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Standing Senate Committee on National Finance
The Senate of Canada
Ottawa, Ontario
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Honorable Members of the Committee:

Re. Bill C-31, Division 13 of Part 4 - Amendments to the Pest Control Products Act

As organizations concerned with protecting human health and the environment, and advocates for evidence-informed decision-making, we urge the Committee to reject the amendments to the *Pest Control Products Act* proposed in Division 13 of Part 4 of Bill C-31, the *Budget 2025 Implementation Act, No. 2.*

The PCPA preamble begins by recognizing that, "the availability and use of pest control products pose potential risks, both directly and indirectly, to the health, safety and well-being of individuals in Canada and to the environment." A robust legislative framework for pesticide regulation is crucial to ensure effective oversight and prevent unacceptable risks.

Re-evaluations are the primary mechanism under the Act for comprehensive, post-market review of pesticide risks. Removing the mandatory requirement for cyclical re-evaluations would fundamentally undermine federal oversight of pesticides and the primary purpose of the PCPA, which is to prevent unacceptable risks to health and the environment.

Background: Re-evaluations under the PCPA

Annual pesticide sales in Canada increased by a staggering 455 per cent between 2005 and 2024.[1] This includes more than 121 highly hazardous pesticides that have been banned elsewhere but remain registered for use in Canada.[2] With pesticide use skyrocketing and an ever-increasing number of chemicals, robust oversight is essential to prevent unacceptable risks to health and the environment.

[1] According to Annual Pest Control Products Sales Reports, published by Health Canada, 26 million kilograms of active ingredients were sold in 2005, and more than 144 million kilograms in 2024, the most recent year for which data is available.

[2] https://pmc.ncbi.nlm.nih.gov/articles/PMC9965480/

The requirement for the Health Minister to initiate a re-evaluation of every registered pesticide on a 15-year cycle was introduced when the PCPA was overhauled in 2002. Under the original 1969 Act, post-market re-evaluation was discretionary, leading to a backlog of older chemicals approved on the basis of outdated risk assessments. Scientific knowledge and methods evolve, patterns of use change, and long-term or cumulative harms may only become apparent over time. Mandatory, cyclical re-evaluations ensure that the health and environmental risks of registered pesticides remain "acceptable" based on up-to-date scientific evidence and methods and according to standards set out in the PCPA.

On a re-evaluation, the Minister of Health is empowered to request up-to-date scientific information from the registrant and from other federal and provincial government departments and agencies. The PCPA also sets out requirements for public consultation. Health Canada is required to publish re-evaluation decisions, with reasons – a transparency obligation that enables independent scrutiny and promotes accountability. Decisions can be challenged through a Notice of Objection procedure.

Re-evaluations sometimes identify changes to a pesticide's risk profile, or information about risks that were not previously recognized, leading to restrictions on the use of the pesticide if necessary to protect human health or the environment.

For example, re-evaluation of flufenacet, an herbicide previously registered for agricultural use on corn and soybeans, identified risks to human health that were not acceptable. Of particular concern, flufenacet breaks down into Trifluoroacetic acid (TFA), a persistent "forever chemical" linked to reproductive harm, which accumulates in the environment over time. Despite industry pressure to look the other way, the mandatory re-evaluation requirements in the Act resulted in a 2024 decision to cancel the registration of all pesticides containing flufenacet to protect human health.

As part of a 2015 audit of Health Canada's management of pesticide risks, the Commissioner of the Environment and Sustainable Development reviewed ten cyclical re-evaluations of pesticides carried out in the previous year and found that each one resulted in changes to how the pesticides studied could be used, to mitigate risk. In two of these re-evaluations, the active ingredients were found to pose unacceptable risks to human health, and certain uses of the products were cancelled as a result.[3]

[3] Fall 2015 Reports of the Commissioner of the Environment and Sustainable Development, Report 1. https://publications.gc.ca/collections/collection_2016/bvg-oag/FA1-2-2015-1-1-eng.pdf

Bill C-31 amendments — de-modernizing pesticide regulation in Canada

Bill C-31 proposes to replace mandatory re-evaluations of pesticides with a more limited "assessment" of "available information". The amendments do not specify any requirements for the new assessments, circumventing the PCPA's scientific standards and consultation, transparency and accountability requirements

Re-evaluation would be required only if the assessment indicates that health or environmental risks posed by a registered pesticide have "increased significantly" – an undefined threshold.

There is no timeline prescribed for initiating re-evaluations in this case. The additional step of assessment prior to initiating a re-evaluation will almost certainly result in longer delays and prolonged exposures to new and increased risks to health and the environment.

These legislative changes were announced as a shift to risk-based oversight and are apparently intended to streamline post-market review, following budget cuts at Health Canada. However, the re-evaluations themselves are the primary tool for assessing risks of registered pesticides. Moreover, Health Canada has recently implemented new "continuous oversight" and "proportional effort" policies to enhance regulatory efficiency while proactively monitoring and considering new scientific information about registered pesticides. These new policies were designed to complement the legislative requirements for cyclical re-evaluations. Eliminating the mandatory cyclical review requirement will undermine the potential of these new policies before they have even been fully implemented.

Summary of concerns with the PCPA amendments in Bill C-31

- **Health and environmental harms.** Returning to a system of discretionary re-evaluations with no fixed timeline – one of the recognized shortcomings of the pre-2002 PCPA – could further delay action on harmful chemicals.
- **Blank cheque.** There are no criteria prescribed for the new assessments, except that they may only consider "available information," and there are no public participation provisions. The threshold for initiating a re-evaluation following an assessment determination that risks have "increased significantly" is undefined and misaligned with the PCPA's *acceptable risk* standard.

- **Head-in-sand.** New and increased risks to human health and the environment not already documented in Health Canada's compilation of “available information” will remain unknown and/or be ignored.
- **Market access.** Cyclical re-evaluations are the backbone of Canada’s post-market pesticide regulatory system. Eliminating them will undermine public and market confidence in Canada’s pesticide regulatory system and could limit export opportunities for Canadian agricultural products at a time when Canada is seeking to diversify trade beyond the U.S.
- **Flawed process.** There has been no formal consultation on the PCPA amendments in Bill C-31, and their inclusion in an omnibus budget bill constrains parliamentary study and debate on such a significant measure.

A series of rollbacks

The PCPA amendments in Bill C-31 come on the heels of a separate set of damaging amendments to the PCPA: passed in June 2026, Bill C-30 was another omnibus finance bill that the government pushed through Parliament with only limited debate. These recent amendments grant Cabinet the authority to issue emergency orders to override the Minister of Health’s science-based risk assessment restricting the use of a pesticide known to cause environmental harm. The changes also require the Minister of Health to consider undefined “national economic security, regional economic security or national food security” when making decisions about pesticides, despite the fact that the focus of the PCPA is supposed to be on human and environmental health. As a package, these two sets of PCPA amendments indicate a worrying disregard for science-based decision-making, democratic process, and health and environmental protections.

Conclusion

It is critical that Canada maintain the legislative requirement for regular, science-based re-evaluations so that the health and environmental risks of registered pesticides are re-assessed regularly using up-to-date evidence and methods. The standards for re-evaluation should be strengthened, not weakened. **Without cyclical re-evaluations, the default is inaction, putting Canadians at risk and undermining public and market confidence in Canada’s pesticide regulatory system.**

Recommendations

1. Parliament should reject Division 13 of Part 4 of Bill C-31.

2. The government should seek the advice of Health Canada's Pest Management Advisory Committee and Science Advisory Group on Pest Control Products before pursuing such significant changes to the legislative requirements for pesticide oversight. Amendments to the PCPA should be referred to Parliament's health and environment committees with sufficient time allocated to allow for meaningful study and debate.

3. If the government proceeds with amendments to the Act's requirements for re-evaluation, the proposal should be rescoped to ensure, at a minimum, that:

    - The mandatory requirement and timelines for cyclical review of all registered pesticides is maintained;
    - Exceptions, if any, are permitted only on the basis of clearly defined, scientific criteria, such as those set out in Health Canada's Proportional Effort Policy;
    - *All* determinations made in relation to assessments, regardless of the outcome, and the reasons for the determination, are made public in tandem with the decision.

We also draw your attention to the 2026 recommendations of the Green Budget Coalition, with respect to stabilizing resources for pesticide regulation (available at www.greenbudget.ca). The Green Budget Coalition recommends, in part, that Health Canada immediately proceed with proposed updates to the cost recovery fees charged to pesticide registrants (revenue of $89.8 million over ten years), and pursue more comprehensive cost recovery to improve the sustainability of Canada's pesticide regulatory programs.

This brief is respectfully submitted on behalf of the following organizations:

Association pour la santé publique du Québec - Victimes des pesticides du Québec
Birds Canada
Breast Cancer Action Quebec
Canadian Association of Physicians for the Environment (CAPE)
Canadian Biotechnology Action Network

Canadian Environmental Law Association
Canadian Partnership for Children's Health and the Environment
Canadian Public Health Association
David Suzuki Foundation
Ecojustice
Environmental Defence
Evidence for Democracy
Friends of the Earth Canada
National Farmers Union
Nature Canada
Quebec Environmental Law Centre (CQDE)
Réseau des fermiers.ères de famille
Safe Food Matters
Union paysanne
Vigilance OGM