

**Subject: FW: 2,4-D Safety Questioned In the House of Commons**

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The information below is passed on to you courtesy Ernie Crist.

-----Original Message-----

From: Mike Christie [<mailto:mikechristie@rogers.com>]

Sent: Saturday, October 08, 2005 4:44 AM

To: Recipient List Suppressed

Subject: 2,4-D Safety Questioned In the House of Commons

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See full text of Pat Mr. Pat Martin's speech in the House of Commons on October 7th below..

"(Mr. Pat Martin (Winnipeg Centre, NDP) - Municipal governments are taking initiatives in Quebec and other places across Canada. One by one communities are unilaterally passing bylaws regarding the cosmetic use of pesticides, but as a federal government we hear nothing. The silence has been deafening.

The silence is a national shame, frankly, because we have this opportunity today to debate this issue of pesticides in our environment and we are not hearing progressive, courageous legislation that will put our foot down and say, "This is a bad thing. We want it eradicated from our communities. Let us put public health first before the right of industry to produce these chemicals and the right of irresponsible people to pollute the communities with them". +-  
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Friday, October 07, 2005

The Ottawa Citizen

Dirty environment is our fault

Re: Red flag on greening, Oct. 3.

There were only two things wrong with Susan Riley's column: (a) it should have been front and centre on Page 1; and (b) it should have fingered the public as being responsible for the lack of political leadership and media coverage.

Canadians are like the investor who is spending both the interest and the capital of his investment. We are depleting our resources faster than they are being renewed or replaced. This cannot go on indefinitely, but unfortunately, most of us do not seem to realize it, or else we would be demanding that something be done about it.

No government can survive adverse public opinion, which is why repressive governments try to control opinion by controlling the media.

By default that is happening here. Our government is not sounding the alarm and the media is not chastising it, not sufficiently. Is the prospect of our country becoming a wasteland in the lifetime of our children and grandchildren not sensational enough to sell papers?

Even so, we citizens are not off the hook. Most of us profess concern for the environment. That's not enough. We must do something about it. Stop complaining only about our mostly self-inflicted personal health problems and start complaining about the health of our environment.

W. J. Unitt,  
Ottawa

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38th Parliament, 1st Session  
Edited Hansard \* Number 134

Contents  
Friday, October 7, 2005

+ - Veterans Affairs + -

Mr. Dave MacKenzie (Oxford, CPC): Mr. Speaker, despite all the information we already have on agent orange, including the Department of National Defence's own documents, the government's response to the situation has been three fact-finding task forces with no deadline and now no coordinator.

People are sick. People are dying. They do not have time to wait.  
Will the Minister of National Defence tell this House who will replace Mr. Vaughn Blaney? + -

Hon. Bill Graham (Minister of National Defence, Lib.): Mr. Speaker, the hon. member's question gives me an opportunity to thank Mr. Blaney on behalf of members of the House for having been willing to take on this task. He did it with distinction. He is a man with a great distinctive career. For health reasons he has had to withdraw.  
We wish him well.

I wish I could tell the hon. member that I have found a replacement for him. I have not yet, but I can promise him that I and the Deputy Prime Minister, the Minister for Veterans Affairs, the Minister of Health and all of us involved in this file are working to make sure we have someone who can help coordinate this work and make sure that Canadians who feel affected by this have a chance to tell- + -

\* \* \*

[Translation]

[http://www.parl.gc.ca/38/1/parlbus/chambus/house/debates/134\\_2005-10-07/HAN134-E.htm#SOB-1408029](http://www.parl.gc.ca/38/1/parlbus/chambus/house/debates/134_2005-10-07/HAN134-E.htm#SOB-1408029)

Food and Drugs Act

The House proceeded to the consideration of Bill C-28, An Act to amend the Food and Drugs Act, as reported (without amendment) from the committee. + -

Hon. Tony Valeri (for the Minister of Health) moved that the bill be concurred in.

[Translation] + -

The Speaker: Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: On division.

(Motion agreed to)

[English]

The Speaker: When shall the bill be read the third time? By leave, now?

Some hon. members: Agreed.

À + -(1015) + -

Hon. Bill Graham (for the Minister of Health) moved that Bill C-28, An Act to amend the Food and Drugs Act, be read the third time and passed. + -

Government Orders

[http://www.parl.gc.ca/38/1/parlbus/chambus/house/debates/134\\_2005-10-07/HAN134-E.htm#Int-1408201](http://www.parl.gc.ca/38/1/parlbus/chambus/house/debates/134_2005-10-07/HAN134-E.htm#Int-1408201)

[Government Orders]

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[English]

Food and Drugs Act

The House resumed consideration of the motion that Bill C-28, An Act to amend the Food and Drugs Act, be read the third time and passed.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I rise on behalf of the NDP caucus to share our views on Bill C-28, entitled an act to amend the Food and Drugs Act. I note that the purpose of Bill C-28 is to provide the Minister of Health with authority to issue interim marketing authorizations for foods that contain certain substances at specified levels and to exempt the foods from the applicable requirements of that act and its regulations relating to the sale of those foods.

That sums up our reservations about the bill. The very definition of the bill gives rise to the concerns that I have, and which my caucus tried to outline in its representations made on this bill before, in that it really does put more authority into the judgments by the Minister of Health.

I note, for example, that a judgment by the Minister of Health pertaining to trans fatty acids came into question recently. It is a serious public health concern that was debated and dealt with in the House of Commons. Bill C-28 contemplates putting more authority into the hands of the minister to make these judgments without the regulatory process for products that are already in the Food and Drugs Act. The example of trans fatty acids would in fact fit into that category.

Without the regulatory oversight that exists currently for what should and should not be in our food products, the bill contemplates giving more authority, as I understand it, to the Minister of Health.

Another aspect of the bill deals with the Pest Management Regulatory Agency and the Pest Control Products Act, which deals with pesticides in an agricultural setting or in other settings. The NDP notes with some concern that recently the Pest Management Regulatory Agency sent out a press release saying that the pesticide 2,4-D could be used safely, even though the Pest Control Products Act limits the language of advertising by pesticide companies, whereas they have been fined in the past for claiming that their product is safe. It is worrisome to us within the regime of pesticide control and pest management control when a product like 2,4-D, which even a lay person like me knows is a genuine health hazard and that it should be treated in the most severe category in terms of usage, has been found that there are safe applications of the pesticide.

I would rather see the Government of Canada going the other way. I would rather see the Government of Canada making bold statements about banning the cosmetic use of pesticides altogether, not finding safe applications for chemicals that we know to be hazardous.

I am concerned that Bill C-28 takes us down a road that we do not want to be going. In fact, it takes us down a road that may be 180 degrees opposite. We opposed the bill at committee because we did not believe that the Pesticide Management Regulatory Agency was doing its job properly in its evaluation of pesticides.

Canada is littered, polluted and contaminated with pesticides. I just heard a moving presentation in the last year from a 21-year-old man from Quebec who grew up surrounded by five golf courses. I cannot remember the name of the small community in which he was raised but there were five golf courses within the specific region. The incidence of brain cancer among he and his friends has motivated him to the point where he has dedicated his life to trying to eradicate the irresponsible rampant use of pesticides for cosmetic purposes and for unnecessary purposes like keeping a golf course's grass perfect for golfing. There is no agricultural justification for this.

Â --(1225)

The young man who gave us this moving and powerful speech, told us that both he and his best friend had been diagnosed with brain cancer at the same time when they were 14 years old. Their community represented a cluster of brain cancer caused by chemical exposure that is almost unprecedented. He and his best friend made a pact that if one or both survived they would continue to inform

Canadians about the dangers of the irresponsible use of these chemicals. Unfortunately, one young man succumbed to his disease.

I want to debate bills in the House that talk about getting these toxins out of our food chain and out of our agricultural system. I do not want to talk about enabling the minister to have more arbitrary direction and control over the application of these known hazards.

I will not dwell on trans fats. We won a motion in the House of Commons to study trans fats more seriously. A task force was set up, chaired jointly by the Heart and Stroke Foundation and Health Canada, to bring back recommendations but we are concerned about the interim report of that trans fat task force.

The Minister of Health is already making statements that perhaps labelling is the way to go or perhaps the government should help industry voluntarily reduce trans fats in their products but that is not the language we want to hear. It gives me no optimism whatsoever that the Minister of Health is taking concrete steps toward eliminating known health concerns within our food chain or that he will apply the type of scrutiny, direction and control that we expect in the food and drug administration in evaluating new products.

The chair of the Standing Committee on Health took on the Pest Management Regulatory Agency and asked when it would issue a press release retracting the statement that there might be a safe way to apply 2,4-D. We did not want to send the wrong impression out to the general public.

Thousands of garages at the back of homes all over the country have a container of old 2,4-D sitting on their shelves. All people need to hear is some regulatory authority changing its mind and telling people that 2,4-D is not so bad after all and that they should continue to go after the dandelions with this incredibly hazardous material. People who already possess tonnes of that product and who should be advised to take it to a hazardous waste site and have it treated properly as a health hazard, may get the false idea that there is a safe way of doing this.

I do not think I need to remind people in the House of Commons about agent orange and agent purple at CFB Gagetown which showed chemicals can remain in the environment for years. Some people may not be aware of the fact that 2,4-D is a component of both agent orange and agent purple.

At the same time as members of Parliament are seized with the issue of contamination at Gagetown by the experimental use of agent orange and agent purple in the post-war year which put our armed forces personnel at risk, it is ironic that 2,4-D, one of the main ingredients in those cancer causing agents, is being contemplated for safe application again. That is as crazy as saying there is a safe application for asbestos. Canada is full of these contradictions.

How can we in all good conscience say that there is a safe application for asbestos when asbestos contamination is all around us to where we have polluted the entire country with asbestos? It can be found in every school, hospital and government building. Even our own House of Commons is contaminated with it. We seem to be adopting this same cavalier, user beware approach to harmful chemicals like 2,4-D.

The Sierra Club of Canada has spearheaded a public campaign questioning why the Pest Management Regulatory Agency claimed that 2,4-D could be used safely but its questions are not being answered.

Â --(1230)

If we are dismantling or, in any way, altering or affecting the regulatory process now, which would rely on outside expertise and authorities other than our own researchers with Health Canada, et cetera, then we are really concerned and critical of it.

We should point out that Health Canada does not actually do its own original research. It only gathers up the empirical evidence. It gathers up studies that have been done by others, often by the manufacturer of the very product that it is studying, and it assesses the risk based on the research available. This was made clear at the whistleblowing hearings where three Health Canada officials were fired for blowing the whistle on health hazards associated with bovine growth hormone.

Dr. Shiv Chopra made it clear when he said, "Everybody thinks we did this research and that we are advising Canadians about the hazards of bovine growth hormone". He went on to say that he wished Health Canada could do its own research but that it did not have the laboratory or the budget to do the original research and that it had to rely on what has been done by others, which, hopefully, was done independently and peer tested. Sometimes it is the type of study that is done by the industry because it is the only one willing to fund the research on a product and in that way that

research could be tainted or biased. That is certainly the case in many known food additives and chemicals that have been later found to be hazardous.

Asbestos is not the only one. Let us face it, most of the work on asbestos in the country today was done by an institute that was funded by the Metropolitan Life Insurance Company. It was concerned that it could not underwrite asbestos workers any more because of the extraordinary incidence of occupational disease related to people handling that product, so it funded its own research laboratory, published the reports that were pro asbestos and never published the reports that were anti-asbestos.

I want to get back to Bill C-28. Some of the issues involved include the study of chlorinated dioxins. I think everyone knows dioxins are enormous cancer causing agents and no one is saying that dioxins are necessarily present in 2,4-D, but the dioxins are in fact a byproduct in the manufacture of 2,4-D. If we are adopting a more casual approach to 2,4-D and saying that there are safe applications of it, we will be stimulating the production of it and, in acknowledging the production of it, we will, inadvertently or in a secondary way, also have to acknowledge that there will be the greater production of dioxins stemming from the production of 2,4-D.

The most toxic form of 2,4-D containing DEA was excluded from the evaluation. Even though the Pest Management Regulatory Agency ruled that there may be safe applications of 2,4-D, it did not even look at the most extremely hazardous toxic form of 2,4-D which contains this dioxin DEA, although it did say that it would examine it later, which is small comfort.

We are concerned that Bill C-28 would augment the authority of the Minister of Health to regulate food products, supplements or additives to the food and drug regime. It is in keeping with a motif that we have noticed in so many pieces of legislation introduced by the Liberal government. It is a trend. It seems to be a recognizable motif to augment the arbitrary authority of the minister and to dismantle or erode the regulatory authority of independent voices and bodies. We cannot tolerate that lightly and we have to speak out about it.

Â --(1235)

When this bill was introduced into the House of Commons on November 29, 2004, it was introduced with no advanced indication as to what it was designed to accomplish. That is rare for a bill. It was featured at a technical bill, a bill that was really just a housekeeping matter. It was only upon our own investigation and examination that some of these concerns rose to the surface and came to our attention within the NDP caucus.

The debate at second reading is where some of this information started to come up. Cautionary notes were raised about preventive measures, preventive health concerns and dietary issues. Some speakers at second reading articulated their concern that we emphasized too much of our health care resources toward treating the sick and not enough of our resources toward preventing illness.

Some people say that the title of Minister of Health should really be changed to the minister of managing illness, because our Minister of Health really has very little to do with making Canadians healthier or putting forward initiatives or legislation that might actually lead to a healthier population.

We are all aware of the preventable illnesses and that we could take steps to lessen the burden on our much taxed health care system. This is certainly one area where we expect our Minister of Health to be more proactive.

We are concerned when a bill like this comes along and does not really speak to the general public health concerns that we all share, but speaks more to streamlining a regulatory process to make it easier for the Minister of Health to give the yea or the nay about a food additive or a food product that is currently within the food chain or the drug system.

I acknowledge and take the parliamentary secretary's point that the bill does not apply to new chemicals being introduced or new additives. Those will still be subject to the full process of which we are all aware, but we are talking about existing products, chemicals and additives that may be in the existing food product list or in the existing drug regime that Canadians consume with the confidence that there are safety measures put in place to ensure that their health is key and paramount.

I cannot help but think that the industry would be quite interested in this new development which takes the regulatory authority away from the regime we are used to and hands it back to the minister.

If I can use trans fats as an example again, it is a product that is fully entrenched in the food chain currently. It is generally acknowledged across the country that this stuff is bad for us. Scientists use the word "toxic" when they make reference to trans fats because it meets the scientific definition of toxins. Our bodies cannot process it; our bodies reject it.

In fact, our bodies do not acknowledge trans fat as food. They see it as some foreign substance, which it is, to be stored elsewhere, and they store it in the form of fat within our circulo-vascular system and builds our cholesterol. This is the problem with trans fatty acids. We want them out of our food supply system.

However, as more and more of this regulatory authority goes directly to the minister, I am not sure that I trust this minister, or any subsequent minister of health, to put the best interests of Canadians first with such a bold step because there is some push back from industry. It will be awkward. It will be inconvenient to reformulate the products to get trans fat out of cookies.

If it ever comes down to the shelf life of doughnuts and the shelf life of Canadians, I would hope that the Minister of Health would err on the side of promoting the shelf life of humans. All that trans fats are good for is for making oil solid at room temperature and adding to the shelf life of some of these products. Using that as an example and using 2,4-D as an example, we have some legitimate concerns about Bill C-28.

This is one of those bills that comes to us, as I say, without a lot of fanfare. It sort of flew under the radar when it was first introduced in the House of Commons.

Â +-(1240)

Throughout the debate, I actually learned a great deal. I have read some of the debate at second reading in Hansard, where my own colleague, the member for Winnipeg North, and also my colleague from the Conservative Party, the hon. member for Charleswood-St. James-Assiniboia, raised serious reservations about how the Standing Joint Committee for the Scrutiny of Regulations would in fact have its work undermined somewhat, or would be surrendering and forfeiting some of the authority that it currently enjoys, in transferring that power and authority to the minister.

We should all be cautious when we enhance the arbitrary powers of a minister at the cost of the democratic authority of the House of Commons. This is giving power to the executive that we currently enjoy within Parliament and we should be very careful.

Market authorizations have been made regularly by the current regulatory process. It is not as onerous as some would have us believe, and fast-tracking it by putting that authority into the minister's hands scares me, frankly, when it comes to the public health of Canadians.

[Translation] +-

Mr. Roger Clavet (Louis-Hébert, BQ): Mr. Speaker, I listened carefully to the speech by my NDP colleague from Winnipeg Centre. He is an experienced member and not one to talk through his hat. He has a great deal of experience in terms of his research.

When he spoke on Bill C-28 to amend the Food and Drugs Act, he raised various concerns that I too understand. They relate to the use of a particular pesticide. In English, he was talking about 2,4-D. If I understood correctly, this pesticide was an ingredient in the famous agent orange used at Gagetown. So we can understand his concern.

However, my concerns are also understandable. I want to know how, when it comes to herbicide use, we can reconcile the need for health and safety with the way people sometimes artificially beautify their lawns, which I find quite frivolous.

Was this the meaning of his remarks, when he said that we may be starting down a slippery slope by allowing the use of this type of product and that the legislation fails to provide adequate protection in order to prevent such risks? I would like him to expand on this.

Â +-(1245)

[English] +-

Mr. Pat Martin: Mr. Speaker, I thank my colleague for the very relevant question. It gives me the opportunity to share further some of my specific concerns about pesticides, such as 2,4-D and other pesticides that are often used in a cosmetic way, not in any necessary agricultural way but simply

for our own vanity, either for our potted plants, the shrubbery outside our homes, or so that we can have a greener lawn than our neighbour's.

That kind of vanity we are going to have to address as a nation very soon because the sheer volume of the chemicals that we are dumping into the environment in an unnecessary way is irresponsible and it is starting to catch up to us.

I mentioned that one pivotal point in my education on this subject was listening to a young man from Quebec who grew up in a region with five golf courses surrounding him. He suffers from brain cancer. His best friend died of brain cancer. In his community there are an alarming number of incidents of this particular type of cancer that has been traced to radical exposure to this type of chemical.

My colleague is absolutely right. Municipal governments are taking initiatives in Quebec and other places across Canada. One by one communities are unilaterally passing bylaws regarding the cosmetic use of pesticides, but as a federal government we hear nothing. The silence has been deafening.

The silence is a national shame, frankly, because we have this opportunity today to debate this issue of pesticides in our environment and we are not hearing progressive, courageous legislation that will put our foot down and say, "This is a bad thing. We want it eradicated from our communities. Let us put public health first before the right of industry to produce these chemicals and the right of irresponsible people to pollute the communities with them". +-

Hon. Robert Thibault (Parliamentary Secretary to the Minister of Health, Lib.): Mr. Speaker, I feel obligated to stand and correct the member. I was listening to the question posed earlier by a member of the Bloc and the answer from the NDP.

While I cannot disagree with any of the facts that they are raising, they are completely outside the scope of Bill C-28. This bill does not discuss the adoption of new products. The bill does not circumvent or shorten the regulatory system. This is a question of how to deal with intelligent regulations, the health of Canadians, the security of our food supply, and at the same time ensure the competitiveness of our agricultural sector by our food services industry.

We say in this bill that if there are products that are added to foods that have already been approved, that it is a new use or new combination, perhaps a cereal with a vitamin, and both have already been approved, that the minister, after it has gone through the proper scientific evaluation process and while it is going through its regulatory process, may give an interim use authorization.

This procedure is already happening and is nothing new. There was a concern by the Standing Joint Committee for the Scrutiny of Regulations that the proper authorization under the act was not there for the delegation of authority by the minister to a deputy minister, or an associate deputy minister or an assistant deputy minister. It merely corrects that aspect.

The other side of this is the question of pest control products in use that have gone through the proper regulatory scientific evaluation process. For example, we currently work with the United States to have a harmonized process. Often we will have a product that will replace another pest control product on the market that is deemed by users to be often safer and a lot better for our food system.

We look at the maximum residue levels that may remain in the food. After that proper joint evaluation, while it is going through the regulatory process, and after the advice has been received that it is safe and safer than other products that we use and that the residue limit is better than what we are presently using, then the minister can give an interim marketing authorization. The product can then be used while it is going through the regulatory system, the gazetting and all those other procedures.

We are not circumventing and not shortening the process. It is an intelligent way of doing regulations. As a result safer products can come on the market more quickly and Canadian consumers can benefit from new advances while never risking the health and security of our food system.

Â --(1250) +-

Mr. Pat Martin: Mr. Speaker, perhaps I failed to make myself clear. I do not think the parliamentary secretary is grasping the nature of my concerns.

I will try and state my problem as clearly as I can. Clause 5 of this bill provides that if an agricultural chemical is a pest control product, then the maximum residue limit or what we call the

threshold limit value, which is established under the food and drugs regulations, is deemed to be the maximum residue limit as set out in the Pest Control Products Act.

Let us be clear, the Pest Control Products Act has threshold limits set by the pest management review board, an outside tribunal of independent authorities of experts. We are critical sometimes of their findings, but at least they are at arm's length and have some independence from Parliament.

As we incrementally shift the authority to the minister to establish threshold limit values, we are taking away authority from the independent review boards that may exist elsewhere in the regulatory process. It is that shift of jurisdiction that concerns us.

I am not convinced, and correct me if I am wrong, that this bill does not enhance the arbitrary authority of the minister and the executive, and detract from the independent nature of the regulatory process and the ability for Parliament to be the oversight of those regulatory processes.

When I use 2,4-D as an example, I think that fits neatly into the categories articulated by the parliamentary secretary. It is something that is already in existence. There is no new chemical associated with this that would fall under the normal regulatory thing. It is a new application of this chemical being contemplated, in that what was once banned, we now argue that it is safe to use.

That is confusing.

I do not want that kind of choice to be made by a health minister who is not a scientist. I want that to be determined by the independent scientific community. +-

The Acting Speaker (Mr. Marcel Proulx): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mr. Marcel Proulx): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Marcel Proulx): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Marcel Proulx): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Marcel Proulx): In my opinion the nays have it.

And more than five members having risen:

The Acting Speaker (Mr. Marcel Proulx): Pursuant to Standing Order 45, the recorded division stands deferred until Monday, October 17, at the ordinary hour of daily adjournment. +-

Mr. Gary Carr: Mr. Speaker, there is an agreement, pursuant to Standing Order 45(7) to further defer the recorded division just requested on Bill C-28 until Tuesday, October 18, at the end of government orders. +-

[http://www.parl.gc.ca/38/1/parlbus/chambus/house/debates/134\\_2005-10-07/HAN134-E.htm#Int-1408201](http://www.parl.gc.ca/38/1/parlbus/chambus/house/debates/134_2005-10-07/HAN134-E.htm#Int-1408201)

Bill C-28, An Act to amend the Food and Drugs Act,

[http://www.parl.gc.ca/common/bills\\_individual.asp?Language=E&Parl=38&Ses=1&Bill=C-28&BillType=govern](http://www.parl.gc.ca/common/bills_individual.asp?Language=E&Parl=38&Ses=1&Bill=C-28&BillType=govern)

PART I -- Bills  
Government Bills



Commons

This section contains all public bills sponsored by the government which originated in the House of Commons. Bills in this section are numbered from C-1 to C-200.

C-28 -- The Minister of Health -- An Act to amend the Food and Drugs Act

Introduced and read the first time -- November 29, 2004

Debated at second reading -- December 14, 2004

Debated at second reading; read the second time and referred to the Standing Committee on Health -- February 14, 2005

Reported without amendment (Sessional Paper No. 8510-381-129) -- May 11, 2005

Concurred in at report stage; debated at third reading -- October 7, 2005

<http://www.parl.gc.ca/38/1/parlbus/chambus/house/status/status1-e.html>


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The Laws of Ecology: "All things are interconnected. Everything goes somewhere. There's no such thing as a free lunch. Nature bats last."

by Ernest Callenbach

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