



September 8, 2023

Pest Management Regulatory Agency
Health Canada
2720 Riverside Drive
Ottawa, ON K1A 0K9

Sent via: pmra.regulatory.affairs-affaires.reglementaires.arla@hc-sc.gc.ca

Re: Notice of Intent NOI2023-01, Strengthening the regulation of pest control products in Canada

SaskCrops, comprised of SaskBarley, SaskCanola, SaskFlax, SaskOats, Saskatchewan Pulse Growers, and Sask Wheat, appreciates the opportunity to comment on the Pest Management Regulatory Agency's (PMRA) *Notice of Intent NOI2023-01, Strengthening the regulation of pest control products in Canada*.

SaskCrops represents over 24,000 grain, pulse, and oilseed growers in Saskatchewan. Its member commissions were established to invest farmer dollars in varietal development, agronomic research, and market development. The common goal of these organizations is to ensure that Saskatchewan farmers remain competitive and profitable. We support and advocate for science-based policy to support this competitiveness.

SaskCrops is strongly supportive of the PMRA's mandate to ensure the protection of human health and the environment. Canada's science-based regulatory system is among the best in the world, and farmers rely on Canada's regulators, including the PMRA, to maintain the confidence of Canadians and our international customers and to support the competitiveness of Canadian farmers. With the current spotlight on global food security, now more than ever it is vital for Canadian farmers to have access to safe and efficient tools to protect their crops and increase production. It is therefore critical that the federal government ensure there are adequate resources and supports available for the PMRA to continue to effectively and efficiently evaluate safe uses of crop protection products. It is critical that the Government publicly explain and defend the rigorous scientific process behind the approval of safe and effective pesticides in Canada.

Crop protection products have been and remain fundamental to increasing the sustainability of Canadian agriculture. For example, access to these products has allowed Saskatchewan farmers to shift to conservation tillage practices on almost all of Saskatchewan's annually cropped acres which sequesters carbon in the soil, improves overall soil health, and reduces GHG emissions from fuel usage as fewer passes are needed over the field. Saskatchewan soils are now a significant sink for carbon dioxide, and our emissions intensity remains low while we produce crops at a high agricultural intensity. Access to crop protection products and innovations will continue to be vital to ensure the economic and environmental sustainability of Canadian agriculture.





In 2020, the PMRA's Pest Management Advisory Committee advised the Minister that the Pest Control Products Act (*PCPA*) remained fit for purpose. SaskCrops fully supports this position and believes that, if there are any changes proposed to the *PCPA*, they should not change the intent of the *Act* itself.

In response to the June 20th, 2023 announcement of proposed amendments to the *Pest Control Product Regulations* in the areas of public access to confidential test data, transparency for maximum residue limit (MRL) applications for imported food products, Ministerial authority to require information on cumulative environmental effects, and changes to the consideration of species at risk in risk assessments, SaskCrops provides the following comments.

Many of the comments below are derived from insights provided by the Canada Grains Council, of which each of the SaskCrops members is a member either directly or through a national organization. SaskCrops fully supports the Canada Grains Council's broader recommendations for modernizing PMRA policies and processes, prioritizing PMRA resources for the most important re-evaluations/special reviews, and the collection and analysis of more real-world data including that of water monitoring data to better inform assessments. The Canada Grains Council is an important voice on pest management regulation for Saskatchewan annual crop producers and we encourage the PMRA to fully consider their more comprehensive recommendations in their submission to this consultation.

1. Facilitate access to confidential test data (CTD), including for research and re-analysis purposes.

The *Pest Control Products Act* already provides a mechanism for the public to inspect CTD that supports pesticide registration decisions or proposed decisions in the case of post-market reviews. The current standards allow for access in-person at the PMRA's head office in Ottawa or remotely via an encrypted memory stick.

Some users feel that the current approach does not provide sufficient access to data. However, it is not clear that this regulatory amendment will effectively address this issue. Increased access may lead to increased misinformation regarding the safety and regulation of pesticides in Canada if CTD is used selectively or misinterpreted by users. While SaskCrops is supportive of a fully transparent process, it is important that modified approaches for increased public access to CTD must not draw scarce PMRA resources away from core PMRA work on making crop protection tools available to farmers.

2. Increase transparency for maximum residue limit (MRL) applications for imported food products.

The PMRA's MRL Technical Working group composed of industry, government, and NGO representatives has concluded that the MRL setting process is fit for purpose and does not need to be changed. SaskCrops fully supports increased transparency around MRL applications for imported food products. However, any additional PMRA resources that will be directed towards improving transparency must not



take away from PMRA's core ability to make crop protection products available to Canadian farmers while protecting human health and the environment.

3. Give the Minister the explicit authority to require the submission of available information on cumulative environmental effects and require the Minister to consider cumulative effects on the environment during risk assessments where information and methodology are available.

Canada's science-based regulatory framework for pesticides is among the best in the world. It is highly conservative by nature and considers environmental hazards and fate in its environmental risk assessments. This already allows the PMRA to take regulatory action, where warranted, throughout a product's life cycle. However, this characteristic is not reflected within *NOI2023-01* where it states that "cumulative effects in environmental risk assessments are not currently considered due to lack of information and standard methodologies." *NOI2023-01* both states that regulators "are seeking to develop new approaches and tools for assessing risks to the environment from cumulative effects" and proposes the regulatory requirement for the Minister to require such assessments "where information and methodology are available." The proposed Ministerial requirement is premature. It must be preceded by the PMRA's development of policies and guidance documents related to cumulative environmental risk assessment that are scientifically sound and informed by internationally accepted principles.

4. Strengthen consideration of species at risk by giving the Minister the explicit authority to require the submission of available information on species at risk.

Saskatchewan annual crop producers, as stewards of the land, support the conservation and protection of species at risk that are present within the agricultural landscape. As noted in *NOI2023-01*, PMRA's regulatory framework for protecting species at risk is layered and conservative. Environmental risk assessments already incorporate margins of protection and mitigation measures for species at risk. Additionally, the Minister of Health already has extensive authority to require information on species at risk as part of the existing regulatory framework. This proposed regulatory amendment is redundant and unnecessary. The focus should instead be on supporting the PMRA to enhance its collaboration with regulatory partners including ECCC, AAFC, other government departments and the provinces and territories to develop robust scientific evidence on the potential impacts of crop protection tools on species at risk that will further support relevant, science-based risk assessment.

Conclusion

This is a critical time for agriculture, as Canada contributes to feeding the world amid growing food security concerns. Saskatchewan annual crop producers will continue to play a major role because of the scale and quality of their production for domestic and export markets. Innovation will play a key role in this production including in meeting the need for safe and efficient tools to protect crops. SaskCrops continues to advocate for a science-based approach to regulatory decision-making. It is fundamental that our regulatory processes be left free of political interference. We must hold ourselves to the same



high standards we expect of like-minded countries around the world. We know that when given a level playing field, Canada can and will continue to lead the world in the production and export of safe, sustainable, quality food.

Thank you for the opportunity to comment,

A handwritten signature in blue ink that reads "Jill McDonald".

Jill McDonald
Executive Director, SaskBarley

A handwritten signature in blue ink that reads "Shawna D. Mathieson".

Shawna Mathieson
Executive Director, SaskOats

A handwritten signature in blue ink that reads "Tracy Broughton".

Tracy Broughton
Executive Director, SaskCanola

A handwritten signature in blue ink that reads "Carl Potts".

Carl Potts
Executive Director, Saskatchewan Pulse Growers

A handwritten signature in blue ink that reads "Blair Goldade".

Blair Goldade
Executive Director, Sask Wheat

