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Pest Management Regulatory Agency Publications Section
Pest Management Regulatory Agency (PMRA)
Health Canada
2720 Riverside Drive
Ottawa, ON
K1A 0K9

Sent via: pmra.publications-arla@hc-sc.gc.ca

Re: Prairie Oat Growers Association (POGA)* Comments on the Targeted Review of the *Pest Control Products Act*, Discussion Document DIS2022-01

On behalf of the Prairie Oat Growers Association (POGA), please accept the following comments on the PMRA's Discussion Document DIS2022-01 on the Targeted Review of the Pest Control Products Act (PCPA).

POGA is strongly supportive of the PMRA's mandate to ensure the protection of human health and the environment. Canada's science-based regulatory system is among the best in the world, and farmers rely on Canada's regulators, including the PMRA, to maintain the confidence of Canadians and our international customers and to support the competitiveness of Canadian producers. With the current spotlight on global food security, now more than ever it is vital for Canadian farmers to have access to safe and efficient tools to protect their crops and increase production.

The most recent formal review of the PCPA in 2015 found that the Act was fit for purpose. In 2020, the PMRA's Pest Management Advisory Committee also advised the Minister that the PCPA remained fit for purpose. POGA supports this position and believes that, if there are any changes proposed to the PCPA, they should not change the intent of the Act itself.

Crop protection products have been fundamental to increasing the sustainability of Canadian agriculture. For example, access to these products allowed Western Canadian farmers to shift to conservation tillage practices which sequesters more carbon in the soil, improves overall soil health, and reduces GHG emissions from fuel usage as fewer passes are needed over the field. Western Canadian

soils are now a significant sink for carbon dioxide, and our emissions intensity remains low while having high agricultural intensity. Access to crop protection products and innovations will continue to be vital to ensure the economic and environmental sustainability of Canadian agriculture.

There are no legislative changes needed to show how the PMRA established Maximum Residue Limits (MRLs), but there is a strong need for better risk communications that explain the process to the public. Public concerns are often due to misunderstandings of how the PMRA establishes MRLs, what MRLs represent, the extensive safety factors used, and their critical importance to international trade and Canadian farmers. POGA also recommends in cases where the PMRA has not established an MRL, that a process for adopting Codex MRLs should be developed to limit unnecessary trade disruptions. This would also increase Canadians' confidence in the safety of their food, as CFIA data shows that most MRL noncompliance results from Canada's own application of the principle of zero tolerance.

POGA supports the Government's focus on increasing transparency in the regulatory process. If managed well, this will result in even more confidence in our regulators and help to build public trust in the agriculture industry overall. The primary focus of the Government of Canada's objective to improve transparency at PMRA should be better risk communications. As pesticide regulation is extremely complex, transparency measures should include more explanation of PMRA processes, assessments, and decisions. This information should be timely, easy to find, and provide all stakeholders with context and clarity. Furthermore, the additional PMRA resources that will be directed towards improving transparency/risk communications must not take away from the PMRA's ability to make timely regulatory decisions, jeopardize its risk-based approach to regulation and decision-making, or limit PMRA's ability to engage in regulatory cooperation (e.g., trade agreements) and international MRL/trade work.

As the PMRA's transformation work continues, a parallel effort should be made to implement existing transparency plans for registration decisions. There is a need for more meaningful engagement with stakeholders when a risk or concern is identified, and a product/label use is at risk of being cancelled. Early and meaningful consultation with stakeholders would lead to better informed decisions by the PMRA. It would also help avoid discrepancies between proposed and final re-evaluation and special review decisions, improving predictability and public trust.

Furthermore, POGA strongly believes that the PMRA must consider competitive and economic factors as part of reviews. This mandate is clearly set out in the preamble of the PCPA, and is also consistent with other trading partners' approach, importantly, largest trading partner, the United States. When considering cancelling registration of a product or its uses, the PMRA must also consider the environmental and health impacts of the product's alternatives. A cost-benefit analysis including the availability of alternatives to address the crop risk, the impact of alternatives on the environment, and the on-farm economic impact should be standard practice for all future evaluations.

POGA was pleased to see that the PMRA is receiving additional funding to support PMRA's re-assessment process, including monitoring the occurrence of pesticides in water, as this has been a request of the grain value chain. Employment of this funding for this purpose should be prioritized. POGA supports the PMRA's increased focus on real-world data provided that it is reflective of use patterns in Canada and is held to the same high level of scrutiny as all data received by the PMRA. Data, such as water monitoring data, must also be presented with the appropriate context (e.g., whether a detection is of concern or not) to ensure that data is not misunderstood. For example, data may be

generated using an analytical method that can detect in parts per trillion, where residues are measurable but well below levels that are biologically significant. It is critical that this type of context accompanies the external use of this data to maintain public trust. In addition, POGA would encourage either all water monitoring samples be included or the use of a standard process, like a trimmed mean, where an equal number of extreme high and low levels are removed to make the data more representative.

Additionally, the PMRA's increased focus on use pattern and water data should be appropriately resourced so there is not an excessive data burden placed on members of the grain value chain. Past instances where producer/commodity organizations have generated water monitoring data to support PMRA decision-making should not become business as usual.

This is a critical time for agriculture, as Canada contributes to feeding the world amid growing food security concerns. The 2022 growing season will be one of the most important ones in decades, and innovation will continue to play a key role. POGA continues to advocate for a science-based approach to regulatory decision-making. It is fundamental that our regulatory processes be left free of political interference. We must hold ourselves to the same high standards we expect of like-minded countries around the world. We know that when given a level playing field, Canada can and will continue to lead the world in the production and export of safe, sustainable, quality food.

Thank you for the opportunity to comment,

A handwritten signature in black ink, appearing to read 'JJ', is written over a horizontal line.

Jenneth Johanson, POGA President

**About POGA*

Canada is the largest exporter of oats in the world. POGA represents oat producers from the three Prairie Provinces of Alberta, Saskatchewan, and Manitoba and thus represents about 90% of Canadian oat growers. POGA is the Canadian voice for oats on national and international issues, as well as policies and programs that impact oat farmers. Find out more at poga.ca.