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ASSOCIATION

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## MEDIA RELEASE

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### **Canada's top court rejects final pesticide industry challenge**

Groups ecstatic as Toronto pesticide by-law withstands final legal assault

TORONTO - The Supreme Court of Canada announced today that it has rejected the pesticide industry's last gasp effort to challenge the City of Toronto's pesticide by-law. The by-law was passed in order to reduce the non-essential use of pesticides within the city and was appealed by Croplife Canada, an industry association that represents the manufacturers and applicators of pesticide products. Croplife lost in the lower court and at the Ontario Court of Appeal, and today the Supreme Court announced that it will not hear Croplife's appeal, ending the challenge.

Sierra Legal Defence Fund and Canadian Environmental Law Association (CELA) represented a broad coalition of interveners in the case, including the Toronto Environmental Alliance, Federation of Canadian Municipalities, World Wildlife Fund Canada, Canadian Association of Physicians for the Environment, Sierra Club of Canada, Environmental Defence, and Ontario College of Family Physicians.

"Canada's top court has once again confirmed that communities have the right to pass by-laws to protect the health of their citizens and their environment," said Justin Duncan, lawyer with Sierra Legal Defence Fund. "Other Ontario municipalities now have a clear green light to consider passing similar by-laws."

The Toronto pesticide by-law was closely patterned after a similar by-law passed by the Town of Hudson, Quebec fourteen years ago. That by-law was upheld by the Supreme Court of Canada in 2001 in a landmark decision that strongly endorsed the power of municipal governments to restrict the use of pesticides within their communities.

"This is another great victory for the environment and public health, and the ability for municipalities to act in a precautionary way," said Paul Muldoon, Executive Director of CELA. "This is a truly great day for municipalities in Ontario."

"Lawns, gardens and parks can be maintained without chemical pesticides," said Julia Langer of WWF Canada, who is also a Director of the Organic Landscape Alliance. "Municipalities are simply responding to peoples' concerns for the environment and their health. Instead of using the legal system to filibuster legitimate local by-laws, the lawn-care sector should wake up, smell the pesticide-free roses and go organic."

"It has been a long road, but the pesticide industry has played their last card and lost," observed Katrina Miller, campaigner for the Toronto Environmental Alliance (TEA), "a local community's right to protect children's health and the environment has prevailed once again."

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