

**Judy Wigmore, Pesticide Free BC Webmaster Dec 16, 2011 Addendum  
to Nov 17, 2011 Submission to the Special Committee on Cosmetic Pesticides**

This is an addendum to my November 17, 2011 presentation to the Special Committee on Cosmetic Pesticides (the Committee) in Victoria, BC.

I will briefly recap who I am and why BC needs to ban the sale and use of cosmetic pesticides:

- I am the webmaster of the Pesticide Free BC website and live in Interior BC, in the Kamloops - South Thompson Riding.
- The Pesticide Free BC website has been my family's project since April 2009 and is an information source for those who want a cosmetic pesticide ban in BC. We have never accepted money from any person or group for our efforts.
- Cosmetic pesticides are non-essential, synthetic chemical products used to improve the appearance of landscapes . . . our lawns, gardens, driveways, patios, golf courses, sports fields, parks, school yards and playgrounds.
- Pesticides can harm non-targeted plants, people and other living things long after the initial "kill" as ingredients do not stay where used, whether by a certified Integrated Pest Management (IPM) applicator, a trained horticultural landscaper or a homeowner.

Reading Health Canada's product label instructions does not stop these harmful effects.

- Cosmetic pesticides cannot be "properly" or "safely" used by anyone and should only be allowed to protect public health or safety.
- My family has known for years that safer, less toxic pesticides are sold and used elsewhere in Canada. Since 2003, seven provinces have banned products approved by Health Canada. It's time for BC to "catch up" on this important public health issue.

This addendum addresses three topics:

1. BC Needs to follow Ontario, Nova Scotia & Quebec Bans - Update.
2. Pesticide Free BC Initiatives - Update.
3. Ban Implementation Recommendations.



## 1. BC Needs to Follow Ontario, Nova Scotia & Quebec Bans - Update.

As the Committee knows, these seven provinces have banned cosmetic pesticides approved by Health Canada because of concerns about risk to human health and the environment:

1. Alberta - 2010 Weed and Feed “Ban”\*
2. New Brunswick – 2009 Residential Lawn 2,4-D “Ban”
3. Newfoundland & Labrador – 2012 Residential Lawn “Ban”
4. Nova Scotia – 2011 Comprehensive Precautionary Ban
5. Ontario – 2009 Comprehensive Precautionary Ban
6. Prince Edward Island - 2009 Residential Lawn 2,4-D “Ban”
7. Quebec - 2003 Comprehensive Precautionary Ban, a Canadian First!

For a review of these seven provincial approaches, please see Appendix One, page 12.

The purpose of this review is to highlight the obvious limitations of four approaches and the three comprehensive precautionary approaches that the Committee should follow so BC will have the best ban legislation in Canada.

You will recall that 2,4-D is the ingredient that Health Canada’s Pest Management Regulatory Agency (PMRA) decided in its’ [May 2008 Re-Evaluation Decision](#) “meets Canada's strict health and safety standards, and as such is acceptable for continued registration in Canada.”

All seven provinces have banned some form of 2,4-D. In New Brunswick and PEI, 2,4-D is the **only** banned ingredient. All bans are in effect today.

The scope and other components of six bans are summarized in Table One on page 3.

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\* “Ban” denotes a provincial approach that is limited and is not a comprehensive precautionary example for BC to follow.



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**Table One: Six Provincial Cosmetic Pesticide Bans – Components Summary\***

| <b>IMPORTANT COMPONENTS</b>                         | <b>Alberta 2010</b> | <b>New Brunswick 2009</b> | <b>Nova Scotia 2011</b>      | <b>Ontario 2009</b>      | <b>PEI 2010</b>          | <b>Quebec 2003</b>                  |
|---|---------------------|---------------------------|------------------------------|--------------------------|--------------------------|-------------------------------------|
| <b>Bans large number of ingredients/products</b>    | No                  | No                        | Yes                          | Yes                      | No                       | Yes                                 |
| <b>Has list of banned ingredients/products</b>      | Yes                 | Yes                       | No                           | Yes                      | Yes                      | Yes                                 |
| <b>2,4-D ingredient banned</b>                      | Yes                 | Yes                       | Yes                          | Yes                      | Yes                      | Yes                                 |
| <b>Has list of allowed ingredients/products</b>     | Not necessary       | Not obvious               | Yes                          | Yes                      | Yes                      | Yes                                 |
| <b>New active ingredients are reviewed</b>          | No                  | No                        | Yes                          | Yes                      | No                       | No                                  |
| <b>Covers more than residential lawns</b>           | No                  | No                        | Yes                          | Yes                      | No                       | Yes                                 |
| <b>IPM mandatory for lawn/landscaping companies</b> | No                  | Yes                       | No                           | No                       | Yes                      | No                                  |
| <b>Golf course regulation</b>                       | Exempted            | Exempted. IPM mandatory   | Exempted. IPM not mandatory. | Exempted. IPM mandatory. | Exempted. IPM mandatory. | Exempted. Reduction plans mandatory |
| <b>Municipal bylaw authority is retained</b>        | Yes                 | Yes                       | No                           | No                       | Yes                      | Yes                                 |
| <b>Stakeholder info &amp; education programs</b>    | Not obvious         | Yes                       | Yes                          | Yes                      | Yes                      | Yes                                 |

\* Newfoundland and Labrador's limited 5 ingredient "ban" for the 2012 residential lawn care season is not included as no legislation exists. See page 17 for information on this provincial approach.



**Together, let's make BC pesticide free!**  
[www.pesticidefreebc.org](http://www.pesticidefreebc.org)

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BC must not follow the limited approaches in Alberta, Newfoundland & Labrador, New Brunswick or PEI because they are not comprehensive, nor precautionary:

- Alberta's Weed N Feed 2010 ban is too limited as it is only for one product type.
- Newfoundland and Labrador's 2012 "ban" is also limited as it only bans use on residential lawns and is for only 5 ingredients, although they are significant toxins in products approved by Health Canada.
- New Brunswick's 2009 and PEI's 2010 "bans" are not comprehensive, nor precautionary, as only one ingredient (2,4-D) is banned.

2,4-D use continues under IPM and many exemptions, including use of cosmetic pesticides on school yards, sports fields and playgrounds.

These allowed exemptions and continued use do NOT protect vulnerable children, pets, drinking water, fisheries or any other living thing.

BC needs to follow the three comprehensive and precautionary approaches in Ontario, Nova Scotia and Quebec because:

- All three provinces have banned numerous products that contain ingredients that are known carcinogens, hormone disruptors and neurotoxins.

These provinces decided that, even though Health Canada has approved these ingredients and products, these cosmetic pesticides are **NOT** necessary for beautiful, healthy, disease - resistant landscapes.

In Ontario, as many of Health Canada's approved products are no longer sold or used, a corresponding dramatic decrease in three toxic pesticide concentrations (2,4-D, Dicamba and MCPP ) was found in urban streams and creeks one year after the ban.\*

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\* For the Ontario Ministry of the Environment's "Pesticide Concentrations in Ontario's Urban Streams One Year after the Cosmetic Pesticides Ban" January 2011 report, [click here](#).



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- All three provincial approaches are **NOT** based on IPM principles.

Instead, these Governments have chosen to focus on lower risk products and sustainable land care practices that do not rely upon IPM practices.

IPM is not the only way to approach pest management and this mindset must be “unlearned” by BC’s chemical landscaping industry and their supporters.\*

The only place for IPM in BC’s ban is as a “phase out” requirement for golf courses and other turf facilities, where compliance procedures are documented.

- All three governments provide stakeholder information and explain how “pesticide free” landscaping practices do not need cosmetic pesticides.

It is noteworthy that mandatory changes for Ontario’s municipal turf facilities were not as expensive as ban opponents claimed.

In 2010, municipal turf operators found there were incremental implementation costs in some specific areas but overall costs were not as severe as predicted.\*\*

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\* As the Committee knows, IPM is entrenched as part of "normal" lawn and garden care in BC.

BC’s chemical landscaping industry uses IPM as a means to justify pesticide use as part of “normal” lawn and garden care.

As the Committee also knows, our Ministry of Environment promotes IPM and shares the industry position that cosmetic pesticides are safe as Health Canada has approved them and can be "properly applied" by licensed IPM applicators and trained horticulturalists.

Rarely are IPM principles followed in practice, as exemplified by the “ecology friendly lawn care” IPM company’s recommended use of Touchdown and Trillion for my Kamloops neighbour’s dandelions this summer.

For why I consider IPM to be “increased pesticide misuse”, please see November presentation, pages 3 – 6 and 7 – 9.

\*\* For “Pesticide Ban Impacts: Three Municipalities Provide Perspective” Summer 2010 article, [click here](#).



## 2. Pesticide Free BC Initiatives - Update.

In addition to the 19 local government Pesticide Free initiatives in my November presentation, I would like to bring your attention to the following school district and local government initiatives.

### 2.1 Pesticide Free School Districts

There are at least six School Districts with written policies that either ban or restrict pesticide use on school grounds. Another School District has an unwritten “no pesticide use” policy, with another committed to a ban but has yet to write the policy:

Alberni SD 70 – [Resolution passed May 2010](#). Policy being developed.

Central Okanagan SD 23 - [Amended 2004](#).

Kamloops - Thompson SD 73 – [Unwritten “no pesticides” policy](#).

Kootenay Lake SD 8 - [Adopted 1988](#).

North Okanagan - Shuswap SD 83 - [Adopted 2009](#).

Southeast Kootenay SD 5 - [Adopted May 2011](#).

Surrey SD 36 - [Revised 2008](#).

Vernon SD 22 - [Policy](#) and [June 2011 Moratorium](#).

Three universities have committed to becoming “pesticide free” campuses but no on-line policies have been found to confirm these initiatives:

Thompson Rivers University (Kamloops).

University of BC (Vancouver).

University of Northern BC (Prince George).



## 2.2 Local Governments want BC Ban . . . Now!\*

These thirty two local governments (representing over 1.8 million British Columbians) have adopted motions to write letters to the BC government, urging quick passage of province-wide cosmetic pesticide ban legislation:\*\*

|                                 |   |
|---------------------------------|---|
| <b>Kootenay/Columbia Basin:</b> | East Kootenay (Regional District) Fernie Golden<br>Invermere Kimberley Revelstoke   |
| <b>Lower Mainland:</b>          | Burnaby Coquitlam Harrison Hot Springs<br>North Vancouver (City)<br>North Vancouver (District Municipality) Pitt Meadows<br>Port Coquitlam Port Moody Richmond Surrey<br>West Vancouver Whistler White Rock |
| <b>North Western BC:</b>        | Terrace   |
| <b>Sunshine Coast:</b>          | Gibsons Sechelt   |
| <b>Thompson/Okanagan:</b>       | Kamloops Kelowna Salmon Arm   |
| <b>Vancouver Island:</b>        | Comox Courtenay Cumberland Qualicum Beach<br>Saanich Tofino Victoria***   |

In addition to these local government initiatives, the City of Rossland issued a “Pesticide-Free Proclamation” on November 28, 2011. For details, [click here](#).

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\* For BC’s 39 pesticide bylaw communities, see November presentation pages 10 – 13. There are 21 “not recommended” and 18 “better protection” municipal bylaws in BC.

\*\* See [November 24, 2011 Media Release](#).

\*\*\* For the City of Victoria’s December 1, 2011 Mayor’s letter to Premier Clark, [click here](#).



## **2.3 Health and Environment Groups Want BC Ban . . . Now!**

Earlier this week, these major health and environment organizations called for a provincial ban:

1. BC Society for Prevention of Cruelty to Animals
2. Canadian Breast Cancer Foundation
3. Canadian Cancer Society BC and Yukon
4. Canadian Association of Physicians for the Environment
5. David Suzuki Foundation
6. First Call BC Child and Youth Advocacy Coalition
7. Georgia Strait Alliance
8. Greenpeace
9. Inspire Health Integrated Cancer Care
10. Idabc – Learning Disabilities Association of BC
11. The Lung Association BC
12. Marine Life Sanctuaries Society of BC
13. Prevent Cancer NOW
14. Public Health Association of BC
15. Sierra Club BC
16. Society Promoting Environmental Conservation
17. Society for Organic URBAN Land Care
18. toxic free! Canada
19. University of BC Faculty of Medicine, Department of Pediatrics
20. West Coast Environmental Law
21. Western Canada Wilderness Committee
22. Wildsight

These organizations want ban legislation that:

- Prohibits the use, sale, and retail display of chemical pesticides for lawns, gardens, and non-agricultural landscaping.
- Allows exemptions only to protect public health.
- Provides for public education about the ban and alternatives to chemical pesticides.
- Includes effective mechanisms for enforcement.
- Is passed and implemented within the current government's mandate.\*

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\*See [December 12, 2011 information](#).



### **3. Ban Implementation Recommendations**

As you know from my November presentation, deciding what goes in BC's sale and use ban is quite simple from my perspective:

- Do you as a Committee support the precautionary approach used in Ontario, Nova Scotia and Quebec and ban the sale and use of non-essential cosmetic pesticides?

or,

- Do you support the lobbying efforts of the powerful, self-interested chemical landscaping industry, their product suppliers and entrenched users like turf facilities, and allow the continued use of cosmetic pesticides through IPM or numerous exemptions?

The choice is simple. What kind of BC do you want?

- Do you want a Province where the precautionary approach is used to provide a safe and healthy environment for all?

or,

- Do you want a Province that allows continued use of known carcinogens, hormone disruptors and neurotoxins when safer, less toxic alternatives are readily available?

As you know, I want BC to have a strong, comprehensive precautionary ban that provides effective protection for public health and the environment.\*

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\*Please see November presentation pages 14 – 15 for my ban legislation recommendations.



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To implement a comprehensive precautionary approach, your February 2012 Committee report needs to recommend that:

1. A Pesticide Free BC transition team be established immediately and report jointly to the Premier's office and the Legislature.
2. The four person transition team be chaired by a publicly credible person so the message is clear that the debate is over and Canada's most western province is serious about banning non-essential cosmetic pesticides.
3. The transition team membership be selected from:
  1. BC's environmental law community,
  2. BC's organic land care industry, and
  3. BC's pesticide free local government initiatives.
4. The transition team be adequately funded and staffed to accomplish two goals:
  1. Draft legislation and regulations to be effective Earth Day April 22, 2013; and
  2. Develop and implement an education and information program for all stakeholders as BC transitions to sustainable, low-risk landscaping practices.

**In closing,**

During her leadership campaign earlier this year, Premier Clark called for a ban because:

"These dangerous pesticides are proven to increase the likelihood of childhood cancer and other illnesses, and have no place near our homes." and

"I don't want to see anyone's child playing on a lawn with toxic pesticides."\*

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\* See Christy Clark's Liberal Party Leadership Campaign [February 2011](#) information.



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As desired by the Premier, the Committee needs to recommend a comprehensive and precautionary ban that provides a safe and healthy environment for all British Columbians.

I would like to thank the Committee for being able to provide my suggestions for BC's cosmetic pesticide ban.

Together, let's make BC pesticide free.

Judy Wigmore, Pesticide Free BC Webmaster, Kamloops BC

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**Appendix One:**  
**Review of Important Components of**  
**Canada's Seven Provincial Cosmetic Pesticide Bans\***

1. Alberta - 2010 Weed and Feed "Ban"
2. New Brunswick – 2009 Residential Lawn 2,4-D "Ban"
3. Newfoundland & Labrador – 2012 Residential Lawn "Ban"
4. Nova Scotia – 2011 Comprehensive Precautionary Ban
5. Ontario – 2009 Comprehensive Precautionary Ban
6. Prince Edward Island - 2009 Residential Lawn 2,4-D "Ban"
7. Quebec - 2003 Comprehensive Precautionary Ban, a Canadian First!

**\* Please note that:**

1. This review does not cover all important ban components, including monitoring and enforcement, reporting of sales data or product disposal.
2. "Ban" denotes a provincial approach that is very limited and is not a comprehensive precautionary example for BC to follow.
3. Sources used for this review include the David Suzuki Foundation and Equiterre's "[Pesticide Free? Qui! 2011 progress report: A comparison of provincial cosmetic pesticide bans](#)", May 2011 and cited sources specific to each provincial approach.



## 1. Alberta – 2010 Weed and Feed “Ban”\*

### Legislation:

- [Environmental Protection and Enhancement Act](#), RSA 2000 c E – 12.
- [Environmental Code of Practice for Pesticides](#).

**Effective Date:** January 1, 2010

### Scope:

- Banned sale and use of products containing “Weed and Feed” fertilizer and herbicide ingredients.
- For the 65 banned Weed and Feed products, [click here](#).

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\* Based on “Weed and feed lawn product to be eliminated” Alberta Environment [November 13, 2008 News release](#), Alberta Environment’s [Fertilizer/Herbicide Combination Products Facts at Your Fingertips](#) (not dated) and Environment and Water’s Pesticide Usage [website](#) (viewed December 14, 2011).

The November 2008 News Release says the decision is due to “an over-application of the herbicide 2, 4-D” and need “to prevent the unnecessary build-up of this unwanted chemical from our waterways”.

Since 2004, it has been known cosmetic pesticide residue is in Alberta’s treated drinking water.

See Alberta Environment’s [“A Summary of Pesticide Residue Data from the Alberta Treated Water Survey, 1995 – 2003](#).



## 1. Alberta – 2010 Weed and Feed “Ban” continued

### Exemptions:

- Fertilizers containing only corn gluten meal, those with fungicides and no herbicides and those with micronutrients that have herbicidal effects (e.g. iron sulfate, copper and sulphur).
- Herbicide-only products remain available for spot application.
- Professional turf managers.

### Education Programs:

- Government’s fact sheet has toll free number for more information.
- Stakeholder information is not obvious.

### Municipal Authority:

- Must adhere to provincial law but can adopt more restrictive pesticide use bylaws.

### Limitations:

- Not comprehensive as is limited to only Weed and Feed products.



## 2. New Brunswick - 2009 Residential Lawn 2,4-D “Ban”\*

**Legislation:** [Pesticides Control Act](#) R.S.N.B. 2011, c.203 and [Regulation 96 - 126](#)

**Effective Date:** December 16, 2009

### Scope:

- Banned sale and use of 2,4-D ingredient in more than 240 over-the-counter lawn care pesticide products.
- Banned use of 2, 4-D products on residential lawns.
- Products containing glyphosate, Mecoprop, Dicamba and MCPA are also banned if these ingredients are in products containing 2,4-D.

Targeted because of misuse and overuse, these banned products include combination pesticide-fertilizer products, spreadable granular weed killer products, hose end products and concentrated products requiring preparation before application i.e. mixing, dilution or handling.

- For banned over-the-counter domestic products, [click here](#).
- For banned commercial grade products, [click here](#).

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\*Based on “Province introduces lawn care pesticide ban” Communications New Brunswick [June 18, 2009 News Release](#) and Department of Environment’s Pesticide Management in NB [website](#) (viewed December 14, 2011).



## 2. New Brunswick - 2009 Residential Lawn 2,4-D “Ban” continued

### Exemptions:

- Lawn care companies can continue to use commercial pesticides with 2,4-D for lawn and turf management, including residential lawns, schools, play grounds and municipal lands. Blanket treatments are restricted to 50% of a lawn, once a year. IPM accreditation for lawn care companies is mandatory for commercial use.
- Golf courses can continue to use commercial pesticides, including 2,4-D. Must be IPM accredited by December 2011 or hire company that holds provincial pesticide use permit (which gives IPM accreditation).

### Education Programs:

- For stakeholder information, including for homeowners, lawn care companies, retailers, golf courses, municipalities, universities and other professional turf managers, [click here](#).
- For Healthy Lawn Tips, [click here](#).
- Other public education and outreach program information is not obvious.

### Municipal Authority:

- Must adhere to provincial law but can adopt more restrictive pesticide use bylaws.

### Limitations:

- Like Prince Edward Island, New Brunswick’s approach is not comprehensive as the “ban” is limited to one active ingredient for lawn use.
- Allows continued 2,4-D use on lawns and turf facilities by IPM accredited lawn care companies. This means continued 2,4-D use (and all other cosmetic pesticides) on residential lawns, school yards, play grounds, golf courses and other turf facilities.



### 3. Newfoundland & Labrador – 2012 Residential Lawn “Ban”\*

**Legislation:** Being drafted.

**Effective Date:** 2012 lawn care season.

**Scope:**

- Banned sale and use of 5 cosmetic pesticide ingredients for lawns.
- Banned ingredients are Carbaryl, 2,4-D, Mecoprop, Dicamba and MCPA.

**Exemptions:**

- At the July 14, 2011 press conference, the Minister of Environment and Conservation said the ban will not include the following:
  - Agricultural and forestry Industry.
  - Horticultural industry, including greenhouses.
  - Public infrastructure including roadsides, pipelines and power lines.
  - Golf courses.
- The Minister did not talk about places frequented by children like play grounds and day cares or public institutions like schools, universities and hospitals.

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\* Based on “Ban Implemented on Cosmetic Pesticides for Lawn Care” Department of Environment and Conservation [July 14, 2011 News Release](#).

Announcement made by then Environment and Conservation Minister Ross Wiseman after just six months in portfolio.



### 3. Newfoundland & Labrador - 2012 Residential Lawn “Ban” continued

#### Education Programs:

- The Department of Environment and Conservation will develop promotional and educational activities related to proper use of pesticides and alternatives like proper lawn installation and maintenance.
- The Department will hold information sessions throughout the province for homeowners and will develop information pamphlet.
- The Department will partner with municipalities and local gardening groups to help educate homeowners on alternatives to pesticide use on lawns.

**Municipal Authority:** Not known.

#### Limitations:

- Not comprehensive as applies only to 5 ingredients and for residential lawn use.

### 4. Nova Scotia – 2011 Comprehensive Precautionary Ban\*

#### Legislation:

- [Non-essential Cosmetic Pesticides Control Act, May 2010.](#)
- [Regulation 181/2010](#) and [Regulation 184/2010.](#)

#### Effective Dates:

- April 1, 2011 for lawns. April 1, 2012 for ornamental shrubs, flowers and trees.

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\* Based on the Department of Environment’s “Healthy Lawns for a Healthier Nova Scotia” [March 22, 2011 News Release](#) and the Department’s Pests and Pesticides [website](#) (viewed December 14, 2011).



#### 4. Nova Scotia – 2011 Comprehensive Precautionary Ban continued

##### Scope:

- Bans sale and use of cosmetic pesticides for lawn care and ornamental plants on the following properties:  
  
residential (homes apartments and condominiums), commercial (businesses and cemeteries), government (parks and office buildings) and institutional (schools, hospitals, long-term care homes and recreation centres).
- Allowable products must be used by all stakeholders throughout Nova Scotia.\*
- IPM accreditation is not required for the landscaping industry and these companies must use the same "allowable" products as everyone else.
- If an active ingredient is not on the allowable list, it is banned, except if allowed as an exempted use.
- For allowable ingredients, [click here](#).
- For allowable products, [click here](#).

##### Exemptions:

- Limited exemptions include golf courses, private vegetable and fruit gardens.
- Exempted dual use products include those for poisonous and biting insects and invasive plants (e.g. European fire ants, wasps, poison ivy).
- For exempted or "excepted" uses, [click here](#).
- For exempted or "excepted" products, [click here](#).

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\* Based on Ontario's classification system and Canadian General Standards Board's list of allowed substances in Organic Production Systems.



#### 4. Nova Scotia – 2011 Comprehensive Precautionary Ban continued

##### Education Programs:

- The “Healthy Lawns Campaign” includes an information pamphlet, a toll-free information line, website information and displays at public events, including home and garden shows.
- Department of Environment is working with environmental organizations to help get information to the public.
- For the terrific “Guide to Healthy Lawns without Pesticides” consumer brochure, [click here](#).
- For retail stakeholder information, [click here](#).
- For business operator stakeholder information, [click here](#).

##### Municipal Authority:

- Must adhere to one set of rules across the Province. Local governments cannot adopt additional bylaw restrictions and are not involved in enforcement.

##### Limitations:

- Like Ontario’s ban, exempts golf courses and allows dual use pesticides which can mean continued cosmetic use.
- Does not include private vegetable or fruit gardens.
- No requirement for third-party certification at point of sale to verify purchase will be used for exempted use.



## 5. Ontario – 2009 Comprehensive Precautionary Ban\*

**Legislation:** [Cosmetic Pesticides Ban Act, 2008](#) and [Regulation 63/09](#).

**Effective Date:** April 22, 2009. Some provisions phased in over 2 – 3 years.\*\*

### Scope:

- Bans use of over 90 active ingredients in cosmetic pesticides on public and private lawns, vegetable and ornamental gardens, “hardened surfaces” like patios and driveways, cemeteries, parks and school yards.
- Bans sale of over 170 products containing banned active ingredients.
- Restricts retail sale of over 100 “dual use” products with banned ingredients.

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\*Based on Ministry of the Environment’s Pesticides [website](#) (viewed December 14, 2011).

\*\*In the fall 2007 election campaign, the Liberal McGuinty Government promised to pass a cosmetic pesticide use ban.

This was publicly announced in the Liberal Party’s Sept 24, 2007 [News Release](#) and [Backgrounder](#).

On [April 22, 2008](#) the Government introduced [Bill 64](#), “An Act to amend the Pesticides Act to prohibit the use and sale of pesticides that may be used for cosmetic purposes.”

Two months later the bill passed and received Royal Assent on [June 18, 2008](#).

[Regulation 63/09](#) became law 10 months later on Earth Day [April 22, 2009](#).

For Pesticide Free BC website information on Ontario’s consultation process and other implementation details, [click here](#).



## 5. Ontario – 2009 Comprehensive Precautionary Ban continued

- Eleven pesticide classes were established to identify what products and ingredients are allowed and those that are banned.\*

**Class 1:** Manufacturing concentrates used to make a pesticide product.

**Classes 2, 3 and 4:** Commercial or restricted pesticides that farmers, golf courses and licensed exterminators can continue to use for non-banned uses. If the pesticide contains a Class 9 pesticide, it may only be used as an exemption to the ban (e.g. for agriculture, forestry or golf courses).

**Classes 5 and 6:** Biopesticides and lower risk pesticides that can be used for residential cosmetic pest control.

**Class 7:** Dual-use pesticides (for indoor/outdoor uses) but only for non-cosmetic use. Can be used indoors to kill pests or outdoors for public health or safety reasons, but cannot be used outdoors to kill weeds. Retailers must have information to notify purchasers of use restrictions.

On [April 22, 2011](#), these dual-use products had to be removed from accessible store shelves to more restricted display with employee-only access (same approach BC uses for cigarette sales).

**Class 8:** Banned weed and insect control products, including herbicide/fertilizer combination products.

**Class 9:** Banned cosmetic use ingredients list. Commercial or restricted products containing these ingredients may still be used by farmers or licensed exterminators by exception.

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\* The same classification system applies for new pesticides registered by PMRA.



## 5. Ontario – 2009 Comprehensive Precautionary Ban continued

**Class 10:** Ingredients allowed for poisonous control. May be used to control plants that are poisonous to touch under public health or safety exception.

**Class 11:** Biopesticides or lower risk pesticides ingredients list.

- For allowed biopesticides and lower risk pesticides Class 5 products, [click here](#).
- For allowed Class 6 products, [click here](#).
- For allowed Class 11 ingredients, [click here](#).
- For allowed Class 10 ingredients, [click here](#).
- For allowed Class 7 dual use pesticides, [click here](#).
- For banned Class 8 products, [click here](#).
- For banned Class 9 ingredients, [click here](#).
- For more on these 11 classifications and the Ministry of the Environment's pesticide product database, [click here](#).

### Exemptions:

- Limited “excepted” or exempted uses allow cosmetic pesticides to be purchased and used for public health or safety reasons (Classes 9 & 10).

Includes venomous or disease carrying insects (mosquitoes and ticks), stinging insects (wasps) or plants poisonous to human touch (poison ivy). Also includes animals, insects or plants that may cause structural damage (termites).



## 5. Ontario – 2009 Comprehensive Precautionary Ban continued

- Golf courses are not required to reduce or phase out cosmetic pesticide use.

Must become IPM accredited and submit annual reports with amounts of pesticide use and plans to minimize use. Annual information must be publicly available and posted on line.

- Specified sports fields can continue to use cosmetic pesticides for national or international level sports competitions. Once event concludes, use must end.
- Lawn bowling, cricket, lawn tennis and croquet turf facilities can be exempted, if certain conditions met, including IPM accreditation.
- Other exceptions include for arboriculture, where licensed exterminators can use cosmetic pesticides to protect the health of trees.

With Ministry of Natural Resources approval, cosmetic pesticides can be used for invasive species that may be detrimental to health, the environment or the economy, or to protect a native plant, animal or a rare ecosystem.

### Education Programs

- Numerous stakeholder information sessions were held throughout the province during 2008 – 2009 implementation phase.
- On line information is available for numerous stakeholders, including:
  - [Homeowners](#)

Information includes [a fact sheet](#), [managing pests in lawns and gardens](#), [Tips for a Healthy Lawn](#) and [Tips for a Healthy Garden](#).\*

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\* Please note this is a change from November presentation information on page 6.



## 5. Ontario – 2009 Comprehensive Precautionary Ban continued

- Industries and institutions, including the following:

[Agriculture Industry](#)

[Forestry](#)

[Golf Courses](#)

Landscape industry:

[Cemeteries](#)   [Conservation Authorities](#)   [Licensed exterminators](#)

[Municipalities](#)   [Schools](#)   and   [Tree Care Specialists](#)

[Manufacturers](#)

[Public Works](#)

[Specialty Turf](#)

- [Vendors](#)

### **Municipal Authority:**

- Must adhere to one set of rules across the Province. Local governments cannot adopt additional bylaw restrictions and are not involved in enforcement.

### **Limitations:**

- Like Nova Scotia's ban, exempts golf courses and allows dual use pesticides which can be mean continued cosmetic use.



## 6. PEI - 2010 Residential Lawn 2,4-D “Ban”\*

**Legislation:** [Pesticides Control Act](#) R.S.P.E.I 1988, Cap. P-4 and [Regulations](#).

**Effective Date:** April 1, 2010

**Scope:**

- Banned sale and use of 2,4-D ingredient in more than 240 over-the-counter lawn care pesticide products.
- Banned use of 2, 4-D products on residential lawns.
- Products containing glyphosate, Mecoprop, Dicamba and MCPA are also banned if these ingredients are in products containing 2,4-D.

Targeted because of misuse and overuse, these banned products include combination pesticide-fertilizer products, spreadable granular weed killer products, hose end products and concentrated products requiring preparation before application i.e. mixing, dilution or handling.

- For banned over-the-counter products, [click here](#).
- For banned commercial grade products, [click here](#).
- For allowed lower risk “self-select” domestic pesticides by alphabetical list, [click here](#), and by Pest Control Product Number, [click here](#).
- There is no on-line information or list for higher risk, controlled purchase domestic pesticides that are available only for sale through a dispensary or behind-the-counter.

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\* Based on Minister of Environment, Energy and Forestry [December 1, 2009 News Release](#) and Department of Environment, Labour and Justice’s Domestic Pesticides and Lawn Care Alternatives [website](#) (viewed December 14, 2011).



## 6. PEI - 2010 Residential Lawn 2,4-D “Ban” continued

### Exemptions:

- Lawn care companies can continue to use commercial pesticides with 2,4-D for lawn and turf management, including residential lawns, schools, play grounds and municipal lands. Must have valid Class E (landscape) Pesticide Application Business Licence, which includes IPM training. Broadcast applications are “discouraged”.
- Commercial golf courses can continue to use commercial pesticides, including 2,4-D. Must be IPM accredited.

### Education Programs:

- For stakeholder information, including homeowners, lawn care companies, retailers, golf courses, municipalities, universities and other professional turf managers, [click here](#).
- For “Healthy Lawn Care & Garden Resources” info, [click here](#).
- For “Homeowner’s Guide to Preventing Pest Damage in Home Lawns” brochure, [click here](#).

### Municipal Authority:

- Must adhere to provincial law but can adopt more restrictive pesticide use bylaws.

### Limitations:

- PEI’s approach is based on New Brunswick’s “ban”, so is not comprehensive as “ban” is limited to one active ingredient for lawn use.
- Allows continued 2,4-D use on lawns and turf facilities by IPM accredited lawn care companies. This means continued 2,4-D use (and all other cosmetic pesticides) on residential lawns, school yards, play grounds, golf courses and other turf facilities.



## 7. Quebec – 2003 Comprehensive Precautionary Ban, a Canadian First!\*

### Legislation:

- [Pesticides Act](#) R.S.Q., chapter P- 9.3 and [Regulation](#).
- [Environment Quality Act](#) R.S.Q., chapter Q-2.
- [Pesticides Management Code 2003](#).

### Effective Dates:

- April 2003 banned use on public and municipal lawns.
- April 2004 banned sale of pesticide-fertilizer and pesticide combination products.
- April 2005 banned retail display prohibiting self-service access.
- April 2006 banned sale of all products containing banned active ingredients and use on private and commercial lawns.

### Scope:

- Banned sale and use of 20 active ingredients of known carcinogens.\*\*
- Banned sale and use of over 200 pesticide products containing these ingredients.
- Very restrictive use of lower risk ingredients allowed in and outside of places frequented by children, including day-care centres, drop-in centres, kindergartens, family-run child care facilities, elementary and high schools.

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\* Based on Ministry of Sustainable Development, Environment and Parks' The Pesticides Management Code [website](#) (viewed December 14, 2011).

\*\* Used carcinogenic criteria from the International Agency for Research on Cancer (IARC), the US Environmental Protection Agency, the US National Toxicology Program, California's Environmental Protection Agency and the European Union.



## 7. Quebec – 2003 Comprehensive Precautionary Ban, a Canadian First! continued

- Five pesticides classes were established according to their level of risk for the environment and for human health:

**Class 1 & 2:** Restricted use mixtures and products.

**Class 3:** Commercial, agricultural and industrial use products.

**Classes 4 & 5:** Domestic use products, including ready-to-use products.

- For allowed Class 4 & 5 biopesticide products, [click here](#).
- For allowed Class 5 products and ingredients, [click here](#).
- For banned ingredients and the 14 active ingredients that can be used inside or outside places frequented by children, [click here](#).
- For banned Class 3 turf products and ingredients, [click here](#).
- For banned Class 4 turf products and ingredients, [click here](#).

### Exemptions:

- Golf courses are required to submit pesticide-use reduction plans every three years.

For Pesticide Reduction Plan for Golf Courses, [click here](#).

- For requirements that must be followed in forest areas and road, railway or power corridors, [click here](#).
- Other exemptions include vaccines and anti-pest medication for human beings.



## 7. Quebec – 2003 Comprehensive Precautionary Ban, a Canadian First! continued

### Education Programs

- The Ministry of Sustainable Development, Environment and Parks has had stakeholder information available since 2003.

Current stakeholder information includes these sectors:

[Agricultural areas](#)

[Childcare centres and schools](#)

[Green spaces and Golf Courses](#)

[Municipal Environment](#)

[Whole and retail sales.](#)

- Public education includes the terrific [Gardening . . . all naturally](#) information.
- The Ministry has helped develop the SAgE Pesticides database to provide easy, free access to information on toxic effects of active pesticide ingredients on human health and the environment and how pesticides effect the environment.

For the SAgE Pesticides database, [click here](#).

- For August 2011 information on relative toxicity of the main active ingredients contained in domestic pesticides used for lawns and paved surfaces, [click here](#).
- For August 2011 information on relative toxicity of the main active ingredients contained in commercial pesticides used for green spaces, including turf and paved surfaces, [click here](#).

### Municipal Authority:

- Must adhere to provincial law but can adopt more restrictive pesticide use bylaws.



## 7. Quebec – 2003 Comprehensive Precautionary Ban, a Canadian First! continued

### Limitations:

- Ban covers use on lawns and does not extend to other areas, except those frequented by children.

On-line information indicates that, in practice, all stakeholders are encouraged to use lower risk products for turf, shrubs, ornamental trees, hardened surfaces and gardens.

This includes agriculture, forestry, utilities and transportation sectors.

- Exempts golf courses but use reduction plans are required.
- No requirement to update banned ingredients or products. This has not been done since the Pesticides Management Code took effect in 2003.

