

# Chris Benjamin, Freelance Writer

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## Provinces must stand up to NAFTA Bullying

By CHRIS BENJAMIN  
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Dow Chemical's recent \$2 million notice of action against the Canadian government, essentially a NAFTA challenge regarding Quebec's cosmetic pesticide ban, was well timed. Next month, Ontario will release details of its own pesticide ban. According to Ontario Environment Minister John Gerretsen, the ban will include all products containing the chemical 2,4-D, a chemical made by Dow, regardless of threats by the company.

If Dow follows through with its suit, it has little chance of winning. International law functions on the precautionary principle, which means that the burden will fall on Dow to prove that its product is safe despite ample scientific evidence to the contrary.

The company will argue that Health Canada approves 2,4-D and therefore so should provincial authorities. But Health Canada does not label 2,4-D as being safe. The national health authority only states that the toxin poses an 'acceptable risk' despite being linked to numerous cancers, learning disabilities, behavioural disorders, respiratory illnesses, genetic disorders, nervous system meltdowns, birth defects and infertility.

Health Canada may call those risks acceptable, but most people don't. The cosmetic pesticide bans in Quebec and Ontario both met with overwhelming public support – 80 percent public support in Quebec. Contrary to what Dow claims, the province of Quebec conducted extensive public consultations and research before enacting its cosmetic pesticide ban. Closer to home, a January poll by the Canadian Cancer Society found that 69 percent of Maritimers support a ban on cosmetic pesticides.

The thing is, Dow Chemical is not going for a legal victory anyway. Dow is looking for a political win. It wants to strike fear into the hearts of legislators across this country.

Dow knows that Ontario was the tipping point. It is our largest province and once it makes a political move other provinces tend to follow.

That's exactly how pesticide bans were playing out. Dissatisfied with weak federal regulations on pesticides, Quebec and Ontario have laid a green (and organic) path for other provinces to protect the health of all residents. Out here in the Maritimes, PEI has held public hearings on a potential ban and the Nova Scotia government has instructed officials in several departments to consider options for provincial legislation. Big retailers like Canadian Tire, The Home Depot and Wal-Mart have tuned in to the tide of public opinion and promised to stop carrying pesticides.

That's why Quebec's ban will stand and Ontario isn't backing down. Those provinces will fight off this weak challenge. Dow hopes to scare us and other provinces out of following the lead of Ontario and Quebec, but Nova Scotia must not allow itself to be bullied by proxy.

Now is the time for our provincial leadership to stand up to multinational bullying and protect the health of Nova Scotians by enacting our own cosmetic pesticide ban.

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