

Bill C-53 - Witness Evidence on Cosmetic Pesticide Use

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Subject: **Bill C-53 - Witness Evidence on Cosmetic Pesticide Use (April 30, 2002)**

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Mike Christie notes that this is very lengthy but the content is very rich on the cosmetic pesticide use issue...

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37th PARLIAMENT, 1st SESSION

Standing Committee on Health

EVIDENCE

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Tuesday, April 30, 2002
(1110)

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[Recorded by Electronic Apparatus]

(1110)

[English]

The Chair (Ms. Bonnie Brown (Oakville, Lib.)): I would like to call this meeting to order and welcome our witnesses.

All the witnesses should be at the table: Mr. Cullen, Ms. Arnold, Dr. Hammond, Mr. Gaudet, Dr. Sears, and Ms. Land.

Ladies and gentlemen, we'll begin with Mr. Cullen.

Please go ahead, sir.

Mr. Alex Cullen (Councillor, Bay Ward, City of Ottawa; Individual Presentation):
Thank you, Madam Chair. My name is Alex Cullen. I am a member of Ottawa City Council, and I represent Bay Ward, in Ottawa's west end. I'm joined by my colleague Councillor Elisabeth Arnold, who represents Somerset Ward. We will be sharing our time, although five minutes is not a lot to share.

Municipalities are accounted as the level of government closest to the people, so it's not surprising that pressures to regulate the cosmetic use of pesticides are most

directly felt here. My member of Parliament, Marlene Catterall, is a former City of Ottawa councillor. She was telling me how, some twenty years ago, mothers in her ward surrounded the ball diamond at Frank Ryan Park to stop the city from spraying pesticides in the area where their children were to play. They didn't want to expose their children to the health risks associated with pesticides. They saw no harm in running from base to base over dandelions and plantain.

Efforts of community groups like these have multiplied in the City of Ottawa. They include the Crystal Beach and Lakeview Breathe Deeply Campaign, a group of young mothers in my ward who go knocking on neighbourhood doors to advocate safer alternatives to pesticides; GO Manor Park!--GO meaning "grow organically"; the Kanata Environmental Network; and the Ottawa branch of the Allergy Environmental Health Association; just to name a few of these organizations.

In the last municipal election, when I was canvassing from door to door, I saw many signs placed by people declaring their lawns and gardens pesticide-free. I was often challenged about why the city would allow pesticide applications requiring the posting of signs telling people not to walk on the grass because it was dangerous for their health. Today, the City of Ottawa no longer sprays its ball diamonds, soccer pitches, or parks with chemical pesticides. This year, the city is producing a \$400,000 public education campaign on safer alternatives to chemical pesticides. But this is a tale of only one city, and this is where Bill C-53 comes in.

The banning of the cosmetic use of pesticides should not be left to local choice, as I am not aware that the toxic effects of pesticides affect children differently in Kelowna, B.C., or in Goose Bay, Labrador. The onus should not be on municipalities. Many do not have the resources to do the research necessary for such a bylaw. When they do act, they are often opposed by pesticides companies that use the Pest Management Regulatory Agency as a shield, asking why we should regulate something if it's considered safe by the PMRA. Quite simply, it's because our parents, our doctors, and our residents with environmental sensitivities tell us to do so because there are health risks to pesticides.

Bill C-53 should explicitly reflect the paramountcy of the precautionary principle. Pesticides are poisons meant kill, and they shouldn't be near people, and especially not near children who might be affected by them. Why permit the risks when there are safer alternatives? Show leadership by providing public education on safer alternatives to pesticides. Act decisively in banning the cosmetic use of pesticides. If Parliament Hill can be pesticide free--which it is--then why can't Canada's neighbourhoods be?

Elisabeth.

Ms. Elisabeth Arnold (Councillor, Somerset Ward, City of Ottawa; Individual Presentation): I would like to start by applauding the federal government and Minister McLellan for taking the first steps, through Bill C-53, towards ensuring the safety of Canadians. I'm excited to see the federal level responding to the concerns of growing numbers of Canadians.

One of the measures that I see as a measure of that growing concern is the website of the Federation of Canadian Municipalities. We are getting upwards of 20,000 to 30,000 hits per month from municipalities and members of our communities asking for information on alternatives to pesticide use. I believe there's a strong case and a strong call for the development of national standards for the cosmetic use of pesticides, and that Canadians have a reasonable expectation that their health and environment will be protected regardless of where they are in Canada.

As a municipal representative, it's important to me that all three levels of government participate in the management of pesticides in a complementary manner. Although we recognize the jurisdictional differences between the different levels, all levels of government can engage in public information campaigns to advise Canadians on how to reduce their reliance on pesticides. Individual municipalities have been doing so; however, the message will have a much greater impact with the guidance and cooperation of the federal level.

Municipal efforts, coupled with local bylaws and programs, have included a strategy to eliminate unnecessary exposure to the cosmetic use of pesticides, and public information campaigns can only help in this regard. Further, the harm-reduction approach and precautionary principle are vital to protecting the health of Canadians.

I applaud many components of the new legislation. Specifically, I applaud the changes making the protection of human health and the environment a priority; the use of the precautionary principle as an element underlying the re-evaluation of products; the basing of the assessment of products on risk assessment concepts; the requirement for adverse effects reporting; and the provision for the regular re-evaluation of registered products. But there are areas in which the bill must be strengthened.

As your committee is aware, the Canadian public is becoming more knowledgeable regarding the use of chemicals, and is expressing concerns of their potential effects on health. Canadians are demanding the fast-track approval of less toxic alternatives; the recognition that elements other than the active ingredient may be harmful and should be evaluated in the same way; and the acknowledgement of the municipal authority to regulate pesticides within the federal and provincial framework in order to respond to individual communities' concerns.

I would personally like to see the precautionary principle enshrined in the legislation through a ban on cosmetic use and through federal research on alternatives. We should err on the side of health and the environment. All the constitutional arguments in the world are cold comfort when you're sick or if you die, and they are indefensible given that the effective alternatives do exist, albeit sometimes they require a little more elbow grease.

I believe Bill C-53 is a good step forward from the existing legislation, but it does need to be strengthened in the ways outlined.

Thanks very much.

(1115)

The Chair: Next, from Citizens for Alternatives to Pesticides, we'll hear from founder Merryl Hammond.

Dr. Merryl Hammond (Founder, Citizens for Alternatives to Pesticides): Good morning, everyone. Thank you for inviting me here today. My name is Merryl Hammond, and I'm a trained nurse with a doctoral degree in community health.

As you can see from the box on page 1 of my brief, I'm here to address two basic issues. Because of time restraints, I'm going to stick to the first one, the need for a moratorium on the non-essential or cosmetic use of pesticides, to be included in Bill C-53. Linked to that, and obviously supporting it, is the need to promote ecological alternatives to pesticides. As we've heard, those alternatives do exist and should be used. So those two do go together.

Exactly ten years ago, in the spring of 1992, I started a group called Citizens for Alternatives to Pesticides, in Baie-d'Urfé, which is now part of Montreal. We wanted a ban on the cosmetic use of pesticides. Within about a year, CAP had members from right across Canada, with all of us working for the same thing: a ban on the cosmetic use of pesticides in our communities.

In 1994, I was lucky enough to meet with then Minister of Health Diane Marleau. By then, I had done enough research to be absolutely convinced that all Canadians deserve the kind of protection that I was working for at the local, municipal level. I presented this evidence to her. Unfortunately, Minister Marleau turned a deaf ear to all that scientific evidence at the time, and I was forced to then write a book called *Pesticide Bylaws: Why we need them, how to get them*. I only advocated bylaws because I'd given up on leadership at this level.

The book was published in 1995, and I'd just like to read a little paragraph from it: Unfortunately, the Minister of Health has not responded as quickly as we hoped she would. Until she does, it is the duty of responsible town councillors to protect the health and well-being of their constituents by restricting the use of pesticides in residential areas. A moratorium on cosmetic pesticide use seems the most logical place to begin: it can always be lifted if/when adequate scientific information is available to assure us that particular pesticides are, in fact, safe for use in residential settings. But in the meantime, if we are to err, let it be on the side of caution, on the side of public health and safety-not corporate profits.

Again, that was eight years ago, when we met with Diane Marleau. Those of you who have long memories will remember that the tainted blood scandal was raging at the time. I said then that when Canadians woke up to the "cosmetic use of pesticides scandal", it would be far worse than the tainted blood one, because every Canadian is being exposed to pesticides against their will. Tainted blood only affected those who got transfusions. I pointed out that the most vulnerable Canadians--pregnant women, young children, the elderly, and chemical-sensitive people--were all being exposed to these toxic chemicals in the very neighbourhoods where they lived, worked, and played. It was a scandal indeed.

As you all know, it remains a scandal to this day, except in a handful of municipalities across the country where there is now a ban on the cosmetic use of pesticides. In my own town, it took us ten years to get the full ban. We just got it in December of last year, before we were amalgamated. For Minister McLellan to duck her responsibility to "protect human health and safety and the environment"--that's straight from the bill--by downloading this crucial issue to municipalities, is quite frankly unconscionable in 2002.

Since I met with Diane Marleau eight years ago, have new studies been published to allay our fears? Quite the contrary. If any of you are following the medical or epidemiological literature, you will know that, almost as a weekly event, a new study comes out just reconfirming what I told Ms. Marleau eight years ago. The writing was on the wall eight years ago. We cannot wait any longer. It only adds to our concern. We're seeing childhood cancer, adult cancer, immunodeficiency disorders, neurological deficits, learning disabilities, reproductive disorders, and you name it. The evidence is now overwhelming. As responsible citizens, we cannot ignore this any longer. Now is the time to give Canadians the protection they want, need, and deserve.

How can we do this in the context of a bill? We hear about Bill C-53. If you flip to page 2 of my brief, you'll find that one simple and elegant amendment that does not significantly alter the scope, purpose, objectives, or mandate of the bill, can be made.

On page 8, one of the headings is "Prohibitions". In other words, a section in the bill is prohibiting certain things about pesticides. Subclause 6(1) refers to unregistered pest control products. That's now going to be subclause 6(2), and we're going to insert a new subclause 6(1). In column 3 of my table, you'll see the new subclause 6(1), which will simply say: No person shall use pesticides for non-essential purposes.

That's all we need. No person shall use pesticides for purposes that are non-essential, cosmetic, aesthetic, or you name it. Use whatever word you want to use, but we all know what we mean. We're talking about urban use, where children play, etc., about what we've been hearing about.

If we insert this new subclause 6(1) that I'm proposing, the current subclause 6(1) becomes 6(2) and so on, but the rest stays the same. It's perfect. And then we have what we need, completely within the scope of the bill.

The minister is saying she wants to protect children. She's saying we must protect our vulnerable communities. She's saying "precautionary principle". But nowhere in the bill is she giving teeth to those beautiful words. So let's put our money where our mouths are for once.

We obviously define what we mean by "cosmetic use" in our definitions. That's in footnote 2 on that same page.

So that's what we need. It's a quick amendment.

I won't discuss all the places in the written brief. There are suggestions about adding things and about using alternatives to pesticides wherever possible. They really pump up those aspects of the bill.

The ecological and organic farming sectors are invisible in this bill. That's not acceptable in this day and age.

Ladies and gentlemen, time does not permit me to address the other amendments, so I'll skip right over those. They all centre on the need, as I've said, to include more about ecological alternatives.

So with that main amendment in place and with some fluffing around the other issues, I think we'll have a bill that Canadians can be proud of and that this committee can give full vote to.

Thank you very much.

The Chair: Thank you, Dr. Hammond.

Next, from the Coalition for Alternatives to Pesticides, we have Mr. Gaudet.

Mr. Michel Gaudet (Vice-President, Coalition for Alternatives to Pesticides): The Coalition for Alternatives to Pesticides is a non-profit organization that was founded in December 1999 by a group of people affected by pesticides. Today, there are close to 20,000 members in CAP. On their behalf, I wish to bring forward the following deficiencies, concerns, and suggestions in regard to Bill C-53.

We strongly urge the health committee to incorporate the precautionary principle firmly throughout the bill. The bill should reflect the principle of the Swedish Environmental Protection Agency. The advisory council should consist of the broadest possible spectrum of public opinion.

It is requested that the health committee include in the bill a moratorium on the cosmetic use of synthetic pesticides across Canada by the spring of 2003, in order to protect human health, animals, wildlife, and the environment. This will ensure equal protection for all Canadians. The use of synthetic pesticides should be prohibited for non-essential purposes. Pesticides should not be mixed with chemical fertilizer. There should be mandatory posting of appropriate warnings when pesticides are exceptionally used in and around public areas in communities. Only low-impact pesticides should be allowed for use in homes, schools, daycares, office buildings, public lands, shopping centres, hospitals, and all other areas frequented by the public.

Instead of the development of reduced-risk products, it is recommended that low-impact products that are risk-free for human health and the environment be introduced. More biopesticides must be registered to reassure governments across Canada that the products homeowners use are safe around the home, and that there is no risk to human health. Immediate implementation of a large-scale national training and assistance program is required to allow for public green-space workers and lawn-care operators to learn the alternatives to chemical pesticides and other chemicals used to maintain all public and private green spaces.

The bill should call for the removal of all synthetic pest control products from stores and garden centres, and only low-impact pesticides should be sold from behind

counters by trained staff. Public education on the safe alternatives available to chemical pesticides should be a key component of the bill.

The bill should include a fast-track approval process for the registration and use of low-impact, non-toxic pesticides. The precautionary principle must be upheld for any registration or re-registration of any product that indicates damage to human health or the environment.

The registration of pesticides should be done every three to five years. The application of the substitution principle as used in the Swedish Environmental Code should be implemented. This will require that older pesticides be replaced by newer, non-chemical alternatives and biopesticides.

A clear and unequivocal statutory mandate must be given to the Pest Management Regulatory Agency, and the regulatory process must be more open and transparent. In dealing with risk management, a process must exist to allow every Canadian to find out the percentage of risk that one incurs when pesticides are used not only by individuals themselves, but also by neighbours and from drift.

In testing of pest control products, the following should be taken into consideration: endocrine disruption, immunodysfunction, neurotoxicity, and carcinogenicity of the pesticides. The inert ingredients of all products should be made available to the public. A synthetic pesticide that has been banned in an OECD country should also be banned in Canada without delay, and it should be removed at the earliest from our lands, without phasing them out, in order to allow the toxic banned products to be used up.

Clauses 42 to 44 of the bill should be equivalent to sections 51 to 53 of the Canadian Environmental Protection Act, on measures that would allow for the broadest public disclosure of information to the public. The prime concern and sole purpose of Health Canada should be to place human health above all else. This should be reflected in Bill C-53. Health Canada should not concern itself with the value and/ or economic viability of pest control products.

When calculating risk management, the bill should make provisions for those who are made ill by pesticides, by providing for specialized testing and treatment centres. At present, there are only two centres in all of Canada that can treat people who are damaged by the environment. The waiting period for these centres runs to two years.

The acute and chronic effects of pesticides should be entered into a national data-collection bank and be made available to the public. Research is required on the synergistic effects of pesticides. There should be a process for research on and

funding of low-impact, non-toxic biological pesticides. A mechanism should be set up for submissions of independent scientific findings.

While considering this bill, it is requested that the health committee keep the following in mind with respect to science. Science is manmade, thus it can be flawed. In today's environment, with the thousands of toxic substances that we're exposed to from before birth until death, it is impossible to know scientifically the exact effects of these chemicals individually or collectively on our fragile cells. From the various studies done on effects of toxins on humans, a grim picture has emerged. The Coalition for Alternatives to Pesticides Québec urges you to use the precautionary principle at every clause of Bill C-53.

(1125)

Lastly, I wish to inform you that as a Québécois, I am proud to have a government that has the intention of passing legislation regarding pesticides, for the protection of human health and the environment. I especially thank our Minister of the Environment, Mr. André Boisclair, for his critical move to place the health of all Quebecers above all else. This should be an example for the federal government to protect the health of all Canadians equally by implementing an immediate moratorium on the cosmetic use of synthetic pesticides.

Thank you for your attention.

The Chair: Thank you, Mr. Gaudet.

Next, from the Green Coalition, we have Mr. David Fletcher, the director.

(1130)

Mr. David Fletcher (Director, Green Coalition): First of all, I would like to say that the Green Coalition is an umbrella of environmental groups. It was founded as a chartered organization in March 1990, and is based in Montreal.

The Green Coalition is pleased to see that, at long last, the Pest Control Products Act will be replaced by an act more suited to the protection of human health, safety, and the environment. We are pleased with the overall thrust of Bill C-53, now before the House of Commons, with respect to its commitment to the principles of sustainable development. We have identified some features that we would like to see either modified or added, in order to enhance the realization of its stated aims.

Firstly, adherence to the precautionary principle should be seen as fundamental in the new act. From our perspective, its inclusion is paramount in importance. In paragraph 31 of the Supreme Court judgment on the Hudson bylaw, Madame Justice Claire L'Heureux-Dubé cites paragraph 7 of the Bergen Ministerial Declaration on Sustainable Development, 1990:

In order to achieve sustainable development, policies must be based on the precautionary principle. Environmental measures must anticipate, prevent and attack the causes of environmental degradation. Where there are threats of serious or irreversible damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

I therefore submit to you that human health can only be viewed in the context of an environment that is healthy itself.

The precautionary principle is one of the pillars upon which the judgment stands. As pointed out by several MPs during first reading, it is invoked in Bill C-53 only in reference to the review of already-registered products, and even here it is qualified with the condition that it be cost-effective. I would submit to you that this is a virtual oxymoron, as the cost of human health can't be weighed against economic costs. The precautionary principle should be an important pillar in the overall administration of the new act, and the major determinant in all decisions.

Secondly, we have found no reference to the Pest Management Regulatory Agency in the bill. Subclauses 5(1) and 5(2) provide for the establishment of "an advisory council of persons whose interests and concerns are affected by this Act", with the reports of that council to be placed in the registry by the minister. We are left to presume that the advisory council will replace the PMRA. The advisory council will wield enormous power and will be charged with putting into action the objectives outlined in the act's stated mandate in clause 4. The stated primary objective is "to prevent unacceptable risks to people and the environment from the use of pest control products." From our perspective, the wording of subclause 5(1) is too vague, leaving too much to the discretion of the minister in terms of its composition.

Given that this act may be on the books for 33 years, the lifetime of the last act; given the number of registered chemical products that have had to be withdrawn during that time because of their pernicious health or environmental effects; and given the laudable goals set forth in the draft bill to protect human health and the environment in accordance with the principles of sustainable development; it seems clear that an elaboration should be made of who those persons are "whose interests and concerns are affected". Clearly, those persons seeking to have a product registered, as well as potential end users, would be interested and concerned for financial reasons.

However, there are certainly other parties that have a stake--be it social, environmental, or health-related--in whatever report is presented to the minister.

We believe the broadest possible spectrum of public opinion must be brought to bear in the registration process, with that opinion voiced in the advisory council report. We believe child care professionals, workers with the elderly, labour organizations, farm workers, the medical profession, psychologists and social workers, organic farmers, and alternative lawn-care specialists, to name a few, are all potentially interested and concerned parties. They should be included for participation in the advisory council's deliberations.

(1135)

Thirdly, with respect to the banning of the cosmetic use of pesticides--which, by any measure, is a wasteful and dangerous practice--it seems to us that this sort of restriction is completely in keeping with the stated goals of the bill. All Canadians must be accorded equal protection under the law, whatever that law might be. Under the new act, the restriction of the use of pesticides will be totally and properly within the purview of Health Canada, as it was under the old act. This fundamental principle must not be left to the whim of lower jurisdictions, namely the municipalities. People living across the very narrow lines between communities must not perceive that the importance of their health is treated differently. If pesticides are a threat to health, they are a threat to everyone's health, irrespective of his or her beliefs.

The revision of the law as proposed in Bill C-53 clearly recognizes the threat. Otherwise, we wouldn't be going through this revision process. The federal government must exercise leadership in this regard and ban the use of pesticides for cosmetic purposes.

Fourthly, there must be an expeditious review of all products now on the registry, for their potential for any pernicious physiological inducement, including carcinogenesis, immunosuppression, neural degeneration, and endocrine disruption in all non-target species--and I include humans in that category. Reviews should include testing for negative synergies with other coincident chemical exposures, not just environmental ones. I would therefore include prescription medications, which very often act in the same way as the pesticides.

Finally, there must be a fast-track process that respects the substitution principle. There should be expeditious approval of products established to be safe in other extranational jurisdictions, such as the United States and the European Union. As well, any newly researched benign alternatives must be made available at the earliest possible time. A properly representative advisory council can ensure that rigorous

criteria pertaining to safety and efficacy are brought to bear in the light of the precautionary principle.

I would finish simply by reminding everyone here that Our Common Future was released in 1987. That was the report of the World Commission on Environment and Development, the commission chaired by Gro Harlem Brundtland. In the annexes, we have the Tokyo Declaration. Article 5 quite clearly states:

Greater public participation and free access to relevant information should be promoted in decision-making processes touching on environment and development issues.

I think we quite clearly have a precedent there for involving people in the deliberations of the advisory council.

I'm done. Thank you.

The Chair: Thank you, Mr. Fletcher.

We'll now move on to the Health Dangers of the Urban Use of Pesticides group. Their spokesperson is Dr. Meg Sears.

Dr. Meg Sears (Spokesperson, Health Dangers of the Urban Use of Pesticides): Thank you for this opportunity.

The City of Ottawa's advisory committee has asked me to speak on the science. I'm trained as a scientist; I have a doctorate in biochemical engineering. I do some writing on health, environmental, and scientific matters for some doctors, so I have a broad appreciation of what the science is.

Bill C-53 provides a framework for making a decision as to whether or not, how, and why we use toxic chemicals. Let's not beat around the bush. These things harm. We're dealing with fire, so we must be cautious.

There are two sides to this: a risk and a benefit. When we're assessing risk, we're depending upon science. Bill C-53 makes it quite obvious that we're depending upon science, and upon good science. But what is science? I'm a scientist, so I'd like to speak briefly about that.

Science is a mechanism, a process, the way in which we have built up pictures about how our world works. Those pictures have been built up because some people have asked questions and have then done experiments to answer them. In tiny bits and

pieces, we have built marvellous pictures of how our world works, but they are only small fragments. If we stand back and squint at everything, it's like those little pictures that are made with dots. We can see a picture, but we don't have the entire picture. That is what science is.

When you're assessing the risk of pesticides, what kind of science can you use? You can use epidemiological studies, but these are rife with problems. Obviously, epidemiological studies are studies done retrospectively on people who may or may not remember what they were exposed to. They may not even know what they are or were exposed to--and that, by the way, is another big issue with Bill C-53: the need to have full and complete disclosure of all ingredients on the labels and available in the stores and to doctors. So that's one kind of study that we can do.

These studies are very difficult to do, but in one instance, a compelling study is emerging. In Mexico, children of very similar backgrounds in a valley where a lot of agricultural pesticides are used, are being compared to children in the foothills of the mountains, where they use no agricultural pesticides. The valley children are being very severely compromised. But these are all normal "children". Dr. Elizabeth Guillette, who has been carrying on this experiment for almost a decade now, is painting a chilling, compelling picture of how normal people are very well being compromised. And because pesticides are affecting everybody, we don't even know. All of this is just going to slide on by with our epidemiological studies, because everybody is being exposed to these things.

If we can't figure out what the risk is by using epidemiology, we can go to the lab to look at animals. But animals aren't people, and there are lots of problems with those experiments.

We can also use cells in test tubes, and we can add chemicals and see what happens. You might be able to model a liver, model a kidney, model a brain, or model a nervous system, but how do you extrapolate what happens in your test tubes to what happens in an organism or what happens in one person or another person? This is impossible.

Science cannot tell us really and truly what the risks of pesticides are. When people are coming forward and are asking for permission to register a pesticide, the Government of Canada is asking them for absence of proof of harm. Canadians are being completely sidelined, because this absence of proof of harm is being interpreted as proof of absence of harm. These are completely different things and they must not be confused, but they have been. This is why, up front, we must be very cautious when dealing with toxic chemicals. This is why, front and centre in Bill C-53, we must have a precautionary principle.

(1140)

There's a crisis of confidence every week, be it pressure-treated wood or paradichlorobenzene in diaper pails. We have carcinogens and various other things that we now realize are harming the health of Canadians. We're not looking for small tweaks of the bill, we're looking for a major shift in direction. Canadians don't want to be exposed inadvertently, all the time, to a broad range of toxic chemicals.

So that's the risk, but there is another aspect to Bill C-53, and that's the benefit. Obviously, you know that if you have cancer, you are going to take chemotherapy, which is a very toxic chemical used for a benefit. With the way in which Bill C-53 works, the benefit is being determined as a policy of the Government of Canada.

Do you have a question?

Mr. Reg Alcock (Winnipeg South, Lib.): I signalled so that I could ask you a question. That's the procedure we have here, yes.

Dr. Meg Sears: So the benefit is entirely the policy of the Government of Canada, and it should be a policy of the Government of Canada that dandelions do not merit toxic chemicals. That is clearly the policy of Canada right now. If it is not the policy of Canada, why are we not using pesticides on Parliament Hill?

So you have a possible risk, and we have a possible benefit. This is how we're making our decisions.

In conclusion I just want to introduce you to somebody. I'm not only a scientist, I'm also a mother. Science will never tell us what really happened, but this is somebody who possibly fell on the wrong side of your risk-benefit analysis. This is a picture of my son. He died just over a year ago, of a malignancy that was possibly caused.... When I was pregnant with him, they constructed a golf course just down the road from me. They used a vast quantity of pesticides when they were doing that.

(1145)

Mr. Rob Merrifield (Yellowhead, Canadian Alliance): I want to thank you all for coming. It is indeed a very interesting subject, and one that's very important to Canadians. It's very important to the livelihood of all Canadians and to all people around the world as we go forward in the 21st century. There's no question of that, so it's appropriate to review the bill at this time since this hasn't been looked at for 33 years. This is long overdue.

I think you've addressed some of the benefits, some of the good things about the bill, and you've also pointed to some of the problems that you see. If I could wrap it up, I'd say that all of the testimony we heard this morning would suggest that pesticides should really not be used for cosmetic use or non-essential use. Can you elaborate a little bit on what you would see as an area in which it would be essential for chemicals to be used and in which you would recommend that they be used?

Mr. Alex Cullen: Who wants to touch that one, eh?

For thousands of years, human beings have survived without pesticides. We've evolved, we've become healthier, and we've grown civilizations. I think the onus is always to show that if you're going to introduce something that's toxic to human health and to the environment--because we live in the environment--then you have to do the cost-benefit analysis. And obviously there are lines you must draw.

We're not here to advocate for pesticides, we're here to advocate against pesticides. Why? Because they pose a threat to human health. If there's a better way to provide agricultural products, the food that we need to live with, that's fine. But somehow, right up to the 20th century, because pesticides only became commercially available--

Mr. Rob Merrifield: Excuse me for a second, but just to let you know the procedure here, if you go on too long in response to a question, that limits my time and the chair will cut me off. So I'm not trying to be rude, but I will cut you off if I feel your answer is getting long.

I understand that you're advocating against pesticides, but you're saying you're against them for non-essential use. You are therefore saying you see some essential uses for pesticides. A follow-up to that question would therefore be on the PMRA, which registers the pesticides now. Are you comfortable that they're going through appropriate measures, that they're not efficient enough, that they're allowing chemicals into the country when they shouldn't be? Is that what you're saying?

Maybe somebody else would take a run at where they would recommend the essential use of pesticides.

Mr. Michel Gaudet: The only time we'd recommend the use of pesticides is when human health is in danger. For instance, you may have tried all alternatives but they have not worked. But that's very rare. Our coalition has experience with companies treating lawns organically, and they get rid of almost everything. By chance, however, in one case they might not succeed in getting rid of l'herbe à poux, for instance. They could use a chemical on that. But in this instance, you would use the minimum, and only when human health is in danger. If you need to do that because alternatives didn't

work, then you could use a pesticide. Otherwise, there's no need to use it not to have dandelions on your lawn.

Mr. Rob Merrifield: Can you tell me where that would be applied in Canada, then? The Canadian agriculture industry probably uses more chemicals than anyone else does.

Mr. Alex Cullen: It's the other way around. Acre per acre, more pesticides are used in the urban area for cosmetic use than are used in the agricultural industry

Mr. Rob Merrifield: Well, we're bouncing figures around here.

Dr. Merryl Hammond: Yes, per acre, in terms of the dose we're exposed to, it's higher in residential areas. I have the figures. Agriculture uses 1.5 pounds per acre per year, whereas homeowners use 3 to 10 pounds per acre per year.

Mr. Rob Merrifield: That's a significantly different number from what was just suggested. But I understand the numbers. That's fine, and we can get into the debate on that per acre. But what you're suggesting points to the use of the pesticides as being maybe a little inappropriate in terms of the dosage and so on in the urban centres, and you may well be right there.

(1150)

Dr. Merryl Hammond: It's their use in urban centres.

If I can just say something from our side, as a citizen's organization, we didn't feel competent to tackle the farming issue. Most of us eat organic foods at home. If we don't want pesticides on our back lawns, why on earth would we want them on our tables? I'm a health professional myself, so I didn't feel comfortable tackling the whole issue of agriculture, because I don't have those skills. We know there are organic producers, and they need to be heard. The need to be seen in the bill as well. But just as a citizen's organization, we didn't feel confident about treading on that huge, vested interest. That's why we--

Mr. Rob Merrifield: That's why I was just asking the questions on the balance of it.

Perhaps I can ask the scientists a question. You brought up the study in Mexico, and that was the second time we've had witnesses bring it up. Can you tell me which chemicals were used in that study?

Dr. Meg Sears: I can't tell you all of the agricultural chemicals being used, but this is in Mexico and they're part of NAFTA, so--

Mr. Rob Merrifield: Are those chemicals legally registered in Canada, then?

Dr. Meg Sears: Most probably. It's possible that not all of them are, but these chemicals have similar mechanisms of action. There would certainly be comparable exposures within some Canadian populations.

But it's difficult to compare agricultural uses to lawn issues, as well, just because the range of chemicals is--

Mr. Rob Merrifield: The only reason I bring it up is that you used it as a basis for part of the scientific danger.

Dr. Meg Sears: What it's showing--

Mr. Rob Merrifield: I'm just pointing out that the chemicals used in that experiment were not registered in Canada and are not approved in Canada, so we want to be careful about how we throw--

Dr. Meg Sears: No, this is not an experiment.

Mr. Rob Merrifield: Maybe we're talking about a different study, then.

Dr. Meg Sears: No, this is a--

Mr. Rob Merrifield: Yes, you're right. It's not an experiment, it's a study.

Mr. David Fletcher: Just coming back to this whole question of which specific chemicals can be used, I think we must be very careful about using what we have in product data sheets when it comes to the establishment of which ones are dangerous and which ones are not.

If I may give you a personal experience, I was the teacher involved with the children with were sprayed by ChemLawn at the school in Pierrefonds and Dollard in 1986. I don't know if you recall that particular incident, but Agriculture Canada took ChemLawn to court and won the case, and ChemLawn was fined.

There were a whole lot of representations made regarding the chemical. A chemical that might be used agriculturally might be used for cosmetic reasons, but in regard to its safety, the CEO of ChemLawn came down to my school post-haste, held a press conference in my school, and claimed that this product was, in point of fact, less toxic

than Aspirin. That begs the question, by the way, about whether or not they're going to be spraying Aspirin all over the community.

What was instructive in this was that this was treated as a benign chemical. I asked my principal at the time...I had to have my principal do it. I had to keep my head low because my job was put on the line. I had to be quiet.

This was treated as a benign chemical and not as a carcinogen. I spoke on the Chevron hotline for 45 minutes with Dr. John Hall in San Jose, California. At the end of that time, he told me that, in point of fact, it had induced cancers in the kidneys of one genetically relatively homogenous strain of mice, females only.

I just want to bring to your attention the fact that, according to *The Politics of Cancer*, by Dr. Samuel Epstein, there are nine Environmental Protection Agency principles that say there is in fact no threshold for these particular chemicals. Anything that induces tumours in animals must be considered to be carcinogenic for man, whether or not those tumours are benign. I have it right here in front of me, and I also have the book in my briefcase and would be quite happy to show you the references. It was in relation to the carcinogenicity of aldrin and dieldrin back in 1970. In point of fact, the EPA elaborated these nine principles, and they're right here.

That chemical, acting in tandem with other chemicals that are latent in the environment, could be inducing cancers as much as twenty or thirty years later. These are the dangers that we have to deal with. These are the things our children go into. There are the sources of our paranoia relating to our environment, be it in the urban milieu or in the country. We can't go anywhere without being exposed to these ubiquitous, pernicious chemicals, and it's time we put a stop to that.

Mr. Réal Ménard (Hochelaga--Maisonneuve, BQ): Thank you, Madam Chair. If you please, I will start with a more general question. After having heard your entire presentation, am I correct in concluding that one of the most significant amendments that you hope to see adopted for the report, and consequently in the Act, is a very clear prohibition of the use of pesticides for cosmetic purposes. You seem to believe that such an amendment would not be struck down by the courts, and would be supported by a good number of our fellow citizens?

I am convinced that it should be adopted, but we have to have a strong unanimity. Could any of you tell us what the implications this amendment to the Bill would be. I think that you are the best person to answer this question, to start.

[English]

Dr. Merryl Hammond: What difference would it make? It would send the clear signal that, in my humble opinion, should have been sent to Canadians at least eight years ago: that we're dealing with a toxic situation, and that we are taking leadership.

Once Canadians realize that the product being dispersed in their neighbourhoods is not benign, other processes will continue. People will start asking the same questions that many of us have asked for years--What am I eating? What am I breathing?, etc.--and the ball will get rolling. We all know we have to go in that direction. This is like a first step. It's the minimum the Canadian government could do right now, given that we all understand the vested interests, the jobs, etc. All the people currently employed in the toxic lawn care industry will learn how to look after lawns without pesticides. In fact, there are jobs to be done there, so we're talking about a conversion process. Slowly, they will wake up.

But this is the signal that needs to be sent, because what's happening now is untenable. We cannot justify it. Knowing what we now know about the effects of these chemicals, we cannot justify their use for something as frivolous as cosmetic use.

[Translation]

Mr. Réal Ménard: If anyone wishes to add anything else, now is the time. If not, I will ask my next question. In fact, I have three questions.

For us to compare possible roles for the various levels of government, what has the Ottawa municipality done up to now regarding this issue?

After that, we'll throw the ball around. You have eloquently cited the kind and charismatic Minister of the Environment, Mr. AndréBoisclair, as an example for the other provinces. Perhaps you would like to help me convince my colleagues that Quebec's example should be followed elsewhere. This is a non-partisan issue: everyone will understand this.

(1200)

[English]

Mr. Alex Cullen: Believe it or not, this is a new city of Ottawa. We had eleven municipalities before last year. As a result of those eleven municipalities coming together, we have harmonized our bylaws and have now adopted a policy that will not see the cosmetic use of pesticides on city property. That property includes city parks, city soccer pitches, city baseball diamonds, etc. So we have taken that step, and, of

course, our staff are using safer alternatives, because we still have to have soccer pitches that you can run on, baseball diamonds that you can play on, etc.

We've also taken the step of investing in or developing a program on public education for safer alternatives, in order to show people that they can have their lawns, they can have weed-free lawns, they can have green lawns, without threatening the health of their neighbours. We're developing this information campaign. It'll give information about the techniques to do that, the ability to do that, and the reasons to do that. It is our hope that, this fall, we'll be able to see the introduction of a bylaw to ban the cosmetic use of pesticides in the urban area.

Mr. Alex Cullen: We have a rural section. As a matter of fact, we're larger than Prince of Edward Island is, but 90% of the population is in the urban area. But if you go outside the Greenbelt--and I invite you to do so--you will find that about 90% of our area, our land mass, is agricultural, is rural. Right now, our focus is on where people live in communities, so we're dealing with the cosmetic use of pesticides in the urban area.

Ms. Elisabeth Arnold: If I could just add one thing to this, the experience that in we had going through amalgamation--love it or hate it--taught us a lesson with respect to pesticides. I think that lesson can be extrapolated to the federal level.

First, pesticides are transboundary products, and people move across boundaries. One of the arguments in the previous regime was that we couldn't have a more stringent pesticide policy in the old city of Ottawa than we had in the city of Vanier, etc. Now that we're in amalgamation, though, we don't have that argument anymore.

So I think it's extremely important that we have a basic, uniform--

[Translation]

Mr. Réal Ménard: I know that Ms. Scherrer has noted that there are positive benefits in municipal fusion.

[English]

Ms. Elisabeth Arnold: There aren't many, but this is one, in order that we don't end up with this very unequal treatment of human health and environmental issues.

The Chair: Thank you, Mr. Ménard.

We'll go to Mr. Alcock.

Mr. Reg Alcock: I was struggling as I was listening to the presentations. Dr. Sears, you got me thinking about part of the problem when you were talking about science, because it's a problem that comes up in a whole bunch of areas, not just in this one around pesticides. It came up in an earlier discussion we had around stem cell research, and it comes up in the certification of new drugs and in GMOs. It is this question: If you put yourself on this side of the table, one of the things one has to do is establish processes on which one can rely to assist in making these decisions.

In the narrow focus of cosmetic use of pesticides in urban centres, I think there is an argument to be made about whether or not there is a compelling need to use the chemicals. But in the broader sense that this bill covers, there is always this need to determine whether or not something has some benefit to weigh against the risks. The problem that governments have all the time is where to go for advice on that. In the end, you turn to the scientific community for some sort of structured advice.

And I agree with your comments that there are flaws in that. We saw the actions of the University of Toronto recently. Because of concerns about funding, it tried to suppress a person doing particular kinds of research. One doesn't dismiss the power of industries in shaping those opinions. Those are very real debates.

Having said that, though, there is also a large scientific community that is honourable, responsible, and focused. People do not want to approve things that can cause damage to other people. I think there is a broad intention to try to always weigh those things. Part of the problem is something that I've noticed increasingly in the debate today--and not "today" as in here and now, but in the general debate. We are beginning to discredit scientific opinion to such an extent that we're losing any credible source to go to for a real opinion on the benefit or non-benefit of anything. We freeze ourselves into inaction in the sense that, in the same way that these chemicals and these changes have produced very real threats, very real risks, and very real problems, they have also produced substantial benefits.

(1205)

Mr. Alex Cullen: [Editor's Note: Inaudible]

Mr. Reg Alcock: Well, the bill covers pesticide use, not just municipal pesticide use.

I would be interested in some comments from you in terms of the process that we use to determine whether or not the science is valid or whether or not the product selection process works. In addition to your narrow focus on cosmetic chemicals, if I'm living next to a farm--as I have lived--I might have very similar concerns. But where do we go to get credible scientific opinions that you will accept?

Mr. David Fletcher: If I may make a point, I mentioned something about the synergies of these chemicals before. I've looked at the data sheets myself. I've done so for many years now. The scientific community treats all of these chemicals in isolation from one another. During my call to Dr. John Hall, one of my questions was whether this chemical that induced cancers in mice was tested in isolation from other things with which it might occur in the environment. He admitted that it was tested alone. As I said, that doesn't have anything to do with prescription medications that people might also be exposed to and which are neuroactive.

I'm not sure even the scientific community can bring light to bear on the kinds of synergies we might get from things that come together coincidentally in the environment or come to us by way of our food, our medications, or whatever. How can you possibly do that? It's such a chaotic system. We can't predict the weather, so how can we predict that?

Mr. Reg Alcock: And the solution is?

Mr. Alex Cullen: Eighty years ago, doctors were advertising the benefits of smoking. They were in magazines in terms of lifestyle, image, and the whole bit. Now, of course, there may still be some doctors who smoke, but we know what the medical profession is saying.

It may be that the sea is shifting here, but when the Ontario College of Family Physicians, the Ontario Public Health Association, the Canadian Public Health Association, and the Canadian Cancer Society all say to you that there are health risks associated with pesticides, then you have to use a precautionary principle. It's no longer a question of proving that it's safe, you have to show that it provides no harm. Use the evaluation of risk, but place the onus on protecting human health. If you can show it's not going to harm anybody, and show that all its components--and not what's unfortunately in this bill.... The past practice was to look at the active ingredient. We know much more than that now.

Things are shifting. Yes, you're caught in this change and it makes life difficult, but quite frankly--and I'm sorry to go back to this--people with environmental sensitivities don't always just live in the city. When they're out there and are being affected when they can't go out of their houses when pesticides are being applied, you know there's a problem.

Mr. Reg Alcock: Then why aren't you advocating the ban of all pesticides? Why just in the city?

Mr. Alex Cullen: I'm being driven by my community in terms of dealing with something that's right before us here. Two years ago, your own committee said we should phase out the cosmetic use of pesticides. That's not in this bill. Do this.

Ms. Elisabeth Arnold: I think it's also a question of the burden of proof. Are we going to be operating on a set of sciences that say we haven't been able to prove there's a direct link longitudinally, or are we going to be operating on a base of scientific proof that says we can guarantee that there is no harm?

The other piece of this is where there are alternatives. We know there are viable alternatives to the cosmetic use of pesticides. We know there are things that work, that produce the same results. What we don't have available to us are those alternatives for the large agricultural sector. That's partly because we haven't done the research and haven't been able to support our agricultural community in order to get our food supply off its dependency on cosmetic pesticides. But we need to get there. We absolutely need to get there.

I come from a farm family that is very concerned about this. They are making decisions about their economic livelihood while sometimes knowing they may be putting their own health at risk. As a nation, we have to get our heads around that and provide them with solutions so that they don't have to make those choices.

(1210)

The Chair: Thank you, Mr. Alcock.

Dr. Merryl Hammond: Can I just make a quick response on the scientific...?

The Chair: No, I'm sorry. It's Mr. Comartin's turn.

Mr. Joe Comartin (Windsor--St. Clair, NDP): Just as a quick statement to all of you, I'm going to be asking these questions with the assumption--which is a false assumption--that there is any chance that we're going to get a ban. I just want to be clear on that. I'm going to be playing a bit of a devil's advocate, but you're not going to get any....

Mr. Cullen, you made the point about the study. The very fact that this bill is here and not in front of the environment committee says a lot about where this government is with regard to what it's going to be doing with pesticides in this country.

Having said that, let me ask a couple of questions.

Dr. Hammond, on the amendment that you're proposing, if I read it right, the new provision for subclause 6(1) is broad enough that it will not apply just to urban areas, but to rural and suburban areas as well. Is that correct?

Dr. Merryl Hammond: Sure.

Mr. Joe Comartin: In that regard, the further provisions in that section right near the end contain penalty provisions that are really quite substantial. Clearly, they are more designed to deal with the corporate or large offenders, if I can put it that way.

Did you look at that? Have you any suggestions on what types of penalties would be appropriate for individual residential landowners? What would an appropriate penalty be?

Dr. Merryl Hammond: I think that's a great point, but, no, I didn't look at it in the context of this brief. I certainly think we could look at many of the bylaws that have been passed though, and at some of the fines in bylaws that exist right now: \$500 for a first offence, and then \$1,000 or whatever. Something like that would be appropriate. But that's a great point. That could be adjusted at the same time.

Mr. Joe Comartin: Just to stay with the subclause 6(1) that you proposed, take the hypothetical farmer in a small municipality with a built-up area of twenty homes. How do we deal with a penalty in those circumstances in which the farmer is spraying in what may be an essential use of pesticides? Obviously that spray is going to cross over into those residential areas, so how do we deal with that farmer? And again, I'm the devil's advocate at this point.

Dr. Merryl Hammond: We all know about pesticide drift. It's a fact of life. But if it's not against the law and he's using it in a "legal" sense, he's not liable to be fined. At the moment, there's no protection for those of us who are downwind from anybody applying anything. That's another reason why we need a....

As I said, what we're proposing is a first step. Why didn't we ask for a ban on all pesticide use? Frankly, we didn't think that was reasonable in 2002. We're working towards that. Give us this one first, and then we'll have the energy to tackle the next issue. We're not going to go away. We'll do it step by step. But we just didn't think that was reasonable. The whole world will go there one day.

Mr. Joe Comartin: This ban would cover 80% to 85% of the human population in Canada at this time?

Dr. Merryl Hammond: Exactly.

Mr. Joe Comartin: Mr. Gaudet, on that last question that I asked, does the Quebec bill address that type of thing? Does it ban pesticides in all areas?

Mr. Michel Gaudet: There is no bill tabled yet.

Mr. Joe Comartin: What about what Mr. Boisclair has been talking about?

Mr. Michel Gaudet: The intention of the Quebec government would be to ban pesticide use in urban areas, not in the agricultural ones--at least not at this point, in any case.

For one thing, you must realize that children will play on the lawn, but children are not likely to play in a cornfield. The pesticide applied at the park or on your lawn will affect children a lot more. Plus, you have the concentration of population in the urban areas.

In its code of pesticides for federal buildings, Environment Canada is starting to specify drift distance at less than 10 kilometres an hour of wind. For Killex, a well-known product, it is at least 100 metres. If you apply it to your house, you are affecting 40 families around your home.

Mr. Joe Comartin: Do you have any sense of what the definition of "urban area" would be?

Mr. Michel Gaudet: In the government bill? No.

(1215)

Mr. Joe Comartin: No.

Those are all I have for now, Madam Chair.

The Chair: Thank you, Mr. Comartin.

Madame Scherrer.

[Translation]

Ms. Hélène Scherrer (Louis-Hébert, Lib.): Thank you very much, Madam Chair. I think that among most of the witnesses today, there is a consensus on the toxic effects of pesticides. I also believe that there seems to be a consensus on a formal request for a ban on all pesticides used for cosmetic purposes.

The question I have, and I hope that anyone concerned by this will respond, regards how this ban will be applied, namely, respecting the ban, or assurance that this ban will be effective in the end. I believe that to ensure that this functions properly, I think that the Ottawa city officials have mentioned this, it obviously takes an information system for the city's people. I think that you also need human resources to propose alternative methods, and in addition, an entire system to ensure that there are penalties or at least fines, because it takes more than just promises, or a statement that pesticides not be used anywhere. In the end, it is one thing to talk about it, but ensuring implementation in each and every municipality is another matter. This is not an easy task.

I heard Mr. Fletcher say that application cannot be left up to the wimps of lower governments. I also heard Mr. Gaudet trumpet the merits of the upcoming Bill. My question is this: why do you want the federal government to be responsible for applying the legislation, and why not the municipalities, who seem to be quite successful, or the government, which has such an attractive Bill? Why do you absolutely want the Canadian government to handle the entire process and ensure application, when it seems to me that this is something that should be handled, on the contrary, at the lowest level of government, because that is where there is direct contact with the people and that implementation can be effective?

[English]

The Chair: Excuse me, but just as a process move, we don't usually have the witnesses raising their hands so that I recognize them. Rather, it would be helpful if you directed your question to someone.

[Translation]

Ms. Hélène Scherrer: My question, therefore, is for Mr. Fletcher and Mr. Gaudet because they are the two...My question is for all the witnesses.

[English]

The Chair: All those people have two and a half minutes in total to respond. That's about 30 seconds each.

Mr. David Fletcher: If I may make a point, having lobbied my municipality since 1986, since that Beechwood spraying incident, the municipality has consistently passed the buck off to higher levels of government. They have passed it on to the province or, more particularly, they have passed it on to the federal government,

saying that, in point of fact, if the federal government is registering these products, they must be safe for use.

The most conservative elements in the municipalities are going to be using that argument across the country. In point of fact, they're making decisions that affect our health--we recognize that--and health is clearly the purview of the federal government. In point of fact, you must ensure that our health is safe. That shouldn't be left to a minor municipal official.

That would be my answer.

[Translation]

Mr. Michel Gaudet: As for the Quebec Bill, are we a distinct society to the point where pesticides only affect Quebecers? In my opinion, they affect all Canadians. Bill C-53 is a Canadian Bill for all Canadians. Therefore, if the ban is from on high, if a small city like Saint-Lazare, with 14,000 inhabitants, can enforce the ban, I am sure that the federal government has the means to ensure adherence to the legislation. It ensures adherence to other legislation: it should be no different for this one.

[English]

Mr. Alex Cullen: These are products licensed by the federal government. If you don't permit these products to be out there, then we don't have to deal with them. That's item number one.

Secondly, municipalities are all different. Some of them have golf courses and some of them want to accommodate golf courses. But excuse me, pesticides affect all kids equally from coast to coast to coast. Why leave it to a patchwork series of regulations? Do it here and do it now.

The Chair: Thank you, Madame Scherrer.

We'll move to Mr. Lunney.

Mr. James Lunney (Nanaimo-Alberni, Canadian Alliance): Thank you, Madam Chair.

I want to go back to the discussion about epidemiology and the relationship to childhood cancers. Adult cancers were also mentioned, as were neurological problems, immunodeficiency disorders, and endocrine dysfunction. Those were some of the things I heard mentioned this morning, along with acute and chronic effects.

Along with this, just recently a study came out talking about the effect of pesticides on the ability of frogs and salamanders to reproduce, and about abnormalities in their sexual organs--testicles appearing within their ovaries and so on--and effects on their sexual reproduction. Perhaps they're related to the worldwide decline in amphibians.

Going back to this tragedy relating to your son, Dr. Sears, are you aware of any studies linking them to neuroblastoma?

(1220)

Dr. Meg Sears: Yes, neuroblastoma has been linked tentatively--which is as strong as the evidence gets--to pesticide exposure both before conception and in utero.

This was a golf course that was being built at the time--very unscrupulously, I might add--right in my neighbourhood. A lot of pesticides were used. Enough pesticides were used to kill the fish in the creek. Enough pesticides were used to kill my son, perhaps.

Mr. James Lunney: Going back to the studies, for the record, are you able to cite some studies that we could refer to in relation to that?

Dr. Merryl Hammond: I have five references from peer-reviewed medical and epidemiological journals, linking brain tumours and brain cancer to pesticides. They're referred to in the brief I gave to the Standing Committee on the Environment and Sustainable Development two years ago. I'd be happy to give you a copy of that brief.

Mr. James Lunney: Thank you. That would be very helpful.

Mr. Alex Cullen: That raises the question about why the position advanced by the Ontario College of Family Physicians, the Ontario Public Health Association, and the Canadian Public Health Association, would not be enough. When those health professionals say to ban the cosmetic use of pesticides, why would that not be enough?

Mr. James Lunney: Thank you. That's an interesting question. We're the ones usually posing the questions and you're supposed to be answering them, but thank you for that observation.

Voices: Oh, oh!

Mr. James Lunney: I'd just like to take you back to your comments about the City of Ottawa having introduced a program of public education on alternatives and so on. Could you describe that program to us?

Mr. Alex Cullen: We're developing a message now. We certainly have the research to go forward. We already offer a hotline. It's 724-4227, for those of you who live in Ottawa and want to get some information on pesticide-free applications. We have a number of companies in town that do provide pesticide-free applications. The program will provide information, and we're trying to develop means to get that message across.

It turns out that there is a great demand for this out in the community. Courses or seminars offering information on pesticide-free alternatives are oversubscribed throughout our community. There's a great demand for this. People are becoming more and more aware of it. As a matter of fact, the people are ahead of the politicians on this one.

Mr. James Lunney: Thank you.

The Chair: Dr. Fry.

Ms. Hedy Fry (Vancouver Centre, Lib.): Thank you very much, Madam Chair.

You've made some compelling arguments about the whole concept of the non-cosmetic use of pesticides. Your argument about the whole concept of the precautionary principle and risk management is...it has been a clear principle in medicine for the longest possible time. Does a benefit outweigh the risk? In this instance, on a cosmetic approach, certainly you're making the argument that the benefit certainly does not outweigh the risk. I think that's pretty clear, and you've made a pretty compelling argument for that. However, I wanted to take the concept of risk management just a little bit further.

I know one likes to talk about good science and hard science, but we all know there is no such thing as hard science. What we know today, tomorrow...DDT is a good example. We think what we know today is fine, but twenty years from now, we realize something has created a whole lot of problems for us. But I think that links with what Mr. Alcock was asking.

There is no way that we have a crystal ball. You talked a bit about the concept of the precautionary principle being written into a preamble in some way. I wonder if you didn't think this statement, based on the bill...it basically says pest control products of acceptable risk will be used only if they are shown to be efficacious, if conditions of

registration can be established to prevent adverse health impacts, and with consideration of aggregate risk and cumulative effects on target populations, like children and pregnant women, etc. Given that nobody knows what hard science is saying, then in a preamble, isn't that sufficient to become known as a bit of a precautionary principle?

Of known pesticides, we already know some cause problems, but what if a new pesticide comes on the market? How do we deal with a new pesticide when we can't crystal-ball whether it has taken into consideration some of those risks, like auto-allergenic risks and other risks? How can we make those decisions? Is there not some way of seeing this as giving us that preamble that we need, that kind of statement that's already in the bill? Do you not think that's sufficient? And I'm not talking about the cosmetic use of pesticides.

(1225)

Mr. Alex Cullen: Okay.

It's like asking if 30 miles an hour is fast enough. It depends on the context. Here, when dealing with human life, 30-odd miles an hour is not fast enough. You have to raise the bar. It's our health that's in place. If it's cosmetic use or any use, are pesticides affecting health?

You have knowledge now. You have this point in time to act now, based on the knowledge that you have. It can't be perfect, but you have to make an effort and raise that bar. What is the downside of raising that bar? Is it that health is going to be better protected? That's a downside? No, that's an upside. Is it that we're somehow not going to get as many fruits and vegetables on the market as we might? Well, for many years, we've been able to feed a growing population without this.

Raise the bar. Necessity being the mother of invention, you will then have products coming online that will meet that bar. But we have 6,000 existing products that aren't meeting that bar.

Ms. Hedy Fry: Before you all answer, I get what he's saying, but I just wanted to say something. You've used terms saying yes, but this committee has to indeed balance on growing fruits and vegetables not simply to feed a growing population, but also to become competitive with other countries of the world that sell fruits and vegetables.

Mr. Alex Cullen: But not at the cost of human health.

Ms. Hedy Fry: No, nobody's saying it's at the cost of human life. But I'm suggesting to you that we already know the effects of certain pesticides. Yes, we use the precautionary principle there. But you've suggested that there be something in the preamble. I'm asking you if you think this kind of preamble does not already weigh acceptable risk, aggregate risk, and cumulative effects on certain target populations? Doesn't that really say what you want to know? Otherwise, you still have to answer Mr. Comartin's question. Are you saying we should ban not only current pesticides, but also future pesticides that may come on the market? If that's what you're saying, say so.

Mr. Alex Cullen: Raise the bar.

Ms. Elisabeth Arnold: I think the answer to your question is that there is no mechanism in the body of the bill to actually implement what you have in the preamble. That's the biggest problem.

How do you actually implement the precautionary principle? It has to be beyond the preamble. Yes, the preamble could be stronger, but to me the key element is making sure you actually do that, both with existing pesticides that are on the market and with future ones. If that could be changed in the bill, then I think we would have an ability to move forward and protect human health.

Ms. Hedy Fry: Good. Thank you.

The Chair: Thank you, Dr. Fry.

Mr. Comartin.

Mr. Joe Comartin: On that last point, I'll play lawyer for a minute. The reality, Dr. Fry, is that the preamble is not anything that is enforceable. Preambles don't work that way in law. They're an expression of intent, and nothing more than that. The judges ignore preambles when they're interpreting legislation.

To go to another point, though, several of you have used the terms "ban" and "suspension", and I think a third term was used, "moratorium". I'm not sure why you're using the different terms. Are they interchangeable, do you mean the same thing, or is there in fact some reason why you're using different terms?

Dr. Merryl Hammond: May I address that first? I come from South Africa. When I came to Canada, I learned a little bit about Canadian culture, and it seemed to me that "ban" was a radical word. It didn't seem to go over well with my neighbours, but when I used the word "moratorium", it found a much more open ear.

There is a difference. The idea behind a moratorium is that it's always open to being reassessed. When the evidence comes in from a company that has developed a safe pesticide, we can lift the moratorium. We can't do that with a ban. It's a kind of semantics, but the idea of a moratorium is definitely that we put it in place in order to protect--the precautionary principle. Then, if and when evidence comes in that a committee like yours agrees is solid enough to say the moratorium can be lifted in that chemical's case, you can spray it on your front lawn and at city hall. It's a more fluid concept.

The bottom line is that I think many of us are using them interchangeably, like "cosmetic" and "non-essential" and "aesthetic purposes". Different people have said different things, but I think we're pretty well saying the same thing.

(1230)

Mr. Michel Gaudet: In Quebec, our coalition is going for a "ban".

Voices: Oh, oh!

Mr. Joe Comartin: You're going for the ban. All right.

I think the problem with a moratorium or suspension is that when we're drafting, if we're going to use that type of terminology and establish that type of system, a time limit is usually put in. I suppose the difficulty I'm having with suspensions, temporary bans, or moratoriums, is that I don't know how you could put in a defined time period because of the 6,000 or 7,000 we have now, and God knows how many more may be coming. I don't know how you'd build that system.

Dr. Merryl Hammond: As a lawyer, if it's easier to go with a ban, then go with a ban.

Mr. Joe Comartin: Thank you, Madam Chair.

The Chair: Thank you, Mr. Comartin.

Seeing no one on this side, I will now go to Mr. Ménard.

[Translation]

Mr. Réal Ménard: One of you stated--I think it was Elisabeth--that agricultural research has not really be prepared to deal with substitutes for existing pesticides. Does that mean that as far as you know, the Department of Agriculture or the

Department of Natural Resources or the large grants and contributions organizations have not funded any research in this domain these past years?

Witnesses have informed us that the small size of the Canadian market leads to much... Well perhaps you can be more specific on this issue. I will state my question clearly. As far as you know, are there many products awaiting certification that could be considered effective substitutes? I don't want my question to be biased, which is why I have stated it this way. I see that you have reacted to my question, so perhaps you can tell us precisely. I don't like to provoke reactions in people, generally.

Dr. Merryl Hammond: I would say my main change would be to have an independent laboratory and an independent stock of scientists assessing the so-called evidence that comes in.

To get back to Mr. Alcock's point about where we turn for science, right now we're turning straight to the companies that earn profits from producing the poison. That's where we turn, but to me, that doesn't seem like an intelligent place to look. Rather, let's turn to independent, university-based researchers.

The weight of evidence, if we use that phrase, is overwhelming now. Studies have been published in--I keep using this phrase--"peer-reviewed" medical or epidemiological journals. There's a process there. You weed out stuff with small sample sizes, with inadequate controls, etc. That's done with a scientific process.

In the documents assessed by the PMRA right now, there is no such process. Something is going in to the PMRA and is then coming back out with a stamp of approval, and Canadians are saying it must be safe because it has been approved by the Government of Canada. They say to me, "They wouldn't allow it if it was dangerous." But when I phone Health Canada and try to get a reasonable answer to a question, I'm referred from one agent to another to another. There's one agent for pesticide A, and a different agent for pesticide B. When I ask them if there's a nurse or a doctor there whom I could speak to, there's nobody. We have B.Sc.'s, M.Sc.'s, and even Ph.D.'s in chemistry, God bless them, but nobody trained in health in Health Canada.

That was the biggest shock for me. When I realized that my government was making decisions with no input from health professionals, I got really scared. When I persisted with my questions--What about synergistic effects? What about pregnant women?--the response was that I ask difficult questions. You're damn right.

Mr. Jeannot Castonguay (Madawaska-Restigouche, Lib.): Thank you, Madam Chair.

I am looking at that same Bill that you have certainly read many times. I would like to refer to subsection 7(7), which stipulates:

(7) In evaluating the health and environmental risks of a pest control product and in determining whether those risks are acceptable, the Minister shall ,

(a) apply a scientifically-based approach; and

(b) in relation to health risks:

And then it refers of course to the threshold effect, and further on:

ii) ... unless, on the basis of reliable scientific data,...

We have heard witnesses talk to us about science. After having heard from you, I would like to ask the following question. Do you think that there is such a thing as reliable scientific data, and what constitutes reliable scientific data? The range seems to be quite wide when we're talking about science and everyone has a different opinion. In the end, we have to decide what is reasonable, so we need your help.

Mr. Michel Gaudet: One of the problems with science is that we are studying 2,4-D. Once 2,4-D is mixed with dicamba, or mecoprop, however, what happens? There is no research on this. Bicarbonate of soda is harmless; and so is vinegar. Once they are mixed, however, there is a reaction. It's the same for any package of toxic materials that we a mixing in the environment. Once they are mixed, what happens? Nobody knows. This is where we call for caution. Why should we expose ourselves to danger: we don't know what could happen. We can see it: there are people who are sick. My wife could not come here: she is sick. Imprisoned by pesticides, she has to wear a mask to leave the house, and we are aware of more and more people in this situation.

The report by Santé publique du Québec, which I have in my bag, clearly states that the number of people who are becoming hypersensitive to all chemical products following poisoning is on the rise. There are statistics for the city of Halifax. They are contained in APPENDIX I of the report that I have submitted here. Thousands of lives in Canada are endangered.

[English]

Mr. Alex Cullen: The Ontario Public Health Association, the Canadian Public Health Association, and the Ontario College of Family Physicians, tell you--tell all of us--that we should be banning the cosmetic use of pesticides. That's enough science for me and for my community, and I would think it would be for anyone else.

Mr. David Fletcher: With regard to 2,4-D, by the way, back in the early 1980s, Dr. Albert Nantel, who's with the Centre de Toxicologie du Québec, did an epidemiological study that linked 2,4-D to non-Hodgkin's lymphoma. I remember the response of interested parties, shall we say. In point of fact, those that were interested and concerned, as you indicate in the preamble to the bill, responded that this probably had nothing to do with 2,4-D, which was benign, but probably had something to do with diesel fuel. Of course, that completely begged the question why truck drivers, bus drivers, and people using home heating oil--all the same product--weren't part of that epidemiological umbrella or group. Quite clearly, the response, which aimed to defeat good, sound science, was financially motivated.

We have to put in place a system in which the evaluation is at arm's length. It has to be a firewall, if you like, between interested parties and the scientific evaluations that are being made. We don't have that at present. In point of fact, under the old bill and the operation of the PMRA, it was all based on scientific data given by those interested parties. I don't see anything in this particular bill that creates that kind of a firewall.

[Translation]

Mr. Jeannot Castonguay: Madam Chair, I would like to get back to my question. Obviously, we have the version of the witnesses who have appeared this morning. Other scientists will tell us, at some point, that certain pesticide products are acceptable, and reasonable. We're still at the same point. Is there any reliable scientific data? Who can we count on, in the final analysis? We will hear from all kinds of scientists who will have differing opinions and...This is why I am asking the question: does the data exist, or not?

Mr. Michel Gaudet: As scientists what's the synergetic effect of products. They will not answer you: they don't know. They have no studies on this question.

Mr. Jeannot Castonguay: If they conduct studies, will we be able to state that yes, there is reliable scientific data? Does this data exist?

[English]

Mr. Alex Cullen: Do we need to have hard evidence when we have people who have environmental sensitivities and can show you? We have people who come to you and can tell you that when a pesticide application is done down the street, they get asthma, they choke, and they cough.

Do you want to use the Halifax approach? The Halifax approach says very clearly in their bylaw that no pesticides are to be used around children--and this is what this legislation speaks about: protecting children--no pesticides are to be used around schools, no pesticides are to be used around childcare centres, and no pesticides are to be used within 200 metres of anyone who has a registered environmental sensitivity. And lo and behold, what happens in Halifax? Almost 70% of the city is therefore pesticide free. And what did the medical officer of health say in Halifax? He said not to do this, but to ban pesticides outright.

So I don't know what it takes to convince you, because the reality is there, the health risk is there. Yet you want science to prove the health risk? Come on. It's the other way around, isn't it?

(1245)

Mr. David Fletcher: By the way, can I make a point? I bought tickets on the 6/49, and I only have to get how many numbers in order to win? With 49 numbers, I don't know what the number of possibilities are, but if you take something like 5,000 or 6,000 products that have some way of combining with one another to create some kind of a synergy that's going to have an impact on human health, I suggest to you that no computer has been conceived that would not take the next millennium to work out what all the possible pernicious effects of those synergies would be.

You have to get moving, and from the standpoint of the Green Coalition, cosmetic pesticides are a place to start. But as far as people in Canada and people around the world are concerned, the absolute Holy Grail must be a total and absolute elimination of all pesticides for all uses.

We have to be practical about it. People running our farms now operate as sharecroppers to the multinational corporations, and they can't take their lives and their family lives into their hands in order to wean themselves off. The people who do that do it without any help from the feds and they do it without any help from the provinces, yet some of them still are doing it. They're doing it because of their health.

Now, what are we to make of this? We can't be saying something may be good or something may be bad. It's the wrong paradigm, and it's a paradigm that has been in place since the Second World War. We have to change the paradigm, and that's a hell of a big job. But let's start with the cosmetic use of pesticides. That's where 75% of our population is: in those urban centres where we have the major impacts at this point, apart from the food.

Dr. Meg Sears: Science cannot possibly tell you that these things are safe. I came here today to tell you that this emperor has no clothes. Science is not equipped to do it. We don't have the tests. An army of scientists could not do it with all the best equipment in the world. But that's not to say we do not want science.

In order to advance our knowledge, we can't have secrets. We can't have a PMRA sitting on reports about pressure-treated wood for ten years. We can't have all of this secrecy. The industry gives the PMRA its information, but the best scientists in Canada are not even allowed access to it. We have to get rid of the secrecy.

Science can't operate in a vacuum. Science needs information, and science needs good information. Science does not particularly need information that is only coming from the people who are making a buck off of it. It has to be independent. In Canada, we don't have that independence. In fact, I was privileged to work in the National Research Council to do my doctoral experiments, and I saw the very tail end of the golden years of the National Research Council. But all of the science in Canada now is bought. Until Canadians say, no, we want independence....

We have brilliant people in our country, but we have to give them the information. There has to be access to the information not only for the scientists, but for all the population of Canada, so that if there is an epidemiological study and you get the telephone call, you don't just shrug your shoulders and say you were never exposed to pesticides. You don't even know what a pesticide is. It's not even on the label, so you don't know what's in it. We have to get rid of secrecy before we can have science.

The Chair: Thank you, Dr. Castonguay.

Dr. Meg Sears: There are two sides to the decision being made. One is risk, which is based on science and which we are today saying should be tempered with a caution in recognition of the very realistic limitations of science. The other side is the benefit, and the benefit is not based on science. The benefit is a policy of the Government of Canada.

It is your job as politicians to set the bar at the level of inconvenience that people have to suffer before using a chemical pesticide is justified. You have to decide whether a dandelion is a sufficient inconvenience to justify pesticides, or whether lice are sufficient, or whether flea-infested rats carrying the Black Death are the necessary level of inconvenience. You have to decide the level at which we bring in this kind of gun. That's a policy.

Dr. Merryl Hammond: I think that was well said. A national surveillance system has been one of the things we've been calling for at least for ten years now.

Ms. Hedy Fry: What form should it take, Dr. Hammond?

Dr. Merryl Hammond: It should at least be a registry of pesticide-exposed people, so that for anyone going to a doctor's office with the usual symptoms--nosebleeds, flu symptoms, dizziness, and all the other things people complain of--they get recorded. After maybe two, three, or four years, we'll see a picture emerging.

In the meantime, please don't delay the ban. We need the ban urgently. That will be for the drift and everything else that we're still exposed to. But slowly, we'll have a database. This doesn't exist. We just don't know which of the illnesses any of us suffers from or that our children suffer from, God bless them. We just don't know, because nobody is keeping those records.

And God bless the medical schools. When I tried to get into McGill to lecture doctors about what I had learned, the door was closed. Who funds the medical conferences? Who provides computers for continuing...? Not me. I could not educate medical doctors at McGill University about the evidence your clerk will provide to you. It's a closed door.

<http://www.parl.gc.ca/InfoComDoc/37/1/HEAL/Meetings/Evidence/HEALEV72-E.HTM>

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