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Humane Vertebrate Pest Control

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Introduction

The use of pesticides to control large predators and the unintended effects on non-target animals is a growing concern among Canadians. Health Canada's Pest Management Regulatory Agency is consulting Canadians on how the humaneness of pesticides to control predators could be considered during their approval and use.

For the purpose of this consultation document, we are using the term "Humane Vertebrate Pest Control (HVPC)", which is defined by the Australian Royal Society for the Prevention of Cruelty to Animals¹ (RSPCA) as "the development and selection of feasible control programs and techniques that avoid or minimise pain, suffering and distress to target and non-target animals".

Animal Welfare Provisions Across Canada

Protecting animal welfare in Canada is a shared responsibility between federal, provincial and territorial jurisdictions.

Federal acts that deal with different aspects of animal welfare include:

- *Health of Animals Act* - this law protects the welfare of animals during transport and loading.
- *Canada Wildlife Act* - this law applies to any public lands and to all animals wild by nature and their habitats and allows ministers to make regulations to protect them. The Wildlife Area Regulations prohibit all activities that could be harmful to species and to their habitat, unless a permit is issued.

Canadian provinces and territories have their own laws to protect animals. In most provinces and territories, the local Society for the Prevention of Cruelty to Animals (SPCA), a Non-Government Organization (NGO), enforces animal protection legislation. In addition, several NGOs have guidelines / approaches regarding humane treatment of animals, such as the Canadian Veterinary Medical Association (CVMA).

¹ RSPCA Australia is a non-governmental organization providing animal care and protection services. RSPCA Australia establishes national policies and positions on animal welfare (i.e., for its state/territory-level Societies), as well as working with both government and industry on national animal welfare issues. In 2003, the RSPCA issued a discussion paper entitled "A national approach towards humane vertebrate pest control", which defined the term HVPC and sought to "set out key principles that form a working philosophy for humane vertebrate pest control." (<https://www.rspca.org.au/sites/default/files/website/Facts/Science/Scientific-Seminar/2003/SciSem2003-DiscussionPaper.pdf>)

International Jurisdictions and their Approach to Considering Humaneness in Assessing Pest Control Products

- United States of America (USA) - Each state has primary responsibility over wildlife control requirements and practices. Some states have produced voluntary best practices or standards for wildlife control and control training manuals. The *Federal Insecticide, Fungicide, and Rodenticide Act* (FIFRA) does not consider animal welfare or humaneness as part of the assessment process for the registration of pest control products to control problem animals.
- Australia - Under the Australian Constitution, pest management is the responsibility of the state and territory governments, while the Australian Commonwealth federal government plays a supportive role. The Commonwealth Government of Australia has developed the Australian Pest Animal Strategy (APAS), which sets out principles, goals and priorities to guide pest animal management, including animal welfare considerations. In addition, an Australian Animal Welfare Strategy (AAWS) was developed by the Australian Government, state and territorial governments, industry and the community. Australia also developed guidance, best practices and tools with regard to animal welfare. Humaneness is not considered as a factor in pest control product registration decisions.
- European Union (EU) - The EU Biocides Regulation No 528/2012, acknowledges that certain biocidal products might give rise to animal welfare concerns. Because of this, Member States are allowed to restrict the use of EU-approved products that may pose animal welfare concerns within their own jurisdictions.

About the Pest Management Regulatory Agency

PMRA is responsible for pesticide regulation in Canada. Pesticides are stringently regulated in Canada to ensure they pose minimal risk to human health and the environment.

Under the authority of the *Pest Control Products Act*, the PMRA:

- applies evidence-based scientific approaches to assess health and environmental risks of pesticides proposed for registration;
- re-evaluates pesticides currently on the market cyclically to ensure the products meet current scientific standards, including possible unintended effects on non-target animals;
- collects and analyses information about pesticide-related health and environmental incidents;
- promotes and monitors compliance with the *Pest Control Products Act*;
- works with provincial, territorial and federal departments in Canada to help refine and strengthen pesticide regulation; and

- works closely with other jurisdictions and international organizations on the development and improvement of policies and assessment procedures.

PMRA already considers issues related to animal welfare including:

- Requiring that submitted animal studies be conducted according to international guidelines, which incorporate animal welfare provisions;
- PMRA's ongoing commitment to reducing, refining and replacing the need for animal testing wherever possible. This includes continuing efforts towards providing scientifically valid, but alternative approaches to assessing risk and avoiding duplicate testing on vertebrate animals; and,
- Considering non-target animal impacts during pre-market approvals, post-market assessments and via incident reporting.

Scientific Evaluation of Pesticides

Before a pesticide can be registered for sale in Canada, pesticide applicants are required to provide the PMRA with comprehensive scientific data to show that their product does not pose unacceptable risks to health or the environment, and that the product has value. PMRA scientists review these data to determine whether a product is acceptable for registration in Canada.

PMRA's science-based risk assessment includes the following:

- an examination of all sources and routes (oral, dermal, inhalation) of potential exposure to a given pesticide, including exposure through diet, from drinking water and from contact with treated areas like lawns and gardens;
- an estimation of the amount of pesticides that people, including children, may come in contact with, both during and after a pesticide application;
- a human health risk assessment with a particular focus on vulnerable populations, including pregnant women, infants, children, women and seniors; this considers the potential for a pesticide to cause adverse health effects such as cancer, birth defects and endocrine disruption, and allows registration only for those pesticides with exposures well below levels that cause adverse effects;
- an environmental risk assessment that considers the fate (movement, persistence and transformation), toxicity, and risks to plants, birds, mammals, beneficial insects and aquatic organisms; and
- a value assessment that considers the contribution of the product to pest management, as well as its health, safety and environmental benefits, and social and economic impact.

A pesticide may only be registered if this risk assessment shows that the product does not pose unacceptable health or environmental risks and that it has value. PMRA does not determine whether a product should be used (for example, for wildlife control or other any other purpose), only that it can be used safely based on information submitted by the applicant.

Provincial Authority to Further Restrict Pesticide Use

Only pesticides that are registered or otherwise authorised for use under the *Pest Control Products Act* may be imported into, sold or used in Canada. However, the provinces and territories may, for example:

- require pesticide use permits and impose additional use restrictions;
- regulate the transportation, sale, use, storage and disposal of pesticides;
- regulate the training, certification and licensing of pesticide applicators and vendors; and
- prohibit in their jurisdictions the use of products that are registered under the *Pest Control Products Act*.

Provinces may place additional restrictions on pesticide use through provincial legislation, such as preventing use for cosmetic purposes or animal control; but, this in no way reduces the obligation to comply with federal legislation. Provinces and territories also have authority, on provincial lands, for natural resource management and animal welfare issues.

Status of Registered Predacides

There are currently three active ingredients registered to control large vertebrate predators in Canada: sodium fluoroacetate (Compound 1080), sodium cyanide and strychnine. These products are some of the tools available (for example, to provincial wildlife management officials) to control and manage large vertebrate predators. There are nine end-use products, which are all restricted² and can only be used by provincial employees or designated persons as part of a provincial government-approved control program, and they are registered for use against a small number of animals. For the purpose of this consultation, the focus is limited to large vertebrate predators, for example, wolves, coyotes and bears.

- Sodium fluoroacetate (Compound 1080): the PMRA conducted a re-evaluation in 2014 (RVD2014-03) and found that products containing Compound 1080 continue to be acceptable for continued registration, provided additional risk-reduction measures were included on the labels of all products as a condition of continued registration. To

² Restricted class is the designation used by the PMRA, if the pest control product is one for which the Minister, out of concern for its health or environmental risks, has set out additional information to be shown on the label concerning essential conditions respecting the display, distribution or limitations on use of, or qualifications of persons who may use, the product. These limitations may be due to toxicity, method of use and/or a specific risk to the environment. The limitations may involve product storage, display, distribution, application or qualifications of the applicator.

minimize risks to non-target species, additional statements were required on product labels to further reduce the potential for exposure and prohibiting use of Compound 1080 in designated areas where species at risk exist.

- Sodium cyanide: the PMRA conducted a re-evaluation in 2006 (RRD2006-23) and concluded that health and environmental risks continue to be acceptable for continued registration, but recommended additional label statements to further protect handlers, bystanders and the environment. The swift fox (a non-target animal) is an endangered species that is extremely vulnerable to this pesticide and is specifically mentioned on the label to ensure the product is not used in its habitat areas.
- Strychnine: the PMRA conducted a re-evaluation in 2007 (REV2007-03) and concluded that predicide uses were acceptable with additional risk mitigation measures to protect human health and the environment, including non-target animals and species at risk.

Consultation Questions

The PMRA is seeking input from Canadians on how the humaneness of pesticides to control vertebrate predators could be considered during their approval and use.

1. Should PMRA include humaneness considerations as part of the pesticide registration process for products intended to control large vertebrate predators? If so, what would be the best options and approaches for doing so?
2. Should PMRA develop public information, such as best practices / standards on humaneness considerations, that pesticide users could take into account when deciding whether to use a pesticide for controlling large vertebrate predators? If so, what kind of information would be most useful?
3. In either case, what should be the parameters to measure humaneness?

The PMRA invites the public to submit written comments on this document up to 60 days from the date of publication.

Please forward your comments to PMRA Publications, and include:

- Your full name and organization;
- Your phone number; and,
- Your complete mailing address or email address.

Comments or questions on this consultation can also be directed to the Pest Management Information Service, by subject.