

Delay cancelling certain uses of neonicotinoid pesticide unlawful: environmental groups are pursuing Health Canada in Federal Court | Ecojustice

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Toronto, May 30, 2019 – Ecojustice, on behalf of Équiterre, David Suzuki Foundation, Wilderness Committee and Friends of the Earth Canada, is challenging the Pest Management Regulatory Agency's (PMRA) unlawful decision to impose a two-year "phase-out" period, as opposed to immediate cancellation of certain uses of the neonicotinoid Thiamethoxam and implementation of other necessary risk mitigation measures.

In April 2019, the PMRA released its final decision in its re-evaluation of the risks of Thiamethoxam to pollinators. The PMRA concluded that risk mitigation measures needed to be introduced, such as cancelling certain uses of Thiamethoxam, restricting the times when the neonicotinoid can be sprayed, and updating label statements. The PMRA concluded that these restrictions must be put in place to protect bees and other pollinators.

However, the PMRA decided to delay the implementation of risk mitigation measures for two years. The PMRA calls this a "phase-out" but the law does not provide any authority for this delay, which will prolong environmental risks.

Ecojustice and their clients are challenging this unlawful delay in Federal Court.

Bronwyn Roe, lawyer for Ecojustice said:

"The PMRA's two-year delay is unlawful, and the Agency is delaying necessary restrictions on Thiamethoxam despite knowing that it is dangerous to pollinators. The two-year delay in implementing necessary risk mitigation measures means two more years for pesticides to accumulate, causing harm to bees and other pollinators."

Nadine Bachand, Project Manager, Agriculture and Pesticides with Équiterre said:

"Health Canada has not respected the rights of Canadians by neglecting its responsibility to protect the environment from this harmful neonicotinoid. Half a million signatures from Canadians were delivered to the Prime Minister's office in May seeking an immediate ban on neonicotinoids. In the face of persistent delays and weak proposed restrictions, the groups question the extent to which the PMRA's regulatory approach protects Canadian health, food security and environment? The decision is like allowing a drug with serious side-effects to become immediately available, but waiting two years before informing health professionals of the contraindications. Here, two years must elapse before pollinators in Canada can be

suitably protected from the well-documented risks of this class of pesticides. This is unacceptable.”

Lisa Gue, Senior Researcher and Analyst from David Suzuki Foundation said:

“When the international scientific consensus says these pesticides pose unacceptable risks to biodiversity, we need a swift regulatory response in Canada. But instead of recalling these harmful chemicals, government is delaying action for another two years. That’s why we’re going to court.”

Charlotte Dawe, conservation and policy campaigner for the Wilderness Committee said:

“Thiamethoxam is harmful to pollinators – Health Canada itself has come to this conclusion. So why are Thiamethoxam pesticides continuously being approved for use? Two more years of use means two more years of Thiamethoxam being soaked up by plants, streams and soil.”

Beatrice Olivastri CEO of Friend of the Earth Canada said:

“PMRA has determined this neonic is unsafe for pollinators but it’s taking two years to stop its use. This does not make sense – just say no now.”

For media inquiries

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