



**Notes for Landscape Ontario
Member Responses to EBR Posting 010-2248**

Public Comment on the Environmental Registry notice must be submitted prior to February 17, 2008. Comments can be submitted electronically on the EBR site at:

<http://www.ebr.gov.on.ca/ERS-WEB-External/displaynoticecontent.do?noticeId=MTAyNTUz&statusId=MTUzMzE3&language=en>

The notes below are provided for guidance only and reflect the official Landscape Ontario position. Do not submit them verbatim. Write your own thoughts in your own language, using these points as a guide. The comments received will have far more weight if they are personal and varied.

Please contact Gavin Dawson, Chair of the Landscape Ontario Lawncare Commodity Group, if you have any questions or concerns. He is in regular touch with the Government Affairs Committee and our government relations consultant, Phil Dewan. Gavin can be reached at gdawson@greenlawncare.com or 905-290-1844

Introduction

- Outline who you are, where you live/work, nature of your business
- Speak to the importance of what you do for your clients, their need for effective lawn and landscape care, pride in community, property values, commitment to protecting and enhancing the green environment
- Reference your skill, training and your efforts to minimize environmental impact
- There is a need for government to be very clear on the goals of the legislation, i.e. why it wants to ban "cosmetic use" of pesticides.
- If one objective is to reduce pesticide load in the eco-system, especially residue in soil and water, this has significant implications for policies on scope, sale, exempt areas, etc
- Addressing only commercial application in residential and commercial settings will not relieve concern

General Comments

- The lawn care industry supports provincial legislation because of the current hodgepodge of municipal rules of widely varying scope and logic.
- Implementation of consistent rules across the province is a laudable goal. The province has the scientific expertise to evaluate and regulate pesticides in a way no municipality does.
- Therefore, the provincial legislation should include a restriction on any municipality imposing additional requirements or variations from the provincial standards (including current bylaw restrictions where they exist.).

- The legislation should allow for regulatory standards on signage, which should recognize that different notice requirements would be justified based on type of product used, spot application versus whole lawn, front or rear yard, etc.
- The government should work with the lawn care industry, retail outlets, residents and other stakeholders to ensure adequate research and development of bio-friendly alternative pest control products and methods, including training in their effective use
- Caution should be exercised in assuming efficacy of many existing so-called “safe alternative products.”
- Undue weight should not be given to the availability of alternatives unless clear, scientifically valid and peer-reviewed tests are available to demonstrate efficacy.

1. Scope of the Ban

- All elements of landscape pesticide use should be treated equally
- The ban should be implemented by way of a list of banned or restricted active ingredients.
- Several categories of active ingredients or concentrations may be required to cover usage in different circumstances
- Infestation control should be allowed not just for threats to human health (like the West Nile example cited on the EBR notice) but also for threats to property and the green environment (e.g.; Ash Borer, Asian long horned beetle, chinch bug, grubs, etc.)

2. Retail Sales

- Restrictions on use of pesticides without restrictions on sale will be ineffectual
- Experience in Quebec has demonstrated that pesticide use was not initially significantly reduced by a ban only on commercial application; residents and commercial owners simply purchased and applied their own products from the do-it-yourself market
- To be effective, any product which is prohibited for use by commercial landscape companies should similarly be prohibited from retail sale

3. Exemptions/Restrictions

- Landscape Ontario does not have an objection to the exemption of agriculture and managed forests
- To say these areas are “governed by stringent rules on the storage and application of pesticides” is arguable; what is not debatable is that commercial lawn care companies already face far more stringent regulations and monitoring than other sectors that are proposed to be exempt.
- The professional training and regulatory standards in lawn and garden care sector should be recognized as well, not by exempting them but recognizing their professional ability and allowing maximum scope to utilize products as circumstances warrant.

4. Golf Course Exemption

- Landscape Ontario does not object to the exemption of golf courses, however the government should ensure the scope and intent of the proposed legislation is applied equally and fairly to all sectors.

5. Timing

- A phased-in implementation is essential

- Whether three years is adequate will depend on the specific regulations imposed; it should be considered the minimum acceptable period
- Critical consideration should be given to the timing of availability of new, bio-friendly control alternatives
- Some products already federally approved and with proven efficacy will require at least a two-year lead time to be available in the market
- The first year of the ban in terms of commercial lawn care applications should commence January 1, 2010 in order to give the industry and consumers time to adjust and plan
- Initial focus on weed and feed products is suggested. They require special attention as they make up a majority portion of landscape pesticide use and often do not fit into a plant health care strategy.
- Such “scattergun” products are not used by commercial lawn care companies or more conscientious households, who apply fertilizer and pesticide products separately as needed
- Early prohibition on their use would mark the biggest single step towards the government’s objectives while still allowing for spot use of more effective products

Your comments can also be faxed or mailed to the following contact, as long as they arrive before February 17, 2008:

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