

September 5, 2023

RE: Pest Control Products Regulations – Proposed Amendments

Keystone Agricultural Producers (KAP) is Manitoba's general farm policy organization, providing a unified voice for producers on issues that affect agriculture. KAP represents and promotes the interests of all Manitoba producers and 19 commodity associations. KAP is pleased to provide feedback to the PMRA regarding its proposed amendments to the Pest Control Products Regulations.

KAP is supportive of the Pest Management Regulatory Agency (PMRA) and its use of a science-based pesticide management regulatory framework. This framework ensures that the pesticide registration process is stringent, rigorous and empirically driven which benefit both producers and consumers. Pesticides are an essential tool for producers which contribute to a long-term, sustainable food production system. Through the availability of pesticides and advances in plant biotechnology producers have been able to increase adoption of zero-till practices, lower GHG emissions and minimize the area of farmland conversion.

Confidential Test Data Access

KAP is supportive of measures which would improve transparency and timeliness within the PMRA, however care must be taken to ensure any negative outcomes are minimized. The agency has a role to play to in explaining how test data is used, analyzed and interpreted while providing clarity on how science-based decisions are reached. KAP recommends the PMRA review the cost of implementing such change to ensure there is enough administrative capacity to deal with a potential increase in requests. It is important that a rise in CTD access requests does not negatively impact other areas of the PMRA where timely decision-making is valued by the industry. Care must be taken to ensure that the data presented is clear and concise to avoid misinterpretation while protecting confidential business information as required under the Pest Control Products Act.

MRL Application Transparency

The proposed amendments which would create public notifications for section 10 – maximum residue limits application (MRL) – impacting imported food products can be seen as a positive step in improving knowledge sharing and transparency with the PMRA. Although these proposed regulatory amendments are welcomed, KAP is unsure whether changes to the Pest Control Products Regulations are required to achieve the PMRA's desired goals. KAP believes the Minister's mandate laid out in section 4 of the Pest Control Products Act as well section 28(1(c)) allow for public notification on this matter without requiring changes to the Regulations. Nevertheless, KAP is supportive, in principle, of this amendment and recommends the early notification be easily accessible with users aware of its purpose and the intent of the published material.

Risk Assessments and Cumulative Environmental Effects

KAP believes more research and analysis is required before the PMRA adopts cumulative effects in their environmental risk assessment process. Measuring and evaluating cumulative risk of various substances is a challenging endeavour. There are many variables that need to be considered and a variety of methodologies exist which attempt to limit uncertainties while increasing confidence in results. Despite the methodologies that exists there is no consensus among countries on a widely agreed upon approach. Further uncertainties exist around the co-exposure to different pesticides along with the algorithms applied and the risk of overestimating exposure.

The research of cumulative effects relating to pesticides is a rapidly developing area. Further progress can be made by the PMRA by using a more extensive real-world environmental risk assessment (e.g., proven real-world water monitoring data). More consensus is required among Canada's main trading partners on specific methodologies before amendments of this type are to be made. If internationally recognized methodologies were to be established regarding this topic, then KAP would be supportive, in principle, of this approach. In summary, KAP believes the threshold for consensus and scientifically sound methodology has not been met and further research is required before amending the Regulation.

Assessments and Species at Risk

At the outset, it is not clear whether amendments to further protect species at risk are required given the current wording of the Regulations. KAP believes the Regulations already permit the Minister to request information regarding the risk a pest control product may have on humans, as well as other animals, plants and organisms. It is unclear why additional wording is needed to change the registration process given that authority currently exists for the Minister to request data on cause and effect with pesticides on various organisms. If amendments are made on this matter, it is important that the information requested for species at risk is clear and that decision making remains science based. Species at risk is an important topic in agriculture and increased collaboration between provincial and federal agencies would be beneficial for all parties involved.

Thank you for the opportunity to provide feedback on the proposed amendments to the Pest Control Products Regulations. If you have any questions about this submission, please contact KAP Policy Manager, Neil Van Overloop, at neil.vanoverloop@kap.ca.

Sincerely,

A handwritten signature in cursive script that reads "Brenna Mahoney".

Brenna Mahoney

General Manager, Keystone Agricultural Producers Inc.