Annual Meeting of the Association of American Pesticide Control Officials

Canadian Pesticide Regulatory Initiatives and Issues – A Compliance and Enforcement Perspective

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Stéphane Lessard
Director General, Compliance, Laboratory Services and Regional Operations Directorate
Pest Management Regulatory Agency, Health Canada
Presentation Objectives

- Outline FY 2015-16 priorities for Health Canada’s Compliance and Enforcement Program for Pesticides
- Provide updates on some of the key issues we are dealing with in Canada
- Look at the future of compliance monitoring
# Pesticide Regulation in Canada

Shared among federal, provincial/territorial, and municipal authorities.

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FPT Committee on Pest Management and Pesticides: Initiatives of Common Interest

- **Pollinator Protection**
  - Ongoing collaboration and information sharing toward the refinement, implementation and communications on risk reduction measures

- **High Tunnels**
  - Interim best practices have gone through informal consultation and will be published soon

- **Changing Technology**
  - Development of a plan of action to stay in front of new technology and practices that may effect the risk associated with the use of pesticides

- **Training and Certification**
  - Continued commitment to maintaining the Standard for Pesticide Education, Training and Certification in Canada and contribute to the development of education and outreach materials
Compliance and Enforcement Key Priorities (2015-16)

- Delivery of National Pesticide Compliance Program
- International strategy to facilitate global cooperation in pesticide compliance and enforcement as well as border activities to reduce risks posed by imported pesticides (Single Window Initiative)
- Implementation of regulatory transformation related to compliance strategies, policies and tools
- Transparency and Openness
- People Management
Issue 1: Border Activities

- Implementing a *Single Window* approach to electronic communication and dissemination of trade data for commercial import process

- Working closely with our Canada Border Services Agency to prevent unsafe or unregistered pest control products from entering the Canadian commerce

- Working with OECD member countries to address illegal and counterfeit pesticide imports into Canada
Origin of imported pesticides (January 2013-September 2014)

- U.S.: 85%
- China: 4%
- U.K.: 3%
- Switzerland: 2%
- Germany: 1%
- Mexico: 1%
- India: 0.5%
- France: 1%
- Israel: 1%
- Other: 2%
- Other: 4%
Pesticides imported into Canada from the USA (January 2013-September 2014).

- Arizona: 57 million kg
- Missouri: 134 million kg
- Louisiana: 49 million kg
- Iowa: 35 million kg
- Illinois: 35 million kg
- Wisconsin: 27 M kg
- Mississippi: 31 million kg
- Minnesota: 32 million kg
- N.Y: 21 M kg
- N.J: 25 M kg
- Pennsylvania: 18 M kg
- Ohio: 22 M kg
- Michigan: 18 M kg
- Georgia: 29 M kg
- N. Carolina: 27 M kg
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Issue 2: Bee Incidents

- In Canada, there are approximately 8,700 beekeepers maintaining 700,000 colonies
  - Critical to canola, blueberry, apples etc.

- For the last two years in Ontario (2012-2013), a large number of acute bee incidents were reported involving 40-76 beekeepers and 240-395 beeyards

- No evidence of non-compliance was detected

- Timing of the incidents coincided with the planting of corn seed treated with neonicontinoid pesticides
Bee incidents: Mitigation Measures

- PMRA implemented additional protective measures for corn and soybean production for the 2014 growing season
  - Mandatory use of dust-reducing seed flow lubricant
  - New pesticide and seed package labels with enhanced warnings
- Full cooperation of all stakeholders leading to high degree of compliance with mitigation measures
- Stakeholder outreach and communication efforts have been successful
- Information to date indicates use of new seed flow fluency agent was widely accepted
- 2014 bee mortality incident reports show reduced number and severity of incidents during the planting period
Bee incidents: Other Mitigation Measures

- Continuing work with stakeholders to reduce exposure to pollinators from planting corn and soybean seed

- Working with provincial governments to monitor beeyards close to corn/soybean fields to help understand whether there are differences between beeyards that have incidents and those that do not

- Beeyards: sampling selected hives within beeyard and surrounding environment
  - Residue analysis (dead bees, pollen, nectar)
  - Residue analysis (soil, vegetation, soil, water)

- Research and monitoring (University of Guelph, Corn Dust Research Consortium, University of Laval, Environment Canada)
Bee incidents: Other Mitigation Measures

- A new Pollinator Risk Assessment Framework
- Mitigation based on risk determination
  - Greater risk requires stronger restrictions
- Improved labels to better protect pollinators
  - Foliar spray applications
- Best Management Practices to protect pollinators
  - Foliar spray applications – reducing exposure
  - Seed treatments – reducing exposure to dust during planting
Issue 3: Regulation of Treated Articles

- Pesticidal component of the treated article (i.e. antimicrobial pesticide) is regulated under the Pest Control Products Act.

- Antimicrobial treated articles distributed, imported, or manufactured in Canada must be treated with a pesticide that is registered in Canada for that use. This applies to whether claims are being made on the article or not.

- The antimicrobial pesticide determines which claims are acceptable on the treated article. Any claims must be consistent with approved claims on the antimicrobial pesticide used to treat the article.

- Different government departments/branches regulate different aspects of a treated article (e.g. plastic food containers).
Antimicrobials used in Canada will need to be assessed and registered by PMRA.

Regulatory approach for antimicrobials used in imported treated articles is being developed.

Considerations for regulatory approach:
- Health and environmental protection
- Regulatory efficiency
- Impact on stakeholders and trade
- Alignment with the US and EU

Guidance on acceptable label claims has been developed.

Current compliance and enforcement approach is risk-based.

Consulting with international regulatory partners and stakeholders.
Issue 4: Regulation of Watersheds

- The ‘protection of waters’ is a shared jurisdiction across all levels of government in Canada.

- Provinces and municipalities implement rules to protect their local waters.

- At the federal level, water governance is divided amongst multiple departments and laws.

- Shared federal-provincial responsibilities include agriculture and “significant national water issues”.

- Applicable regulations are usually dependent upon the intended use, not watershed boundaries.
Canadian Regulatory Framework for Watersheds

- Environment Canada has the lead on water quality in Canada
- Other departments: Fisheries and Oceans (conservation and protection of fish and fish habitat); Transport Canada (navigation); Health Canada (drinking water)
- Some federal and provincial laws define water, waters, or watershed boundaries; however, a comprehensive national definition of “water” or “temporal waterbody” does not exist
- Canadian law regarding pesticides in waters falls under section 36 of the *Fisheries Act*
- This section prohibits the deposition of a deleterious substance into any Canadian waters frequented by fish, unless it is authorized
Canadian Regulatory Framework for Watersheds

- Environment Canada now has full authority for s. 36 with certain exceptions

- Pest Management Regulatory Agency interacts with EC directly on pesticide issues related to s. 36

- Jurisdictional challenges: Determining responsible authority, coordinating policies and regulations, and legal constraints (e.g., sharing of confidential information)
C&E Improvement Ideas

- Refining our understanding of risk (who, where, why?)
- Strengthening our mitigation of risk (pre and post market)
- Performance measurement and reporting and "telling a better story"
- Transparency and openness (including use of social media)
- Strategic management of issues and international cooperation
- Modernization of inspection and collection techniques (use of tablets, electronic tools, lab analytical methods)
Questions ?