



CANADIAN INSTITUTE FOR
ENVIRONMENTAL LAW AND POLICY

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Robert Bilyea
Senior Policy Advisor
Ministry of the Environment
Integrated Environmental Planning Division
Strategic Policy Branch
135 St. Clair Avenue West
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Dear Mr. Bilyea,

**Re: New General Regulation under the *Pesticides Act, 1990* to implement the
Cosmetic Pesticides Ban Act, 2008 – Environmental Registry # 010-3348**

I am writing on behalf of the Canadian Institute for Environmental Law and Policy (CIELAP) to provide comments on the proposed New General Regulation under the *Pesticides Act, 1990* to implement the *Cosmetic Pesticides Ban Act, 2008* and 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.

Overall, CIELAP strongly supports the draft regulation and believes that it will allow for effective implementation of the objectives of the *Cosmetic Pesticides Ban Act*. In particular, CIELAP commends the Ministry of the Environment for including a comprehensive list of Class 9 chemicals that are proposed to be banned for cosmetic use.

CIELAP does have some concerns about the provisions of the draft regulation that apply to golf courses. As noted in our May 23, 2008 comments on the *Cosmetic Pesticides Ban Act*, CIELAP did not believe that an exemption in the Act for the cosmetic use of pesticides on golf courses was necessary. Accordingly, CIELAP recommends that these sections of the regulation be strengthened to better protect the environment and human health by ensuring that golf courses comply quickly with the new requirements of the Act. The draft regulation sets out a timeframe of three years for golf courses to become fully accredited by an integrated pest management accreditation body. This timeline should be accelerated to ensure compliance by golf courses in a more timely fashion. However, CIELAP does support the proposed provisions that: require golf courses to prepare annual reports on pesticide use explaining how pesticides will be minimized in the next year; and give the public the right to know which pesticides are used on their local golf courses, and where, and to be provided with this information at an annual public meeting.

In our May 2008 comments, CIELAP also expressed concern that existing municipal pesticide by-laws would be made inoperative by the new legislation. Given those concerns, CIELAP is pleased to see that the proposed draft regulation includes provisions similar to those of the strongest municipal bylaws, and go beyond the scope of municipal bylaws to restrict and ban retail sales.

Subject to the recommendations noted above, CIELAP is generally in strong support of the proposed regulation, and looks forward to prompt and effective implementation of the new legislative provisions.

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, appearing to read "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