



Ontario Integrated Pest Management Association (OIPMA)

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NOTICE

The following March 3, 2009 letter was emailed to Premier McGuinty, Cabinet and all Liberal MPPs and c.c to Gord Miller, Environment Commissioner of Ontario.
(Three attachments were included: Appendix A, Dr. Helena Jaczek MPP Letter, BC-MOH Letter)

Working together the government and industry can deliver responsible Regulation 914 changes.

PIRC / OIPMA / IPM-EHC Council recommends the following urgent needed changes:

PIRC submits that thousands of skilled "Landscape" licensed jobs in Ontario can be saved by ADDING a new subsection 11.(a)(i) to the proposed regulation subsection 11 (a) to read as follows:

"11. (a) (i) Notwithstanding any prohibitions in this Regulation to implement the Cosmetic Pesticides Ban Act, 2008, a person may use a pesticide in an extermination that is registered and assigned a registration number under the Pest Control Products Act (Canada) or the Fertilizers Act (Canada) that has an oral LD 50 of greater than 5000 milligrams per kilogram of body weight, to control a pest infestation determined by the holder of a Landscape license;"

Adopting only the above change can prevent widespread unemployment and business bankruptcies in our licensed industry.

The fact that no scientific reasons exist to ban Health Canada approved products is confirmed by a BC Medical Officer of Health letter hereto attached. Even one of your own MPP's, Dr. Helena Jaczek, questions this drastic action in respect to 2,4-D and Merit. For more than 18 years, Dr. Jaczek served as the Medical Officer of Health and the Commissioner of Health Services for York Region. She was responsible for a budget of over \$100 million with over 1,000 employees.

The PIRC is troubled as to why MOE administrators, fiduciaries, and the Ontario Pesticide Advisory Committee, (OPAC), allowed known unfounded health and environmental allegations based on lies, deceit, misrepresentations, and defamation of goods and services to continue against our highly regulated and skilled workforce to the detriment of Ontario's ecosystem. I submit that the government and MOE has a responsibility not only to listen to the anti-pesticide activists but to all Ontarians, which includes our small business lawn care applicator, operator, and other participant members under Ontario's Environmental Bill of Rights (EBR). While Ontario's skilled workforce equitably represented by two industry councils, and PIRC working closely in cooperation with the MOE at the Pesticide Technician Advisory Committee (PTAC), this Ministry worked quietly to put our members out of business and kept us in the dark with misinformation. This, while the PIRC and its affiliated IPM Council invested in promoting a cost effective IPM accreditation process is despicable. Lack of MOE timely intervention, and failure to discredit inaccurate health and environmental allegations made against Health Canada approved products and our services that our members provide by anti-pesticide activists ultimately rose to an inaccurate public perception that pesticides are bad.

That the public and in particular seniors want our members skilled, knowledgeable, and affordable licensed services is evidenced by the viability of our members' businesses until now, which your flawed proposed pesticide classification system will certainly destroy and throw thousands of stakeholders that we represent in the MOE consultation process out of a job. Stakeholders represented by the PIRC inordinately and solely

relied upon MOE provided information in making long term economic investments since 1995.

I submit that public inaccurate perception concerning pesticides is the result of MOE and OPAC failure to fulfill their mandated responsibilities to both the industry and public to the detriment of the public good. Discarding scientific criteria in making health and environmental decisions, allowing absolute administrator discretionary powers to the Director under the proposed pesticide classification system, with no established formal appeal process to an independent body, i.e. Environmental Commissioner of Ontario, I submit will spell future disaster for not only our industry, but also for Ontario's long term human health, our ecosystem, and economic infrastructure as herein discussed.

The federal Competition Bureau (CB) have advised the PIRC small business membership that it is powerless to act stating that our complaint should be sent to the Ontario government advising them that its proposed legislation is giving Ontario's three largest lawn care companies a 2009 monopoly for the herbicide, Sarritor, due to its limited supply. Notably, Sarritor is the only product approved by MOE under its new classification system to kill Dandelions in lawns. A classification system that ignores scientific criteria, to classify pesticides. Even one of your own MPP's being a Doctor, questions the need for such drastic action in respect to 2,4-D and Merit.

Specifically, I am most concerned that if the proposed pesticide classification system is not amended, that this government will be responsible for exterminating an independent MOE skilled "legal" Landscape industry. Thousands of our members' jobs and businesses will be lost. Employees and companies that now pay taxes will be forced out of work and many into bankruptcy.

Substituted for our competently trained and skilled licensed workforce, the government and MOE will have created a huge unlicensed and untrained underground lawn care economy that I submit will purchase Health Canada approved legal pesticides from First Nation businesses. Notably, Crown lands are not subject to provincial pesticide legislation. The PIRC submits that Ontario's legal MOE licensed small business lawn care industry must have a level playing field in order to survive.

In my forty years I know not of a single person that has died because our small business licensed lawn care members professionally treated a residential, commercial, or industrial lawn. In contrast, countless thousands of Ontarians have died or had their health seriously impaired as a result of drunk driving, smoking, committing or attempting to commit suicide due to a gambling problem. Notably the government fully controls and regulates the sale of booze, tobacco and gambling. Why has the government and Cabinet not addressed these real threats to human health, and the environment?

We ask our Premier and Cabinet Ministers to put themselves in the shoes of their licensed small lawn care constituents. Many of these constituents have invested their life savings in establishing their family run lawn care business based on providing excellent customer service over the past 25 to 40 years. They are not telemarketers. Now these family lawn care businesses face another unlevelled playing field with no legal products. In contrast, Ontario's three largest lawn care companies have created a monopoly for Sarritor with the assistance of this government under the MOE proposed new classification system.

We were told by Sarritor's Distributor that Ontario's three largest lawn care companies had already spoken for all available Sarritor to meet their spring needs. We were also told that probably no product would be available to other lawn care companies due to limited supply until 2010. The Ministry has been aware of this since at least January. Today these companies brag to our members' clients that they exclusively have the only legal dandelion herbicide for lawns in their telemarketing activities. The reality is that these three companies control the sale of the only MOE approved dandelion herbicide product for turf allowed in Ontario under the new MOE

proposed classification system. I submit that this unlevelled playing field urgently warrants your personal intervention and a needed pesticide ban phase in discussed in earlier MOE documents.

Attached hereto is a copy of the SINGLE ONE PAGE recommendations that we presented in our EBR appeal concerning the MOE proposed regulations to ban cosmetic pesticide use. Your support for the attached recommendations is respectfully sought. Should you desire to enlighten yourself in depth, the PIRC offers factual science based information at its PIRC / OIPMA / IPM-EHC GOING GREEN PESTICIDE ADVOCATE News Site at www.pirc.ca or www.oipma.ca. Alternatively, we have knowledgeable members available to answer any questions that you may have. Simply email the pirc@oipma.ca or call 1-800-615-9813.

Based on Ontario Liberal promises, I plead for your help because if nothing is done the result will be disastrous. Without your assistance many of Ontario's 7,000 licensed Landscape applicators will be forced out of work and /or business. I submit that many of our stakeholders without your intervention will also be forced into bankruptcy in 2009 and in the years ahead due to no fault of their own. Our members' only fault was that they trusted the government's MOE and had based all their business decisions on MOE long-term made economic promises to them in establishing their viable licensed businesses.

Can we count on you to come to the aid of Ontario's predominantly small family run lawn care industry? Let us work together to save thousands of skilled jobs and prevent industry wide bankruptcies. I submit that this request is in keeping with your party's statement that reads, "As Ontario Liberals, we will do everything we can to help families get through these challenging times". Ontario's family run small business lawn care industry desperately needs your help.

In these dire economic times our small business members plead that the government consider the PIRC response and recommendations to EBR #010-5080 set out in the attached one page 'Appendix A' to safeguard Ontario's economic infrastructure and ecosystem, which includes humans. We submit a minimum two or three year phase in as MOE had earlier discussed is now absolutely warranted in these hard economic times for all Ontarians. The PIRC requests that Ontario's "Cosmetic Pesticides Ban Act, 2008, be proclaimed into law to immediately create a province wide level playing field. This in the government's efforts to safeguard a vital industry and immediately restore MOE's historically claimed jurisdiction upon which our members' business and vocation decisions were inordinately made and reasonably relied upon.

PIRC has made this request on behalf of Ontario's independent small business licensed applicators and operators, their families, and clients that we represent and who are your constituents. A written response to our request for help is respectfully requested.

Best Regards,

Gary VanderHeide
Executive Director
Ontario Integrated Pest Management Association (OIPMA)
Chair- Pesticide Industry Regulatory Council
MOU PIRC designated MOE Contact

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