

# Conditions Breached, Laws Broken....

## **1. High Winds, Unprotected Waterways**

The provincial Integrated Pest Management Act require that protection be taken to ensure that pesticide spray or runoff do not enter water used for domestic or agricultural use. The safety data sheet for Foray 48B for Canada provided by its manufacturer, Valence Bioscience, warns that the product and its runoff should be kept out of drains, sewers, ditches and waterways.

Its ecotoxicity data (based on a concentrated powder) states: “do not allow into waterways or lakes.”

The product label also states: “Apply only when meteorological conditions are in compliance with local and/or provincial authorities” and that “It is an offence under the Pest Control Products Act to use this product in a way that is inconsistent with the directions of the label.”

Documented weather station data shows wind gusting at speeds of 18 kms an hour at the time of spraying.

## **2. Inadequate Communication with Public**

In press releases sent to local media and published on the BC Government’s News website, the province neglected to include required wording that alerts the public to ways they can protect themselves from exposure during and after aerial spraying.

## **3. Schools Not Notified as Required**

The Integrated Pest Management Act and Regulation require that at least 72 hours before using a pesticide on the property of a school or child care facility, a licensee must provide a treatment notice to the school.

Two outdoor Waldorf SCHOOLS in the spray zone were not notified of the scheduled treatment date as required.

## **4. Adequate Location-Specific Communication Plan has not been implemented**

The only notice given to residents was a postcard sent to some homes in the treatment area in February 2024. Several residents report they did not receive this notification. Residents were expected to check for further updates on the government’s website, but

this discriminates against older or disabled residents who may not be computer literate and puts an undo onus on residents to be aware of upcoming spray dates.

**5. The standards for use of Integrated Pest Management have not been met**

The Integrated Pest Management Act states a licensee may use a pesticide only after undertaking a set of specific actions in accordance with integrated pest management principles.

The province did not identify and implement, or identify and advise property owners of reasonable measures they could take to prevent spongy moths. They also neglected to select pest treatment methods based on consideration of practical alternatives to pesticide use, and protection of human health and the environment.

**6. Adequate Precautions were not taken to protect domestic and agricultural water sources**

The Integrated Pest Management Act requires that precautions be taken to ensure that domestic water sources, agricultural water sources and soil used for agricultural crop production are protected for their intended use.

**7. Permit Holder is in Non-Compliance with the Integrated Pest Management Act**

The final condition of the Pesticide Use Permit issued requires that all applicable provisions of the Integrated Pest Management Act be met. As noted above, they were not.