

My name is Chris Benjamin and I'm the Healthy Lawns Coordinator for the Ecology Action Centre. The Ecology Action Centre has been working to build a healthier, more sustainable Nova Scotia for more than 38 years now. We represent more than 1,100 members, 250 volunteers and staff, and seven active teams and committees, including the Built Environment Committee, which has worked for many years to educate the public about cosmetic pesticides. EAC works closely with social and natural scientists and makes strong use of science in communicating our message.

EAC would like to start by congratulating the government on bill 61, An Act to prohibit the sale and use of non-essential pesticides. If it is passed as is, it will give Nova Scotians the best protection in Canada against an unnecessary health and environmental risk. The government has done the right thing in banning cosmetic pesticides, and it has taken a wise approach.

The independent, peer-reviewed evidence of the risk of pesticides is overwhelming. Although Health Canada has approved these products, the approval is based on industry-supplied data, in a case of what I call fox-henhouse syndrome. Such data is compromised by a source that has a strong financial incentive to continue using these products.

Fortunately, this government has stepped up to extend better protection for our health and environment. EAC applauds the quote-end-quote white list approach, in which low risk pesticides are deemed acceptable, and everything else – in other words high-risk pesticides – are banned. This is as it should be. It's a simple risk-benefit analysis that

any good businessperson should be familiar with. The high risk that our leading scientists have found associated with these products should not be forced on people for the sake of a certain aesthetic, one that can be achieved using well-established low-risk methods.

By using a list of acceptable products, the onus is put on companies to prove all new products are safe before any new risks can be put on an unsuspecting public.

Unfortunately, pesticides were introduced, long ago, without such considerations, and since that time we have seen trends such as increasing cancer rates, and the development of environmental catastrophes such as algae blooms and massive fish die-off. While these things cannot be solely placed on the use of cosmetic pesticides, clearly eliminating these unnecessary toxins is a step in the right direction. What we need to avoid is mistakenly, and unnecessarily, introducing new unproven technologies with no proof of their safety.

The act itself is well conceived. The definition of "lawn" is simple, clear, comprehensive and inclusive. The implementation time is fair and just, giving industry the time it needs to absorb and adapt to the new rules.

The EAC would like to make a couple of minor suggested amendments that would make this bill even better for our health and environment. First, we suggest adding to Section 4 that "no person shall use or cause or permit the use of a pesticide in, on or over a driveway, walkway or patio. Obviously pavement is not a common application for

pesticides, but unsightly weed and grass growth through cracks in these surfaces may be a tempting target for spraying. As in other cases, pesticide free alternatives are available for such growths. This is a small potential loophole that could easily be closed.

We also suggest removing the exception for vegetable gardens. Again, this is a relatively small pesticide use. Only about one percent of pesticide use is on home grown vegetables. Still, it seems an unnecessary exception – an unnecessary risk with little benefit, and one that will unnecessarily expose pesticide sensitive people to acute and severe danger. It also has the potential to create a loophole by leaving high-risk pesticides designed for vegetable gardens on the shelves. This also opens up the potential for the dangerous miss-application of these products on lawns. Extensive literature on organic gardening is available, including a recent Nova Scotian publication accounting for Maritime geography and weather patterns. My wife and I, whose thumbs are about as green as the sky, maintain an organic garden with minimal efforts and only occasionally need to squish or shoo away pests. Growing produce on a large scale without pesticides is much more of a challenge (though still feasible with effort), but on a backyard scale it is not so hard and has incredible rewards. This phenomenon can be seen in gardens throughout Ontario, where pesticide spraying on vegetable gardens is illegal. It can also be seen at community gardens in cities across Nova Scotia, where spraying pesticides tends to be frowned upon.

EAC would also like to add a word about enforcement. The means of enforcement in the bill are fairly typical, and known to be effective in a logistical sense. They make perfect

sense. My only suggestion is that Government consider an enforcement strategy that focuses primarily on the retail level. This approach is taken in Quebec, where non-essential pesticide usage has decreased more than 90 percent since its ban came into effect. This is not to say that infractions at the home level should be ignored, but proactively visiting retail outlets, ensuring compliance, and issuing fines for non-compliance, is a cost-effective and realistic way to keep cosmetic pesticides out of the hands of homeowners. Much is made of illegal imports, but in practice we have seen little of this in other provinces that have restricted or banned non-essential pesticides. At the homeowner level, I note that Section 8 of the bill gives inspectors the authority to take soil samples in cases where non-essential pesticide use is reasonably suspected. Soil sampling will provide indisputable evidence and avoid unsatisfactory he-said-she-said scenarios. I suspect that such samples will rarely be needed because education and homeowners knowing that they can be caught and punished will make them less likely to break the new law.

We want to further commend the government in avoiding the integrated pest management approaches used in New Brunswick and Prince Edward Island. Counter to industry claims, there is no evidence that IPM reduces pesticide use. IPM puts the decision-making power regarding whether or not to spray lawn pesticides into the hands of people who will gain financially with spraying. This is not an effective means of pesticide reduction.

Lastly, the Ecology Action Centre would like to ask you to consider adding to this bill a clause that enables municipalities the right to pass non-essential pesticide bylaws, if they so choose. It is a peculiarity of Nova Scotia legislation that they are denied this right. It may seem unnecessary with a bill that passes a very strong prohibition of non-essential pesticides, but there are always ways to progress forward, and it is often municipalities who lead the charge toward better health and environmental protection. Regard, for example, the Town of Wolfville's initiative to ban smoking in vehicles with children, which sparked a new national standard of protection. I see no reason to deny municipalities their rights to protect their own citizens in the province where Canadian democracy was officially born.

I'll close by reiterating that this bill, as written for first reading, is music to the ears of everyone who cares about health or environment. It is good for us and it is good for the earth. It is good for the fisheries and it is good children. It is also good for our economy, as it will spark innovation, growth and new green jobs in organic lawn-care, as has happened in every jurisdiction that banned non-essential pesticides.

EAC believes that the government has done an excellent job of listening to health experts and heeding UNSM's request for change. We hope it will hold firm to the strong protections it has written into this bill, and proceed to make equally strong regulations in the next phase.

Thank you for listening.