



# MANITOBA BEEF PRODUCERS

## BRIEFING NOTE

### POTENTIAL LIMITATIONS ON PESTICIDE USE IN MANITOBA

---

#### A. Introduction

##### Who Are Manitoba Beef Producers?

Manitoba Beef Producers (MBP) is a non-profit organization, with a producer-elected board that consists of 14 directors, each representing cattle producers in a specific region or district of our province.

MBP represents approximately 8,000 individual cattle producers involved in various aspects of the beef cattle industry, including the cow-calf, backgrounding, and finishing sectors.

The role and mission of MBP is to represent our cattle producers through communication, research, advocacy and education—within industry, to government, and to consumers.

These efforts take place to strengthen our industry viability, improve prosperity and ensure a sustainable future for the beef industry in Manitoba for the benefit of our beef producers and all Manitobans.

To represent our Manitoba beef producers and their well-being is more than a job—it is work that we are passionate about and to which we are deeply committed.

*my farm, your family, our future*

154 Paramount Road, Winnipeg, Manitoba, Canada R2X 2W3  
[www.mbbeef.ca](http://www.mbbeef.ca) E [info@mbbeef.ca](mailto:info@mbbeef.ca) P 204.772.4542 F 204.774.3264

MANITOBA CATTLE PRODUCERS ASSOCIATION

## **B. Strong Science Based Regulations - Overview**

MBP is concerned that we may be seeing a growing trend that is seeing environmental and health regulations that are based on the perception of public opinion and not grounded in sound science.

MBP will strongly object to any health or environmental regulations that are not based on sound, peer reviewed science. Inappropriate, non-science based reactions to environmental and health issues may result in significant losses by our producers and by the Manitoba economy without furthering the goals of protecting citizens or the environment.

It is our view that it is the responsibility of federal and provincial legislators and parliamentarians to develop, set up and maintain strong science based processes to ensure oversight for health and environmental impacts of the products necessary for the business of modern agriculture.

This role does not, nor should it, extend to political involvement in the approval or disapproval of individual products.

## **C. Concerns with Proposed New Provincial Regulations on Pesticide Use**

### **General Overview of Concerns**

MBP's concerns over proposed new regulations on pesticide use in Manitoba begin with the title of the consultation document – "Play it Safe". We are concerned that this characterization leads Manitobans towards an inaccurate, and in our view, misleading and biased, outlook of modern pesticide use.

For example, the use of the word "safe" in the title of the consultation document would seem to be leading readers and citizens towards the conclusion that the products in the market place today are somehow "unsafe". That is simply not the case.

The Pest Management Regulatory Agency (PMRA) is a science based regulatory body. In our view the PMRA conforms to the requirement for a science based regulatory system. The Government of Canada has established the scientific benchmarks that need to be obtained in order to effectively protect both human and environmental health. These benchmarks are applied to pesticides on an individual basis to determine regulatory compliance and approval (or not) for use within Canada.

Individual decisions by the PMRA are made, as they should be, without involvement of the legislative branch of government. This principle of independent scientific assessment is critical to ensure the confidence of Canadians in Canada's regulatory approval process.

MBP strongly believes that this independent, science based, process should not be circumvented. If there are legitimate concerns regarding the safety of individual compounds, these concerns should be addressed to the science based regulatory body, the PMRA. If there are concerns regarding the rigor of the process, these should be addressed through amendments to the policies, regulations and legislation governing the PMRA and not by bypassing their decisions.

As an aside, MBP notes that many pesticides utilized by modern agriculture have a perception of danger that is simply not borne out by scientific review. The common compound 2,4-dichlorophenoxy acetic acid (2,4-D) is a good example of this divide between perception and scientific evidence.

Popular culture and activists tout 2,4-D as causing a whole host of health and environmental issues, including low growth rates, reproductive problems, changes in appearance or behaviour, or even death. As a result of this pressure from popular culture 2,4-D has become one of the most studied and reviewed pesticides in use.

Health Canada's latest review of 2,4-D was published in 2008. Health Canada determined that 2,4-D meets Canada's strict health and safety standards. It is worth quoting a few lines from the conclusion of that report:

*Health Canada's assessment included the addition of extra safety factors to ensure that the most sensitive population groups, such as children and pregnant women, were also protected. Health Canada also took into consideration the unique physiology, behaviours and play habits of children, such as lower body weight and hand-to-mouth contact while playing on treated grass.*

To emphasize the conclusions of Health Canada:

- 2,4-D is a safe product for use by Canadians; and
- Additional margins of safety were included in the review to ensure that the most vulnerable of society were not at risk.

It is further worth noting that the precautionary principle cited in the "Play it Safe" consultation document is already incorporated into the reviews conducted by Health Canada. In fact the Precautionary Principle is directly referenced in the *Pest Control Products Act*. A pesticide is registered only if it has been determined that there is reasonable certainty that no harm to human health, future generations, or the environment will result from exposure to or use of the product.

It is fortunate for agriculture and the economy of Manitoba that Health Canada's decisions on 2,4-D continue to be based on science and not popular culture. Without this product our farmers and ranchers would not be in a position to deliver the high quality food that sustains the health of the people of Manitoba and provides jobs in every part of the province.

Further, if 2,4-D were unavailable environmentally sustainable practices like minimum tillage would become far more difficult and less commonly practiced. This is an important point to keep in mind. There can be significant, negative, unintended environmental consequences from limiting the use of product scientifically determined to be safe.

MBP would encourage the Government of Manitoba to follow the lead of Health Canada and continue to rely on sound science and not popular culture. This applies to all herbicides, fungicides and insecticides and not just this one example cited.

### **Concerns Regarding Differential Between Rural and Urban Use**

MPB has concerns regarding the artificial distinction being made between so called cosmetic use of pesticides and agricultural use. Quite simply, we do not believe that products can be considered safe in one environment and toxic in another. It is our view that this distinction between different uses of products sends an unfortunate (and ultimately dangerous) mixed message to the public at large.

If a product is unsafe to use to eliminate noxious weeds in urban areas then it is unsafe to use in rural / agricultural settings as well. Pesticides should be either considered safe for the environment and human health or not safe. If scientific review determines that a product is not safe, it should not be available in Canada.

Pesticides are essential tools for modern agriculture. For our members in particular, these products allow them to maintain productive and environmentally sustainable hay lands and pastures. Pesticides allow for the

control of harmful insects, fungi and noxious weeds that would otherwise have to be controlled through other, less sustainable means (if they could be controlled at all). MBP is concerned that new restrictions on the use of these products in urban / home settings will deliver a message to the public that they are somehow unsafe, despite the rigorous scientific reviews conducted prior to their release.

How long will it be before popular culture and activists are pressuring the Government of Manitoba ban the use of these products in all settings? Indeed even today organizations like the David Suzuki Foundation are demanding a “pesticide free Canada”.

MBP calls on the Government of Manitoba to resist these pressures in all settings – both urban and rural.

This perception problem is not simply hypothetical. A recent report from a special legislative committee in British Columbia noted the following experience in Ontario:

*Additional challenges for the forest industry have resulted from public relations and communication issues. Due to messaging around the lack of safety or lack of perceived safety of cosmetic pesticides, the public is concerned about the forestry sector using pesticides with the active ingredients that are banned for cosmetic uses. As a result important forest programs are meeting resistance in Ontario.*

### **The Creation of Reservoirs for Invasive Species and Noxious Weeds**

MBP is very concerned that restrictions on urban / home use of pesticides will create reservoirs of weeds and pests that will migrate into commercial agriculture operations. Our concerns are magnified many times in cases where these weeds and pests are invasive species or noxious weeds.

The spread of pests from urban / home settings to commercial agriculture operations can have significant negative consequences.

This is not a theoretical problem. Following the implementation of the ban in Quebec, farmers found that they require additional pesticides near residential areas. This is because of pest pressure from urban / residential regions.

The invasive species council of Manitoba lists 53 species of plants. Twenty one of these species are listed in the “early detection and rapid response” categories. This means we still have an opportunity to control these weeds before they get completely out of control. This task will become far more difficult if home owners no longer have access to the herbicides required to hold back the invasion.

Leafy Spurge is just one invasive species that is problematic for beef producers in Manitoba. Leafy spurge is capable of dominating habitats. All parts of the plant contain poisonous latex sap capable of killing cattle and causing dermatitis for both people and livestock. This noxious weed will render pasture land useless for grazing.

A 2010 report from the Rural Development Centre at the University of Brandon estimated the economic cost to Manitoba of the Leafy Spurge invasion at over \$40 million. The direct cost of Leafy Spurge is / will be borne by beef producers in Manitoba. However, the indirect costs resulting from lost economic opportunities flow into both our rural communities and our larger urban centres.

This is the impact of just one of the plants of the 53 listed by the Invasive Species Council. MBP finds it unacceptable to consider any change in government policy, regulation or legislation that would increase the risk of economic harm being caused by invasive species. We submit that restricting the use of pesticides in

urban / home setting will do precisely that, as this would create zones where these plants could gain a foothold, flourish and spread throughout the province.

It should be noted that our concern regarding the creation of weed and pest reservoirs is not restricted to species currently listed by Manitoba's invasive species council. The common dandelion (itself a very successful invasive species) presents a significant control problem for beef producers in Manitoba. MBP does not find it acceptable to consider allowing this weed regions where it can reproduce unchecked without pesticide control.

The potential economic cost to our industry resulting from the creation of urban / home pest reservoirs is both significant and real.

#### **Precedents from other Jurisdictions**

The consultation document "Play it Safe" cites other provincial jurisdictions that have placed limits on the use or sale of pesticides for urban / home use. MBP would advise caution in moving towards additional regulations simply because "something has been done" in other jurisdictions.

MBP offers a correction to the consultation document "Play it Safe". The consultation document lists Alberta as having a ban in place on the use of pesticides in urban / home settings. In fact Alberta placed a restriction on the sale and use of fertilizer/ herbicide mixtures for landscaping on private land. The restrictions in Alberta do not apply to the situations considered in "Play it Safe".

Further, the PMRA has since conducted a reevaluation of the pesticide / fertilize mixtures that are subject to restrictions in Alberta. The Agency's decision made a decision in February 2010 to de-register these combination products. The last date of sale of these products within Canada is December 31, 2012, rendering the Alberta restrictions moot.

MBP notes that the restrictions taken in some of the provinces (Quebec, Ontario) were designed prior to the release of the latest 2,4-D review by Health Canada. It is our belief that these restrictions may have not been enacted if these governments had waited until the Health Canada review was published.

A special legislative committee in British Columbia recently rejected calls to override the science based decisions of Health Canada. In its conclusions the Committee stated:

*However, we are not convinced that currently available scientific research provides a basis for disagreeing with the science-based evaluations made by the PMRA.*

*Committee members representing the majority are satisfied with how the PMRA registers and reevaluates pesticides and are confident with the scientific integrity of the federal processes. From our perspective, the scientific evidence does not, at this time, warrant preventing British Columbians from buying and using approved Domestic-class pesticides for lawn and garden care.*

MBP strongly supports this statement from BC legislators. We encourage the Government of Manitoba to follow this most recent precedent.

#### **D. Certification and Information**

MBP supports the requirements, under the *Pesticides and Fertilizers Control Act*, for licensing and certification of retail pesticide dealers and commercial pesticide applicators. These requirements help ensure that retailers and those who apply pesticides in public places are familiar with pesticide label requirements and precautions that may be necessary when handling and applying some products.

MBP also supports enhanced educational initiatives that would help increase the public awareness of proper (i.e., on label) use of pesticides. Increased education of retailers and the public could also help enhance understanding of the correct product to apply to meet individual requirements as well as correct application techniques.

Education and awareness initiatives should also include a review of the scientific basis for product approvals to help increase the public understanding of the safety of products when they are applied correctly and potential implications if label requirements are not followed. It is MBP's position that many concerns expressed by civil society stem from a lack of understanding of Canada's strong science based regulatory system and government information efforts would help increase consumer confidence in our robust system.

MBP also believes that notification requirements, such as those contained in the bylaws of the City of Winnipeg, would help individual citizens make personal choices regarding their use of public places when pesticides have been recently utilized. The Province of Manitoba may wish to consider extending this kind of notification requirement to public places, such as parks and recreation facilities.

## **E. Conclusions / Recommendations**

1. Manitoba Beef Producers encourages the Government of Manitoba to not place additional limits on the use of pesticides approved by the Pest Management Regulatory Agency. The recommendation applies to all pesticides no matter if they are to be used in an urban / residential environment or in a rural / agricultural setting.
2. Manitoba Beef Producers does not accept the artificial distinction between "commercial" and "cosmetic" pesticide use. We submit that the safety of a product does not depend on where it is used and if a product is safe for use in rural Manitoba it is safe for use in urban Manitoba.
3. Manitoba Beef Producers is concerned that new restrictions on the use of pesticides by the Government of Manitoba will undermine the science based regulatory system upon which agriculture is based.
4. Manitoba Beef Producers is concerned that a ban on the sale or use of pesticides in urban / home settings will send mixed and dangerous messages to Manitoba's citizens regarding the safety of modern pesticides.
5. Manitoba Beef Producers is concerned that new restrictions on the sale and use of pesticides in urban / home settings will create reservoirs of pests, including noxious weeds and invasive species, within urban areas and on municipal land.
6. MBP supports current requirements for certification and licensing for retailers who sell pesticides and for commercial applicators. MBP also supports education and awareness programs that are designed to increase the public's understanding of the proper use of pesticides. MBP believes that notification requirements would help individual citizens make personal choices regarding their use of public places when pesticides have been recently utilized.