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*I*n total, 29 individuals have been charged with 133 counts.

*W*e have sufficient evidence to proceed on all counts.

*T*he industry may wish to recover damages caused by the ban.

*T*he Ontario Ministry of the Environment KNEW the ban would affect the market place and the industry.

# The Industry Strikes Back!

2010 06 21

## Update

Monday, June 21, 2010

Good Morning,

Many of you have been wondering about what stage the proceedings are at with the CRIMINAL CHARGES AGAINST THE MEMBERS OF THE PROVINCIAL GOVERNMENT AND ACTIVISTS.

We have not been providing updates or outlines of our evidence due to concerns the information would be provided to the accused ahead of the FINAL COURT DATE of June 28<sup>th</sup>, 2010.

Threats from the activists or their lawyers have not been an issue as they have been given the option of PLEADING TO A LESSER CHARGE OR PROVIDING EVIDENCE in support of the charges in order of having the charges dropped against the individual.

We have TURNED DOWN MEDIA requests for information until after June 28<sup>th</sup>, and are in the process of scheduling interviews.

In total, 29 individuals have been charged with 133 counts.

A recent e-mail from the Public Prosecution Service of Canada stated —

*<< The federal and provincial Attorneys General have a mandate to maintain the integrity of the criminal justice system, including the prevention of prosecutions that are not supported by a proper evidentiary foundation. >>*

# The Industry Strikes Back!

2010 06 21

*We have sufficient evidence  
to proceed on all counts*

This statement was made because in an e-mail to Mr. Lowes stated —

*<< The allegations you have made involve serious charges against  
many respected members of the community. >>*

This has been pointed out by all three judges, a point that has not been lost on Mr. Lowes.

The Prosecutors have asked we provide the balance of evidence to the Prosecution's Office BEFORE June 23<sup>rd</sup>, ahead of the June 28<sup>th</sup> hearing.

We have clarified WE ARE NOT DROPPING ANY OF THE CHARGES ( we have been asked if we would back down ) as we have SUFFICIENT EVIDENCE to proceed on ALL counts.

We have not filed charges in respect to the financials of the CHARITIES. It is our intent to EXPAND THE CHARGES at a later date on the evidence of MISAPPROPRIATION OF PUBLIC FUNDS.

Anyone else from the industry that would like to provide statements should e-mail or fax them before June 23<sup>rd</sup> 11:00 am, so they can be forwarded to the Crown. Please include your name, date of birth, residency, credentials, licenses, company name, and detailed contact information. The statements should outline WHAT EFFECT THE BAN HAS HAD ON YOUR BUSINESS AND LIFESTYLE. Please include any issues you feel you need to point out. Please keep in mind Mr. Lowes will need to read the information into evidence on June 28<sup>th</sup>.

# The Industry Strikes Back!

2010 06 21

*Anyone who would like to provide  
statements to the courts  
should send them to Jeffrey Lowes  
BEFORE Wednesday June 23<sup>rd</sup> 11:00 am*

*The statements should outline  
what affect the ban has had on  
your business and lifestyle*

Please understand that the information provided to the courts has been witnessed or discovered by Mr. Lowes over the past couple of years, and was only made possible because of the financial support of a very small group of companies.

If the industry would like to RECOVER DAMAGES CAUSED BY THE BAN, they will need to proceed with CIVIL ACTION.

We have the interest from class action lawyers to proceed, but will NOT commence any additional work on the file without agreements between the lawyers and the companies seeking compensation.

It has been suggested that the industry MEETS in the 3<sup>rd</sup> or 4<sup>th</sup> week of July to discuss the POSSIBLE DIRECTIONS this may take.

M-REP is currently working directly with a couple of companies and their lawyers in Ontario.

# The Industry Strikes Back !

2010 06 21

*M-REP Communications requires payments  
to work with a law firm to have an  
INJUNCTION in place before or around July 15<sup>th</sup>*

On the issue of an INJUNCTION to putting the products back into the hands of the industry is VERY STRAIGHT FORWARD.

PAY M-REP Communications to work with a law firm to have an injunction in place before or around July 15<sup>th</sup>.

Currently the industry manufacturing the ALTERNATIVE PRODUCTS is NOT interested in an injunction.

Many companies have OFFERED TO PROVIDE FUNDING AFTER we have an injunction, but have yet to provide that financial commitment in writing ?

If your company is willing to provide, in writing, a dollar amount to offset the costs of an injunction, please forward the information in the form of a signed financially commitment by fax before June 25<sup>th</sup>.

That information will be provided to a law firm who will then follow up with you to confirm the information before proceeding.

We have already been in contact the manufacturers for a MATCHING AMOUNT.

The current replacement [ product ] for weed control ( Class 11 ) is Fiesta ( Neudorff out of Germany ) cost of \$12.00 to \$25.00 [ per standard-sized lawn care property ] ( depending on the rate ) plus the additional service calls ( at current application rates there is RE-GROWTH of the weeds ).

# The Industry Strikes Back !

2010 06 21

*If you are interested in staying up-to-date  
on the proceedings, there is now a fee*

This product [ Fiesta ] was NOT made available until AFTER the start of this season, and the costs have ERODED ANY MARGINS FOR PROFIT.

The current demand has out-stripped the supply.

Neudorff is NOT expected to increase production levels until late 2011 to meet current demand.

The COSTS are expected to INCREASE, and the availability of the product will also be REDUCED next year as additional regions come under new pesticide restrictions ( Most notability the State of New York ).

In the event of an INJUNCTION, there would still be a market ( Do-It-Yourself and organic programs ) for the [ Fiesta ] product. We have been in contact with the company and the three suppliers in Ontario.

Sarritor has now hit the domestic market, and we will report on the product and the future of the company at a later date.

Following information about the court case, going forward will be LIMITED TO OUR CLIENTS. The manufacturers will be accessing the court documents most likely through their lawyers.

We will NO LONGER provide « *free information* » to the manufacturers or the lawn care industry while paying the overhead costs. If you are interested in staying up-to-date on the proceedings, there is now a fee.

# The Industry Strikes Back !

2010 06 21

You have two options —

E-mail money transfer for \$282.50 ( \$250 plus HST ) —

Payee — M-REP Communications

E-Mail — [info@mrepcommunications.com](mailto:info@mrepcommunications.com)

Security Question — What is my phone number ?

Security Answer — 6135312657

This is the PREFERRED method, and you should contact your financial institution if you have any questions on how to proceed.

Or by sending a cheque for \$282.50 ( \$250 plus HST ) by priority post to —

M-REP Communications  
PO Box 24010  
1201 Division Street  
Kingston Ontario, Canada  
K7K 7A6

Once received, a non-discloser form will be sent.

When the form is returned, you will be receiving updates each Monday, and or after each day in court.

We will NOT be providing information to trade groups for circulation to their members for the same fee.

The first court date will be June 28<sup>th</sup>.

This fee will cover the next 6 months of proceedings, including the pending actions against members of municipal councils. We reserve the right to refuse companies or individuals without explanation.

# The Industry Strikes Back !

2010 06 21

*The Ontario Ministry of the Environment KNEW  
the ban would affect the market place and the industry*

We have received numerous e-mails and faxes about the « *study* » on « *Evaluating the Success of Ontario's Cosmetics Pesticides Ban Preliminary Results – 2008–2009 Urban Stream Water Quality Study* ».

The study took 168 samples from creeks in South–Western Ontario, and is the « *reported proof the ban is working* ».

In looking at the report we have drawn a few conclusions —

- Grade 8 [ students ] have been robbed of their science fair [ project ].
- The pesticides detected are the result of ILLEGAL applications ( as many of the areas were under municipal bans ).
- Municipal governments are NOT putting down the product correctly, or are breaking the ban.
- Home-owners are running out of supply.

If the study was conducted by the Ministry of the Environment, there is an interesting statement we will be using on June 28<sup>th</sup> —

*<< Previous estimates indicate that these three herbicides accounted for over half the total amount of pesticides used by lawn care companies in Ontario. >>*

This statement supports our claim the Ministry of the Environment knew the ban would affect the market–place and the industry.

# The Industry Strikes Back!

2010 06 21

Although the study CONTRADICTS an earlier study about pesticide reductions prepared by Patrick McInnis from « *Environmental Monitoring and Reporting Branch at the Ontario Ministry of the Environment : Pesticides in Ontario's Treated Municipal Drinking Water 1986-2006* ».

Overall we will save our responses for the court rather than the newspapers.

We look forward to a positive response from the industry as we move forward.

Sincerely,

Jeffrey Lowes

Director of Government & Industrial Relations

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# The Voice of the Lawn and Tree Care Industries in Government Circles

*My children will benefit from the work I do today.*



**Jeffrey Lowes** is Director of Government and Industrial Relations for M-REP Communications.

M-REP Communications is part of an international coalition of companies that provide consulting services through a network of technical and research based companies and agencies in North America and the European Union. M-REP Communications focuses on sound environmental policy and communications.

M-REP Communications represents lawn and tree-care companies in Ontario, Manitoba, Saskatchewan, Alberta, and British Columbia. This has made M-REP Communications one of the LARGEST organizations in Canada as THE VOICE OF THE LAWN AND TREE CARE INDUSTRIES IN GOVERNMENT CIRCLES. M-REP Communications has embarked on engaging the Federal levels of government that regulate or use the services of the lawn and tree-care industries and working with their provincial counter parts.

M-REP Communications

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# Background Information from an Independent Perspective

## THE MALICIOUS PROHIBITION IN THE PROVINCE OF ONTARIO

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On April 22<sup>nd</sup>, 2008, the Province of Ontario INTRODUCED legislation for the « *Cosmetic Pesticides Ban Act 2008* », a NEEDLESS, SENSELESS, and MALICIOUS PROHIBITION against « *cosmetic pesticides* » which has been DESTROYING the Modern Professional Lawn Care Industry.

Ontario is a province located in east-central Canada, the largest by population and second largest, after Quebec, in total area. Additionally, Ontario is now a HAVEN for radical Environmental-Maniac-Activists, and provides a climate of Enviro-Terror against the Green Space Industry. Moreover, because of the prohibition imposed in many jurisdictions, Green Spaces are over-run by invasive weeds, and LOOK LIKE GARBAGE DUMPS !

Ontario is currently under a Liberal government headed by Premier Dalton McGuinty. The present government, first elected in 2003, was re-elected in 2007. It is affectionately called the McGuinty-Ontario-Enviro-Terror-Regime.

There are serious issues with the Ontario Minister of the Environment, John Gerretsen, who has been INDISCREET with his CLOSE PUBLIC TIES with Enviro-Maniac-Activists, raising the question about the radical interests of the subversive Enviro-Lobby taking precedence in the community. Gerretsen's ministry is responsible for Ontario's NEEDLESS, SENSELESS, and MALICIOUS PROHIBITION of FEDERALLY LEGAL, SCIENTIFICALLY SAFE, and TOTALLY IRREPLACEABLE pest control products.

The Ontario legislation implementing a « *cosmetic pesticides ban* » TOOK EFFECT on April 22<sup>nd</sup>, 2009.

The legislation generally prohibited the sale and use of pest control products for cosmetic ( i.e. « *non-essential* » ) purposes — excluding golf courses, some sports fields, specialty turf, forestry, and agriculture.

Prohibition led to HORRENDOUS CARNAGE in Ontario.

The rape and assault of the Green Space Industry by the McGuinty-Ontario-Enviro-Terror-Regime has continued to be endless. It started with pest control products, and it continued with fertilizers. In 2010, the McGuinty-Ontario-Enviro-Terror-Regime imposed the Municipal Hazardous or Special Waste Program Plan ( M.H.S.W. ) and Harmonized Sales Tax ( H.S.T. ). These fees and taxes further HARMED the Green Space Industry.

## NEEDLESS HYSTERIA IN THE PROVINCE OF ONTARIO

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Overall, the idea that pest control products are causing irreversible health and environmental problems is little more than NONSENSE and NEEDLESS HYSTERIA.

Nonetheless, the Environmental-Maniac-Activists have conspired towards NEEDLESS, SENSELESS, and MALICIOUS prohibition of FEDERALLY LEGAL, SCIENTIFICALLY SAFE, TOTALLY IRREPLACEABLE, and ABSOLUTELY INDISPENSABLE pest control products.

Conventional pest control products are SCIENTIFICALLY SAFE ! Overall, when they are used properly, there are NO harmful irreversible effects to health and the environment !

All this Enviro-Maniac-Activist prohibition misery accomplishes nothing. It is NEEDLESS HYSTERIA.

# Background Information from an Independent Perspective

## THE CARNAGE CAUSED BY THE LACK OF ADEQUATE GREEN ALTERNATIVES

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The CARNAGE caused by the PROHIBITION of pest control products has been HORRENDOUS. Why ?

### THERE ARE NO VALID ECONOMICAL ALTERNATIVES TO CONVENTIONAL PEST CONTROL PRODUCTS !

Government Officials, the Green Space Industry, and the public were assured by Enviro-Maniac-Activists that safe, effective, and affordable Green Alternatives were already available to replace conventional pest control products. Wrong !

Overall, the Green Alternatives have been shown to be BOGUS, LESS EFFECTIVE, and STUNNINGLY EXPENSIVE !

VIRTUALLY ALL Green Alternatives are BOGUS because they have negatives ranging from almost TOTAL INEFFECTIVENESS except under very specific circumstances, to a question about their TOXICITY. The Enviro-Maniacs did not know what they were talking about !

## THE HORRENDOUS CARNAGE IN THE PROVINCE OF ONTARIO

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Prohibition has been DESTROYING the Modern Professional Lawn Care Industry.

In 2009, the Ontario Professional Lawn Care Industry lost over 300,000,000 DOLLARS.

Based upon the observations of the earlier carnage in other jurisdictions, such as Quebec, the Ontario Professional Lawn Care Industry will attain an ANNUAL DOWNFALL of 500,000,000 DOLLARS.

By early summer 2009, Professional Lawn Care customers were OBLITERATED BY AT-LEAST-TWENTY-FIVE-PER-CENT !

By autumn 2009, up to FORTY-TO-SEVENTY-PER-CENT were ANNIHILATED !

By late 2009, OVER 5,000 HAPLESS VICTIMS were UNEMPLOYED ( full time employees and summer students ).

Eventually, a total of 8,300 to 12,500 will be UNEMPLOYED.

Several dozen companies exited the market by late 2009.

Eventually, SEVEN HUNDRED AND EIGHTY BUSINESSES will FAIL or suffer BANKRUPTCY within thirty-six months after prohibition.

## STOPPING THE CARNAGE CAUSED BY MALICIOUS ENVIRO-MANIACS

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In January 2010, the Green Space Industry outlined the list of charges against the McGuinty-Ontario-Enviro-Terror-Regime and the Ministry of the Environment.

Additionally, individual Prohibition-Maniac members of Environmental-Terror-Organizations also faced fraud charges under the Canadian Criminal Code.

The legal proceedings in Ontario were organized by Jeffrey Lowes and M-REP Communications.

In the Province of Quebec, Dow AgroSciences also proceeded with a legal challenge against the federal government under the North American Free Trade Agreement, seeking a repeal of Quebec's prohibition of pest control products containing 2,4-D, and demanding at least TWO MILLION DOLLARS IN DAMAGES.

# Background Information from an Independent Perspective

## SUMMARY OF ALLEGED OFFENCES BY PROHIBITIONIST ENVIRO-MANIACS IN THE PROVINCE OF ONTARIO

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- 133 charges and 29 culprits.
- Conspiring to prevent the supply of approved pest control products.
- Defrauding access to products.
- Impeding access to approved pest control products.
- Misleading with peer-reviewed studies.
- Presenting false and misleading information.
- Undermining the Green Space Industry.

## ENVIRONMENTAL-TERROR- ORGANIZATIONS OPERATING IN THE PROVINCE OF ONTARIO

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There are fifteen principal Environmental-Terror-Organizations that operate in the Province of Ontario —

- Canadian Association of Physicians for the Environment ( CAPE ) • Canadian Cancer Society ( CCS ) • Canadian Environmental Law Association ( CELA ) • Children's Hospital of Eastern Ontario ( CHEO ) • David Suzuki Foundation • Ecojustice Canada • Environmental Defence • Ontario Medical Association ( OMA ) — Pediatrics Section • Ontario Public Health Association ( OPHA ) • Organic Landscape Alliance ( OLA ) • Coalition For Pesticide Reform Ontario • Prevent Cancer Now • Registered Nurses' Association of Ontario ( RNAO ) • The Learning Disabilities Association of Canada

( LDAC ) • The Ontario College Of Family Physicians ( OCFP ).

## CANADIAN MARKETS UNSTABLE BECAUSE OF ENVIRO-TERRORISM

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If Canada is to become a HAVEN for Environmental-Terror activity, companies and investors will SHUN Canada, and GO ELSEWHERE !

There are now very clear indications that this is occurring in the Pest Control Product Industry.

It will be many years before anybody realizes that the Canadian market is now FINISHED as far as many chemical manufacturers are concerned.

For the foreseeable future, Canada will no longer benefit from ANY additional investment regarding new technologies in pest control products.

That's it. Game over.

Just like the companies that vacated the Province of Quebec in the 1970s because of a new separatist government, chemical manufacturers have planned their exodus from Canada.

Businesses abhor operating in markets made UNSTABLE by TERRORISM, whether it is Political or Environmental.

Consequently, the manufacturers are TERRIFIED at the prospect of investing hundreds of millions of dollars on the research and registration of new and advanced products in an UNSTABLE Canada.

The exit strategies are now assured. This exodus will apply to ALL manufacturers and distributors of pest control products in Canada.







*We must defend the industry,  
whatever the cost may be !*