



FRUIT & VEGETABLE
GROWERS
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PRODUCTEURS
DE FRUITS ET LÉGUMES
DU CANADA



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Célébrer la résilience, la croissance et les opportunités

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Publications Section
Pest Management Regulatory Agency
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Subject: Proposed Policy on Continuous Oversight of Pesticides, PRO2024-01

The Fruit and Vegetable Growers of Canada (FVGC) submits this response to the Pest Management Regulatory Agency (PMRA) public consultation on *Proposed Policy on Continuous Oversight of Pesticides, PRO2024-01* published on January 3, 2024.

The FVGC is an Ottawa-based voluntary, not-for-profit, national association that represents fruit and vegetable growers across Canada. These growers are involved in the production of over 120 different types of crops, with farm cash receipts of \$5.9 billion in 2021. Since 1922, in collaboration with members and the government, FVGC has advocated on important issues to ensure a viable future for Canada's fruit and vegetable sector. The FVGC Crop Protection Advisory Group advocates on behalf of fruit and vegetable growers for an efficient, timely and science-based pesticide regulatory system that supports pest management in Canada's fruit and vegetable crops.

Modernizing the Pesticide Program in Canada

The FVGC supports efforts that provide gains in long-term efficiencies, improves transparency, consistency and timeliness of regulatory decisions while enhancing the protection of human health and the environment.

FVGC members have been engaged in various committees discussing aspects of the PMRA Transformation Initiative. In the Modernized Business Practices activity, two themes were developed: continuous oversight (proactive identification of new information, transparency, consistency, long-term efficiency) and proportional effort (directing resources appropriately to low- or high-priority active ingredients). Although developed together, only the proposal for continuous oversight is put forward for consultation. FVGC is disappointed that the proposal on proportional effort was not released for public consultation concurrently.

- *Without access to a proportional effort proposal, FVGC has serious concern regarding how continuous oversight and proportional effort will integrate and what the outcomes on the regulatory system in terms of gains in efficiencies, timeliness, transparency and predictability of regulatory decisions will be. Comments on continuous oversight policy are limited by the absence of proportional effort policy.*

Activities or procedures that improve the timeliness and efficiencies of regulatory decisions and the regulation of pesticides is welcomed by Canada's fruit and vegetable growers. With the cost of food, food insecurity risks increasing and climate change impacts directly on crop production (heat, drought, flooding) and new/expanded pests, fruit and vegetable growers have an ever-increasing requirement for innovative pest control options. More than ever before, a timely, transparent and efficient pesticide regulatory system is needed to deliver safe and effective pest control tools.

- *This proposal provides no clear indication or quantification of the specific efficiencies that are to be gained through implementation of continuous oversight.*

Regulatory Effort

FVGC supports changes to PMRA's business practices that could result in gains in efficiencies through continuous oversight policy to enhance the protection of human health and the environment in the federal regulation of pesticides in Canada. The current activities conducted by PMRA, however, must be recognized as being highly effective in the continuous protection of human health and the environment. Ongoing PMRA activities such as the initiation of Special Reviews when potential risks are identified, Incident Reporting, Adverse Effects Reporting and water monitoring all provide continuous monitoring of risk associated with active ingredients.

The continuous oversight policy as presented involves an increase in regulatory effort, at least in the short- to mid-term period. It is unclear where those PMRA resources will be allocated from, in the absence of substantial long-term funding committed to PMRA from the Government of Canada.

- *Without the realization of undetermined gains in efficiencies through this proposal, FVGC is concerned that resources will be transferred from the core mandated activity of the timely, science-based premarket reviews including the assessment of new technologies that can contribute to the protection of human health and the environment.*

FVGC understands that moving to continuous oversight from a point-in-time model will distribute the workload in reviewing data or scientific information across the life of an active ingredient, which in the long-term should result in efficiency gains. However, serious concern is expressed regarding the requirement for PMRA resources in the short- and medium-term to accommodate all of the 15-year cyclical re-evaluation workload, special review workload and continuous oversight workload. The current re-evaluation and special review workloads are significant for active ingredients for which continuous oversight has not yet been applied. A scan of the *PMRA Re-evaluation and Special Review Work Plan 2023-2028* notes that PMRA has a heavy resource burden through the delivery of a significant number decisions during 2024 and fiscal 2024-2025 for special review proposed decisions (5) and final decisions

(3) and re-evaluation consultations (18) and final decisions (6). Active ingredients at early stage of re-evaluation include those at the scoping phase (32) and scoping completed phase (14). In addition, twenty-six active ingredients were expected to have re-evaluation initiated during fiscal 2023-2024.

- *FVGC expresses concern that in the short- and mid-term, that PMRA has inadequate resources to implement continuous oversight such that timely regulatory decisions on submissions for new active ingredients, new end-use products or minor uses are not impacted.*

Early Stakeholder Engagement

The resource burden associated with the re-evaluation of active ingredients after a 15-year registration period is significant for both PMRA in conducting risk assessments and grower organizations responding to public consultations that would negatively impact crop sectors. The resource burden is increased due to a lack of early stakeholder engagement. The revision of risk assessments by the PMRA after receiving additional information from registrants and growers following the publication of a proposed re-evaluation decision drains PMRA resources and at the same time erodes public confidence in PMRA decisions if the revised risk assessment results in a significantly different final re-evaluation decision.

FVGC has long-advocated for earlier PMRA engagement with our organization in the re-evaluation and special review processes so that grower pesticide use data and/or clarification of use pattern can be provided and utilized for refinement of the initial risk assessments. Such engagement would provide up-to-date grower use information and/or accurate use scenarios and result in more accurate initial risk assessments. It is extraordinarily difficult for the FVGC to generate grower use information in response to a proposed re-evaluation or special review decision in 90-days, particularly if required during the growing season. Early engagement would allow FVGC to provide high-quality data for initial risk assessments and contribute to a reduction in PMRA resources required to conduct revised risk assessments. Such gains in efficiencies could have a significant impact on PMRA resources. The lack of grower early engagement in the continuous oversight policy is extremely disappointing to the FVGC and is viewed as a lost opportunity for significant efficiency gains. FVGC encourages the PMRA to explore options with stakeholders to enhance engagement and the feasibility and impact of regulatory decisions and policies.

- *Significant gains in efficiency for PMRA could result from early stakeholder engagement in re-evaluations and special reviews and eliminate the need for extensive revision of risk assessments after public consultations.*

Continuous Oversight and Minor Use Label Expansions

With the continuous assessment of new information for an active ingredient, FVGC is concerned that relatively simple label amendments (such as adding a minor use crop to a product label) will be delayed due to pending reviews or ongoing reviews of new data or studies identified through continuous oversight. Minor use label expansions regularly involve older active ingredients that have been registered for long periods of time and may have larger bodies of new information available. FVGC is very apprehensive that active ingredients of value for minor use may increasingly be put “on hold” if information identified through continuous oversight cannot be reviewed in a timely manner. This is of

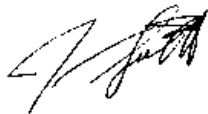
particular impact if there are no controls registered for a crop/pest combination, or the registered alternative controls are ineffective (where resistance is present, for example), or for the control of a new or invasive pest. Currently, delays in minor use registrations result if the active ingredient is under re-evaluation or special review.

- *Additional delays due to pending review of new data identified under continuous oversight would have significant impact on minor use registrations and therefore, fruit and vegetable growers in Canada who already have limited access to pest control options.*

The FVGC thanks the PMRA for the opportunity to provide comments on *Proposed Policy on Continuous Oversight of Pesticides, PRO2024-01*. The FVGC support for PMRA efforts that provide gains in long-term efficiencies, improves transparency, consistency and timeliness of regulatory decisions while enhancing the protection of human health and the environment remains strong. Our concerns regarding lack of disclosure of proportional effort policy, undetermined efficiency gains that are inadequate to compensate for short- and long-term PMRA resource requirements for continuous oversight, draining of PMRA resources from core review activities to continuous oversight, and the impact of continuous oversight in delaying minor use label expansions have been expressed above. In particular, we call on the PMRA to explore early engagement options with stakeholders, including fruit and vegetable growers to improve resource efficiencies in the regulation of pesticides.

Should you require additional information, please reach out to Dr. Christina Turi, Manager, Plant Health and Crop Protection, at 613-226-4880 or cturi@fvgc.ca.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Smith', with a stylized flourish at the end.

Jason Smith,
Chair, Crop Protection Advisory Group
Fruit and Vegetable Growers of Canada