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Pest Management Regulatory Agency Publications Section
Pest Management Regulatory Agency (PMRA)
Health Canada
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To Whom It May Concern;

Re: DIS2022-01 Consultation on Further strengthening protection of health and the environment: Targeted review of the Pest Control Products Act, Discussion Document

The Ontario Federation of Agriculture (OFA) proudly represents more than 38,000 farm family members across the province, supporting our members and the agri-food industry on issues, legislation and regulations governed by all levels of government. OFA works to ensure the agri-food sector and our rural communities are included, consulted, and considered in any new and changing legislation that impacts the sustainability of our farm businesses. We are the leading agricultural advocate for Ontario farmers, their businesses, and their communities.

OFA would like to thank the Pest Management Regulatory Agency (PMRA) for the opportunity to provide our perspective on Discussion Document DIS2022-01- Further Strengthening Protection of Health and the Environment: Targeted Review of the Pest Control Products (PCP) Act. In Ontario, our farmers use many strategies to support the growth of our crops while being environmentally conscious. Pesticides are a vital tool that can be used to safely manage pests that can be harmful to the health and quality of a farmer's crop. These products are strategically used to minimize risk to beneficial species and allow for a biodiverse and robust ecological system that functions more efficiently to provide Canadians with a sustainable and secure food system.

OFA supports an efficient, science-based regulatory environment for pesticides in Canada. This system should protect human health and environmental safety while encouraging innovation and competitiveness on a local and global scale. Science-based regulations allow farmers access to

the tools they need to grow food safely and sustainably for Canadians and the world. With the current system, Canadian producers are at a competitive disadvantage; Many products approved for use in the US are not available in Canada, or have different label instructions, including re-entry times or the number of times a product can be used in a given year. OFA encourages the harmonization between the Canadian and US system for evaluation and registration of pesticide products, ensuring that Canadian farmers remain competitive on the global stage.

OFA would like to provide the following comments in response to the discussion paper's consultation questions:

Objective 1 - Further Strengthening Human Health and the Environment through Modernized Business Processes Governing Pesticide Reviews

What barriers if any, exist in the Pest Control Products Act to implementing continuous oversight?

OFA supports the implementation of continuous oversight and believes that section 16(2), which requires a cyclical review period of 15 years for a pest control product, is a key barrier in the PCP Act. The re-evaluation process is critical in maintaining a regulatory system that safeguards human health and the environment. The discussion paper focuses on transitioning to continuous oversight; Section 16(2) is contradictory to this goal which integrates and assesses new data on an ongoing basis. OFA believes re-evaluations should be informed by emerging or changing science, rather than relying on timelines alone.

While not directly under the PCP Act, OFA is concerned that resources are a critical barrier to implementing continuous oversight. Previously, PMRA has acknowledged concerns in its ability to meet legislated cyclical review timelines and continue to address risks in a timely manner. Adequate resources must be available to ensure the transition to continuous oversight is efficient, and the process is sufficiently supported to meet the goal of increasing health and environmental protection while bringing efficiencies and risk-based oversight to the pesticide review process.

Are there any changes you would like to see how MRLs are established?

Currently, any person may make an application to the Minister to specify maximum residue limits (MRLs) for a pesticide product. OFA would like to reiterate that MRLs for a pesticide need to be derived from current science-based information and data.

Additional comments

OFA would like to take the opportunity to mention that when considering the cancellation of a pesticide product, an evaluation of the social and economic impact of the product's cancellation needs to be conducted, and alternative products be identified. Before cancellation, an impact assessment should be conducted, to evaluate the consequences of cancellation on the environment, crop production, and other potential implications, and mitigation measures identified. In the event of a product's cancellation, alternatives, including alternative approaches, must be identified and communicated to the farming community. Pest control products for specific application can be finite; Farmers require safe and economical alternatives to continue providing food in the event of a product's cancellation.

OFA supports process improvements aimed to increase the transparency of regulatory processes, support earlier submission of key information, reduce duplicate efforts, and increase the predictability of decision-making. Early, and more meaningful stakeholder input should be sought throughout the regulatory process and pesticide lifecycle to ensure proposed decisions are based on current and accurate data. Stakeholder engagement could also be useful in the development of integrated pesticide program development and alternative approach development, to ensure its goals can be met and be successfully implemented.

Objective 2 – Improved Transparency

Would introducing plain language summaries of our pesticide decisions, as well as more plain language information on how we conduct our science, improve transparency?

OFA believes that introducing plain language summaries of pesticide decisions, and the scientific process would greatly improve transparency. Clear, concise, and plain language supports understanding and allows for stakeholders to have informed and science-based participation in the regulatory process. Plain language summaries should not be limited to pesticide decisions but should be expanded to include any public documentation, including consultation documents, risk assessments, and application summaries.

What information would you most need to access, why, and how could that information be best made available to you?

Any information that is open for public viewing should be available in plain language. This includes, but is not limited to pesticide decisions, consultation documents, risk assessments, and application summaries.

What barriers exist in the Pest Control Products Act to increasing access to information, considering our obligations to protect CBI and our international commitments?

Confidential business information (CBI), as defined under the PCP Act, is information provided by manufacturers of pest control products that concerns manufacturing or quality control processes, methods for determining a product's composition, and/or financial or commercial information. OFA recommends engaging the manufacturers of pest control products on the barriers to increasing access to this information.

As stated previously, OFA supports the use of current information and data on pesticide product application and use by farmers. With that, consideration must be given to protecting confidential and/or commercially sensitive information, which ensures that no sharing of real-world data compromises any producers' own confidential information. The farming community should be further engaged on potential concerns with data sensitivity and management, mitigation measures, and protection of confidential business information as a result of providing real-world data.

How can PMRA improve the approach to consultation with the public on regulatory decisions?

Plain language information and summaries, as mentioned above, would be helpful to stakeholders and the general public. Furthermore, OFA believes there should be a better communication plan on the regulatory pathway, and how individuals and groups can be better involved throughout the

process. Additionally, earlier, and more meaningful dialogue should be undertaken between PMRA and stakeholders. This would increase understanding of areas of focus and allow new information and data to be provided for consideration *prior* to the decision phase. Timely access to current information and data could potentially allow the continued registration of products that would otherwise be cancelled without consideration of that information, and provide a better, more scientifically informed decision process.

Objective 3 - Increased Use of Real-world Data and Independent Advice in the Pesticide Regulatory Process

Are there any issues PMRA should consider in terms of accessing, sharing, and releasing comprehensive water monitoring and pesticide use data?

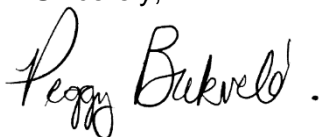
OFA welcomes the development of a national water monitoring program for pesticides, ensuring collaboration with federal departments, provincial and territorial governments, academic experts, Indigenous groups, and other stakeholders. Please see OFA's concerns regarding the privacy of data and confidential business information under Objective 2.

Additional comments

OFA supports the increased use of real-world data and strengthening linkages with key partners to broaden the availability of scientific information to inform its oversight and decision-making in relation to pesticide use in Canada. OFA also supports the establishment of the Science Advisory Committee to provide scientific advice in response to specific technical questions from PMRA. OFA believes that the Science Advisory Committee should include members from the agricultural community, such as farm organizations and commodity groups, to help provide advice as appropriate. This will provide perspective from those who are actively engaged and up to date on current pest control product issues, and those who would be most impacted by decisions made on pesticide products.

OFA supports a pesticide regulatory system that is science-based, efficient, and transparent while protecting human health and the environment. Farmers must have timely access to new pest management products to remain competitive, and continue to provide safe, and sustainable food to Canada and the world. OFA appreciates this opportunity to provide our perspective on Discussion Document DIS2022-01- Further Strengthening Protection of Health and the Environment: Targeted Review of the Pest Control Products Act.

Sincerely,



Peggy Brekveld
President

cc: OFA Board of Directors