



Newsletter about Pesticides N°7 – February 2022

Jurisdictional News



Canada: A small step towards the re-assessment of glyphosate

On February 2, 2022, the Federal Court of Appeal in Ottawa [ruled](#) in favour of Safe Food Matters, the David Suzuki Foundation, Environmental Defence Canada and Friends of the Earth Canada in a small but welcome step forward in the regulation of glyphosate in Canada.

Glyphosate was first approved for use in Canada in 1976 and has been continually re-approved since then. In 2009, the Pest Management Regulatory Agency (PMRA) indicated its intention to re-evaluate glyphosate to determine whether it should remain registered. On April 13, 2015, the proposed re-evaluation decision was made public by PMRA. In response, NGOs provided written comments and participated in the public comment process. But after completing the public consultation process, the PMRA released a re-evaluation decision in 2017 that led to the continued authorization of glyphosate products in Canada, without considering the written comments of NGOs.

Therefore, as required by the [Pest Control Products Act](#), the four groups filed a notice of objection (NOO) to the re-evaluation decision. They filed nine

objections that, in their view, raised "scientifically based doubt" about the validity of the PMRA's evaluations of glyphosate products.

The PMRA rejected the objections raised in the NOO and the NGOs applied to the Federal Court for judicial review of the PMRA's decision. On February 13, 2020, the Federal Court denied the NGOs' request and the NGOs appealed to the Federal Court of Appeals.

In its February 2, 2022 decision, the Court accepted the appeal, vacated the PMRA's decision, and remanded the case to the PMRA for reconsideration in accordance with proposed guidance to avoid the "endless merry-go-round" of court applications and reconsiderations.

Thus, the Court ordered that the PMRA disclose several items, including:

- how it has defined "health risks" and "acceptable risks";
- what its role is in reviewing a notice of objection;
- the specific threshold for assessing "scientifically based doubt".

For the [groups](#) that brought the lawsuits, the decision establishes guidelines for the PMRA to follow in its decision-making process and requires it to provide reasoned responses to public objections. They hope that the PMRA will take this into account and decide that a review panel is warranted.

Safe Food Matters needs help with the legal costs of their lawsuit against Health Canada. You can help [here](#).

If you've made it this far, can you make one more tiny effort?

Justice Pesticides needs your help to continue this work of investigation and information to support victims of pesticides.

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