



November 12, 2025

The Hon. Marjorie Michel
Minister of Health

hcminister.ministresc@canada.ca

Dear Minister Michel:

C ELA PUBLICATION #1660

Re: Budget 2025 Proposal to Eliminate Cyclical Pesticide Re-evaluations

We are health and environmental organizations with a history of engagement and expertise on the regulation of pesticides in Canada under the *Pest Control Products Act* and *Regulations*. We are alarmed by the government's proposal to amend the *Pest Control Products Act* to eliminate cyclical re-evaluations, as announced in Budget 2025 (Annex 5: Legislative Measures, Sustainable Pesticide Management).

The importance of a strong post-market re-evaluation process – to ensure the health and environmental risks of registered pesticides remain “acceptable” – cannot be overstated. When re-evaluations were introduced into the amended *Pest Control Products Act* in 2002, it was because the Minister of Health recognized that “strengthened capacity to conduct re-evaluations would translate into better health and environmental protection.”¹ The Federal Court of Appeal has recognized the re-evaluation process as one of three pillars supporting the *Pest Control Products Act*'s primary purpose of protecting public health and the environment.² Cyclical re-evaluations under s. 16(2) of the Act involve mandatory re-evaluation of the health and

¹ House of Commons Debates, 37th Parl, 1st Sess, Vol 137, No 163 (April 8, 2002) at 1625 (Hon. Anne McLellan).

² *Pest Control Products Act*, SC 2002, c 28, s. 4(1); *Safe Food Matters Inc. v. Canada (Attorney General)*, [2022 FCA 19](#) at para 1: “What emerges from the legislative and regulatory scheme are three pillars supporting the purpose of protecting public health and the environment: i) a rigorous, scientifically-based approach; ii) a strong re-evaluation process when more is known about the product; and iii) the opportunity for public participation to enhance decision-making and increase public confidence in it.”

environmental risks of a pesticide initiated every 15 years to ensure the risks remain acceptable. They are an important mandatory checkpoint which supplement and backstop the Minister's discretionary power to initiate re-evaluation under s. 16(1). Re-evaluations provide for wide consultation and a more comprehensive review of the health and environmental risks of a product than special reviews, under s. 17 of the Act, which are limited in scope.

Re-evaluations also provide an important opportunity for public participation, fulfilling the Act's ancillary purpose of encouraging public awareness in relation to pest control products by informing the public, facilitating public access to relevant information and public participation in the decision-making process.³ Public participation is another pillar emphasized by the Federal Court of Appeal for enhancing decision-making and increasing public confidence.

The proposal to eliminate cyclical re-evaluations is even more concerning in light of a separate proposal, announced through Health Canada's report on red tape reduction, to amend the *Pest Control Products Regulations* to eliminate the 5-year validity period for most pesticides.⁴ Removing the 5-year validity period in favour of indefinite registration will eliminate pesticide renewal decisions, which provide a "streamlined", substantive checkpoint for risk assessment between major decisions (such as re-evaluations).⁵ If the government eliminates renewal decisions *and* mandatory cyclical re-evaluation decisions, the post-market risk assessment of pesticides will be significantly weakened and may be entirely discretionary.

We are also concerned with the lack of transparency with which this proposal has come about. Several of our organizations have participated as stakeholders in the years-long consultation process on the Pest Management Regulatory Agency's "transformation agenda" and have participated in many consultations regarding specific active ingredients. Throughout this process, the PMRA consulted on and developed policies to improve its processes in order to further the implementation of the PMRA's statutory and regulatory obligations under the Act and Regulations, including policies on continuous oversight and proportional effort. At no point during these years of consultation was eliminating cyclical re-evaluations raised.

Indeed, eliminating cyclical re-evaluations is inconsistent with these recently finalized (or near-finalized) policies, suggesting this is a hastily-proposed legislative amendment, the ramifications of which have not been sufficiently considered. The continuous oversight policy states that continuous oversight "is a complementary process that supports but does not replace requirements outlined in the *Pest Control Products Act*, including applications for registration, amendment, re-evaluation and special review."⁶ Triage outcomes set out in the continuous oversight policy provide that, where information on a particular topic does not meet the threshold to trigger a special review, it will be retained to be considered during the next comprehensive

³ *PCPA*, s. 4(2)(c).

⁴ [Health Canada and the Public Health Agency of Canada's report on red tape reduction](#) (September 8, 2025), Theme 4: Streamlining regulations, simplifying rules and enhancing flexibility: Limiting pest control product renewals.

⁵ *Friends of the Earth Canada v Canada (Attorney General)*, [2025 FC 300](#) at paras 34-37, 44.

⁶ [PMRA Policy on continuous oversight of pesticides](#) (October 14, 2025).

cyclical re-evaluation – an outcome that does not make sense in the absence of cyclical re-evaluations.

Similarly, the draft proportional effort policy states that the proportional effort policy “complements, but does not replace, the requirements outlined in the PCPA, including re-evaluations, special reviews, and applications for registration.” Moreover, the categorization of a pesticide within the proportional effort policy largely depends on the outcome of re-evaluation decisions.

Eliminating cyclical re-evaluations would significantly weaken Health Canada’s oversight of the health and environmental risks of pesticides. We request an urgent meeting with you to discuss this proposal. Further, we urge the government to immediately retract this proposal; in the absence of such retraction, we request to participate in public consultation on this legislative proposal.

Sincerely,

Ecojustice Canada Society
Bronwyn Roe, Staff Lawyer

Environmental Defence
Tim Gray, Executive Director

Friends of the Earth Canada
Beatrice Olivastri, CEO

Safe Food Matters
Mary Lou McDonald, President

David Suzuki Foundation
Pierre Iachetti, Executive Director

Canadian Wildlife Federation
Sean Southey, CEO

Canadian Environmental Law Association
Theresa McClenaghan, Executive Director
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Prevent Cancer Now
Meg Sears, Chair

**Canadian Association of Physicians
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Sabrina Bowman, Executive Director

Nature Canada
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