



## Federal Court rejects attempt to block bee pesticide lawsuit

A bee flies in a garden in Chelsea, Que. on June 25, 2014 . (Adrian Wyld)

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OTTAWA -- A lawsuit that says a federal agency has consistently approved pesticides without enough information on their potential harmful effects has survived an attempt to get it thrown out of court.

The Federal Court has denied applications from the federal government and four chemical companies to block the lawsuit involving so-called neonic pesticides filed by a group of environmental organizations.

"We're definitely very happy to see that outcome," said Julia Croome, a lawyer for Ecojustice, which is handling the case for the environmental groups. "(The judge) turned this around quickly and we appreciate that."

In 2016, the groups filed a challenge to federal permits for a series of common pesticides using the chemicals clothianidin and thiamethoxam that some environmental groups say are suspected in large die-offs in bee populations.

The David Suzuki Foundation, Friends of the Earth Canada, Ontario Nature and the Wilderness Committee allege in court documents that for more than a decade, Canada's federal pesticide regulator has allowed neonicotinoids to be registered for use despite being uncertain about their risks.

They say that since 2006, the Pest Management Regulatory Agency has expressed concerns about the safety of those products, which are among the most widely used pesticides in Canada. The registrations being challenged involve 31 different products from four different companies.

A statement of claim asserts that in 79 cases, the agency requested more information and field studies on the products, then granted conditional registrations. Conditional registrations were repeatedly renewed although the agency has yet to receive any of the requested research, says the statement of claim.

The groups argue that means the pesticides have been widely applied across the country for more than a decade without a true assessment of their risks.

The federal government has not filed a statement of defence.

None of the allegations in the statement of claim have been proven in court.

In trying to get the case thrown out, the government argued the 79 cases were separate decisions, not a pattern of behaviour. It added that instead of seeking to have the registrations quashed by the court, the environmental groups should instead turn to the review process the regulator already has.

Bees are crucial to agriculture. Published reports suggest about a third of the crops eaten by humans depend on insect pollination. Bees are responsible for about 80 per cent of that figure.

Bees have been in serious decline across North America and Europe since about 2006. In Canada, the Canadian Honey Council reports that in 2013-14, beekeepers lost an average of about 25 per cent of their colonies. Ontario's losses were 58 per cent.

The average winter loss is about 15 per cent.

Populations of wild bees are also falling rapidly. A recent American study found their numbers fell by about 23 per cent between 2008 and 2013.

The University of Guelph's Honeybee Research Centre blames a combination of disease, parasites, pesticides and habitat destruction.

A major U.S. study earlier this year found neonics harmed domestic bees in some crops but not others. Research suggests the pesticides are much harder on wild bees than honeybees.

Europe has imposed a moratorium on neonics. In 2015, the U.S. banned new uses for them. Ontario has announced plans to limit their application. Companies such as Ortho and Home Depot have announced they will phase them out.

Still, they remain in wide use.

The Conference Board of Canada, in a 2014 report prepared with support from the Grain Farmers of Ontario and CropLife Canada, estimated banning neonics would cost Ontario farmers \$630 million a year.