Re: Regulatory Amendments to Ontario Regulation 63/09 under the Pesticides Act to Reduce the Use of Neonicotinoid Insecticides

Equiterre is thankful for the opportunity to comment on Ontario’s Proposed Regulatory Framework to Reduce the Use of Neonicotinoid Insecticides.

As stated in our comments submitted in January, Equiterre is very concerned about the effects of neonicotinoids pesticides on bees and more broadly on ecosystems. The conclusions of the Task Force on Systemic Pesticides meta-analysis of neonicotinoids released last June “confirm that they are causing significant damage to a wide range of beneficial invertebrate species and are a key factor in the decline of bees.”¹ The Task Force found that there is clear evidence of harm sufficient to trigger regulatory action. The analysis also finds that neonicotinoids pose a serious risk of harm to other pollinators, to a wide range of other invertebrates, and to vertebrates such as birds. They also pose a risk to ecosystem functioning and services. Therefore, Equiterre believes that a precautionary approach to reducing, and eliminating, the use of neonicotinoids is pertinent. The threat posed by neonicotinoids calls for urgent action. We applaud Ontario’s initiative with North America’s first regulatory restrictions on neonicotinoids.

But according to Equiterre, the proposed regulatory framework should be improved in the following areas:

- Restrictions should extend to all neonicotinoids and other systemic pesticides, instead of targeting only three neonicotinoïds on corn and soybean seeds. Although soybean seeds and varieties of corn grown as grain corn represent the province’s the largest crops in terms of planted acreage, seed treatments are available and used on a wide range of seed crops (canola, potatoes…). Also, restrictions should apply to all corn crops, including sweet corn and popping corn. The threat to pollinators from neonicotinoid-treated seeds is presumably similar or identical for other corn crops. Sweet corn and popping corn are also human food. As already indicated in our January comments. The European Food Safety Authority concluded that acetamiprid and imidacloprid may affect the

developing human nervous system. Similarly, the restrictions targets only three of the five neonicotinoids active ingredients registered for use in Canada: imidacloprid, clothianidin, and thiamethoxam. While the other two ingredients, acetamiprid and thiacloprid, are not currently used as seed treatments on grain corn or soybean seeds, such products may be registered in future and may pose similar risks. If these three seed treatments are simply replaced by other neonicotinoids products (e.g., foliar sprays) or alternative neonicotinoid seed treatments, the goal of a reduction in neonicotinoids will have be missed. Equiterre therefore recommend that Class 12 be broadly framed to capture all seeds and all neonicotinoids products that are either currently available or that may be introduced in future as a seed treatment.

• Equiterre also recommends structuring Ontario’s regulatory restrictions taking into account the possibility that alternative systemic pesticide products may be introduced in the future as a result of these restrictions. There is a possibility that some alternatives may pose equal, if not greater risks to pollinators and the environment. For example, the Pest Management Regulatory Agency is proposing to register flupyradifurone, a new systemic pesticide recommended as a seed treatment for soybeans, with the same mode of action as neonicotinoids and a similar ecological risk profile.

• As a next step, Equiterre encourages the government to extend restrictions on the use of neonicotinoids to all Ontario crops and horticulture. A complete phase-out of neonicotinoids would better protect Ontario’s ecosystems from the wide-ranging effects of these chemicals on non-targeted organisms.

• Rather than waiting until 2020, independent, third-party evaluations of pest threats to qualify Ontario farmers for “infestation” exemptions should be required in all parts of the province by 2017. Independent evaluation should be required every year, instead of every three years as proposed.

• Équiterre applaud the requirement for seed vendors to report annually on sales of neonicotinoid-treated seeds to government. This is essential to measure progress towards the target. But it should be mandatory for the government to make this information public, to improve accountability and allow tracking of progress towards the 80 per cent reduction target. The total reported sales and an assessment of whether the target has been met should be published on OMAFRA web site every year. If the target is not met by 2017, the government should commit to a review and contemplate additional controls and intensified compliance and enforcement activities.

• It will also be important to develop and put in place an enforcement plan for the success and credibility of the new system. Equiterre recommends an enforcement plan that includes inspections or audits, both at the point of sale and on-farm. Also, as a metric of the effectiveness of the new regulatory restrictions, a program to monitor the presence of neonicotinoids in the environment should be established.

Thank you for considering these comments on the proposal to restrict neonicotinoids.

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