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Ministry of Environment  
presentation to  
Special Committee on Cosmetic  
Pesticides

Monday August 22, 2011

Douglas Fir Committee Room, Room 226,  
Parliament Buildings, Victoria



- Background
  - The issue – Cosmetic use of pesticides
  - Pesticides and why they are used
- Regulation of pesticides in BC
- Other provinces – what they did
- Consultation – what we heard

# The Issue

Many British Columbians are concerned that pesticides are being used in places where they live or recreate and that these uses are unnecessary.



# What is a pesticide?

micro-organism or material that is represented, sold, used or intended to be used to prevent, destroy, repel or mitigate a pest

- insecticides
  - fungicides and antimicrobial agents
  - herbicides
  - material and wood preservatives
  - animal and insect repellents
  - insect- and rodent-controlling devices
  - algaecides
- Active Ingredient – the component of the pesticide product that is responsible for the intended effect
  - Product – formulated; contains active ingredient and other components



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What are cosmetic pesticides?

# Why do we use pesticides?

- Protect human health (wasps, WNV)
- Food supply
- Manage resources (pests of forests)
- Economic interests (gypsy moth)
- Environment (invasive species)
- Nuisance (biting flies)
- Pests of structures (termites, roaches)
- Health of ornamental plants (trees of value)

# UBCM Resolution

## 2008 UBCM resolutions

B81 - ban the sale and use of cosmetic pesticides province-wide

B82 - control pesticide use by mandating sales and retail display restrictions across BC and allow local governments to regulate, prohibit and impose requirements in relation to the use of cosmetic pesticides on all private lands



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# Pesticide Regulation in BC

*Current situation in British Columbia*

Federal

Provincial

Municipal





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# RISK

$\text{Risk} = \text{hazard} \times \text{exposure}$

# How pesticides are regulated in Canada

- Health Canada - *Pest Control Products Act*
  - Evaluates and registers pesticide products
- British Columbia - *Integrated Pest Management Act*
  - Regulates the sale and application of pesticides
- Municipalities - *Community Charter*
  - Additional restriction on private and municipal lands



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# Health Canada – *Pest Control Products Act*

Pest Management Regulatory Agency  
(PMRA) evaluates and registers  
pesticides before they can be used

# Health Canada (PMRA) RISK ASSESSMENT

- Toxicological Evaluations
- Occupational Exposure Assessments
- Food Residue Exposure Assessments
- Environmental
- Value/efficacy



# Federal (PMRA) CLASSIFICATION

- **MANUFACTURING:** used in the production of pesticides
- **RESTRICTED:** can only be used under certain circumstances by specially trained individuals
- **COMMERCIAL:** For commercial activities as indicated on the label. not for use in and around the home
- **DOMESTIC:** for personal use by untrained individuals in and around the home



# British Columbia

## *Integrated Pest Management Act*

- Regulate the use (application)
- Establishes conditions for sale and use of pesticides
- BC pesticide classification system is based on Health Canada classification system
- Specific provisions for authorizations
- No unreasonable adverse effect
- Defines Integrated Pest Management

## No unreasonable adverse effect

No person shall use, handle release transport, store, dispose of or sell a pesticide in a manner that causes or is likely to cause unreasonable adverse effect.



# Integrated Pest Management (IPM)

- Prevent pests
- Identification of the pest
- Monitor pests population and the damage caused
- Determine injury threshold for each pest, for consideration of when to use a pesticide
- Select treatment based on consideration of practical alternatives to pesticide use and protection of human health and the environment
- Evaluate of the effectiveness of the treatment



- Pesticide classes
- Certificates
- Licences
- Pest Management Plans and PUN Confirmations
- Permits



# General conditions

- Storage
- Transport
- Sale
- Use – protection of human health and environment
  - Training of pesticide users
  - Precautions to prevent unprotected exposure
  - Protection of water bodies, wells and sensitive features
  - Reducing pesticide drift
- Record keeping and reporting



- **PERMIT RESTRICTED**
    - Risk should be evaluated for each proposed use
  - **RESTRICTED**
  - **COMERCIAL**
  - **DOMESTIC**
  - **EXCLUDED**
    - **Excluding them from the requirements will not increase the risk of unreasonable adverse effect**
- Federal  
classification  
system



# When is authorization required?

- To sell pesticides
- To use on pesticides on public land
  - Mosquitoes
  - Noxious weeds
  - Pests of structures
  - Pests of goods
  - Landscape pests (weeds in sidewalks, parks)
- To apply pesticides as a service
- To apply pesticides in and around multi-resident dwellings



# When is authorization required?

To apply pesticides for the following purposes:

- Railways/ yards: vegetation and wood preservation
- Right of ways: vegetation
- Wooden poles: wood preservation
- Forestry: pests and vegetation
- Mosquito : mosquito management



# Use on private land

No provincial authorization or special conditions for pesticide use on private residential land by owner or resident

Except when provided as a service or the application is on a multi - resident dwelling



## Sale of Domestic Class Pesticides

- Licence to sell pesticides (except Excluded class pesticides)
- Certified dispenser to inform purchasers to follow label and offer advice about pest management
- Licensed vendors of domestic class products do not need to report annual sales



# Requirements for landscaping licensees

- At schools, parks, public land, multi-residence properties (4 or more dwellings) or when providing a service (on public or private land)
  - Use IPM
  - Provide notices (advisories or signs)
  - Certified pesticide applicators
  - Keep records and report uses

## Integrated Pest Management (IPM)

Practice pest prevention

Identify the pest

Consider alternative pest management methods (other than pesticides)

Minimize harm to beneficial organisms that help control pests

Reduce the development of pesticide resistant pests





## Municipalities – *Community Charter*

- May restrict pesticide use on outdoor trees, shrubs, flowers, other ornamental plants and/or turf.
- May not restrict the use of excluded pesticides
- Many have created pesticide use bylaws on private residential land and municipal land.



# Bylaws in B.C.

- 37 municipalities
- Not all bylaws equal
- Different tolerances for pesticides
- Different pest problems

## Municipalities with Pesticide bylaws

### *Vancouver Island*

- Comox
- Courtney
- Cumberland
- Esquimalt
- Nanaimo
- Oak Bay
- Port Alberni
- Qualicum Beach
- District of Saanich
- District of Tofino
- Victoria

### *Thompson-Okanagan*

- Kamloops
- Kelowna
- Salmon Arm

### *Kootenay*

- Fernie
- Golden
- District of Invermere
- Kimberly
- Nelson

### *Lower Mainland – Coast*

- Burnaby
- Delta
- Gibson
- Harrison Hot Springs
- District of Maple Ridge
- New Westminster
- Port Moody
- Richmond
- District of Sechelt
- City of Surrey
- Vancouver
- City of North Vancouver
- District of North Vancouver
- District of West Vancouver
- Whistler
- White Rock

### *Northern BC*

- Terrace (in 2012)



# Sample differences among some by-laws

- Pesticides can continue to be used on some municipal lands like sports fields
- Pesticide use is allowed under municipal permit
- Signage is required where pesticides are used
- Specific pesticides are prohibited or allowed

## Community Charter

May restrict pesticide use on:

- outdoor trees, shrubs, flowers, other ornamental plants and/or turf.
- private residential land and municipal land.



# Exemptions under by-law

Exemptions where no decision is required by municipality

- For noxious weeds
- Residents can hire licensed IPM applicators to apply pesticides

Exemptions allowed by municipal permit

- Pests that threaten ecosystems
- Infestations
- Pests of danger to people



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# Approaches in other jurisdictions

# Federal Action

- Health Canada will phase out the use of herbicide fertilizer combination products.
- Last date of sale is December 31, 2012.

# Status of Pesticide Bans across Canada

- Six provinces restrict the sale and use of pesticides for lawn and/or landscape uses.
- Others are considering it.

ONTARIO

QUEBEC

NEW BRUNSWICK

NOVA SCOTIA

PRINCE EDWARD  
ISLAND

NEWFOUNDLAND  
AND LABRADOR



# Three models

- Ban active ingredients
- Ban products based on their use
- Ban products based on concentration or package size





# QUEBEC - 2003

- Purpose: To limit harmful effects of pesticides on health and environment
- How:
  - Ban sale of 20 AI and pesticide-fertilizer mixtures for lawns
  - Pesticides to be sold *behind the counter*
- Scope: lawns, inside and outside of schools and childcare facilities
- Allowed: lower hazard pesticides (specified in list)

# QUEBEC - 2003

- Details:
  - Banned list criteria
  - NAFTA Challenge and new information
  - Proposal to describe criteria in the regulation instead of naming active ingredients



- Purpose: To protect health and environment by reducing use of toxic substances
- How: Ban sale of pesticides products with “cosmetic uses”
- Scope: all outdoor residential and landscaped areas (lawns, parks, gardens, driveways, sidewalks, ornamental plants)
- Allowed: Lower hazard pesticides and biopesticides



## Details:

- Classifies every federally registered pesticide (11 classes of pesticides)
- Committee reviews every label and classifies according to use
- Many *dual use* products available for sale *behind the counter*

# ATTENTION

You have purchased a controlled sale (Class 7) pesticide. Certain uses of this domestic product are not allowed under Ontario's Cosmetic Pesticides Ban.

**Weeds: Controlled sale products cannot be used on driveways, patios, lawns or gardens to control weeds or other vegetation but can be used to control plants that are poisonous to humans by touch (e.g., poison ivy, giant hogweed).**

**Pests: Controlled sale products cannot be used to control lawn or garden pests but can be used to control biting or stinging pests as directed on the label. These products can be used inside your home or immediately around the outside perimeter to control indoor pests as directed on the label.**

For more information, visit [www.ontario.ca/pesticideban](http://www.ontario.ca/pesticideban), or call 1-800-565-4923 or 416-325-4000

- Purpose: To reduce reliance on pesticides, will contribute to sustainable environment
- How: Ban the sale of:
  - concentrated domestic lawn care products
  - pesticide fertilizer mixtures
  - 2,4-D products
- Scope: lawns
- Allowed: ready to use products

- Purpose: To reduce the amount of chemical run off in water ways
- How: Ban sale of pesticide/fertilizer mixture
- Allowed: all other registered products
- Scope: lawns



# PRINCE EDWARD ISLAND

## Spring 2010

- Purpose: To reduce reliance on pesticides, will contribute to sustainable environment
- How: Ban sale of
  - concentrated domestic lawn care products
  - pesticide fertilizer mixtures
  - 2,4-D products
- Scope: lawns
- Allowed: ready to use products





# NOVA SCOTIA - 2011

- Purpose: To protect the health of Nova Scotians
- How: Prohibit sale of non-essential pesticides on lawns (2011) and ornamental plants (2012)
- Ban sale of non-essential pesticides
- Allowed: lower hazard products; biopesticides
- Scope: lawns (2011) ornamental plants (2012)



# NEWFOUNDLAND AND LABRADOR- 2012

- Purpose: Listened to public concern
- How: Ban sale of five active ingredients
- Scope: lawns
- Allowed: only *low risk*\* pesticides in public spaces (not yet specified)

\*criteria not yet specified

# Key considerations

- Objectives
- Risk versus precaution
- Scope:
  - Public lawns, parks, playgrounds, golf courses, sports fields
  - Private lawns, golf courses, gardens
  - Trees, backyard fruit trees and gardens
- Clear criteria for any list
- System for exceptions
- Use of accreditation model



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# Ministry Consultation Process

and key issues contained in  
*Cosmetic Use of Pesticides in  
British Columbia Public  
Consultation Paper*



2009 Speech from the Throne  
committed to consult about  
“statutory protections to further  
safeguard the environment from  
cosmetic chemical pesticides”

Ministry prepared a Public  
Consultation Paper for public  
comment

Posted: December 15 – February 15

Comments collected and  
summarized.

### Consultation Paper Issues

- Objectives in regulating pesticides**
- Potential restrictions on cosmetic use of pesticides**
- Creating classes of pesticides**
- Limiting use to qualified applicators**
- Notification and signage requirements**
- Conditions at point of sale**
- Public awareness**
- Other comments**

# Summary of responses

- Petition: >4000
  - *stop the sale and use of cosmetic pesticides*
- Form letter: >3000 (4500\*)
  - *province -wide ban on lawn & garden pesticides*
- Form letter: >750 (1000\*)
  - *no further restrictions on the use of pesticides*
- Detailed responses: 800
  - *roughly 50% (400) strong restrictions on pesticide use*
  - *roughly 25% (200) trained people using pesticides*
  - *roughly 25% (200) no further restrictions*

\*Counted at approximately March 31, 2010



8,000 responses with varying views

*“Pesticides are a potential health risk and should not be used for cosmetic purposes”*

*“Pesticides are highly regulated. Will pesticide use in my industry be the next to be banned?”*

*“Registered pesticides can be used safely. Restricting their use would be an imposition on my rights”*

## Requests for a ban

**UBCM**

**Canadian Cancer Society**

**David Suzuki Foundation**

**Letter campaigns**

**Petitions**

## Concerns about a ban

**Agriculture**

**Manufacturers**

**Retailers**

**Landscape and Nursery  
Associations**

**All industrial pesticide  
users**

# General concerns (for the ban)

- Risk not acceptable
- Movement of pesticides
- People don't follow product labels or don't know how to use products safely
- Would like to have a list of safe pesticides





# Concerns with a ban

- Retailers and manufacturers
  - What exactly can they sell?
  - Stifles innovation
  - Time to get rid of current stocks
- Agriculture
  - Concerned that pests that impact agriculture may propagate from lawns, ornamental plants
- Landscape service sector
  - Loss of business
  - Loss of safe, effective tools





- Balance of risk and precaution
- Scope of what is covered
  - Public lawns, parks, playgrounds, golf courses, sports fields
  - Private lawns, golf courses, gardens
  - Trees, backyard fruit trees and gardens
- Establishing clear criteria
- What is being regulated – use of pesticides or products?
- Management of unforeseen pest problems



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