

# The Weed Control Act Application to Organics & Implications for RMs

Clark Brenzil, PAg.  
Provincial Specialist, Weed Control  
Saskatchewan Ministry of Agriculture

[saskatchewan.ca](http://saskatchewan.ca)



## Approaching Enforcement of the Weed Control Act in Organic Production Systems

Summary of suggestions from the  
organic industry themselves

[saskatchewan.ca](http://saskatchewan.ca)



## Determining Organic Status

When is an Organic Producer not?

- There is currently a national organic standard that defines organic production
  - This designates processes in order to call your product organic
  - This standard is not intended to supercede *The Weed Control Act*
  - This standard does not compel a person to be organic or use organic practices
  - An organic producer must be certified by a recognized third party certifying agency to be considered “organic” under the standard.
- Organic producers are requested by their certifying agencies to contact the RM they live in to alert them to there presence primarily to prevent drift from roadside spraying
  - This does not mean the RM cannot spray the roadside adjacent to the property, just that extra care should be taken to avoid drift

saskatchewan.ca



## Determining Organic Status

When is an Organic Producer not?

- Ask to see certification document from certifying body
  - All certified organic producers must have one to sell their products
    - Producers selling less than \$5000 are exempt
  - For producers transitioning to organics ask to see application for certification
- If the weed inspector is not getting cooperation from the organic producer in managing his noxious weeds, the weed inspector can lodge a complaint with the certifying body and that complaint must be dealt with before certification of the crop can take place.
  - Some certification bodies are more diligent than others
- *There has been no case law to determine if applying a selective herbicide to an organic field consistent with its labelled use pattern constitutes crop destruction.*

saskatchewan.ca



## Flexibility

- *The Weed Control Act* does not dictate control using herbicides
- The Act gives a lot of latitude to the weed inspector to decide which management activity is best suited to a specific situation
- There are many cultural ways to manage weeds, especially when dealing with Nuisance or Established Noxious weeds
  - Enforcement may need to be more nuanced with organics
- Prohibited weeds require the use of “the most effective method” of eradication regardless of land use, which often means the use of herbicides

saskatchewan.ca



## It's the Law!

Is an organic producer special?

- An organic producer is not exempt from *The Weed Control Act*!
- Organic Certification does not supercede federal or provincial laws
- Organic producer would like the opportunity to manage the noxious or nuisance weed without herbicides first
  - This needs to be proactive and aggressive
  - Cannot just “see what happens”
- If the weed cannot be managed by any other way, then **AND ONLY THEN** should a herbicide be used and the organic buffer zone established around that area of the field

saskatchewan.ca



## How Can the RM Help the Process?

- Lead by example – The RM should have the cleanest property/ROWs to set the standard
- Develop a Municipal Weed Management Plan
  - Establishes the priorities of the RM that apply to everyone, not just the organic folk
    - This reduces the inclination that the organic person is being persecuted
  - Sets reasonable goals give RM resources to approach management of problem weeds
- Communicate priorities to all ratepayers
  - No one can use the excuse that they didn't know
  - Sometimes the lack of enforcement action by the RM becomes legal precedent that will take significant effort to reverse
  - Widespread notification of a change in practice from past will be needed.

saskatchewan.ca



## Questions?

[www.saskatchewan.ca](http://www.saskatchewan.ca)

Search “weed inspectors”

<https://www.saskatchewan.ca/business/agriculture-natural-resources-and-industry/agribusiness-farmers-and-ranchers/crops-and-irrigation/weeds/weed-inspectors-in-saskatchewan>

Clark Brenzil

Clark.brenzil@gov.sk.ca

saskatchewan.ca



saskatchewan.ca