



December 14, 2020

Honourable Patty Hajdu
Minister of Health
House of Commons
Ottawa, Ontario K1A 0A6

By email

Dear Minister,

RE: Requests for special review of pest control products containing strychnine, Compound 1080 and Sodium Cyanide

On behalf of Wolf Awareness and Animal Justice, and with strong support from the International Fund for Animal Welfare, Animal Alliance of Canada, the B.C. Society for the Prevention of Cruelty to Animals, Born Free USA, Cochrane Ecological Institute, Coyote Watch Canada, the David Suzuki Foundation, Ecojustice, the Fur-Bearers, Humane Society International Canada, Predator Defense, World Animal Protection, and Zoocheck, we submit the documents contained within this package as a request that the Minister of Health (“the Minister”) initiate a special review of the registration of all pest control products containing strychnine, Compound 1080, and sodium cyanide pursuant to section 17 of the *Pest Control Products Act*, SC 2002 c 28 (“PCPA” or “the Act”). As explained in the enclosed requests, the health and environmental risks of these products, as well as their value, are unacceptable.

Strychnine, sodium cyanide and Compound 1080 are poisons used in Canada for the intended purpose of killing carnivores including wolves, coyotes, and black bears. Additionally, strychnine is currently used to kill ground squirrels and skunks. They are registered for use in Alberta and Saskatchewan. These poisons have far-reaching impacts that are detrimental to ecosystems. Pesticides (poisons used under the PCPA) are subjected to a risk assessment and a limited public consultation period before being registered in Canada and re-evaluated every 15 years to consider new science and low-risk alternatives.

Pursuant to section 17(4) of the Act, any person may request a special review of the registration of a pest control product by making a request to the Minister. Because the health and environmental risks of strychnine, Compound 1080, and sodium cyanide are similar and

interrelated, and because of the similarities in the reasons for, and methods of, their use, we submit these three individual requests together for the purposes of the Act.

As summarized below and explained in greater detail in the accompanying documents, the unacceptability of the environmental and health risks of strychnine, Compound 1080, and sodium cyanide are due to the shared hazards these poisons present to i) non-target organisms (including species at risk, humans, and companion animals), and ii) the welfare of animals subject to primary or secondary poisoning, all of whom experience severe pain and distress, often for hours or even days. The value of these products is unacceptably low in light of their ineffectiveness at preventing livestock predation and protecting at-risk caribou, as well as the availability of safer and more effective alternatives to achieving these objectives.

Current use of strychnine, Compound 1080, and sodium cyanide is resulting in violations of the *Species at Risk Act* and provincial wildlife laws

It is illegal to kill species at risk under the federal *Species at Risk Act*, SC 2002, c 29 (“SARA”) and provincial laws.¹ Even unintentional killing of endangered species protected under SARA, including migratory birds such as the peregrine falcon, is unlawful pursuant to section 32(1) of SARA.² As explained in the enclosed requests, there is significant evidence to suggest that the use of strychnine, Compound 1080, and sodium cyanide is resulting in, or will soon result in, the killing of species at risk protected under federal and/or provincial law, including the following:

- Mammals: American badger, black-footed ferret, brown (grizzly) bear, Canada lynx, long-tailed weasel, swift fox, fisher, bobcat, and wolverine.
- Birds: barred owl, burrowing owl, ferruginous hawk, peregrine falcon, prairie falcon, golden eagle, and short-eared owl.

Thus, the use of strychnine, Compound 1080, and sodium cyanide as presently permitted in Canada appears to be resulting in violations of laws intended to protect species at risk. The significant risks to endangered species associated with the use of these dangerous poisons cannot be mitigated in a manner that prevents violations of applicable endangered species and wildlife laws. For this reason alone, the use of all three poisons should be immediately banned in Canada.

Current use of strychnine, Compound 1080, and sodium cyanide is resulting in violations of provincial animal welfare laws

¹ *Agricultural Pests Act*, RSA 2000, c A-8 at s2(2); *Wildlife Act*, RSA 2000, c W-10 at s25(1); *The Wildlife Act*, 1998, SS 1998 c W-13.12 at s51(1); *Species at Risk Act*, S.C. 2002, c. 29 at s32(1).

² *Podolsky v Cadillac Fairview Corp. Ltd. et al*, 2013 ONCJ 65 at para 85.

Provincial animal welfare legislation generally prohibits causing an animal to be in distress.³ Generally accepted pest control practices have been exempt from this prohibition. However, we note that any use of strychnine, Compound 1080, or sodium cyanide results in extreme levels of pain and distress to any and all animals that ingest these poisons. Any use of these poisons that is not strictly in accordance with labelling instructions would fall outside of what could be considered a “generally accepted” pest control practice. Thus, any individual or government agent who uses or authorizes the use of strychnine, Compound 1080, or sodium cyanide in a manner not strictly in accordance with label requirements commits an offence under provincial animal welfare laws.

In the enclosed applications for review, we document extensive non-compliance with label restrictions intended to protect non-target animals from suffering and death due to primary and secondary poisoning. This demonstrates that current restrictions on the use of these three dangerous poisons are insufficient to protect non-target animals and are resulting in an untold number of violations of provincial animal welfare laws.

Furthermore, given that the use of strychnine and Compound 1080 in particular has been deemed to be an inhumane killing method by the Canadian Council on Animal Care,⁴ the Canadian Veterinary Medical Association,⁵ the Wolf Specialist Group the International Union for the Conservation of Nature Species Survival Commission,⁶ the American Veterinary Medical Association,⁷ and the American Society of Mammalogists,⁸ among other scientific bodies and experts worldwide,⁹ the use of strychnine or Compound 1080, even in accordance with label requirements, is arguably not a “generally accepted” pest control practice. Causing a target or non-target animal pain, distress, and/or death due to primary or secondary poisoning by strychnine or Compound 1080 thus violates the above-noted provincial animal welfare laws. Indeed, the use of strychnine, Compound 1080, and sodium cyanide to kill wildlife is not “generally accepted” by Canadians, 69% of whom say that the risks posed by the use of these poisons in wildlife management programs are unacceptable.¹⁰

³ See, e.g. *Animal Protection Act*, RSA 2000, c A-41 at s2(1); *The Animal Protection Act, 2018*, SS 2018, c A-21.2 at s 4(1); *Prevention of Cruelty to Animals Act*, RSBC 1996, c 372 at s23.2.

⁴ Canadian Council on Animal Care, “Guidelines on: The care and use of wildlife” at pg. 43; Canadian Council on Animal Care, “CCAC guidelines on: the care and use of farm animals in research, teaching and testing” at pg. 36.

⁵ Canadian Veterinary Medical Association. Feb 12 2019. Comments on Health Canada’s Consultation on “Humane Vertebrate Pest Control”. Available online: <https://www.canadianveterinarians.net/documents/cvma-comments-on-hc-consultation-on-humane-vertebrate-pest-control>.

⁶ Wolf Specialist Group of the Species Survival Commission of The World Conservation Union (IUCN). 2000.

“Manifesto: Declaration of Principles for Wolf Conservation”. Available online: <https://www.lcic.org/Publications>

⁷ American Veterinary Medical Association. Guidelines for the Euthanasia of Animals: 2020 Edition at p16; AVMA Guidelines for the Depopulation of Animals: 2019 Edition at p73.

⁸ Sikes, R. et al, 2011. Guidelines of the American Society of Mammalogists for the use of wild mammals in research. *Journal of Mammalogy*, 92(1): 235-253.

⁹ See, e.g. Sherley, M., 2007. Is sodium fluoroacetate (1080) a humane poison?. *Animal Welfare* 16(4): 449-458. & Proulx, G. et al. 2015. Poisoning wolves with strychnine is unacceptable in experimental studies and conservation programmes. *Environmental Conservation*, 43(1): 1-2.

¹⁰ Environics poll conducted December 2020 commissioned by Animal Justice and Wolf Awareness.

Animal welfare should be an additional component of all wildlife management and there is now international consensus among scientists for ‘ethical wildlife control’.¹¹ As explained in the enclosed special review requests, strychnine, Compound 1080, and sodium cyanide cause intense and prolonged suffering for the animals that ingest these poisons, including both target and non-target species.

Current use of strychnine, Compound 1080, and sodium cyanide does not result in less “property damage” to livestock and cannot be considered a “best practice” for conflict prevention

In addition to providing evidence that speaks to the non-mitigatable risks of these poisons, owing to their indiscriminate and inhumane nature, we demonstrate their lack of effectiveness at reducing or preventing future livestock predation events. Although these poisons are registered to be used in circumstances where a predator has been verified to have killed livestock (ie. “property damage”), there is little to no evidence to show that poisons or other lethal measures are effective at reducing future predation events. In contrast, an increasing number of scientific studies demonstrate that lethal control of predators may lead to increased conflicts with livestock. In the addendum titled “Lethal predator control and livestock”, we provide a strong rationale for more effective and safer alternatives which exist for preventing conflicts among livestock, their human counterparts, and wildlife.

The value of strychnine for the purposes of public safety and as a management response to low or declining prey populations is contested

The use of strychnine to kill wolves that pose a risk to human safety is irresponsible because it puts domestic animals and non-target wildlife at risk of poisoning. Furthermore, the use of strychnine to target wolves as a response to low ungulate populations is being contested in the scientific community and literature. A recent critique and analysis of data used to justify wolf killing as a means to boost at-risk caribou populations in Western Canada found that the researchers who drew this conclusion lacked appropriate study design, statistical analyses and interpretation.¹²

Conclusion

We request that the Minister conduct a special review of the registration of all pest control products containing strychnine, Compound 1080, and sodium cyanide because the environmental

¹¹ Dubois, S. et al. 2017. International consensus principles for ethical wildlife control. *Conservation Biology*. 31(4): 753-760.

¹² Harding, L. et al. 2020. No statistical support for wolf control and maternal penning as conservation measures for endangered mountain caribou. *Biodiversity and Conservation*. 29:3051–3060.

risks of these products, as well as their value, are unacceptable (PCPA s17).¹³ This includes the following nine product registrations:

Strychnine – 20410, 24510, 30433, 31756

Compound 1080 – 18300, 24512, 25857, 28865

Sodium cyanide – 25108

To support our request for the special review of these products, we enclose the following documents:

1. Special Review Request for Strychnine: Form 7005 & Evidence and Supporting Information
2. Special Review Request for Compound 1080: Form 7005 & Evidence and Supporting Information
3. Special Review Request for Sodium Cyanide: Form 7005 & Evidence and Supporting Information
4. Addendum I – Lethal Predator Control and Livestock
5. Addendum II – Select Incidents of Pet Poisoning in Canada

Yours truly,

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MP Don Davies - NDP Critic for Health
Hon. Michelle Rempel Garner - PC Critic for Health
Hon. Jonathan Wilkinson - Minister of Environment and Climate Change

¹³ Note that strychnine is used to kill large carnivores, as well as other smaller animals (see permit nos. 24510, 30433, and 31756). We are requesting the review and subsequent cancellation of all registrations of products containing the active ingredients strychnine, Compound 1080, and Sodium Cyanide.