pay a little bit more because they have a guarantee that they can actually let their kids go out and play on the grass, or they can trust that nothing wrong is going to happen.

There's been an increase in demand in these companies and there's not even enough of those companies. So train these lawn care professionals to change their way of doing in their services and you're going to have a boom with business here. Like I said, people are willing to pay more.

So what's the best option for PEI? From my experience, for working closely with the pesticide code and the employees at the ministry of the environment that are managing the code - and we've done a lot of recommendations to the code before it was adopted. So the code is complex. It's not easy to understand, and that's why there are still municipal bylaws also. Some things are permitted, some are not. It's not easy to understand. So we definitely recommend that you do a hybrid between the pesticide code - the Quebec pesticide code - and the best bylaws, and you see with your population, your reality, what works best. Because I think - correct me if I'm wrong - but most of the population that would be touched by this is in Queens, right? So it's not that hard to manage because it's not a huge area.

Now some of the strong points that definitely have to be there is eliminate sales and use of certain products for the average person. You're going to have different regulation for the lawn care guys, for the professionals, you're going to get them trained, you're going to get them learning new ways of doing. Getting their credits and making sure that they know what they're doing. But for the average person - for all the time I've worked in garden centres and places like that when I first started in horticultural, I can tell you that so many

people will not read the labels, will use double quantity, will do it when it's windy.

Now I can say that some professionals do that also, and that's bad, and that's why we need provincial government to stand and make sure that the lawn care or the professionals are professional, and we need PMRA also to stand up and make sure that they're not using the products that have actually been taken off the market, because they're not acceptable.

So in short, very simple, synthetic pesticide use should not be allowed without validation of something, a permit or a validation to the average person and also to the professional user. Synthetic pesticides should be allowed if no other method, strategy, practice or product that is safe for human health and the environment is successful in correcting the problem. Okay, it's not successful.

That doesn't mean: I have three chinch bugs, I need to spray because the natural product didn't work. Because three chinch bugs does not mandate the use of pesticides. There's a gradation there. You're not going to loose your lawn for three chinch bugs. Low impact pesticides should be on re-certified. They have good criteria. I've put in a definition also that comes from the ministry of the environment of BC, that were really the forerunners in the aspect of IPM.

How to do it? Provincial legislation, professional training certification, public education and outreach, and you need staff, like what we call eco-technicians or eco-councillors, in the field to help people change their way of doing, but also to make sure that the legislation is applied and there's surveillance also.

Can it be done? In Quebec you can see the numbers, and in Ontario. There are bylaws in Toronto for 2.5 million people, in Montreal, 1.6 million people. You can see big numbers. I think the best example is the example where we won the Phoenix prize. So 146,000 population, all urban, so that's a lot of people with a lot of lawns. Same bylaw, same permit system, same training for parks also. You had that issue coming up. The city has to be an example. It's great. I hear that no pesticides are being used in the parks, but that doesn't mean sometimes you're not faced with a problem. So you need to have that education and you need the green line. You really need to have access, easy access for the average person.

Now these just came - they're hot from the Statistics Canada web site, this just came out. They're saying that in spite of a national trend, the proportion of households using pesticides was reduced by half in Quebec, and that's probably due to the legislation. So can it make a difference? Absolutely. But it's got to be easy. If you do it at the provincial level there's no confusion. Everybody works with the same rules and that's really important.

I saw your motto on your web site. I think passing legislation for the pesticide issue is really walking in the footsteps of the forefathers that said that the small can be protected by the great. To do this at the provincial level, definitely you have an impact to take care of people's health. One of the strong points of the pesticide code in Quebec is that no pesticides are allowed - unless a total emergency - in daycare, schools, and that makes a big difference for people's health.

Thank you.

Chair: Thank you very much. It's hard to get everything in in 15 minutes.

Micheline Lévesque: I know. Well, 15, 12.

Chair: Good. Anyway, really want to thank you for the presentation.

Micheline Lévesque: Appreciate it.

An Hon. Member: (Indistinct).

Chair: You want one quick one? We are over time. But anyway.

Ms. Dunsford: I was just curious if there's a list - has any jurisdiction come up with a list of those emergencies where, in a case, you would use pesticides for cosmetic reasons? Like, you know you were saying (Indistinct) -

Micheline Lévesque: Let's ban the word cosmetic.

Ms. Dunsford: Okay, yeah. In cases of emergency, have any jurisdictions come up with a criteria?

Micheline Lévesque: No, because it's a dynamic situation. So for example, if you're having a major infestation and all the cities are affected you might look into it, if it's going to give the results. Because it's not just about it's present. Will it get the results? Are the products available? For example, last year and the year before there was no synthetic product available for chinch bugs. So it was like, even if you want to, there is nothing you can use in Quebec. Now new products are coming out.

Mr. McGeoghegan: (Indistinct) on that. Somebody told us that you can use soap for chinch bugs. Is that right?

Micheline Lévesque: The average person can use soap. It's not registered. Let's be clear on that. You can't go and sell the recipe and say: You can use soap. Soap has been used for decades by our grandmothers treating their own plants.

Chair: I didn't have you on my list that time, Charlie.

Mr. McGeoghegan: Sorry, Alan.

Micheline Lévesque: Let me just add something on that. Just a quick one. To really answer your question, there was research done in the University of Laval and the researcher there, she looked at all the low impact pesticides with pyrethrins or without, synthetic pesticides, and concentrations of soap. Actually, the best results came with dish soap.

Chair: Good.

Micheline Lévesque: But you can (Indistinct) her research on the Laval university website.

Chair: Thank you very much.

Micheline Lévesque: My pleasure.

Chair: Appreciate you coming down and giving the presentation.

Micheline Lévesque: I don't want to leave anymore.

Chair: You can stick around and talk with anyone of us afterwards.

Our last presenter for this afternoon is Dr. Pamela Courtenay-Hall. If you could come forward, that would be great.

Is Dr. Hall here?

An Hon. Member: No, she's not here, Mr. Chair.

Chair: She's not here.

We may end up being adjourned at 4, then. I had approved for the agenda with Ryan's research project. It's over on the side there. You see those big booklets. Do you want to start that at 4:00 this afternoon? I had a request to adjourn earlier than we had planned, but that was approved to be done on the agenda. So I need agreement that -

Mr. Bagnall: I move a motion that we put that on the next meeting.

Chair: Shall it carry?

Some Hon. Members: Carried.

Chair: Okay, the next meeting for the committee is set for the 7th at 1:30 in the afternoon. We have one presenter at the present time and we will be dealing then with Ryan's -

Mr. Bagnall: We should set an hour aside for Ryan for that?

Chair: At least, yes, we will. Okay?

So I need a motion to adjourn.

Mr. Bagnall: So moved.

Chair: Shall it carry?

Some Hon. Members: Carried.

Chair: Good. Thank you.

The Committee adjourned