

## **B81 - PROVINCE-WIDE BAN OF COSMETIC PESTICIDES**

WHEREAS residents of the Province of British Columbia are increasingly requesting their local governments to ban the use of cosmetic pesticides within their boundaries in order to mitigate concerns that these pesticides present a threat to the environment, children, pets and personal health. As these bylaws are being implemented in some municipalities, it has been found that community bans have little effect on overall pesticide sales. This is in sharp contrast to the Province of Quebec which has seen a fifty percent drop in pesticide use since their legislated ban in 1994;

AND WHEREAS the Community Charter does not give communities the legislative authority to ban the sale of pesticides, only to regulate their use:

THEREFORE BE IT RESOLVED that the Province of British Columbia enact provincial legislation that will ban the sale and use of cosmetic pesticides province-wide.

### **RESPONSE: Ministry of Environment**

Pesticides can only be used in Canada if they have been evaluated and registered by the Pest Management Regulatory Agency of Health Canada (PMRA). A new federal Pest Control Products Act was enacted in June 2006 which gives more authority to Health Canada to require pesticide evaluations to address the protection of children. Health Canada has been re-evaluating the acceptability of all active ingredients that were registered prior to 1995, including those used on lawn and landscapes. British Columbia looks to this agency for determining what pesticide uses are acceptable.

The Ministry of Environment is not aware of any data specific to B.C. that demonstrate that municipal pesticide bans have been ineffective in controlling pesticide sales and use.

Many pesticides may be used for both cosmetic and non-cosmetic purposes. The Ministry has received comments of concern from key sectors that pesticides must remain available for non-cosmetic purposes including control of invasive plants, noxious weeds, and pests that may impact structures or food crops. The Ministry promotes and, in some cases, requires the use of Integrated Pest Management (IPM) when making decisions about pest management. IPM includes the use of pest prevention techniques and the use of alternatives to pesticides where possible.

Ontario has recently passed legislation that bans the sale and use of pesticides used for cosmetic purposes. The proposed regulation prohibits the sale and use of many landscape pesticides. Quebec has only banned the use of a few active ingredients. Herbicide fertilizer mixtures have been prohibited for use and sale in other provinces.

British Columbia is currently studying the regulatory initiatives of other jurisdictions with a view to understanding their effectiveness. Because of its impact, any initiative to restrict the sale or use of pesticides for cosmetic purposes would need to be developed with broad public consultation.

## **B82 - CONTROL OF PESTICIDE USE**

WHEREAS the application of pesticides contributes to the cumulative chemical load absorbed by the natural environment;

AND WHEREAS pesticides cannot be necessarily confined to a single location, but move through the environment in the air, land and water and may have an impact on non-target organisms and plants;

THEREFORE BE IT RESOLVED that the provincial government be urged to control pesticide use by mandating sales and retail display restrictions across BC;

AND BE IT FURTHER RESOLVED that the provincial government be urged to amend the Spheres of Concurrent Jurisdictions – Environmental and Wildlife Regulation to allow local governments to regulate, prohibit and impose requirements in relation to the use of cosmetic pesticides on all private lands.

### **RESPONSE: Ministry of Environment**

Pesticides can only be used in Canada if they have been evaluated and registered by the Pest Management Regulatory Agency of Health Canada (PMRA). Any user of a registered pesticide must follow the label directions under federal regulation. A new federal Pest Control Products Act was enacted in June, 2006 which gives more authority to Health Canada to require pesticide evaluations. Health Canada has been re-evaluating the acceptability of all active ingredients that were registered prior to 1995, including those used on lawn and landscapes. British Columbia looks to this agency for determining what pesticide uses are acceptable.

Under provincial law, pesticides may only be sold by a licensed vendor with a certified dispenser on site. While retail display restrictions for domestic pesticides might help to reduce overall pesticide sales it would also adversely impact vendors who would be required to modify the layout of their stores. The benefit to be gained from such restrictions is questionable when dealing with domestic pesticide products which have been assessed and judged safe for human health and the environment by the PMRA.

The provincial government further regulates pesticide applications that are most likely to impact the public or the environment. The Ministry regulates pesticide use on private land when the application is: provided as a service; is conducted on a multi-residence property; is conducted on railways, rights of ways or industrial sites; or is conducted on private forest land. People licensed to use pesticides on public land, use pesticides in or around multi-residence properties or provide pesticide application as a service are required to use the principles of Integrated Pest Management which include pest prevention, choosing alternative management techniques where possible, and monitoring for impacts to non-target organisms. Notification is required when pesticides are used on private lands intended for public access or when an application of pesticides to private land is provided as a service. This allows bystanders to avoid treated areas should they choose to do so.

Local governments have the authority to regulate use of pesticides for cosmetic purposes on private lands. Further expansion of this authority under the Community Charter Spheres of Concurrent Jurisdictions – Environmental and Wildlife Regulation is not warranted and may

impact industrial uses required to maintain safe work sites or to control the spread of invasive plants or noxious weeds.