STRENGTHENING CANADA'S PESTICIDE REGULATORY FRAMEWORK TO PROTECT THE HEALTH OF ALL CANADIANS

JUNE 2026

ASPQ
ASSOCIATION POUR LA SANTÉ PUBLIQUE DU QUÉBEC

VICTIMES DES PESTICIDES DU QUÉBEC
UNE INITIATIVE DE L'ASPQ

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Association pour la santé publique du Québec (ASPQ)

The ASPQ is an autonomous association bringing together the public and partners to make sustainable health a priority. Sustainable health is based on a long-term vision that, while providing care to all, also ensures that Quebec's population remains healthy through prevention.

Our organization advises, surveys, raises awareness, engages stakeholders and issues recommendations based on evidence, expert consensus, international experience and social acceptability.

Victimes des pesticides du Québec (VPQ)

Victimes des pesticides du Québec is an ASPQ initiative that brings together individuals affected by pesticides, as well as citizens and organizations, to inform, guide and reduce the health risks associated with pesticides.

VPQ's organizational members include Parkinson Québec, the Quebec Cancer Foundation, Myeloma Canada, the Leukemia & Lymphoma Society of Canada, Autism Montreal, Breast Cancer Action Quebec, the Réseau d'aide aux travailleuses et travailleurs migrants agricoles du Québec (RATTMAQ), the Comité d'appui aux travailleurs et travailleuses accidentés de la région des Appalaches (CATTARA), Vigilance OGM, AmiEs de la Terre de Québec, and Phyto-victimes – https://www.victimespesticidesquebec.org

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INTRODUCTION

The **Association pour la santé publique du Québec (ASPQ)** and **Victimes des pesticides du Québec (VPQ)** wish to express their serious concerns regarding the amendments made to the ***Pest Control Products Act* (PCPA)** through **Bill C-30** and **Bill C-31**, introduced as part of budget implementation legislation under your ministerial responsibility. While recognizing the importance of addressing food security issues and the economic realities facing certain agricultural sectors, the proposed amendments, if adopted, would represent a significant setback in the protection of public health and in maintaining the primacy of human health protection objectives that underpin the *Pest Control Products Act*.

1. PUBLIC HEALTH ISSUES

1.1. Legislative amendments that weaken pesticide oversight

Bill C-30 would introduce two major changes. First, the concepts of "economic security" and "food security" would become very broad criteria that the Department of Health would be required to consider in the application of the Act, thereby subordinating health protection to commercial imperatives. Second, it would create an override mechanism allowing the Governor in Council to approve a pesticide, by order, even where the Minister has determined that its environmental risks are unacceptable. This exemption mechanism would constitute an unprecedented breach in the pesticide authorization regime, undermining the ability to apply the precautionary principle, while reducing opportunities for public debate.

Bill C-31 would replace the mandatory periodic re-evaluation of registered pesticides with a discretionary pre-assessment mechanism, leaving it to the Minister of Health to determine whether there are "reasonable grounds to believe" that the risks have increased. **This shift from a systematic, standardized oversight mechanism to an imprecise, reactive approach eliminates the safety net provided by mandatory re-evaluations, which are essential** for incorporating evidence and scientific advances regarding the chronic toxicity of pesticides. It would also allow the Minister to terminate an ongoing re-evaluation. This approach risks significantly reducing the number of full re-evaluations at a time when scientific knowledge about the effects and impacts of pesticides is evolving rapidly. **This concern was reported by Radio-Canada in December of last year**.

1.2. An unfavourable context for major changes without adequate consideration

Canada is already regarded as one of the most lenient jurisdictions in the OECD with respect to pesticide approvals. It still authorizes **121 highly hazardous pesticides** that have been banned in other jurisdictions, such as the European Union.[1] Weakening the regulatory framework at a time when the international community is moving to strengthen its regulatory frameworks constitutes a glaring contradiction and undermines Canada's international credibility.

These legislative setbacks are occurring alongside an ongoing weakening of institutional capacity. The Pest Management Regulatory Agency (PMRA) has been downgraded to a directorate within Health Canada (the **Pesticides Regulatory Directorate**) and its workforce is facing a 31% reduction target, representing 190 job cuts. These cuts significantly undermine the federal government's ability to carry out its mandate of independent scientific oversight.

A real economic risk: Access to the European market

Far from serving Canada's economic interests, this regulatory weakening directly threatens our access to the most demanding international markets. On May 21, 2026, the French National Assembly voted to **ban the import of any products produced using pesticides prohibited in France**. Through an **order dated January 5, 2026**—upheld by the French Council of State—France had already suspended the import of products containing residues of five substances banned in the European Union, four of which are commonly used in Canada. **This growing regulatory gap exposes Canadian agricultural exporters to legitimate and foreseeable trade barriers.**

Inconsistency with Canada's international commitments

By adopting the **Kunming-Montreal Global Biodiversity Framework** (COP 15), Canada committed to reducing by at least half the overall risk from pesticides and highly hazardous chemicals.

A troubling political signal

The alignment of the Minister of Health, the Honourable Marjorie Michel, with the agrochemical lobby heightens our concerns. Her participation in an event organized by CropLife Canada—a historic first for a Minister of Health—followed by **her statement** to the effect that regulatory systems must strike a balance between protecting health and the environment and addressing economic realities, points to a risk of deviating from Health Canada's core mandate and a dilution of public health objectives. The primary mission of this department is to protect the health of Canadians, not to facilitate market access for the pesticide industry.

[1] Of the 146 pesticides classified as highly hazardous according to the Pesticide Action Network, only 25 are banned in Canada.

2. RECOMMENDATIONS: For Ensuring Effective Health Protection

In light of the growing impacts of pesticides on health that we observe each year through our work supporting farmers whose health has been adversely affected, we call on the Government of Canada to:

1. Formally commit to conducting a comprehensive review of the PCPA as required by law. This review is now more than four years overdue, as the last parliamentary review dates back to 2015. No substantial changes to the PCPA should be made without this full review and an open debate involving all stakeholders.

2. Maintain periodic and ad hoc reviews of pesticides, and therefore refrain from eliminating the systematic evaluations proposed in Bill C-31, in order to incorporate scientific advances on chronic toxicity.

Failing this, consideration could be given **to maintaining mandatory re-evaluations for certain high-risk product categories**, which could be defined by regulation.

In addition to the above, it seems essential to **define and regulate what constitutes an assessment** by incorporating into the legislation the minimum mandatory components of an assessment. This would help preserve scientific rigour and consistency in application and analysis, while preventing this assessment tool from becoming a mere administrative exercise used to avoid necessary and in-depth re-evaluations.

Furthermore, the expression “increased significantly” is a broad and open-ended concept that leaves considerable discretion to authorities. It would be appropriate to define indicators to better quantify the increase. As part of introducing these minimum criteria, **explicitly requiring that independent scientific data be given primary consideration during the assessment** would also be a sound approach in this context. Indeed, a significant portion of regulatory data has historically been provided by the manufacturers themselves. The bill does not specify which sources must be considered during the assessment, nor the weight given to them.

3. Strengthen transparency in assessments. The bill (C31-284) provides for the publication of certain determinations, but not for the full publication of the analysis that led to them. We recommend that assessment reports and the analyses conducted as part of this process be made fully public. Furthermore, by replacing section 17.2 of the PCPA, this provision eliminates the harmonization mechanism with the OECD in a manner that is entirely unjustified.

4. Remove—or failing that, strictly limit—the power to terminate an ongoing re-evaluation. Bill C-31 proposes, in clause 282, to allow the Minister to conduct a simple assessment instead of

a full re-evaluation. This would effectively undermine the re-evaluation process rather than strengthen it.

In this regard, it is important to remove this power to terminate or, at a minimum, restrict it to cases where the Minister demonstrates—on the basis of a detailed scientific analysis made public—that the available data reveal no new significant health or environmental risks.

5. Limit the use of orders in council as an override mechanism to strict and narrowly defined criteria. Bill C-30 would allow the Governor in Council, by order, to approve or maintain the registration of a pest control product even where the Minister of Health has determined that the environmental risks are unacceptable, notably for reasons related to economic or food security. However, there is no requirement to demonstrate that the situation constitutes an emergency or an exceptional threat.

Such an approach concentrates discretionary power, weakens the scientific and advisory role of the Department of Health, reduces public and parliamentary debate, and diminishes the primacy of health and environmental protection in favour of economic considerations.

We therefore recommend that the legislation expressly provide that any order made despite an unfavourable determination by the Minister be reserved for truly exceptional circumstances, interpreted restrictively, and accompanied by a detailed public justification based on evidence, including the existence of serious harm and the absence of reasonable lower-risk alternatives. In this regard, an analysis of alternatives should be mandatory before an order can be made.

Finally, it is important to reinstate parliamentary oversight of orders in council, which is excluded by sections 8.6 and 28.5 of the PCPA (C-30) on the application of the *Statutory Instruments Act*, in order to ensure democratic safeguards through parliamentary oversight.

Moreover, decision-making by order in council limits parliamentary and public debate on adopted measures. Consideration should be given to proceeding by regulation rather than by order in council or, failing that, to allowing for public comments when an order is published during the period provided for in section 28.3 of the PCPA.

5.1. Reduce the duration of exemptions granted by order in council by amending the current proposal, which may extend up to a maximum of six years following renewal. This period appears excessive for products whose environmental risks have already been deemed unacceptable.

5.2. Maintain the possibility of special reviews during the period covered by orders in council. Section 17(1.1) of the PCPA could prevent the timely review of new scientific data. This limitation should be removed; alternatively, the Act should specify that the existence of an order in council does not limit the Minister's authority to initiate a special review when new and concerning scientific data emerges.

6. Remove the notions of "economic security" and "food security" the application criteria of the PCPA. Their removal would help avoid undermining the Act's primary objectives of protecting human health and the environment.

Failing that, these concepts should be clearly defined in the legislation. The notions of "economic security" and "food security" should be set out in the Act rather than left largely to regulatory discretion. These definitions should reflect the exceptional nature of these interventions and draw on principles established in Canadian case law on matters of national interest, including the existence of issues that are real, serious, demonstrable, and that go beyond ordinary commercial interests.

7. Reform the pesticide assessment process so that it is based on marketed formulations, independent and up-to-date scientific knowledge, and multiple exposures to real-world conditions.

8. Provide Health Canada with the necessary resources to carry out these reforms and to align Canada with the commitments of the Kunming-Montreal Global Biodiversity Framework.

A dedicated debate on the health and environmental impacts of these bills is necessary. The introduction of such substantial changes to the regulation of pesticides warrants thorough consideration. We urge you to consider these recommendations to ensure the legislative streamlining does not result in irreversible harm to the health of Canadians or to the competitiveness of our agricultural sector.