

Ontario shoppers escape pesticide ban in U.S.

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(QMI AGENCY PHOTO)

While many Ontarians are embracing the move to old-style lawn care following the Dalton McGuinty cosmetic pesticide ban, others are going so far as to cross borders to get their paws on stronger stuff.

Kevin Good, the seasonal department store manager at the Stamford Home

Hardware and Fireplace Shop in Niagara Falls, said he hasn't seen any drop in the sale of compression sprayers even though he is not allowed to sell the pesticide concentrate that goes into them.

"People are just right up front — 'You can't sell it to me, I'm going right across the river,'" Good said. "Basically what's happened is we've been screwed out of sales which means the whole nine yards — less staff, less money going through this store, all going over to the States. Especially when they've got the good Canadian dollar — they're getting their gas, they pick up their pesticides, they bring it back."

The Canadian Border Services Agency (CBSA) says Ontario's cosmetic pesticide ban cannot be legislatively enforced by their officials.

Officers at the border will only stop fertilizer and pesticides that fail to meet registration, packing and labelling requirements under the federal

Fertilizers Act, and Health Canada approves the use of products covered by the Ontario prohibition.

Even though the ban is now more than two years old, it continues to provoke strong reaction even as it serves as a template for environmentalists who want it duplicated in other provinces.

The Ontario ban goes far beyond other provincial and state governments have done limiting the use of pesticides, herbicides and insecticides.

Environment Minister John Wilkinson said some Ontarians may be trying to get around the ban but the vast majority are abiding by the rules, and a ministry study of 10 urban streams shows an 80% drop in the three most common chemicals found in pesticides.

"So we know that the ban is working," he said.

Ontario's environment ministry confirms four convictions for violations of the pesticide ban over the past two years, but will not identify how many other cases may be under investigation or before the courts.

Wilkinson said the government brought in the ban after parents and doctors complained that children were being unnecessarily exposed to toxic chemicals.

Gideon Forman, executive director of the Canadian Association of Physicians for the Environment (CAPE), is one of those ban boosters, urging jurisdictions like British Columbia to follow Ontario's path.

"It is the best in North America ... in terms of health protective, there's nothing close to it in North America," Forman said. "It takes about 250 toxic products off the market so that children, in particular, are not exposed to them. So in terms of protecting health, it's fabulous."

Research shows that pesticide exposure increases the risk of cancer, birth defects and brain and nervous system disorders, such as Parkinson's disease,

Forman said.

"The fact that Health Canada approves something doesn't mean it's safe.

Health Canada also approves cigarettes," Forman said. "What we're saying and what the Canadian Cancer Society is saying is that's there no health benefit from these pesticides ... Why would we take the risk when there's so many effective non-toxic products that we can use to keep our properties beautiful?"

Jeffrey Lowes, of M-REP Communications in Kingston, said politics, not science, is driving the Ontario ban.

The Dalton McGuinty government was more interested in appeasing lobbyists and environmental groups than developing policy based on facts, he said.

Lowes said he is currently preparing legal challenges to the ban on behalf of lawn care companies struggling to do their jobs with alternatives that are largely ineffective.

When customers can't get the results they want from the companies, they cancel their contracts and buy the banned products themselves, he said.

He estimated the ban costs lawn care companies \$350 million a year.

One firm was fined tens of thousands of dollars for using up the banned product left in its inventory, he said.

"That's why the lawn care companies are scared because they've not only made a law based on false medical reports, the ministry of the environment has an enforcement branch that is basically walking around in jackboots, you know, prosecuting anyone that has a nice lawn. Unless, of course, you own a golf course," Lowes said, referring to a controversial exemption to the ban.

Tory MPP Peter Shurman agreed that the cosmetic pesticide ban is just that, cosmetic.

Health Canada research, "the gold standard," did not suggest a need for a pesticide ban, he insisted.

Instead, it is yet another example of the McGuinty government interfering in the lives of Ontarians by telling them what to put on their dandelions, he said.

"I am aware that there are people taking Round Up, and things like that, out of Buffalo and bringing it across the border," Shurman said. "This is a nanny state policy of Dalton McGuinty."

Wilkinson said the Liberals campaigned on the ban and Ontarians showed their support for it when they voted them into office.

Ontario Horticultural Association President Carol Dunk, who has been gardening pesticide-free for eight years, said there may be a few bad apples who continue to feed their chemical habits but most gardeners welcome the ban.

"They're quite willing to change their way of gardening so that they can accommodate the ban," the Barrie resident said. "They're pretty nice people so they realize the harm that pesticides were doing to our environment and so they're quite willing to go the extra mile and do a little more weeding and a little picking of insects."

People with large lawns or non-native species may find it a bit more of a struggle to maintain their properties, she said.

Dunk said there are many environmentally-friendly options and products, but notes there's little to prevent someone from getting their hands on Round Up or a similar product in an Ontario store without crossing the border or making an on-line purchase.

“There is no restriction. You just have to tell a little fib and say you have poison ivy and you could get it,” Dunk said. “You have to rely on your neighbours (not) telling on you.”

The Ontario law allows people to purchase pesticides to deal with plants and insects that pose a health threat.

The province’s enforcement efforts emphasize education, but individuals convicted under the act face fines of up to \$20,000 a day for a first offence and up to \$50,000 a day for subsequent offences. Corporations face fines of up to \$200,000 a day.

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