

September 9, 2023

Regulatory Affairs and Applied Analysis Section  
Policy and Operations Directorate  
Pest Management Regulatory Agency (PMRA)  
Health Canada

Via e-mail: [pmra.regulatory.affairs-affaires.reglementaires.arla@hc-sc.gc.ca](mailto:pmra.regulatory.affairs-affaires.reglementaires.arla@hc-sc.gc.ca)

**Re. Pest Management Regulatory Agency (PMRA) Notice of Intent NOI2023-01, Strengthening the regulation of pest control products in Canada**

Thank-you for the opportunity to provide comments on the PMRA *Notice of Intent NOI2023-01, Strengthening the regulation of pest control products in Canada* published June 20, 2023. Canadian Canola Growers Association (CCGA) represents Canada's 43,000 canola farmers on issues, policies, and programs that impact their farm's success.

A made-in-Canada crop, canola plays an integral role in Western Canadian crop rotations and is the largest revenue source for Canadian farmers earning \$13.7 billion in 2022. With our larger sector, canola contributes \$29.9 billion to Canada's economy annually and supports 207,000 jobs nationwide. Canola farmers play an important role in global food security, with 90% of canola exported, and are advancing climate change goals through strong sustainability practices aimed at greenhouse gas reduction, housing biodiversity on-farm and responsible use of pest control products.

Canada's strong, science-based regulatory framework for pest control products underpins this success, as well as our ability to consistently supply a high quality, safe, sustainable canola crop domestically and internationally. PMRA's commitment to science- and evidence- based decision making has provided farmers access to different production systems and a range of safe products – tools that provide an effective response to agronomic and pest challenges and support various sustainability practices on-farm. For example, pest control products allow for increased yield on the same amount of land, discouraging the need for land conversion that drives biodiversity loss. Health Canada's June 20th announcement that it would resume evaluating increases to Maximum Residue Limits (MRLs) respects the role of science in PMRA decision-making.

As benefactors of the technology in question, canola farmers support PMRA's intent to increase transparency of the pest control product regulatory framework. Better science communication and increased understanding of PMRA processes, assessments and decisions should be the primary focus. It would increase public trust in the safety of pest control products and our food system. As an example, Health Canada's recent science communication on MRLs, human health and food safety provides credible information on what is an MRL, how it is set, and the safety of the food Canadians consume.

In relation to NOI2023-01, we offer the following comments. In our view, the proposed regulatory amendments require additional consultation or are not required, as the Agency already has the authority.

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

Increasing public trust is a long-term priority for CCGA, but without proper guidelines and consultation, we are concerned expanding the scope to research and re-analysis could result in misinformation or inaccuracies effectively undermining the transformation exercise which aims to strengthen trust in PMRA regulatory decisions. Additionally, should PMRA move forward, additional government funding will be needed to support the additional time and resources required by PMRA to manage such requests.

### **3.2 Increase transparency for MRL applications for imported food products.**

CCGA participated in the MRL technical working group and agrees with its assessment and the NOI statement that “the current process for establishing MRLs is effective and does not require adjustment”. While the Group supported increasing transparency when an application to change an import MRL is received, members have neither seen a final version of the template nor explored next steps. The grain sector believes the Minister already has the authority to institute a notification process and is unclear on what regulatory amendment is required.

### **3.3 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.**

Canola farmers are committed to producing a sustainable crop but are concerned that requiring information on cumulative environment effects as part of the risk assessment, at this time, will create a barrier to registration. NOI2023-01 is unclear on what this would entail, what data sources are required, and when information and methodology will become available. As the science is in its infancy, it is premature to amend Pest Control Products Regulations with limited information and without internationally agreed upon methodologies. Furthermore, the Cabinet Directive on Regulation requires proposals and decisions to be based on evidence before being proposed for regulation in Canada.

### **3.4 Strengthen consideration of species at risk in risk assessments by giving the Minister the explicit authority to require submission of available information on species at risk (SAR).**

As outlined in NOI2023-01, the Minister has the authority and PMRA already employs conservative risk assessments including species at risk. PMRA should instead focus on collecting real-world data on the potential impacts of pest control products on SAR including providing guidance on the type of data that would best inform certain elements of the risk assessment, where needed and appropriate. Better data on SAR habitat and the risk it faces and non-regulatory approaches (e.g. practice-based, extension, research) can achieve the same outcome and promote the efficient implementation of measures to protect SAR in Canada.

Canola farmers recognize their role in maintaining and conserving biodiversity on-farm and already employ various beneficial management practices to support all species including those at risk. CCGA is a member of the Agriculture-SAR Core Planning Team led by Environment and Climate Change Canada and participated in the process to develop a conservation action plan for biodiversity and SAR within the agriculture sector. We also provided input to Canada's 2030 Biodiversity Strategy and are committed to working with Government on outcome-based approaches to conserve biodiversity while increasing yield and ensuring farmers profitability.

More broadly, CCGA regularly advocates for increased resources for PMRA to manage its core work (i.e., registrations, re-evaluations, and special review) and the increasing complexities in delivering a timely, science-based regulatory framework. In addition to the proposed amendments, additional funding is also required to increase data collection for water monitoring and the inclusion of increased use of real-world data as pillars of PMRA's Transformation Agenda, as well as more permanent funding is absent for a Pan-Canadian Water Monitoring through the new Canada Water Agency.

Thank you for consideration of this submission and please do not hesitate to reach out should you have additional questions.

Sincerely,

Original signed by

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