



## Ontario pesticide ban not working: Chudleigh

Written by Mike Jiggins

Bill 88, a private member's bill introduced in the Ontario Legislature in May by Halton MPP Ted Chudleigh, was defeated upon second reading, but the piece of legislation which would have allowed licensed applicators to use pesticides on home lawns and sports fields in the province may get a second chance if the Progressive Conservative party forms the next government, the Sports Turf Association was told in September.

Chudleigh spoke to the association during its 25th annual field day at the Soccer Centre in Vaughan, Ont. "Welcome to the province of the dandelion, the province of ragweed and the province where people can suffer from hay fever," he quipped.



Chudleigh, introduced as "the voice of reason for our industry," said the current ban of certain pesticide products, enacted in 2009, is not working. The act, which bans the use of such products as 2,4-D for use by lawn care companies and municipalities, has spawned a black market of sorts, leading many people in Ontario to simply order banned products from elsewhere in Canada and have them delivered by courier.

The simplicity of the Internet has allowed this practice to go unchecked, and many in Ontario have driven across the U.S. border to obtain pesticides banned in the province. Chudleigh said the highest sales of pesticides in the United States among homeowners are in Detroit, Port Huron, Mich., Buffalo and Niagara Falls, N.Y.

"Strange, huh?"

Bill 88 would have amended the act to allow trained and licensed applicators to apply pesticides currently banned in Ontario. The act currently allows the use of pesticides in agriculture, forestry and on golf courses. A section of the act permits pesticides to be used in cases of public health and safety, including the eradication of mosquitoes which may carry the West Nile virus.

The bill would have allowed for pesticides to be used at safe levels, approved by Health Canada and regulated by the Pest Management Regulatory Agency.

Chudleigh compared pesticides with everyday products we take for granted, suggesting those products, if used in large quantities, could cause people harm. Sugar, for example, is in every home and is used as an ingredient in several food items.

"In small quantities, it provides that sweetness," he said. "However, if you were to eat a bowl of sugar, it would kill you. It would be a deadly poison. You'd literally burn yourself to death with excess calories. It's a deadly substance that's sitting on every table."

Used properly, it adds to the quality of people's lives, Chudleigh said, but improper use makes sugar a dangerous product.

Another product whose misuse could be potentially lethal is benzoate of soda, he said. Found naturally in many

fruits, it is used as a food preservative in such products as ketchup.

“If it’s used at a level of about one-tenth of one per cent, it’s a safe and effective food preservative. At higher quantities—about one per cent—it becomes a deadly poison. Products like these are around us every day.”

Pesticides fall into the same parameters, Chudleigh said. A herbicide might require 50 millilitres of product to be mixed with four litres of water for home use. Fifty millilitres is a relatively small amount and barely covers the bottom of a Tim Hortons coffee cup, he said.

“But human nature being what it is, if a little is good, then a lot is a lot better.”

Homeowners, untrained and unlicensed in proper pesticide application, tend to measure by the “glug,” Chudleigh said.

“This isn’t good when dealing with these poisons. It’s not good when dealing with sugar. It’s not good when dealing with benzoate of soda.”

Yet this the environment in which we live, he said.

A licensed applicator would possess the proper equipment to mix the product at approved rates for safe application.

“That is why Bill 88 puts pesticides in the hands of trained applicators to ensure pesticides are applied at safe, appropriate rates that have been tested and approved by Health Canada and regulated by the Pest Management Regulatory Agency.”

Many of Chudleigh’s constituents have told him that when out for an evening stroll in the spring they have been concerned with the pungent odour of weed killer applied to home lawns.

“If you can smell weed spray from a distance, it has been applied at much too high of a rate.”

Chudleigh said it is not unusual for homeowners to use 10 times the recommended rate.

“That is why it should be put in the hands of only licensed applicators.”

Many studies have dealt with pesticide residue levels in lakes and streams in Ontario. Homeowner use of pesticides account for less than five per cent of all pesticides used in Canada, with farms, forests and golf courses making up the rest. An Ontario Ministry of the Environment study found residue levels in urban waterways were higher than those in rural streams, yet the vast majority of pesticides are used in rural areas. In these rural areas, pesticides are largely used by licensed, trained applicators who don’t produce high residue levels because the product is properly mixed and applied.

Chudleigh said the Humber River had been tested in an area that was straddled by a golf course, with one sample taken upstream of the course and another downstream. Each of the samples was taken following a significant rainfall. The rain would ensure some erosion or drainage from the surrounding land would enter the stream.

“One would expect the downstream sample would have a higher residue level because of the runoff from the golf course (a legal user of pesticides). But this was not so. The upstream sample had significantly higher residue levels than the downstream sample. The only reason for this to be true would be because the upstream sample was taken with homeowner runoff.”

The homeowners upstream had “overdosed” their lawns by using excess product which was washed into the stream.

Chudleigh said the active ingredient used in flea control for dogs and cats is present at about 18 per cent by volume. The same active ingredient is present in the grub control product Merit, but its volume is about half of one per cent.

“The dog and cat that have been treated are in the house and playing with the kids, yet Merit, at a much lesser volume, is banned. It just makes no sense whatsoever.”

Pesticide products are registered for use only after a stringent, scientific-based evaluation.

“That proves the safety of the product if used as directed.”

Reading a quote from a Health Canada official, Chudleigh said: “Health Canada’s priorities are the health and safety of Canadians and their food supply. This primary mandate is applied when approving pesticides for use in Canada. The primary objective under the Pest Control Products Act is to prevent unacceptable risk to people and the environment from the use of pest control products. We also enable users to access pest management tools, namely those pest control products and sustainable pest management strategies.”

Health Canada, under federal responsibilities, also regulates all pest control products imported into, sold or used in Canada under the Pest Control Products Act. This includes pre-market review, post-registration compliance and monitoring, and a re-evaluation process which is a scientific assessment that chemicals must undergo every 15 years of their marketing life.

The pre-market assessment is an area that includes more than 200 studies required for a new product to be registered in Canada. Those studies can cost in the millions of dollars.

Such studies include health assessments, toxicology evaluations, operational and bystander exposure assessments, food residue and exposure assessments and environmental toxicology. Also studied are the products’ efficiency, competitiveness and sustainability.

“There’s a strong reliance on a comprehensive body of scientific evidence and scientific methods,” Chudleigh said. “It reflects approaches of other regulatory bodies around the world. It’s a systematic application of science to support regulatory decisions.”

He said Health Canada has a large contingent of qualified scientists with a wide range of expertise.

“The data requirements to register a product in Canada are extensive,” he said, adding this is the degree of what it takes to assess hazards and risks to human health and the environment.

The Health Canada official Chudleigh quoted said he was confident that pesticide approval for use in Canada, including lawn and garden products, can be used safely when label directions are followed.

The British Columbia government’s special committee on cosmetic pesticides’ recent conclusion that there is insufficient evidence to warrant a province-wide ban on the use of chemical pest control products is “very heartening,” Chudleigh said.

“For them to reject an overall ban is a very good sign as to how the Canadian public feels about these things.”

To those who opposed Bill 88, Chudleigh said, “If you have any scientific evidence that any approved pesticide is harmful if applied according to instructions, get the evidence to Health Canada and the product will be removed from sale immediately.”

He said his challenge has, so far, gone undisputed.

“My point is inappropriate use and application is dangerous, and today it is going on. The ban is not working to protect our environment, to protect our rivers, our lakes and our streams, and, indeed, to protect our children.”

Although Bill 88 was defeated in late May by the Liberal and NDP members of the Ontario Legislature, Chudleigh said he is working to ensure the issue becomes part of his party’s platform in the next provincial election. If the Progressive Conservative party forms the next Ontario government, pesticides could again be legally used by licensed applicators who would apply the products in a proper and approved fashion.

“I think that would make Ontario a much safer place for everyone to live.”

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