



CANADIAN INSTITUTE FOR
ENVIRONMENTAL LAW AND POLICY

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Robert Bilyea
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Ministry of the Environment
Integrated Environmental Planning Division
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Dear Mr. Bilyea,

Re: Legislative Amendments to the Pesticides Act to ban the use and sale of pesticides for cosmetic purposes # 010-3348

I am writing on behalf of the Canadian Institute for Environmental Law and Policy (CIELAP) to provide comments on Bill 64, the Ministry of the Environment's proposed legislative amendments to the *Pesticides Act*, to ban the use and sale of pesticides for cosmetic purposes. CIELAP was founded in 1970, with the mission to provide leadership in the research and development of environmental law and policy that promotes the public interest and sustainability.

CIELAP supports, in principle, province-wide legislation banning the use of cosmetic pesticides and commends the Ministry of the Environment for initiating the proposed legislation. However, CIELAP wishes to raise the following concerns about Bill 64 as drafted:

- The draft legislation will not apply to the use of cosmetic pesticides on golf courses. As the use of pesticides on golf courses is for purely cosmetic purposes, CIELAP does not believe that such an exemption is necessary.
- The draft legislation provides that municipal by-laws will be inoperative if they address the use, sale, offer for sale or transfer of a pesticide that may be used for a cosmetic purpose. It is CIELAP's position that this draft provision should be removed from Bill 64. Municipalities in Ontario have already gone through extensive consultation processes to enact municipal pesticide by-laws. Some of these by-laws contain more restrictive rules than are proposed in the draft legislation. These local by-laws have been developed to respond to specific community needs and should not be made inoperative. Where there is a discrepancy between a municipal by-law and the provincial pesticides ban, the more restrictive rules should be applied in that municipality.

Thank you for the opportunity to provide input on the proposed legislative amendments. Please contact me or Maureen Carter-Whitney, CIELAP's Research Director, if you wish to discuss any of these comments further.

Yours sincerely,

A handwritten signature in black ink that reads "Anne Mitchell". The signature is written in a cursive, flowing style.

Anne Mitchell
Executive Director

Cc: Hon. John Gerretsen, Minister of the Environment
Gord Miller, Environmental Commissioner of Ontario