



Regulatory Affairs and Applied Analysis Section  
Policy and Operations Directorate  
Pest Management Regulatory Agency  
Health Canada  
2 Constellation Drive  
Ottawa, Ontario  
K1A 0K9

Submitted via email: [pmra.regulatory.affairs-affaires.reglementaires.arla@hc-sc.gc.ca](mailto:pmra.regulatory.affairs-affaires.reglementaires.arla@hc-sc.gc.ca)

August 24, 2024

**RE: *Regulations Amending the Pest Control Products Regulations (Strengthening the Regulation of Pest Control Products in Canada)***

To Whom It May Concern,

The Canadian Produce Marketing Association (CPMA) welcomes the opportunity to provide feedback to the Pest Management Regulatory Agency (PMRA) regarding the Agency's proposed consultation on Regulations Amending the Pest Control Products Regulations (Strengthening the Regulation of Pest Control Products in Canada)

#### **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 over 880 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.

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)* and *Regulations* must be based on sound science and an appropriate risk-based approach.

Below are CPMA's comments related to each of the Agency's four areas of focus for amendments, and In addition, CPMA would like to note our support for the submissions made to this consultation by the Fruit and Vegetable Growers of Canada (FVGC) and CropLife and urge the government to consider these in its next steps towards regulatory development.

### **Item 1: Facilitate access to confidential test data**

To address the concerns surrounding access to confidential test data, CPMA supports the government of Canada's efforts to increase transparency in the regulatory process while ensuring that proprietary information is protected. CPMA continues to advocate for the publicity with remote access to raw data as well as a publicized in-depth analysis of how the Government intends to improve access to CTD

However, we would like to reiterate critical it is for the government to ensure that any additional PMRA resources that will be directed towards improving transparency and facilitating access to CTD must in no way detract from PMRA's capacity to deliver on its core science reviews and make timely, risk-based regulatory decisions, or limit the Agency's ability to engage in important regulatory cooperation and international MRL/trade alignment efforts.

### **Item 2: Maximum Residue Limit (MRL) applications**

CPMA is supportive of the Government of Canada's efforts to increase transparency and enhance public trust in the regulatory process. By effectively communicating how these limits are determined as well as the scientific evaluations behind them, the government can alleviate public concerns, promote informed decision making, demonstrate its commitment to safeguarding Canadian's health and the environment and counter any misinformation that may arise surrounding any confusions about MRLs.

Furthermore, 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, and it is therefore 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.

### **Item 3: Proposed amendments on cumulative effects on the environment**

CPMA generally agrees with the principle of assessing cumulative environmental effects in risk assessments. However, as noted by FVGC and CropLife – and as PMRA acknowledges, the lack of information and standard methodologies to assess cumulative environmental effects both in Canada and internationally are not yet available and/or agreed upon.

For the assessment of cumulative effects to be able to effectively inform science-based decision-making, the mechanism and criteria for evaluation must be clearly defined and backed by international scientific consensus. PMRA must further provide clear and comprehensive guidance to industry on what is expected in terms of data submission, assessment and compliance. Before making regulatory amendments to require cumulative

environmental risk assessments, CPMA agrees with FVGC and CropLife that PMRA should first concentrate its efforts on contributing to the international acceptance of methodologies/data requirements, which can then be followed by policy development and associated guidance documents.

We would therefore like to support the FVGC's proposal to engage international partners or stakeholder to help provide guidance on acceptable methods and data requirements for this type of analysis.

**Item 4: Proposed amendments on species at risk**

CPMA strongly supports the protection of all species, including species at risk. As noted by FVGC, the wide adoption of integrated pest management by fruit and vegetable growers in Canada based on monitoring/surveillance/modelling of pest populations, crop management practices and the judicious use of conventional and biological controls demonstrates our sector's strong and longstanding commitment to protecting the environment.

CPMA and FVGC are of the position that the Minister already has the authority under the current *Regulations* to conduct risk assessments on all species, including SAR, and where appropriate implement mitigation measures to provide an acceptable level of protection for those species. At the same time, further detail is required as to how amended regulations will strengthen the protection of species at risk, and, as in the case of cumulative effects, PMRA must provide clear and comprehensive guidance to industry on what is expected in terms of data submission, assessment and compliance.

We would also like to reiterate that in place of a regulatory amendment, the PMRA prioritize the long-term generation of real-world data, including in surface water monitoring data and targeted grower use information, that are critical to the refinement of environmental risk assessments.

We thank you for taking the time to review our comments to Regulations Amending the Pest Control Products Regulations (*Strengthening the regulation of pest control products in Canada*). CPMA strongly urges the government to work collaboratively with stakeholders in its next steps towards regulatory development and in the consideration of potential non-regulatory approaches and solutions to achieve its identified objectives.

Sincerely,



Ron Lemaire  
President  
Canadian Produce Marketing Association