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Pest Management Regulatory Agency Publications Section  
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**RE: Consultation on Further strengthening protection of health and the environment: Targeted review of the *Pest Control Products Act*, Discussion Document DIS2022-01**

To Whom It May Concern,

On behalf of the Canadian Produce Marketing Association (CPMA), it is my pleasure to provide comments to the Pest Management Regulatory Agency (PMRA) consultation regarding strengthening protection of health and the environment through the targeted review of the *Pest Control Products Act*, Discussion Document DIS2022-01.

### **About CPMA**

Based in Ottawa, CPMA is a not-for-profit organization representing companies active in the marketing of fresh fruit and vegetables in Canada, from the farm gate to the dinner plate spanning the entire produce industry. The Association's members include major growers, shippers, packers, and marketers; importers and exporters; transportation and logistics firms; brokers, distributors, and wholesalers; retailers and foodservice distributors; and fresh cut operators and processors. Founded in 1925, CPMA is proud to represent domestic and international members who are responsible for 90% of fresh fruit and vegetable sales in Canada.

### **General Comments**

To begin, CPMA would like to reiterate the vital role that crop protection tools play in protecting our food and crops from invading weeds, insects, and disease. We also acknowledge that pesticides must be used within the guidelines of good agricultural practices, which consider the needs of environmental quality and human health, as well as agricultural stability and effective pest management.

Particularly as the impact of climate becomes even more apparent, it is imperative that we recognize the essential contribution of crop protection products to the fresh fruit and vegetable sector, one of the most global supply chains in the world. With that in mind, it is important to note that growers and others along the supply chain have led the way in adopting environmentally sustainable practices. Constant monitoring of crops supports decision making, including plant protection products use. Pesticides are not liberally applied; instead, application is guided by sophisticated

Promoting domestic trade as well international trade and investment with export markets is a priority for the Canadian produce sector. The harmonization of international standards, including pesticide regulation, products, and allowable residues, is essential to increasing market access and ensuring the continued sustainability of the Canadian fresh fruit and vegetable industry. This requires collaboration both within Canadian governmental agencies, and between the Canadian government and other governments with which we trade.

It is therefore important for CPMA to emphasize that phytosanitary requirements that are not science-based or essential to security act as effective non-tariff trade barriers between countries and must be eliminated. The harmonization of MRLs should be a goal to remove such barriers to the movement of fresh produce with countries across the globe. It is also important to note that consumer confidence in the safety of the food supply is eroded when jurisdictions have different regulations pertaining to the use of crop protection tools, or if there is not sound science behind them. Consistent, evidence-based regulations of MRLs will serve to boost trade for producers while also allowing a variety of healthy, safe fresh produce choices to continue to be available to consumers around the world.

Canada has one of the most robust science-based pesticide regulatory systems in the world, which effectively protects people and the environment while enabling farmers to access the innovative crop protection products they need to grow safe, sustainable, and abundant food. To ensure that this reputation continues, it is imperative that any amendments to the *Pest Control Products Act* (PCPA) must be based on sound science and an appropriate risk-based approach.

### **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?**

- CPMA is supportive of the PMRA's planned approach for improving oversight of pesticides. In doing so, it will be important for the PMRA to work with industry stakeholders and growers to ensure that they are provided with complete and accurate data on the use of crop protection tools. In conjunction with the views expressed by CropLife Canada, CPMA is supportive of comments suggesting that the PMRA should provide engagement opportunities earlier in the pesticide re-evaluation process and new opportunities to provide input on documents including draft risk assessments. It is also important that the PMRA works to enable easy access to more data and improves clarity on what information factors into PMRA's decision-making.
- In working towards improving the oversight of pesticides, CPMA is generally pleased with the PMRA's plans to shift from a point-in-time regulatory oversight model to a continuous oversight lifecycle approach. This includes expanding and formalizing the use of pesticide data throughout the pesticide's regulatory lifecycle to better inform regulatory decisions. In facilitating the continuous oversight model, the PMRA should work to ensure that pesticides which pose little risk to human health and the environment are not reviewed every year, to reduce the regulatory burden and enable the allocation of resources to areas in need of greater regulatory oversight.

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

- CPMA is concerned about the creation of a new expert panel process to provide advice prior to PMRA issuing decisions on pesticides, including the establishment of MRLs. It is imperative that the PMRA continues to promote itself as a world-leading regulator and we share the concerns of other stakeholder organizations that seeking the advice of a separate panel may cast doubt on the Agency's ability to operate as such. CPMA also shares concerns that the new expert panel will lead to an inefficient allocation of resources and hamper the timeliness of certain decisions, while potentially leading to a shift away from science and evidence-based regulatory decisions.

- CPMA would like to emphasize that the establishment of MRLs for crop protection tools must continue to be based on sound science and an appropriate risk-based approach. It is essential that regulatory agencies responsible for regulation and evaluation of pest control products such as the PMRA have sufficient resources to conduct thorough scientific reviews and to make science and data-based conclusions. Without the necessary resources to effectively complete this important work, decisions may be made that are detrimental to growers.
- Furthermore, we would like to emphasize that the PMRA must continue to steer clear of a hazard-based approach, such as that seen in the European Union, under which the mere presence of a potentially harmful agent at a detectable level in food may be used as a basis for legislation and/or risk management action. Such a regulatory approach would threaten the ability for growers to market their products and therefore the long-term economic viability of the fresh fruit and vegetable sector.
- Moving forward, the PMRA should also consider in its decision-making the availability, cost, and safety of alternative crop protection tools, as well as appropriate implementation timelines, to ensure a smooth transition and avoid unintended negative impacts to food security or trade when a decision is made to changes to MRLs for plant protection products or not to renew or approve certain products. For example, CPMA was disappointed that all uses for Chlorpyrifos as part of [Publication RVD2020-14](#) were ended, most particularly for Brassicas which had no other available alternative crop protection tools. In the future, it is recommended that the PMRA take into consideration the availability of alternative crop protection tools before ending certain end uses or at least provide an extended phase out period for end uses with no alternative crop protection tools.

## **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?**

- CPMA is supportive of the PMRA's desire to improve communication with the introduction of plain language summaries of pesticide decisions as well as plain language information on how the PMRA conducts various scientific processes. This is essential to ensuring transparency and building the public's trust in Canada's world-leading regulatory system.

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

- CPMA is supportive of PMRA's goal of increasing access to information to the Canadian public and industry stakeholders. With that in mind, it is imperative that the PMRA invests greatly in ensuring that they have adequate resources to respond to information requests while also ensuring that they have the adequate tools to respond to inquiries about regulatory changes.

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

- CPMA would like to emphasize the importance of having the PMRA work and collaborate with industry stakeholders, including to ensure that the timing of its consultations allow Canadians from across the country to adequately participate. For example, CPMA and other industry stakeholders shared concerns that the initial timing of the consultation regarding the targeted review of the PCPA coincided with growing season, one of the busiest periods for farmers, which threatened to seriously hinder the ability of this key impacted group to submit comments to this consultation. With that in mind, CPMA and other industry stakeholders were very pleased and encouraged by the flexibility PMRA demonstrated in the extension of the consultation deadline to June 30<sup>th</sup>, 2022.

### Objective 3 - Increased use of 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?**

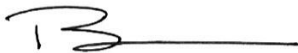
- Moving forward, it will be important for the PMRA to work with industry stakeholders to receive complete data from farmers to support its decision-making. It will also be important to find ways to incentivize farmers to collect accurate data, through initiatives such as the development of supportive tools and education on best practices. These important measures would help build trust between farmers and the PMRA with regards to pesticide use information.

Thank you again for allowing CPMA to submit comments to the PMRA's consultation regarding the targeted review of the PCPA. We would like to request that the government publish a *What We Heard* report for this consultation with reasonable time allotted for stakeholder review.

CPMA and Canada's fresh produce industry are keen to partner with government to find effective solutions to ensure that the PMRA's plans for a targeted review of the PCPA leads to the strengthening of human health and the environment and improved transparency and stakeholder accessibility to information, while also increasing the use of real-world data for stakeholders across the agriculture and agri-food sector.

We appreciate you taking the time to review our comments.

Regards,



Ron Lemaire  
President  
Canadian Produce Marketing Association