

April 29, 2022

Honourable Jean-Yves Duclos,
Minister of Health
Health Canada
Ottawa, Ontario K1A 0K9
Sent by email to: hcminister.ministresc@hc-sc.gc.ca

Honourable Mona Fortier
President of the Treasury Board
Treasury Board Secretariat
Ottawa, Ontario K1A 0A6
Sent by email to: mona.fortier@parl.gc.ca

Re : Bill S-6, 44th Parliament, Amendments to the Pest Control Products Act

Dear Minister Duclos and President Fortier:

The Canadian Environmental Law Association writes with respect to proposed amendments to the Pest Control Products Act, contained in Bill S-6, Part 6 in the 44th Parliament, first session. We write to urge you to withdraw Part 6 from Bill S-6 before passage, in order to allow for public consultation on, and further consideration of the proposed amendments before they are debated by the Senate and House.

The amendments in question establish a new authorization scheme for pesticides, which does not exist in the current legislation. While we generally agree with one of motivations that we understand for the Bill, that is for a mechanism to allow for low or very low risk products to be readily used in Canada such as in organic agriculture, integrated pest management, and other contexts, we are concerned that the Bill as drafted leaves open far too many questions, lacks criteria with respect to the use of the new authorization scheme, and is vulnerable to use for higher risk products and practices in the future, without sufficient safeguards.

It is our opinion that both the intent behind the new authorization scheme, and some criteria with respect to its use must be set out in the statute and not merely enabling future regulations with no such indication as to intent or criteria.

We are of the view that adequate consultation on this matter has not occurred. While CELA has had staff participate on the Pest Management Advisory Committee over many years, this was not public consultation, and in any event, these amendments were not brought to that table. Similarly other informal discussions with officials of the PMRA in which we indicated support for more expeditious

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mechanisms to allow for use of low or very low risk products does not translate to support for the very unconstrained new scheme proposed in Bill S-6.

We would be happy to meet with you to discuss our concerns further.

Yours very truly,

A handwritten signature in black ink, appearing to be 'T. McClenaghan', with a long horizontal stroke extending to the right.

Canadian Environmental Law Association
Per Theresa A McClenaghan, Executive Director and Counsel

Cc Senator Marc Gold
marc.gold@sen.parl.gc.ca

