



Summary for Policymakers: Canada Grains Council position on the role of Canada's Pest Management Regulatory Agency in supporting innovation

The Canada Grains Council (CGC) and its members believe Canada's strength in science and innovation place within reach the ambitious agri-food export goals of the Government of Canada (GoC), and that Canada's Pest Management Regulatory Agency (PMRA) will play an increasingly critical role. In order to export \$75-85 billion in agri-food products by 2025 and make as large a contribution as possible to global food security, Canada must make full use of every available technology to ensure that innovation is in the hands of farmers, and must ensure that markets remain open to trade.

Protection of human, animal and environmental health are non-negotiable. Numerous GoC forums – most recently the Economic Strategy Tables – have also pointed out the need for Canada's regulators to fulfill their mandates while doing so in ways that contribute to, rather than obstruct, the ability of farmers, value chain members and other businesses to be as competitive as their counterparts in other countries. These goals need not conflict.

Canada's grain value chain is committed to supporting the critical role that PMRA plays to ensuring crop protection products are safe for human health and the environment. GoC must ensure that PMRA's regulatory approaches to re-evaluation and special reviews are adequately resourced, include risk/benefit consideration, and recognize the role of innovation in Canada's economic growth. Unintended consequences of PMRA's current approach include inadequate two-way discussion with stakeholders and cases where PMRA is compelled to err on the side of overly conservative decisions because of insufficient data.

PMRA also has an increasingly important role in using its unique and specialized expertise in crop protection to achieve and defend Canada's trade and economic interests in the area of international trade and maximum residue levels (MRLs). CGC members share growing concerns with other international agri-food stakeholders that missing and misaligned MRLs are a growing obstacle to trade that threatens competitiveness. Additional and dedicated PMRA resources are needed to advance the Canadian value chain's international interests at Codex and in other international MRL forums, and yet limited resources are compelling PMRA to pull back at Codex, the NAFTA pesticide technical working group, and in other international MRL engagement.

CGC members appreciate the September 2018 launch of PMRA public consultations and the recognition by PMRA that changes are necessary to make processes work to protect human and environmental health while also making it possible for industry to supply as much food as is feasible toward meeting global food security goals. The CGC urges PMRA to account for the competitiveness of the grains sector, including on re-evaluation, special reviews, registrations, and further alignment with the U.S. and other trading partners. In order to minimize cases where Canadian growers lose access to crop protection technologies that their U.S. and other competitors retain, there is an opportunity to carry out exhaustive



analysis of risks that includes all available science and evidence, including processes that identify early needs for additional data and studies. CGC members and stakeholders recommend the following process enhancements to PMRA:

Earlier consultation by PMRA with stakeholders. Two-way dialogue with affected stakeholders needs to occur throughout the entire re-evaluation process, including consultation on initial risk assessment, to enable affected stakeholders to understand regulatory concerns, provide additional data, and propose workable mitigation measures.

Create additional data for re-evaluations. A national water monitoring program is needed to enable PMRA to avoid overly conservative decisions taken because of insufficient data, and to measure the impact of grower-led stewardship initiatives to block potential pathways into surface water. Presently there is no coherent, Canada-wide network of suitable data, as monitoring of different water bodies across the country is done by many jurisdictions in a manner that is inadequately coordinated. Efforts need to be codified, coordinated and sufficiently funded so that water monitoring occurs in an effective way into the future to serve stakeholders and Canadian citizens.

Reduce number of automatic, non-risk-based special reviews and re-evaluations. PMRA's post-market review obligations are mandatory re-evaluations every 15 years, special reviews when any OECD country prohibits a product, and additional special reviews when there are reasonable grounds to believe that risks may be unacceptable. PMRA currently has more than 350 reviews and re-evaluations scheduled for the next decade. This already-unsustainable pace will be made impossible if the European Union's hazard-based approach is fully implemented because 21 EU Member States are OECD countries, potentially obliging PMRA to conduct hundreds of duplicative special reviews. CGC stakeholders are not aware of any regulator globally other than PMRA that is required to automatically conduct OECD-triggered special reviews. Adjustments to post-market reviews would require a legislative change and could be done during the statutory review of the Act in 2020/21.

Risk/benefit to be part of re-evaluations. Risk/benefit analysis is required to enable PMRA to compare risk mitigation options to address risks of regulatory concern. It is absolutely critical that Canadian growers have and retain access to the same tools as U.S. growers and other competing exporters if export targets are to be met. When cancellation of uses is proposed or decided upon, there is a need to consider the availability of viable alternatives.

Additional consultation on endpoints. Immediate notification must be provided to affected stakeholders of any changes to the original endpoints at any stage in the re-evaluation process and the potential impacts of this on registered uses. Consideration should also be given to referencing U.S. EPA endpoints in an effort to move toward regulatory alignment, a broadly stated policy goal of the Government of Canada.



Increase PMRA resources for international trade, maximum residue levels and Codex. Dedicated PMRA resources are needed to advance the Canadian value chain's international interests on MRLs, including PMRA's work to secure Codex MRLs. The PMRA is Canada's only competent authority in this subject area but has no formal trade mandate and as a result, is unable to assign its limited resources to this work. Improved PMRA capacity and dedicated resources are required to proactively engage with growers, interdepartmentally, with national governments and international standard-setting bodies.

Regulatory cooperation and clear communication. GoC should be leveraging to the highest extent possible the sound regulatory resources and science from trusted regulators around the world given limited resources. Efforts need to be made to explore ways to minimize duplication and adopt regulatory cooperation principles, including ongoing collaboration between PMRA and the U.S. EPA. The PMRA should also continue to actively communicate and promote the rigour of the Canadian regulatory system.