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## U.S. company attempts to override public health decision with NAFTA

Ecojustice lawyer in parliament to defend Quebec's right to ban toxic pesticides [March 2009]

OTTAWA, ON Mar 24, 2009

Équiterre and Ecojustice Canada will appear today before the Standing Committee on International Trade to defend Quebec's right to ban lawn chemicals. Joined by the David Suzuki Foundation, the Environmental Law Clinic and the Canadian Environmental Law Association, the groups oppose Dow AgroSciences challenge of Quebec's ban under the North American Free Trade Agreement (NAFTA) Chapter 11.

All five groups are calling upon the Government of Canada to vigorously defend Quebec's ban on the herbicide 2,4-D. They also want federal government to acknowledge that it makes sense to eliminate unnecessary chemical exposure to protect human health and the environment.

"We cannot allow U.S. businesses to handcuff provinces from

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applying the precautionary principle when it comes to protecting residents from potentially cancer-causing chemicals," says

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Will Amos, staff lawyer with the University of Ottawa-Ecojustice Environmental Law Clinic. "If the NAFTA challenge proceeds, we will seek to intervene and submit the viewpoint of environmental groups."

Quebec's Pesticides Management Code came into effect between 2003 and 2006. It prohibits the use and sale of 20 active ingredients in lawn pesticides and prescribes additional restrictions on pesticide use outside public daycares and schools. The pesticides were banned based on associations with increased risks of cancer and endocrine disruption. All forms of 2, 4-D were included in the ban. The group of chlorophenoxy herbicides that includes 2-4 D has been classified by the International Agency for Research on Cancer as a possible human carcinogen.

"Public health concerns should override the search for profits. There are enough concerns around the issue of chemical pesticides to justify a ban," says Hugo Sequin, coordinator with Équiterre. "For example, there are suspected associations between 2,4-D and serious illnesses, like neurological disorders, neuro-developmental problems, and damage to the immune and reproductive systems."

Ontario recently became the second Canadian province to ban the use and sale of lawn and garden pesticides - including 2,4-D - with new regulations that will enter into force in April 2009. Several other provinces are also considering cosmetic pesticide bans.

"The Government of Canada's stance on this issue could have serious implications outside of Quebec. We believe provinces and citizens are on the right side of this issue, and encourage the federal government to take a leadership role and set a high standard for protection of human health and the environment in this country," said Lisa Gue, environmental health policy analyst for the David Suzuki Foundation.

**Hugo Sequin and Will Amos will present to the Standing Committee on International Affairs from 9 a.m. to 11 a.m. EST on March 24, 2009 in the House of Commons, Room 209, West Block.**

**For more information, please visit [ecojustice.ca](http://ecojustice.ca) or contact:**

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