



Resolution #12, Niagara South SCIA - Add Canada Fleabane to the Noxious Weeds List

WHEREAS Canada Fleabane [*Conyza canadensis*] also known Canadian Horseweed, and Mare's Tail is difficult to manage on agricultural land once established and will reduce the yield and quality of the crop being grown; and,

WHEREAS the intent of the Weed Control Act is to reduce the infestation of weeds that negatively impact on agricultural and horticultural lands; and,

WHEREAS Canada Fleabane is increasingly difficult to control using crop protection products; and,

WHEREAS sensitive individuals can develop dermatitis when Canada Fleabane contacts the skin.

THEREFORE, BE IT RESOLVED that the Ontario Soil and Crop Improvement Association requests that the Ministry of Agriculture, Food and Rural Affairs add Canada Fleabane to the "Noxious Weed List" which is a schedule found in Regulation 1096 made under the Weed Control Act.

Background Information: A noxious weed includes a plant that has been listed in the Schedule of Noxious Weeds found in Regulation 1096 made under the Weed Control Act. This list is commonly referred to as the "Noxious Weed List". The council of the municipality may, subject to the approval of the Minister, designate additional plants as local weeds through a by-law made in accordance with section 10 of the Weed Control Act. These local weeds are deemed to be noxious weeds in the area where the by-law applies.

In general, a species designated as a noxious weed under the Weed Control Act is one that:

- *Is difficult to manage on agricultural land once established and will reduce the yield and quality of the crop being grown;*
- *Negatively affects the health and well-being of livestock; or*
- *Poses a risk to the health and well-being of agricultural workers.*

In Ontario, 25 weeds are designated as noxious under the Weed Control Act. Adding these weeds to the Schedule of Noxious Weeds will provide another tool for weed inspectors to control these non-native plants to minimize interference with agriculture or horticulture. (Information taken from the OMAFRA website).

Moved by Birgit Martin, seconded by Clark Frets (Niagara South).

Carried

SENT TO Jeff Leal, Minister of OMAFRA Minister

COPIED TO Mike Cowbrough, OMAFRA

RESPONSE FROM MIKE COWBROUGH, WEED MANAGEMENT-FIELD CROPS, OMAFRA

In response to this resolution, Mike Cowbrough was invited to the April Executive meeting to discuss the possible solutions and procedures in adding Canada fleabane to the noxious weed list. After the meeting, Mr. Cowbrough forwarded the following response:

As a follow-up to the meeting last week and the resolution to add Canada fleabane as a noxious weed under regulation 1096 of the Weed Control Act.

Point # 1: Regulation 1096, the noxious weed list, is not quickly or easily revised. Thankfully there is a section of the legislation that allows for a more expedient way to add a “noxious weed” to a specific geographic region so that its control can be enforced under the Act. It’s called a “local weed by-law”. Here is what is communicated to weed inspectors regarding a local weed by-law.

DESIGNATION OF LOCAL WEED BY MUNICIPAL BY-LAW - SECTION 10 (1), (2), (3)

Where the Council of a county, district municipality or regional municipality has appointed an area weed inspector or a council of a municipality has appointed a municipal weed inspector under section 10 it may by by-law designate additional plants as local noxious weeds.

Such a by-law does not take effect until approved by the Minister of Agriculture, Food and Rural Affairs. The intention of Section 10 (1), (2), (3) is to allow control of potentially damaging weeds in local areas before they can become widespread.

The following questions should have affirmative answers for local noxious weeds:

- Can the species be identified?
- Does the species cause a significant problem(s) for the industries of agriculture and/or horticulture?
- Is there an acceptable means, and reasonable expectation, of control for this species?
- Will this designation facilitate significant results to reduce the problem(s)?
- Will the designation be enforced?
- Does the municipality have letters of support from farm organizations such as the local federation of Agriculture or Soil and Crop Improvement Association?

Weeds that are abundantly present in the community, or where control practices have limited results may not be appropriate to be designated as “noxious”.

The addition of plants to the noxious list by by-law for aesthetic reasons will not be approved.

Point # 2: The nice thing about pursuing a local weed by-law is that if upon reflection it was considered to be not a great idea, the by-law can be repealed.

Point # 3: It bears repeating that if such a by-law is put into place, then everyone in possession of this weed has to destroy it. So, if there is a 100 acre soybean field full of Canada fleabane (made as a local weed through a by-law) the farmer could be ordered to destroy the entire field if it was felt that this was the best way to eliminate the spread of seed. If the farmer failed to comply, not only could the entire field be mowed down or ploughed under to prevent the spread of weed seed, but if the municipality had to hire someone to do it, because the landowner failed to, then the cost of control would be billed to the landowner. I bring point # 3 up simply to illustrate what could happen when a weed that is pretty common, is then added as a local noxious weed.

If there are any follow-up questions, please don’t hesitate to ask.

Mike