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**Ontario Legislative Assembly
Standing Committee on Social Policy
Hearing on Bill 64**

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***Statement of Lisa Gue,
Environmental Health Policy Analyst***

Thank you for this opportunity to offer comments on Bill 64 on behalf of the David Suzuki Foundation.

The David Suzuki Foundation is a national, non-profit, environmental organization, founded in 1990. We use science and education to promote nature conservation and sustainability. The Foundation is supported by more than 40 000 members, including 18 000 in Ontario. We have offices in Toronto and Ottawa, in addition to our main office in Vancouver. I work out of the Ottawa office as the Foundation's environmental health policy analyst.

The David Suzuki Foundation welcomes the introduction of legislation to ban the “cosmetic” use of pesticides in Ontario. The use of pesticides to improve the appearance of lawns, gardens, parks, and schoolyards poses unnecessary risks to human health and the environment.

In a systematic review of the epidemiological literature, the Ontario College of Family Physicians found “consistent links to serious illnesses, such as cancer, reproductive problems and neurological diseases” associated with chronic pesticide exposure.ⁱ The findings of this landmark study have been published in respected, peer-reviewed journalsⁱⁱ and are supported by other independent research – notably the 2002 review by Toronto Public Health.ⁱⁱⁱ

Our own investigation of the incidence of acute pesticide poisonings in Canada found more than 1600 cases in Ontario in one year. In nearly half of these cases, the victims were children under the age of six.^{iv}

In addition to human health risks, pesticides also threaten pollinators, helpful insects essential to our food supply. Even small amounts of certain pesticides are known to affect bee longevity, memory, navigation and foraging abilities. Pesticide use in Canada has contributed to declines in native bee populations; most notably in Canada's honey bee populations.

While we therefore support the overall direction of this legislation, I'd like to address two important areas in which Bill 64 should be strengthened.

Firstly, the clause that would render municipal pesticide bylaws inoperative should be struck. Interfering with municipal powers to regulate the use of pesticides to protect public health is unnecessary and potentially damaging. A consistent standard across the province can be achieved without disabling municipal powers, if provincial requirements are sufficiently protective. On the other

hand, if the provincial requirements leave room for complementary municipal action, the province should support municipal action that goes above and beyond the province-wide ban.

As currently proposed, Bill 64 would, in fact, undermine specific pesticide restrictions in certain municipalities. For instance, Glyphosate, the active ingredient in Roundup products, is currently prohibited for use by the Toronto, Peterborough, and Markham bylaws but would not be banned under the provincial legislation, according to the lists published for comment on the Environmental Registry. Bill 64 also includes a permanent exemption for golf courses. Why prohibit future municipal initiatives to reduce pesticide use on golf courses?

I note that in Quebec, where provincial regulations prohibiting the use and sale of certain pesticides were adopted in 2003, municipal pesticide bylaws remain operative. Ninety-one Quebec municipalities have adopted pesticide bylaws that complement the provincial regulations. This approach is preferable. Bill 64 has been announced as a measure designed to protect public health and the environment. It must not have the effect of weakening current municipal pesticide policies, or preempting more protective municipal requirements in the future.

Secondly, the bill authorizes exceptions for golf courses and “other prescribed uses” that could be exploited as loopholes.—These clauses should be deleted or tightly constrained. There are at least two pesticide-free golf courses operating in Canada, to my knowledge: Fiddlers’ Green in Nova Scotia and Blackburn Meadows on Salt Spring Island, BC. Provincial policy should encourage Ontario operators to follow in the footsteps of these industry leaders and conform to similar standards to reduce environmental impact. To the extent that golf courses require special consideration, this should take the form of a “grace period,” with a specified expiry date by which full compliance with the ban must be achieved. This would give the industry time to adapt and transition, while being consistent with the intent of the legislation to minimize unnecessary pesticide use. A permanent, legislated exception for golf courses is not warranted.

Similarly, the open-ended exception for “other prescribed uses” is unnecessary and, if broadly used, could undermine the effectiveness of the pesticide ban. Exemptions should be allowed only when necessary to protect public health and safety, and this power is separately authorized in the bill. The power to exempt “other prescribed uses” should, at least, be qualified to require that any exemptions authorized under this clause be time-limited and subject to legislative oversight.

To conclude on a positive note, we are pleased that Bill 64 will prohibit the *sale* of pesticides marketed for cosmetic applications, as well as the use of these products. Restrictions on sales will add value to municipal bylaws already in place, which prohibit the use of pesticides on lawns and gardens. It will facilitate enforcement and promote the necessary shift to non-toxic gardening products and practices.

With passage of Bill 64, Ontario will become the second Canadian province to restrict the use and sale of cosmetic pesticides. Quebec was the first, with a province-wide ban on many lawn pesticides phased in between 2003 and 2006. The Quebec experience clearly indicates the effectiveness of provincial action in this area. Statistics Canada reports that the number of Quebec households using pesticides decreased by half between 1994 and 2005, dropping from 30 to 15 percent – while in Ontario, pesticide use remained constant at 34 percent over the same period (Households and the Environment, 2006).

Ontario could – and should – set a new standard for implementing a precautionary approach to regulating lawn and garden pesticides. I urge the committee work co-operatively to address the issues

around complementary municipal bylaws and loopholes that would allow for broad exemptions. We hope to see Bill 64 deliver a robust framework for minimizing unnecessary risks to health and the environment from cosmetic pesticides.

ⁱ M. Sanborn et al., *Pesticide Literature Review*, Ontario College of Family Physicians, 2003. Quoting April 23, 2003 press release. <http://www.ocfp.on.ca/English/OCFP/Communications/CurrentIssues/Pesticides>

ⁱⁱ *Canadian Family Physician* and *Canadian Journal of Public Health*

ⁱⁱⁱ Toronto Public Health, *Lawn and Garden Pesticides: A Review of Human Exposure & Health Effects Research*, 2002. http://www.toronto.ca/health/pesticides/health_effects.htm

^{iv} D.R.Boyd, *Northern Exposure: Acute Pesticide Poisonings in Canada*, David Suzuki Foundation, 2007. http://www.davidsuzuki.org/Publications/Northern_exposure.asp