



April 10, 2015

Public Consultation  
ONTARIO POLLINATOR HEALTH  
Ministry of the Environment and Climate Change  
Climate Change and Environmental Policy Division  
Strategic Policy Branch  
77 Wellesley Street West  
Floor 11  
Ferguson Block  
Toronto Ontario M7A 2T5

Re: EBR Registry Number 012-3733

The Ontario Beekeepers' Association has reviewed the consultation draft of the proposed regulatory changes to be made under the Pesticides Act to address the impact that pesticide exposure is having on pollinator health.

Please accept our comments on this proposal. (attached)

Yours,

Tibor Szabo, President  
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cc: The Hon. Glen Murray, MPP, Minister of the Environment and Climate Change  
The Hon. Jeff Leal, MPP, Minister of Agriculture, Food and Rural Affairs



April 10, 2015

### **OBA Commentary on Ontario's Pollinator Health Action Plan: New Regulatory Requirements to Protect Pollinators**

The OBA has reviewed the consultation draft of the proposed regulatory changes to be made under the Pesticides Act to address the impact that pesticide exposure is having on pollinator health. The Ministry of the Environment and Climate Change (MOECC), in consultation with the Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has prepared the proposed new regulatory requirements *to reduce the number of acres planted with treated corn and soybean seed by 80 percent by 2017.*

Ontario's beekeepers are appreciative of the steps that the Government of Ontario has taken to protect pollinators and the beekeeping industry. OBA understands the difficulty of creating a regulatory framework for this issue in such a short time frame and recognizes the significant amount of effort that MOECC and OMAFRA have put into developing these regulations.

Our comments are premised on the principle that pollinator health must be the overriding priority. Our recommendations are intended to support the Government of Ontario's ambitious goal of reducing honey bee overwinter mortality to 15% by 2020. (This goal does not exclude wild bees or bumble bees, as honey bee health is an indicator for all pollinator insect health.)

1. **Section 8.2 (2) and Schedules 1-3.** Under the proposed scenario, bees and beekeepers will not be protected under the full weight of the regulations until the 2020 planting season. (Note that each planting season delay means exposure during the planting season and impacts through the next overwinter period - in this case the winter of 2020-2021). The scheduled geographical phasing-in of third-party oversight currently delays the requirement for professional pest advisors to the 2019 and 2020 planting seasons in the areas of highest concentration of corn and soy. As these areas also have the largest concentration of commercial beekeepers, it is unlikely that the government will achieve its goal of 15% overwintering loss unless this oversight is corrected.

**Recommendation:** If pollinator health is a priority, then the scheduled roll out must start with areas of high concentrations of corn and soy - not the opposite. The attached maps of the location of corn growing areas and the location of beekeepers show the vulnerable areas that need to be addressed and which are currently in the second and third phases of implementation. We understand that the rationale for this proposal is that the government is concerned about its ability to build capacity required for verification, but we strongly request that heavy corn and soy areas are given first priority and that this section be accomplished in

no more than two phases, finishing up on or before August 31, 2018.

2. **8.1 (1)** The regulations have specified Class 12 as *pesticide corn and soy seeds treated with neonicotinoid pesticides: imidacloprid, thiamethoxam and clothianidin*. This definition of Class 12 leaves the door open to unregulated substitution of treated seeds with foliar sprays or soil drenches. Since all neonicotinoids are systemic and harmful to bees, the regulation should not be limited to seed treatments and exempt other delivery options. These exceptions would defeat the intent of the regulations and would possibly lead to more neonicotinoids on corn and soy. (Note: On April 2, the EPA announced no further approvals of neonicotinoids as foliar sprays). Further, new systemics could be registered to replace the current neonicotinoids defined under Class 12, thereby continuing the exposure of bees to highly deadly neurotoxins via soil, water, pollen and nectar through the same broad prophylactic use.

**Recommendation:** To achieve reductions in acreage of neonicotinoids, Class 12 must apply to *all* systemic pesticides that expose bees to toxins via planting dust, soil and water, pollen and nectar; and further, to all delivery systems such as foliar sprays and soil drenches.

3. The proposed regulations are silent on the issue of dosage. By applying high concentrations of clothianidin as PONCHO 1250 on all corn seeds (1.25 mg per seed) vs. PONCHO 250 (0.25 mg per seed ) the tonnage of neonics put into soil and water could actually increase.

**Recommendation:** Concentrations of neonics on seed treatments need to be monitored and controlled ensuring the lowest dosage necessary for the specific application.

4. **1. (1)** Currently, the definition of 'corn' *means grain corn and does not include popping corn, sweet corn or corn used for the production of seed*. Omitting sweet corn from regulation is contrary to pollinator health. While only a small percentage of corn acreage may be sweet corn, its negative impact on bees is much greater because bees are attracted to, and will readily collect pollen from sweet corn.

**Recommendation:** Include sweet corn in the definition of 'corn'.

5. Ontario has a nationally respected queen breeding industry that supplies mite-resistant queens to beekeepers in all parts of Canada. Losses to queen breeders is not limited to the queens present but extends to the value of the DNA of the breeding program. Colony and queen losses associated with neonicotinoid exposure have been reported at queen breeding locations adjacent to corn and soy growing areas.

In addition, the demand for Ontario bees for pollination services by blueberry growers in the Atlantic Provinces has increased dramatically over the past few years. This service requires beekeepers to gather their colonies in staging areas in preparation for loading and transport east and again for off-loading for repositioning in Ontario. This staging activity involves thousands of hives and occurs May – June, which may coincide with the planting of treated corn and soy seed.

**Recommendation:** The government is urged to immediately create neonicotinoid-free planting zones with a five-kilometer radius around all designated staging and queen breeding areas. The OBA can help identify those locations for OMAFRA.

6. MOECC and OMAFRA have been engaged in ongoing monitoring of neonicotinoid levels in water, soil and pollen associated with crop yields and pesticide levels. The sensitivity of monitoring needs to consider impacts on bees and therefore the low sub-lethal exposure levels of neonics that may be responsible for chronic poisoning of bees. To date MOECC or OMAFRA have not made public data from these monitoring activities.

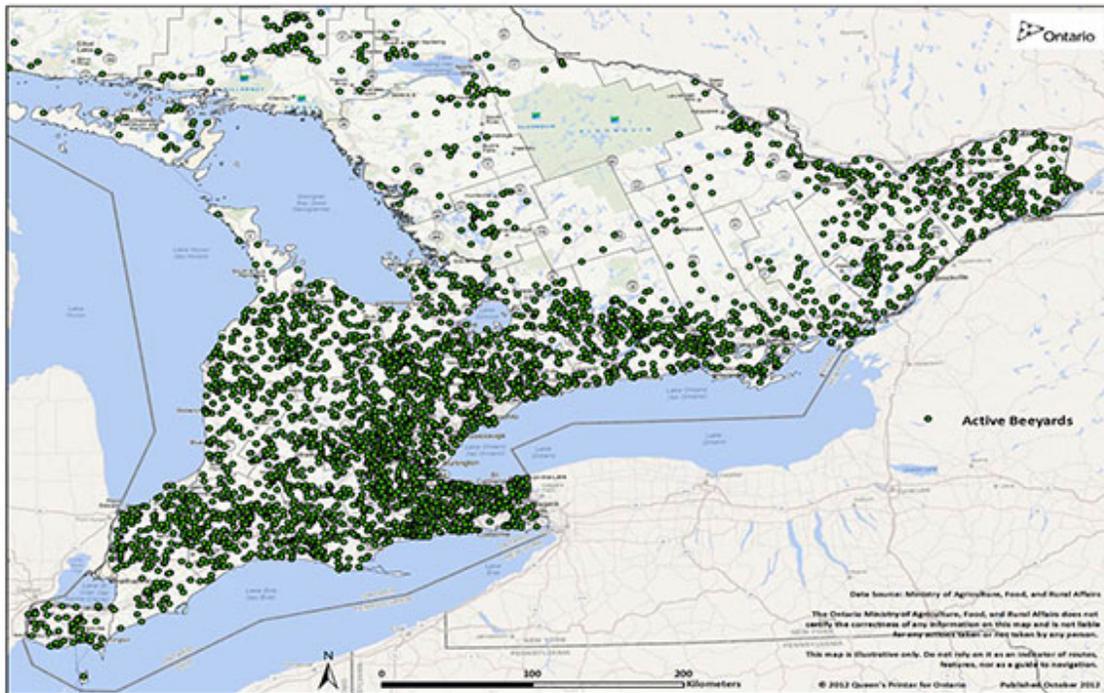
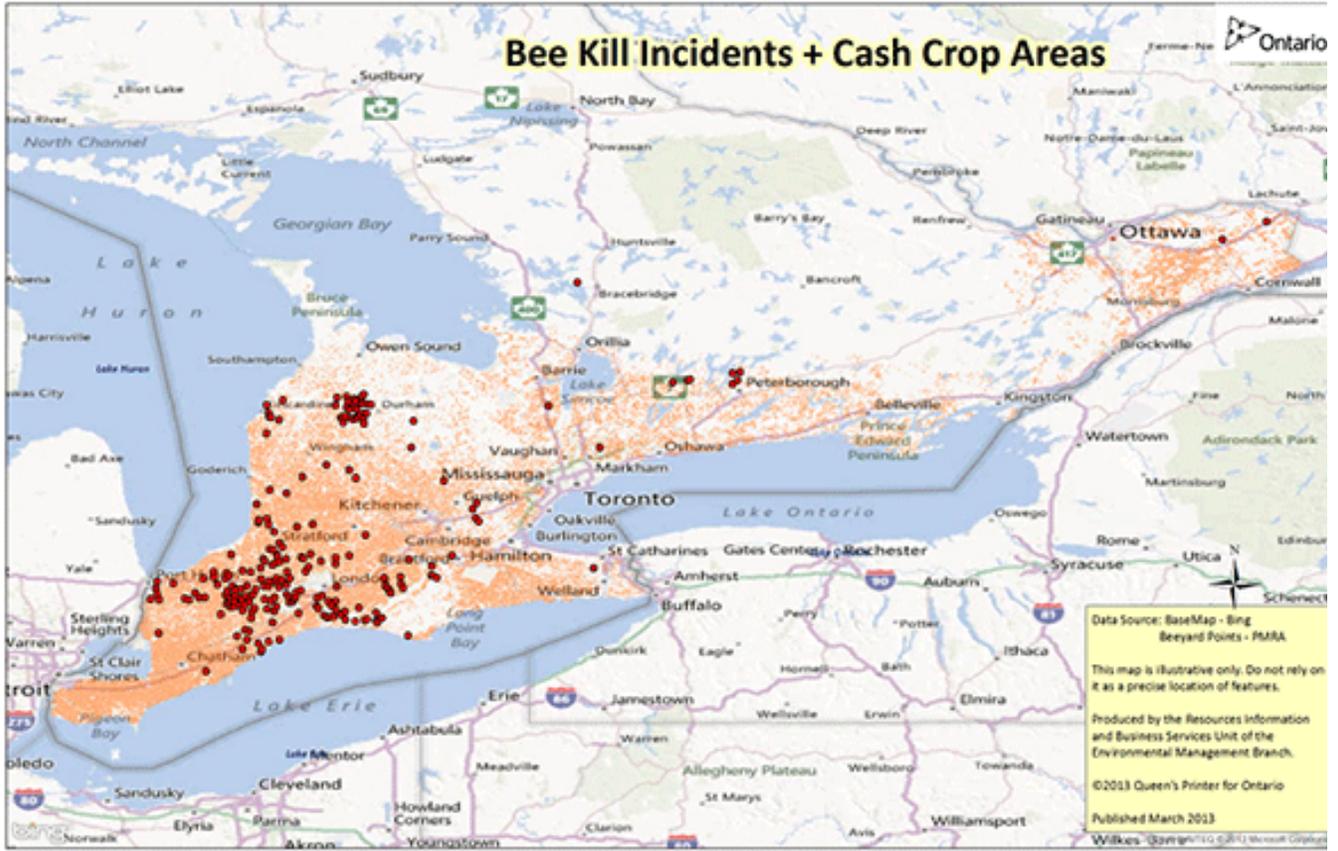
**Recommendation: MOECC and OMAFRA data on monitoring of water, soil and pollen needs to be easily and readily available on a consistent and timely basis. A working group to evaluate data collection and analysis should be formed to include representation from the OBA and other bee health experts.**

**Summary:**

OBA appreciates the challenges of creating and implementing a regulatory framework within a prescribed period of time, and we also appreciate the opportunity to respond to the draft consultation document. However, if the government is to reach or even achieve *meaningful* progress toward its aspirational targets, it must address the shortcomings identified in our response. In particular, the timing and proposed geographical plan for phasing in third-party approval process, the limited definition of the new Class 12, the silence on dosage, and the exclusion of sweet corn. In addition, we request consideration of neonicotinoid-free zones in breeding and staging areas and better access to water, soil and pollen monitoring.

**Attached Charts:**

- A. Bee kill incidents and cash crop areas
- B. Location of bee yards 2013
- C. Corn for grain area map 2011



Location of Bee Yards, 2013

