



**Forest
Practices
Board**

File: 97250-20/090901

October 15, 2009

Dear Participants:

Re: Report on -Complaint File 090901 / Glyphosate Herbicide Impacts

A complaint was submitted to the Forest Practices Board on June 29, 2009 asserting that the BC government had not been diligent in acting on a 2008 consultant report identifying concerns for glyphosate herbicides toxicity for amphibians. In particular, the complainant was concerned that the findings of the report had not been communicated to the federal government and the province had not requested a special review. The Board has investigated and this is its report.

Background

In June 2008, the Ministry of Environment (MOE) released a report that identified glyphosate formulations with the surfactant (polyethoxylated tallow amine) POEA as potentially highly toxic for many amphibian species¹. There is also evidence of potential mammalian toxicity due to the same surfactant.

Section 3 of the *Integrated Pest Management Act* prohibits the use of a pesticide in a manner that is likely to cause an “unreasonable adverse effect,” and section 46 of the *Forest and Range Practices Act* prohibits “damage to the environment” by a forest practice.

In BC, glyphosate herbicides with POEA are the dominant chemical used in the forest industry to control brush and promote conifer plantations on cutblocks. According to information provided by the Ministry of Forests and Range (MFR), since 2003 the area treated annually with glyphosate herbicides ranged between 12,000 and 16,000 hectares, primarily in the Northern Interior Forest Region.

¹ Govindarajulu, P.P. 2008. *Literature review of impacts of glyphosate herbicide on amphibians: What risks can the silvicultural use of this herbicide pose for amphibians in B.C.?* Ministry of Environment. Wildlife Report No.R-28.

Overspray of temporary waterbodies, including small wetlands and some dry streams, is allowed by the provincial *Integrated Pest Management Regulation*. Some unauthorized overspray of wetlands was found by MOE during two seasons of field audits targeting the Omineca Region. Therefore, there is a potential for the overspray of amphibian habitat and impacts on amphibian populations, however, the level of risk has not been fully assessed.

Discussion

Provincial actions

The Board found that there is a standing Integrated Pest Management Committee (IPMC) that has existed since the 1970's. Participation on the committee includes staff from the MOE, MFR, and the federal agency responsible for pesticide regulation the Pest Management Regulatory Agency (PMRA). Following the release of the 2008 report, the IPMC formed a subcommittee which focused its efforts on obtaining funding to research knowledge gaps identified in the report. Both the PMRA and Environment Canada were represented on this subcommittee.

Re-evaluation by the federal agency

The PMRA is expected to re-evaluate glyphosate herbicides as part of a regular program to re-evaluate registered products every 15 years. However, it is not yet known what the scope of the re-evaluation will be. PMRA advised the Board that these re-evaluations are typically broad in scope and can take several years to complete. The U.S. Environmental Protection Agency has recently announced its own review of glyphosate formulations and will be working in cooperation with PMRA.

The PMRA also has a process for a special review of herbicides that is focused on specific issues and intended to be completed in a short timeframe. There is a legislated role for the province that enables it to request the review of a pest control product at any time. Section 17(3) of the *Pest Control Product Act* requires the federal minister to consider a special review if a provincial agency brings forward information relating to the health or environmental risks of a product. The investigation found that the province was not aware of this option and hence had not considered requesting a special review. This assessment option may be important in assisting the province to meet its stewardship responsibilities in the future.

Conclusions

The 2008 consultant report identified the potential for harm to the environment with the application of glyphosate herbicides. Government did inform the PMRA of the report through the IPMC; however, it did not request a review of the product. .

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The BC government is now aware of the ability to request a special review under s.17(3) of the *Pest Control Product Act*. This may be a useful tool for future consideration when concerns with toxicity arise. It is the Board understands that the scheduled PMRA re-evaluation should address the current review issue. The Board will now close this investigation.

Closing Comments

With the current federal re-evaluation of glyphosate herbicides, it may be prudent for MOE to establish a formal communication link directly with PMRA in Ottawa to bring a greater profile to the issue of glyphosate herbicide toxicity for amphibians, possibly ensuring a more timely and issue-targeted review. This would assist the MOE to stay current on the developments as the federal re-evaluation progresses and to be in a position to take interim measures if warranted before the re-evaluation is completed.

The Board requests that MOE advise it of the status of the federal re-evaluation by September 30, 2010.

Both the 2008 consultant report and the MOE audits have identified the possibility that amphibian habitat may be impacted in BC. The Board remains interested in this issue and requests that MOE advise it of the results of the most recent field audits.

I hope that the Board's involvement has been helpful. If you have any remaining questions or concerns, please contact me.

Yours sincerely,

A handwritten signature in cursive script that reads "Bruce Fraser".

Bruce Fraser, PhD
Chair