

2011 Legislative Session: Fourth Session, 39th Parliament
SPECIAL COMMITTEE ON COSMETIC PESTICIDES
MINUTES AND HANSARD



MINUTES

SPECIAL COMMITTEE ON COSMETIC
PESTICIDES

Thursday, November 17, 2011

9 a.m.

Douglas Fir Committee Room
Parliament Buildings, Victoria, B.C.

Present: Bill Bennett, MLA (Chair); Rob Fleming, MLA (Deputy Chair); Scott Fraser, MLA; Michael Sather, MLA; John Slater, MLA; Ben Stewart, MLA.

Unavoidably Absent: Barry Penner, Q.C., MLA; John Yap, MLA.

1. The Chair called the meeting to order at 9:06 a.m.
2. Opening statements by Bill Bennett, MLA, Chair.
3. The following witnesses appeared before the Committee and answered questions:
 - 1) Pesticide Free BC Judy Wigmore
4. The Committee recessed from 9:38 a.m. to 9:39 a.m.
 - 2) Canadian Consumer Specialty Products Association Shannon Coombs
5. The Committee adjourned to the call of the Chair at 10:10 a.m.

Bill Bennett, MLA
Chair

Susan Sourial
Committee Clerk

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REPORT OF PROCEEDINGS
(Hansard)

SPECIAL COMMITTEE ON
COSMETIC PESTICIDES

THURSDAY, NOVEMBER 17, 2011

The committee met at 9:06 a.m.

[B. Bennett in the chair.]

B. Bennett (Chair): Good morning, Judy. As you know, this is the Special Committee on Cosmetic Pesticides. I'm Bill Bennett. I'm from the East Kootenay, from Cranbrook, and I chair the committee. I'd like to have the members, starting with Deputy Chair Rob, introduce themselves to you.

R. Fleming (Deputy Chair): Good morning, Judy. I'm Rob Fleming. I'm the MLA for Victoria–Swan Lake.

M. Sather: Michael Sather, MLA, Maple Ridge–Pitt Meadows.

S. Fraser: Scott Fraser, MLA for Alberni–Pacific Rim. Welcome.

B. Stewart: Good morning, Judy. I'm Ben Stewart, MLA for Westside-Kelowna.

J. Slater: Good morning, Judy. John Slater, MLA for Boundary-Similkameen.

B. Bennett (Chair): Thanks, Members.

We started our journey on this committee, at least in terms of the public consultation, on October 17, and we'll be taking submissions until the 16th of December. At the present time, I think, today will be our last meeting where we're actually interviewing witnesses. But again, there is opportunity for folks to make submissions until the 16th of December. We have a very good website up with lots of information on it.

I don't know what the total is of submissions. I didn't ask anybody to provide that to me. Do you have it handy, Morgan? Just to get it on the record this morning, it might not be a bad idea to say how many submissions we've received.

You'll have half an hour, Judy, and you can use as much of that half-hour as you want for your formal presentation. You will have to stick to the half-hour, but if you could leave a bit of time at the end for questions, I know that members always have questions. Again, it's up to you.

Did you find it, Morgan? We can work that into the agenda here as we go along. I think we should probably get started.

Judy, this is Susan Sourial, our Clerk today, and Morgan Lay, our researcher. We've got some folks behind the glass with Hansard, who are recording this meeting. Of course,

you can go on the Hansard website any time and read the word-for-word proceedings.

As of November 16 we've received 83 written submissions from B.C. and from outside B.C. We have received 2,143 on-line questionnaire responses from B.C. and 210 from outside of B.C. — actually a total of 2,438 submissions or questionnaire responses, which is pretty good.

Judy, we'll start the clock now. We're starting a little bit late, and I hope members can stick around until about ten after ten today to finish up. But you're going to get your half-hour, so you can get started any time you want.

Presentations

J. Wigmore: Thank you. I've gone through my presentation, and it takes about 15 minutes. Then I would like to just explain, off the prepared statement, what I mean by a no-IPM ban. I'd just like to say thank you to the Chair and committee members for this opportunity to make my presentation to the Special Committee on Cosmetic Pesticides.

[0910]

I'm Judy Wigmore, webmaster of the Pesticide Free B.C. website. I live in the interior of B.C., in the Kamloops–South Thompson riding. The Pesticide Free B.C. website has been my family's project since April of 2009 and is an information source for those who want a cosmetic pesticide ban in B.C. My family has known for years that safer, less toxic pesticides are sold and used elsewhere in Canada, and we want the same for B.C. We have never accepted money for our efforts from any person or group.

I became aware of the limitation of the municipal bylaws when advocating for a pesticide-free Kamloops in 2005 and realized that a provincial ban is the only way to protect our vulnerable children, our pets and the environment from exposure to harmful cosmetic pesticides.

Today I will address seven topics: cosmetic pesticide use; seven provincial bans and which B.C. should follow; B.C. needs a no-IPM ban; industry opposition in B.C.; why IPM is really "increased pesticide misuse"; the pesticide-free initiatives in B.C.; and finally, B.C.'s sale-and-use ban — what needs to be in the legislation.

Cosmetic pesticides are non-essential synthetic chemical products used to improve the appearance of landscapes — our lawns, gardens, driveways, patios, golf courses, sports fields, parks, school yards and playgrounds. I think you've all heard that list.

Pesticides kill. That is what they are designed to do. They continue to harm long after the initial kill, as ingredients do not stay where they are used, whether by a resident or an IPM landscaper or applicator. This is why cosmetic pesticides can never be properly or safely applied and should only be used in emergency situations, such as a serious pest infestation that threatens the health of people or public safety.

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Rarely are lawn and garden pests a threat to human health or public safety. However, because of the ubiquitous use of harmful cosmetic pesticides, governments across Canada and elsewhere in the world have taken action to protect their citizens and the environment.

Seven provinces have banned cosmetic pesticides approved by Health Canada because of concerns about the risk to human health and the environment — Alberta, Newfoundland and Labrador, New Brunswick, Nova Scotia, Ontario, P.E.I. and Quebec. Which of these provinces should B.C. follow?

B.C. must not follow Alberta's weed-and-feed ban as it is too limited. B.C. must also not follow the IPM bans in New Brunswick and P.E.I. These provinces allow continued cosmetic pesticide use through IPM practices and have numerous exemptions, including continued use on school yards, sports fields and playgrounds. Allowing this type of pesticide use does not protect vulnerable children, pets or the environment.

Newfoundland and Labrador's ban comes into effect for next year's lawn care season. It's limited, in that it only bans the use of five ingredients, although they are significant toxic products approved by Health Canada.

B.C. needs to follow the precautionary sale-and-use approach used in Nova Scotia in 2010, Ontario in 2008 and Quebec in 2003. I want to provide the committee with an analysis of the seven provincial bans and their characteristics. This analysis is not available today because of the short notice I received for attending before the committee but will be submitted before your December 19 deadline.

The point I want to make is that B.C. has three terrific provincial examples to follow. This makes your decision easier than if we were the first province to consider this important public health and environmental protection issue.

A ban that allows continued IPM pesticide use should not be on the table. Unfortunately, IPM is entrenched as part of normal lawn and garden care in B.C. In 2003 B.C. passed North America's first IPM legislation to regulate the sale, use and handling of pesticides by the Ministry of Environment under the Integrated Pest Management Act of 2003 and the subsequent regulation.

Our Ministry of Environment's brochure says that IPM is safe, effective, responsible. It's a "practical decision-making process that relies on a wide variety of tools to promote healthy plants and to manage pests. It's an effective, science-based approach that reduces the unnecessary spraying of pesticides around your home." I've identified the five steps of the decision-making process of IPM. I won't go through them.

[0915]

Unfortunately, the chemical landscape industry uses the IPM approach as a means to justify pesticide use as part of normal lawn and garden care. This means the continued use of harmful killers like 2,4-D, dicamba and MCCP — known carcinogens, neurotoxins and hormone disrupters. In B.C. our Ministry of Environment concurs with the chemical landscaping industry's approach that the proper and safe way to use pesticides is by trained and licensed IPM applicators.

It is important that the committee knows that Nova Scotia, Ontario and Quebec's bans are not based on IPM principles. Instead, these governments have decided that many cosmetic pesticides approved by Health Canada are not necessary for beautiful, healthy, disease-resistant landscapes. These governments have chosen to focus on sustainable, non-toxic alternatives for healthy lawns and gardens in their provinces.

The Ontario Ministry of the Environment's approach to lawn and garden care is not the

same as our ministry's. The Ontario pesticide website states:

"The McGuinty government believes the use of cosmetic pesticides...presents an unnecessary risk to our families and our pets, especially when we can have healthier lawns and gardens without chemicals.

"We have listened to the medical experts, like the Canadian Cancer Society, who have made a convincing case for reducing our exposure to pesticides, particularly children, who are generally more susceptible to the potential toxic effects of pesticides."

I would just like to say that this means whenever anyone googles the Ontario pesticide website, that's the first stuff they see.

This unnecessary risk is why the Ontario government's 2008 ban came into effect in April of 2009, over two years ago.

IPM practices are also not included in Nova Scotia's December 2010 sale-and-use pesticide regulations. IPM companies must use the same allowable products as everyone else on residential, commercial, government and institutional properties. Nova Scotia's ban came into effect earlier this year, on April 1.

Quebec was the first province to ban the sale of 20 active carcinogenic ingredients and over 200 pesticide products containing known carcinogens: Killex, Roundup, weed-and-feed products. Quebec's April 2003 Pesticides Management Code was phased in over three years and was done without using IPM principles. IPM is not the only way to approach pest management, and this mindset must be unlearned.

All three provinces that I've highlighted have terrific on-line pesticide-free information to help residents, landscaping companies and other stakeholders transition to sustainable organic landscaping. I have identified them there for you.

As we all know, the chemical landscaping industry is actively lobbying against a B.C. pesticide ban. This industry's position is the same as our Ministry of Environment's — that cosmetic pesticides are safe, as Health Canada has approved them, and can be properly applied by trained and licensed IPM applicators.

It's interesting that in Nova Scotia all landscaping companies and everyone else must use the same allowable products. Nova Scotia's chemical landscaping industry,

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led by Landscape Nova Scotia, publicly supported their Department of Environment's education campaign.

In Ontario, Communities in Bloom were "delighted to be involved in helping Ontarians achieve a pesticide-free landscape." Landscape Ontario also supported Ontario's ban, a ban that does not allow IPM applicators to use cosmetic pesticides except in a few specified exemptions.

Both of these landscaping industry leaders — Communities in Bloom and Landscape Ontario — supported Ontario's ban and were quoted in the Ontario government's ban news releases of April 2008 and April 2009. This supportive industry approach to pesticide-free initiatives makes me ask why, when you come over the Rockies, there is a different attitude here.

The next section is on why I think IPM is "increased pesticide misuse." This is exemplified by my experience with our neighbour this past summer. I won't go through it all in the interest of time. Basically, it's just an example of how the five principles or the

decision-making process of IPM is not followed and that we all know that one spray solves all problems.

[0920]

Touchdown and Trillion, which were going to be used for the eight to ten dandelions on my neighbour's lawn, are banned in B.C.'s 18 better-protection bylaw communities and across Canada under provincial bans.

To use these toxic products for a few dandelions on my neighbour's lawn is a perfect example that IPM does not work in practice. To me, this is why — I'm repeating myself — it's really "increased pesticide misuse." The only place for IPM practices in a B.C. pesticide ban is as a requirement for golf courses and other turf facilities with documented compliance procedures.

We have unwittingly accepted the commercial landscaping industry's overuse and abuse of non-essential toxic chemicals as part of normal lawn and garden care. In B.C. we need to get it that an occasional weed is a sign of a healthy landscape. We need to get our lawns and gardens off chemical drugs and practise sustainable land care. We need to grow chemical-free lawns and plants that can survive in our different geographical regions.

Our provincial government needs to stop promoting pest management and plant health. It needs to start promoting sustainable, lower-risk landscaping practices and ban cosmetic pesticide use. B.C. needs to become pesticide-free.

There are over 50 groups and associations that support pesticide-free initiatives across B.C., and there are two noteworthy grown-in-B.C. initiatives that are cultivating sustainable, organic land care practices with their very successful education and organic land care courses. These are Gaia College and SOUL, the Society for Organic Urban Land Care.

The next section in my written submission goes through B.C.'s 39 pesticide bylaw communities. I won't go through that, again, in the interest of time. I've identified or divided or analyzed or whatever you want to call it — classified is the word I'm trying to think of — the 39 bylaws into "not recommended." There are 28 of those, and they're not recommended because, even though there are bans on residential property, they still allow continued pesticide use by exemption, by IPM practices, so in effect they're not a ban.

Then there are the 18 which I call better protection, where the bylaw actually does ban use on municipal and residential properties. But as you all know, bylaws only apply to those two specifics. They don't apply to institutional, commercial, business and other properties. It's just on a volunteer basis whether those property owners do stop using cosmetic pesticides — my point being that a ban is not really a ban if pesticide use is allowed. This applies to bylaws, and it also applies to a provincial ban.

Just as there is a range of pesticide bylaws, there are differing municipal education programs. Plant health programs should be avoided, as these promote IPM practices and are found in communities that allow continued pesticide use on private and public lands. Pesticide-free programs are healthier and safer for our children, our pets and the environment, and are found in B.C.'s better protection bylaw communities.

There are many examples of terrific pesticide-free programs and educational materials, and I've identified some of them. Kelowna has healthy yard tips, YouTube videos and

pesticide-free workshops. There is the Lower Mainland's North Shore GardenSmart program, and the city of Richmond, both of which hold very successful sustainability workshops. There is Nanaimo's "Go natural, go pesticide-free: for healthy lawns and gardens" — terrific website. There's also Revelstoke's *Environmentally Friendly Pesticides* brochure. Nanaimo's regional district has a fabulous WaterSmart website.

These are all listed. I've prepared what's called appendix 1, which lists the 19 community initiatives that have terrific pesticide-free educational programs. I would encourage members to check out the communities near you, if you haven't already done so, and see firsthand how easy it is to go pesticide-free.

What should be in B.C.'s sale-and-use ban? Deciding what goes in this ban is quite simple, from my perspective. Do you as a committee support the precautionary approach used in Ontario, Nova Scotia and Quebec and ban the sale and use of cosmetic pesticides? Or do you support the self-interested chemical landscaping industry and their suppliers and allow the continued use of cosmetic pesticides through exemptions? The choice, to me, is simple.

[0925]

What kind of a B.C. do you want? Do you want a province where the precautionary approach is used to provide a safe and healthy environment for all? Or do you want a province that allows continued use of known carcinogens, hormone disrupters and neurotoxins, when safer, less toxic alternatives are readily available?

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In my opinion, we need a precautionary ban that provides effective protection for public health and the environment and protects us from harmful cosmetic pesticide use.

This legislation should include the following. It should ban the use of cosmetic pesticides on residential and non-residential lawns and gardens, including institutional, industrial, commercial and recreational properties. In this case, lawn means turf. The ban should also establish classifications for what products and/or ingredients are allowed and those which would not be allowed. Ontario's 11 classifications should be used as a guide.

There must be a classification that would include a list of permitted lower-risk pesticides. Basically, all you have to do is use schedule 2 of B.C.'s IPM Act. This list would need to be updated on a regular basis.

The legislation should allow for continued use for the protection of public health and public safety, including use for swimming pool maintenance, water purification and infestations.

The ban should require a five-year phase-out of cosmetic pesticide use on golf courses and other turf facilities. These facilities should be required to use IPM practices, with compliance procedures that are documented and reported on a regular basis. They should be required to show that they have actually followed the five decision-making processes that are set out for IPM.

The ban should also require a public awareness and education campaign to assist residents, the chemical-landscaping industry, their product suppliers and other stakeholders

to transition to being pesticide-free. The ban should allow municipalities to pass more restrictive bylaws, as is provided under the Quebec and Nova Scotia bans and B.C.'s smoke-free bylaws. The ban would not apply to the agricultural or forestry industry.

In closing, I'd like to thank the committee for this opportunity to present my suggestions for B.C.'s cosmetic pesticide ban.

At the 2008 UBCM annual conference then Kamloops Mayor Terry Lake championed the successful passage of a resolution asking that the province stop the sale and use of cosmetic pesticides with ban legislation, as these products "present a threat to the environment, children, pets and personal health."

On April 5 of this year Premier Clark and Environment Minister Lake announced that they would protect sled dogs with the toughest legislation in Canada. The same must be done with B.C.'s pesticide ban legislation, to protect our vulnerable children, our pets and the environment. Together let's make B.C. pesticide-free.

B. Bennett (Chair): Thank you very much, Judy. It's an absolutely terrific submission. I went through it last night, and it's really well-thought-out and well-crafted. We appreciate all the work that obviously has gone into it. I'm sure your daughter probably helped you a little bit with it. Or maybe she didn't. I don't know.

J. Wigmore: Actually, she proofed it at five o'clock, as we were heading to the airport, and she found a typo. So I was very happy.

B. Bennett (Chair): Well, I didn't pick up on that.

J. Wigmore: No, the typo got fixed before I sent it on to Mary.

B. Bennett (Chair): Oh, excellent. All right. Well, if she's ever looking for a job, you should have her come down here to Victoria. We could probably give her something useful to do.

Members, I'm sure there are some questions. Let me know if you'd like to ask a question.

S. Fraser: Thanks, Judy. I had some questions, but you covered them all.

I'm just going to do a clarification. I think you said you understood that the written submissions were due by the 19th of December. I believe that's the 16th of December — just so you don't miss the deadline, if you have anything else to submit in writing. I just want to clarify that.

In your submission, just for my clarification, you're suggesting that what we should be doing as a committee is recommending the ban on cosmetic pesticides and that that would do away with integrated pest management for cosmetic use. Is that correct?

[0930]

J. Wigmore: Yes, and if I could just explain what I mean by an IPM ban. Just take the example of Roundup, with glyphosate in it. If you say that you want to ban it for residences, school yards, playgrounds and daycares.... You know, you can't use it. But you would

allow Roundup to be used by IPM applicators on municipal lands, on sports fields and golf courses. You would allow that for IPM applicators.

My question is: why would you? On municipal lands we know that their argument is: "We have to look good. We want to win those communities-in-bloom contests. We just basically can't be without pesticides to do that."

Well, in Ontario for the past two years they're still winning communities-in-bloom contests, and they're pesticide-free. So that argument doesn't hold up. You don't need IPM use on municipal lands.

Sports fields. We've heard ad nauseam: "People will have sports injuries if you don't let us spray Roundup and other things on our playing fields." There is not one example of a legal case for a sports injury on a turf facility in North America. I haven't checked Europe.

Also, the other argument that's made — that we have to continue to use pesticides, and I'm assuming it would

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be through IPM, because that's what we do here — is that it's too expensive. Well, that's dead wrong. In Ontario the Ministry of the Environment staff have done a comparison of the costs on municipal sports fields before and after the implementation of Ontario's ban, and it wasn't as expensive as they thought. This information is all on the Pesticide Free website. Again, you do not need to use IPM practices on sports fields.

The final one that we all know: golf courses. Denmark has committed earlier this year to phase out the use of pesticides on all of its golf courses over the next five years. If Denmark can do it, why can't we? Again, the argument is made that we need to have, through IPM.... The golf courses: "I'll follow IPM. Oh yes, we practise IPM." Yet if Denmark can phase it out, why can't we?

The thing that scares me the most about golf courses is that they tend to have watercourses where there are a lot of birds. There are all these subdivisions that ring them, so the kids are either living there or visiting their grandparents, and they're walking on the golf courses. For most of them, we can walk around them.

If you allow, through IPM, continued use on golf courses, you're effectively making a mockery of banning the use of Roundup, as I stated at the beginning, on residential lawns, playgrounds, sports fields and daycares. It's not where you ban the stuff. It's what you ban.

I'm not sure if that explains what I think about IPM.

S. Fraser: Yeah. That's perfect. Thank you very much.

B. Bennett (Chair): Judy, I want to ask a quick question. We'll run out of time here fairly soon.

Early in your presentation you state that pesticides can continue to harm long after the initial kill, as ingredients do not stay where they are used. What do you base that statement on?

J. Wigmore: I knew I was going to be challenged on this. You know, what type of a technical expert am I? But my reply to that is that seven provinces have banned products

approved by Health Canada because of their concern about public health risk — the risk to children and the environment, particularly water quality.

I am not a technical expert. If you as a committee are going to get focused on that, I call it noise, because it's a distraction. I know you've been told: "Oh, Health Canada protects everybody." You hear from the suppliers: "Our products are safe. Health Canada has approved them."

Yet there are people like the Cancer Society and others that say: "You know what? There's a health risk associated with this." Other provinces have addressed this issue. To me, it's up to the committee.

That's why I think your choice is simple. You either decide that we're going to be a pesticide-free province and use the precautionary approach, or you just allow continued use. Basically, if you allow continued use, you shouldn't do anything. If you say, "We want to have a ban that allows use through IPM," then that means the 18 municipalities with better protection bylaws, I suspect, will have to cancel their programs.

In a roundabout way, I hope that answers your question.

[0935]

B. Bennett (Chair): Thank you, Judy.

R. Fleming (Deputy Chair): Thank you, Judy. I appreciate the presentation. There was some new information in here for us to consider as committee members.

We've heard from the landscape industry in B.C., which has an organic section, and other industry associations that gave testimony at our committee. But I appreciated your examples about Landscape Nova Scotia and Landscape Ontario, who apparently are taking a different approach than some of the company representatives in B.C.

I'm just wondering if you have any more information, maybe, to amplify those examples where they were working with their government to implement the cosmetic pesticide ban and seemed to take a stance and a position and also help transition the province towards changing the laws.

J. Wigmore: I'm not sure. You want me to give you more examples?

R. Fleming (Deputy Chair): I'm just wondering.... Yeah. You've cited them and that there is a difference, that there seems to be something different going on, on this side of the Rockies, as you put it.

J. Wigmore: I think I should throw it back to you as committee members. I think it's imperative that you find out in Ontario and Nova Scotia and in Quebec.... You should be in touch with those governments and be finding out how they did it, because they've done it successfully. The Pesticide Free B.C. website — if you go and look, I've listed all of those that supported Ontario's ban and Nova Scotia's ban. I've only had a few days to cobble this together. The information is on the Pesticide Free B.C. website as to who supported what.

A good example is the Canadian Cancer Society. Why, in Ontario, did the McGuinty government make a point of putting that on their website? It's still there. It's been there since 2009. They have not changed that information. So why wouldn't the government here

listen to the Canadian Cancer Society?

B. Bennett (Chair): Judy, we're out of time. Again, thank you very much for coming down to Victoria from Kamloops. We appreciate it. We understand you had a rocky ride in last night with the airline. Thank you for enduring that and for your compelling presentation today.

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Our next presenter is by phone, so we're just going to take a minute here and get connected.

The committee recessed from 9:38 a.m. to 9:39 a.m.

[B. Bennett in the chair.]

B. Bennett (Chair): Good morning, Shannon. This is Bill Bennett, the Member of the Legislative Assembly for Kootenay East. I chair the committee. How are you this morning?

S. Coombs: I'm well, thank you. And yourself?

B. Bennett (Chair): Good, thank you. It's a nice day here in Victoria. Whereabouts are you? In Ottawa or Toronto?

S. Coombs: I'm in Ottawa, and we've been having wonderful weather. It's 15 degrees here today, so for November, that's fabulous.

B. Bennett (Chair): Wow. Well, you guys will get it eventually. You always do in Ottawa.

S. Coombs: We do, and usually a lot of snow with that.

B. Bennett (Chair): I'm just going to have the committee members introduce themselves so you know who's here, starting with my Deputy Chair.

R. Fleming (Deputy Chair): Hi, Shannon. It's Rob Fleming. I'm the MLA for Victoria–Swan Lake.

M. Sather: I'm Michael Sather, MLA, Maple Ridge–Pitt Meadows.

S. Fraser: Good morning, Shannon — or almost good afternoon, I guess, where you are. I'm Scott Fraser, the MLA for Alberni–Pacific Rim.

B. Stewart: Good morning, Shannon. It's Ben Stewart, the member for Westside-Kelowna in the Okanagan Valley.

J. Slater: Hi, Shannon. It's John Slater, MLA for Boundary-Similkameen.

B. Bennett (Chair): Shannon, it's Bill Bennett here again. We also have Susan Sourial here as our Clerk and Morgan Lay, who will help you through your PowerPoint presentation. She's our researcher.

You have 30 minutes. You can use all 30 minutes for your formal presentation, if you wish, but you'll still be limited to 30 minutes. Whatever of your 30 minutes you don't use for the formal part, we'll use some or all of it with questions.

S. Coombs: Great. Good morning to you. Yes, it is afternoon — just after lunch — here.

I wanted to thank you very much for inviting the Canadian Consumer Specialty Products Association to present to the Special Committee on Cosmetic Pesticides today. The work that the committee is doing is very important to CCSPA and our member companies, as we're committed to good public policy based on science. I will keep my presentation short today so that I can leave enough time for questions from the hon. members.

Just moving to slide 2, I wanted to give you a brief overview of our trade association, the companies and the work that I do here in Ottawa.

As I have mentioned, we're a national association based in Ottawa. We represent 44 members. We have a wide range of products. I think the picture from the first slide gives you the most colourful and illustrative representation of who we are. As you can see, it's a wide range of products: soap, detergents, disinfectants, domestic federally approved pest control products as well as automotive chemicals — so quite a range.

We work with the federal government on various laws and regulations, as all of our ingredients in our products are regulated under the Canadian Environmental Protection Act. Most of our products have premarket approval processes under the Food and Drug Act, such as our disinfectants, and the Pest Control Products Act.

Our labelling is also regulated under the consumer chemical and containers regulations of 2001. Specifically, for pesticides, the labelling is regulated under the Pest Control Products Act.

We're actively engaged with consumers and groups such as the Canadian Institute of Child Health. We have a hand-washing initiative — "William, won't you wash your hands!" — which is designed for five- to six-year-olds, to encourage them to wash their hands properly to reduce the spread of disease.

I would encourage you to go to our healthycleaning101.org website. We have a lot of free resource materials there. Our William materials have been translated into French, Punjabi, Arabic, Mandarin, Spanish and Inuktitut. I'll send that website link to Morgan to be able to distribute.

Moving to slide 3. Going to our discussion today about: what is a domestic pesticide? As you know from the other presentations, they're duly approved by Health Canada but are available for use to the general public. They're products like ant traps, wasp repellent, rodent traps, pool chemicals, corn gluten and garlic oil.

I put those examples there so you can see that in order to be able to be a pesticide and to be approved by

Health Canada, it doesn't matter what type of product it is. If it says it's going to kill something, then it has to be approved by Health Canada, based upon the three principles of health, environmental safety and value.

Vinegar, for example, is a registered pest control product as well, which I didn't have listed there.

I also think it's important to provide some context around the problem that you're trying to address. I think the statistic that we have below, around the sales of domestic products.... Of all the products that are sold in Canada, and this is from 2008, less than 5 percent of the overall sales — that includes agriculture, non-ag and domestic — are domestic uses, as mentioned above. More than half of those are antimicrobials, such as a pool sanitizer or your pool chemicals that you put in to keep the algae at bay.

Moving to slide 4. Given the high degree of regulation for the products, Health Canada states that they can be safely used according to label directions. That, of course, is applicable for all natural and synthetic products. But the philosophy, which is embedded in the act as well in our member companies, is using the right product at the right time.

We firmly believe that the product should be used when necessary. Our members do work with consumers and retailers to educate and inform them about the products and best practices. A lot of our companies have point-of-purchase material in retail stores in the spring, as well as the winter and the fall when people are starting to close their gardens down. As well, there are more materials in the store near where the products are sold.

[0945]

We also have expertise during the high seasonal time to be able to provide consumers information about the products and to also be able to help them with their particular pest problems that they may be having.

Moving to slide 5. I've been following the testimonies of those engaged in this debate, and I just wanted to highlight some important key points about the legislation in Canada. The Pest Control Products Act was modernized and came into force in 2006. Elements that were introduced into the act.... A lot of it was around transparency and post-registration type of controls — incident reporting and re-evaluation of active ingredients — but also a very strong consultation component.

Citizens, Canadians, have the right to be able to comment on new products being registered. They can also comment on the evaluations prior to those decisions being finalized by Health Canada.

When registering a product, Health Canada applies appropriate safety margins for risk assessment, depending on the product and where it will be used. That's specifically in the act. I think a really good example would be 2,4-D. When the re-evaluation of that was completed in 2008, the safety margins that had been included in that re-evaluation were a thousand X.

The re-evaluation has been a key pillar of Health Canada's activities since 1998. Actually, in the new act there's a requirement to do it every 15 years on new products that

have been registered, so the PMRA has been looking at the 401 actives that were registered in 1998.

I'll go into a little more detail with the next slide, but as well, lawn chemicals in particular — insecticides and herbicides — were looked at, initiated in 2000. The re-evaluations have been complete on those eight commonly used active ingredients. There were four for herbicides and four for insecticides.

Moving to slide 6. Here are some of the results from the re-evaluation program. I think that the fact that more than half of them have been accepted.... We've had certain phased out. We've had certain products discontinued based on, basically, just a lack of sales, or they just don't sell the product in Canada any longer. Then, of course, the re-evaluation of 2,4-D.

I think that what these results really demonstrate to us is that Health Canada is very proactive and that modern science has come into play with respect to the products that are available not only to agriculture users but to consumers, specifically with your study today.

I just want to talk a little bit about weed and feed and weed-and-feed products. Those are your combination fertilizer and herbicide product mixes. They will be discontinued and no longer sold in Canada as of December 2012.

Those products, while they didn't have any health and safety issues, didn't meet the philosophy of the right product at the right time because of the timing of the application. Between the fertilizer and the herbicide, there were some issues around when they were the most effective. Industry worked with the PMRA, and we're starting to exhaust the stocks that are currently in the marketplace. As I said, they will be discontinued as of the end of next year.

Moving to the next slide. We know that with the creation of the special legislative committee, there is an interest to review on this subject matter to ensure that there is good public policy. We've been engaged on this issue since it's been coming up.

In the past year or so in British Columbia we've been talking to legislators as well as with the MOE officials. What we have found was that there seemed to be this perception that residents wanted the ban, so we felt that we needed to get in to have some polling to help demonstrate exactly what British Columbians were thinking.

The polling that we did just in July of this year clearly indicates that there is a misperception that most residents do want a ban. What we found when we started to drill down into the numbers and into the scenarios that we provided is that people's threshold for bugs, apparently, is very low, as well as weeds.

I think that generally, the misperception is that people say: "Oh, would you support a ban?" Well, yeah, but when it impacts their personal and day-to-day life and

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the safety of themselves in and around their home, that threshold becomes lower and lower.

[0950]

In Ontario you still get.... I think that CropLife had presented some numbers, but you still get people saying: "Yes, we support the ban, but we also go across the border and

purchase the products and bring them back and use them." So that culture of civil disobedience has been one of the outcomes of the Ontario situation and has been a very unfortunate unintended consequence of the ban here.

I think that, given these numbers... There we show that 88 percent of homeowners still want to have the ability to use insecticides in their home. Also, 72 percent want the ability to use it outside their home, and 64 percent want to be allowed to use weed-and-feed products. I think what that really demonstrates is that British Columbians understand there are benefits to these products.

Going to slide 8. When we ask them the different scenarios... I'd be more than happy to provide the full study to the committee members. It's been provided to Minister Lake and to the Premier, but if this committee would like to have a copy of the full study, I'd be more than happy to provide that.

When we looked at the different scenarios, we had 83 percent say yes to at least one scenario. So you are going to be challenged with this. People still want to be able to access the products if they have a tough problem in and around their home.

I'm not sure in which testimony it was, but they were talking about the role of the MOE in British Columbia. I think that was one of the really interesting things that came out of our poll as well — that 69 percent of British Columbians believe that there is a regulation in place and that they understand Health Canada's role in that, though 58 percent of residents are aware of the provincial government's involvement as well. Our summary read that the B.C. government has an excellent opportunity to reach out to consumers even more and provide more value-added information.

With respect to a path forward, slide 9. Given the results of the survey that we did and the report that you're drafting, we really believe that British Columbia has an opportunity here to take a very thoughtful and balanced approach to ensuring that consumers have access to these products that protect them, keep their homes and public spaces safe, but they also have an opportunity to take a real lead in the country and take a position that is scientific and very responsible.

Of course, CCSPA is most willing to work with the legislators and the MOE to achieve that goal. We think this work that the committee is doing and your report back to the Legislature are key to achieving those goals.

Mr. Chair, I would be more than happy to answer any questions that the committee members may have.

B. Bennett (Chair): Okay. Well, thank you very much for going through that so efficiently. I'm sure we're going to have questions.

M. Sather: A question for the presenter. I have a number of questions, but I'm sure others will ask some of them. You had mentioned that your association is taking a science-based approach. Now, we heard testimony from very knowledgeable medical experts stating that there are serious and well-established neurotoxic effects — autism, a number of things — from the use of pesticides, saying that these are based on voluminous, peer-reviewed papers, literature of experts.

I'm a little confused. Do you suggest that that kind of work is not science-based? I know some presenters have said: "Well, those that want a cosmetic pesticide ban... It's

based on emotion." But what do you say about the medical expertise that we've heard, then?

S. Coombs: I'm sorry. I'm just trying to pull up the list of people who have presented. Did you have any one specifically in mind who you were referring to?

M. Sather: Yeah. What was the name of the medical doctor from Ontario?

B. Bennett (Chair): Lanphear. Well, not the medical doctor. Lanphear was the guy that talked about neurotoxins.

M. Sather: No, it was the lady I was thinking of specifically. Anyway, you can look it up, but rest assured, we've had very knowledgeable medical evidence presented to us. What I want to know is: do you consider that kind of evidence...? And you can check it out and argue with it, if you like, but it was authoritative, in my view. Would you say that that kind of evidence is not science-based?

[0955]

S. Coombs: Well, if you're referring to.... I'm just looking at my list from the Ontario College of Family Physicians. If you're referring to that documentation and literature review, Health Canada actually reviewed the report that was put out by the Ontario College of Family Physicians, and they've determined that it's not considered even remotely relevant epidemiology evidence. As well, the U.K. Advisory Committee on Pesticides has said there were discrepancies and a serious fraud in the methods employed in the review.

So I think, as well Cantox Health Sciences said that the report was biased. Those are three very credible organizations....

[Interruption.]

B. Bennett (Chair): Shannon, just give us a minute. We've got some legislative bells going off here.

R. Fleming (Deputy Chair): Thank you, Shannon. Before this committee had begun its work, I wasn't aware

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of the acronym CCSPA and the organization. In fact, at first glance, just because of the name, I thought it was a consumers advocate organization. But it's not. You are composed entirely of members that are basically producers of chemicals, including Procter and Gamble and 3M and Arch Chemicals.

I was wondering if you would care to discuss a couple of aspects of the polling that was done for you by Blacksheep Strategy.

S. Coombs: Yes.

R. Fleming (Deputy Chair): You've given us a lot of numbers here that don't relate to the mandate and terms of reference of the committee. We are not looking at the use of structural pesticide products in buildings and confined spaces, yet most of the polling, or a significant portion of the polling information that you presented us here, while interesting, is not particularly useful to our task.

Insect control inside their residences and insect control inside private residences by trained and licensed operators. Those seem to be the bulk of the questions asked in your poll and the ones that sort of lead in to the responses given by the people that you contacted by phone or Internet or whatever methodology was used.

I find that interesting, because you sort of get the respondent to think about the rodents and other types of pests that can damage their property and really disturb their enjoyment in their homes, but it has nothing to do with what we're doing. And then, when you get around to asking questions about cosmetic pesticides — and we're operating under a definition of "cosmetic pesticide" that is now defined in law in many Canadian jurisdictions and, indeed, around the world — you don't mention the term "cosmetic pesticides" in your question.

You talk about weed control. Well, weed control can be manual, it can be with the use of a cosmetic pesticide, or it can be with another, non-toxic substance. So I'm just wondering if you could comment on the very selective use and imprecise use of terms that differ widely from the definitions that this committee is using for the purposes of its consultation.

S. Coombs: Thank you for your question. Sure, I can try to answer that. The intent behind the poll was not be selective. I think that when you ask the question — this has happened in Ontario as well, "Do you support a ban?" people automatically say yes. What we were trying to get at is: "How does it impact your life?"

Insect control. A lot of people wouldn't think that maybe wasp spray is a pesticide. I doubt very many people know that, say, an ant trap is a federally regulated, approved product. So we were trying to get at the fact that people have pests in their homes and outside their homes — insects and weeds — and I think that we didn't use the term "cosmetic" because I think "cosmetic" means a lot of things to a lot of different people.

[1000]

The best intentions were behind trying to provide some balanced information as to what British Columbians actually thought about a ban and what a possible ban — like in Ontario, which is quite large — impacts a wide range of products being available to consumers and has generated people using homebrews as well as people going out and being civilly disobedient because they go across the border to purchase products in the United States and bring them back here and use them.

R. Fleming (Deputy Chair): I'm glad you brought up the homebrew issue, because I wanted to ask you about that again. The only thing that we've been given at this committee, although it's been raised by a couple of presenters, is completely anecdotal information.

To present as a widespread problem in Ontario the idea that people are making homebrew pesticides with cigarette butts or with other randomly obtained chemicals... The

Ministry of the Environment of Ontario cannot concur with that at all. Obviously, they would be incredibly concerned and have front-line responsibility to contain that. I'm just going to delay my.... This will ring three times.

[Interruption.]

As I was saying, the Ministry of the Environment in Ontario would have to be concerned and be very active if this were indeed a phenomenon that is occurring in Ontario. You're polling for it, you're presenting it as if it's a legitimate and widespread problem, but we haven't heard that from government.

S. Coombs: I believe it's a legitimate problem, and I do agree that it's anecdotal. I mean, there is anecdotal information. There was some person who set their house on fire in Victoria. While I appreciate that that's anecdotal, those things are happening.

We do have municipalities that promote the use of homebrews such as cooked rhubarb leaves and using the juice as an insecticide. Oxalic acid — if ingested, your tongue swells up and you vomit and you die. It's extremely toxic. I think it's a legitimate concern for not only the industry but for any level of government that has been promoting the use of homebrews that are not federally approved or properly labelled. Who knows how people are stirring up peculiar homebrews in their homes?

While I agree that we only have anecdotal information, there is advocacy for using a homebrew by municipalities.

B. Bennett (Chair): If we get time, Rob, we can come back to you.

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I'd like to ask you, Shannon, something about what seems to be a trend revealed by the poll that goes to the public's lack of consistency with respect to attitudes about pesticides.

I'm looking at the actual poll, your PowerPoint presentation of the poll, on page 10. Seventy-two percent of the people said that they are personally concerned that pesticides may not be safe. They, incidentally, also believe — or at least 65 percent of them believe — that alternative or natural weed control is equally effective. That's interesting.

But 62 percent of them, which is 10 percent less than the number that thought pesticides might not be safe, say that pest control products currently available in stores are safe if used as directed. A bunch of them think that they're adequately informed.

When you move on to the next page in your PowerPoint presentation, 70 percent of the people polled trust the Canadian Cancer Society and what they would say about the issue. But 1 percent less, roughly the same number of people, trust Health Canada's regulation and approval of the pest control products.

The point that I'm raising, and I guess I'm asking you for your thoughts on this, is that throughout this poll there seems to be a theme — not a trend but a theme — that....

S. Coombs: Of inconsistency?

B. Bennett (Chair): Well, the public seems to feel that it knows all about pesticides, but when you see these inconsistencies, you kind of wonder if lack of education is one of the problems that we ought to be making recommendations around.

S. Coombs: As I've mentioned in my presentation, I think there's a real opportunity here for more education and informing consumers. I think there is a level of awareness out there that the more the MOE and the government of British Columbia can take to informing and educating.... We'd be most happy to help partner in that.

Yes, I think there's an opportunity there for a recommendation around improving the information to consumers.

B. Bennett (Chair): Okay. Well, we're about two minutes short of our half-hour here. I don't see any other hands in the air.

Shannon, I'm going to thank you very much for joining us here. I guess it's this morning here in Victoria and afternoon in Ottawa. I hope you have a good rest of the day, and thanks again for your time.

S. Coombs: Well, thank you, Mr. Chair. And to all the members, thank you very much.

B. Bennett (Chair): Bye for now.

Other Business

B. Bennett (Chair): Members, before we break, just some sort of housecleaning items. We're going to meet again next week — I think the 22nd. We have an hour set aside to discuss go-forward steps.

Rob, I think you and I and Kate are going to meet before that and have a discussion amongst ourselves first.

We'll come back here on the 22nd, hopefully with a full committee, and talk about how we want to have the research staff and the Clerk's office deal with the 2,000-plus submissions or questionnaire responses. If you have thoughts on that and you want to come and talk to me about that prior to the 22nd, next week, that would be appreciated. We'll have a fulsome discussion a week from now and establish some go-forward steps for ourselves and for staff.

We're going to be distributing here right now some follow-up information from CropLife Canada that apparently has come in — I haven't seen it yet — and also from the organics association of B.C. You're also going to get a document that will list out the written submissions that we've received.

Rob, from your side, and me from my side — if any of the members would like to see any of these written submissions, all you have to do is ask, and Morgan or somebody will, I think, be able to send you a copy of the submission electronically. I'm not sure how many there are. The other day it was 30 or 40, but I encourage you to look at as many of them as you possibly can.

Also, you'll be getting a list of organizations that have submitted survey responses. I

know there've been a number of organizations that have encouraged the public and their members to respond to the questionnaire.

Finally, thirdly, you're going to get some documents here today that I have come across on this topic — not just since I joined this committee but over the last several years, because I've been interested in this topic for quite some time.

I would encourage all members of the committee.... I'll make sure that government members hear this.

Rob, if you wouldn't mind just making sure your members are encouraged to do this.

Please submit any documents you have that you're aware of, any information that you want to be part of our process. This next month will be an important month. It'll be quite an exercise for staff to go through all the documents, so the sooner they have your information, I think, the fairer it'll be to them.

I think that's it. Other business from any of the committee members?

Okay, I need a motion to adjourn. Michael Sather.

Motion approved.

The committee adjourned at 10:10 a.m.

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