REGULATORY 🌄 RADAR

Canada's No° 1 Source for Regulatory Updates, Enhancing Compliance & Mitigating Risk.



ADVOCACY REPORT

- CPCA Alerts Members to Several Issues of Concern for Producers in Ontario's Proposed HSP Regulation
- CPCA & Product Care to Submit Comments by March 28 Challenging Costly and Inefficient Requirements in the New HSP Regulation
- CPCA Consults Members on Their Use of Benzophenone to Address Proposed Adoption of a Code of Practice
- Health Canada Extends Deadline for Consumer Product Exclusion Removal Survey Members Strongly Urged to Complete Prior to March 31
- CPCA Gathering Feedback on Science Approach Document Bioactivity Exposure Ratio: Application in Priority Setting and Risk Assessment Before May 5
- Member Input Sought on "Renewed Federal Agenda for Reduction of VOCs from Consumer and Commercial Products 2021-2028"
- Extension to Comment on Proposed HPA/HPR Amendments Aligning with GHS Revision 7

 Deadline Now April 19
- First Meeting of Bilateral Coatings and Adhesives Working Group to Take Place in April
- PMRA Published Frequently Asked Questions and Information Note on Treated Articles Regulations
- PMRA Releases "What Was Heard" Report on Proposed Integrated Approach to Pesticide Evaluations
- DSAR Published for Aliphatic Amines Group Nine Long-Chain Substances Proposed CEPA-Toxic, Including Three with CASE Implications
- Several Other CMP-3 DSARs Published This Month:
- All CASE-implicated Substances Proposed Non-Toxic in Ethers, Benzotriazoles and Piperazine Groups
- Some Substances in Hexamethylenetetramines and Thiophosphate Alkyl Esters Groups Proposed Toxic
- OECD Publishes Guidance for the Identification and Selection of Safer Chemical Alternatives
- CPCA Posts Monthly Update DSL, NDSL, and SNAc Lists in the HUB's CMP Substance Database

MEMBER ATTENTION **REQUIRED**

OATINGS**HUB**™

Did You Know?

CPCA is NOW Gathering Member Feedback

Several Alerts were sent to members regarding current or emerging issues that require your attention and/or feedback. Please consult the detailed listing below and check the CPCA Compliance Calendar regularly for important dates, deadlines, and monitor these resources within the Canada CoatingsHUB. These resources contain detailed information on the potential impact to your business. If you have any questions on these or other related industry resources contact CPCA today!

If you do not yet have a Canada CoatingsHUB account contact CPCA to set one up.

CONTACT CPCA

Chemicals Management in Canada

Final Order 2020-87-21-01 Addresses 19 DSL Substances Associated with Pesticidal Uses

All 19 substances have been registered as active ingredients in pest control products under the PCPA. But because these substances were recognized to have hazardous properties under CMP, SNAc provisions are applied if their non-pesticidal uses were to increase.

Ministerial Condition Provides Manufacturers a Break

Ministerial Condition Allows Manufacturers to import 1,2-propanediol, 1,2-dibenzoate (CAS RN 19224-26-1) for Manufacture/Sale of Paint, Coatings, Adhesives, Caulks and Sealants in Canada. However, some requirements and record-keeping obligations apply.

CMP Phase 2

Amendment to Prohibition of Certain Toxic Substances Regulations Delayed to Fall 2021

This amendment will propose to add certain flame retardants and perfluorinated compounds to Canada's list of prohibited substances in Canada Gazette, Part I. It has been delayed to Fall 2021 and its final approval delayed to Fall 2022.

CMP Phase 3

DSAR for Aliphatic Amines Group Proposes Nine Substances CEPA-Toxic

The 13 substances were further sub-divided into 4 short-chain amines and 9 long-chain substances which are proposed as harmful to the environment. All four short-chain substances are not proposed toxic. Nine of the 13 substances are CASE-implicated including 3 long-chain (CAS RNs 124-40-3, 61788-46-3, 61789-79-5). All long-chain substances meet the criteria for environmental concerns. Only one long-chain is proposed toxic to human health: DPDAB,. Comments are due by May 5.

DSAR Proposes All Four Substances in the Ethers Group Not CEPA-Toxic

The DSAR proposed to conclude that all four ethers (DEE, DPE, DME, DPGME) do not meet any of the criteria. Two CAS RNs 34590-94-8 and 115-10-6 are CASE-implicated.

DSAR Proposes Piperazine (CAS RN 110-85-0) Not CEPA-toxic at Current Levels

Though proposed non-toxic at current levels, piperazine may be considered in future initiatives if its uses increase or change. Piperazine is CASE-implicated. Comments are due on May 12.

DSAR Proposes Nine Benzotriazoles Non-Toxic and Six Benzothiazoles CEPA-Toxic

Only one of the nine benzotriazoles proposed non-toxic, 1H-Benzotriazole, appears CASEimplicated. MBT and five other benzothiazoles in the group are proposed CEPA-toxic for the environment. The RM scope document is unlikely to affect the use of CASE products.

DSAR for the Hexamethylenetetramines

Group Proposes Two Substances Toxic for Human Health

The DSAR proposes to conclude that Quaternium 15 cis/trans-CTAC (CAS RN 4080-31-3) and cis-CTAC (CASRN 51229-78-8) meet the criteria under paragraph 64(c) for dermal concerns and to add them to Schedule I. The third substance, Methenamine hydrochloride, does not meet the criteria. The RM scope does not focus on CASE uses but this approach will be refined later. Comments are due on May 5.

DSAR and Risk Management Scope Published for Thiophosphate Alkyl Esters Group

The DSAR proposes to conclude that TPAE-1 meets the criteria under paragraph 64(a) (toxic for the environment). TPAE-2 does not meet toxicity criteria, but follow-up measures are being considered if its use increases. The risk management scope is focused on the metalworking sector.

CMP Post-2020

SciAD Published on *Bioactivity Exposure Ratio: Application in Priority Setting and Risk Assessment*

The Science Approach Document (SciAD) provides information on how to use in vitro toxicity data (i.e., data from human cell lines, animal cells, and cell-free biochemical tests) in order to estimate the potential for risk that chemicals may pose to human health. Health Canada examines in vitro toxicity data and applies the approach to 46 chemicals previously assessed under the CMP in order to build confidence in applying the approach going forward. Out of the 46, 27 are believed to be CASE-implicated. This approach may be expanded to contribute to the weight of evidence evaluation for future risk assessments.

VOCs & Air Quality

Consultation on "Renewed Federal Agenda on the Reduction of VOCs from Consumer and Commercial Products 2021-2028"

The discussion paper confirms Government's intent to align with CARB limits for architectural coatings. It also provides details on proposed regulatory development in the coming years for automotive refinish coatings (Alignment with OTC MERR 2011) and commercial and industrial adhesives and sealants (Alignment with OTC Model Rule and/or SCAQMD Rule 1168). CPCA members should share their concerns prior to April 8.

Biocides & Treated Articles

PMRA Publishes Q&A Document Clarifying FAQs on Treated Articles

PMRA has republished its Information Note with a series of frequently asked questions and answers regarding the manufacture, distribution, and import of pesticide-treated articles sold and used in Canada. The FAQ clarifies the definition of "intentionally added" pesticides/biocides.

PMRA Publishes *What Was Heard* Report on Proposed Integrated Approach to Pesticide Evaluation

PMRA recently published a "What Was Heard" report stemming from multiple stakeholder engagement sessions carried out in 2020, which notes broad stakeholder support for the initiatives outlined in the approach.

Workplace Health & Safety

Comment Period Extended on Proposed Amendment to Adopt GHS Revision 7

The deadline has been extended to April 19, 2021 for CIC members. CPCA members are encouraged to review CIC industry comments and raise any additional concerns. Depending on how quickly OSHA is going to approve Rev 7, its adoption in CGII could occur as early as 2022.

CPCA Joins Industry Associations in Opposition to Health Canada Survey on Consumer Product Exclusion Removal from HPA

CPCA and other industry groups met to discuss Health Canada's launch of a public survey to solve the issue of consumer product exclusion removal from the Hazardous Products Act. The survey seeks to gather more data on workers' issues with CCCR-regulated consumer products used in the workplace without access to SDS, proper WHMIS labels and training. CIC industry groups have not been consulted prior to its release and were united in opposition to the leading nature of the survey. Health Canada refused to remove it and the survey is still on. CPCA members are urged to complete it on whmis.org by March 31.

Post-Consumer Paint Recycling

CPCA and Product Care to Comment on Issues of Concern to Producers in Ontario's Proposed HSP Regulation

CPCA has identified several issues of concern for the coatings industry in the upcoming draft Hazardous and Special Products (HSP) regulations for recycling in Ontario. Updated definitions for paint could mean that more substances may be obligated under the new proposal, including industrial paint and coatings. To that end CPCA will be arguing that the word 'architectural' must be put back in the regulation to specify exactly the target of the regulation. The draft regulation also notes that 'empty' paint cans will still be permitted in the Blue Box program at curbside and should not be required for collection under this regulation. The draft accessibility requirements under the regulation could result in the requirement for many new collection sites/events, which would add additional cost for industry while offering little to no environmental benefit if those events are not successful. CPCA will argue that the current collection system that has been in place for the past six years since Product Care took over from Stewardship Ontario has been successful in meeting and in some cases exceeding establish targets. That effort has seen the addition of 200 more Return-to-Retail sites when none were required under the current regulation. Therefore, some consideration must be given to the success of the program as it's currently run and acknowledge the fact that more sites/events based on a formula without considering the actual outcomes is inappropriate, especially for a consumable product like paint. Comments are being accepted until March 28, 2021. CPCA and Product Care will make an official submission prior to this deadline. The proposed HSP regulation will come into force on July 1, 2021, with an 18-month transition period to the new regulation.

Quebec Government Commission to Study Extended Producer Responsibility in New Recycling Plan

Quebec is moving to update its provincial recycling program with a greater focus on extended producer responsibility. A Commission of Inquiry into long-term management of waste is launched to provide a plan to increase recycling volumes and to include a wider variety of commercial products. The outcome will be to have 100 percent of costs covered by producers, similar to Ontario for Electronics, Tires, and MHSW and for Blue Box once the program plan is approved.

Alberta Launches Formal Consultations to Design a Made-in-Alberta Solution to Plastic, Packaging, and Hazardous Household Waste

The government is seeking ways to better manage this waste through a circular economy approach –an extended producer responsibility program that will reduce volume in landfills. The cost and management of recycling shifts from municipalities and municipal taxpayers to those directly producing and consuming goods.

Management Information

Raw Materials Pricing and Paint Supply Update in the US

Members should revisit additional information and commentary shared by ACA in mid-March.

Supply Chain Management/Trade Policies & Regulations

Reminder: Certified ELDs Required in Canada by June 12, 2021

The next 100 days could be stressful for American fleets preparing for the Canadian ELD mandate.

International Initiatives

ACA Reviews the New EU Chemical Strategy

Last fall, the EU Commission report "Chemicals Strategy for Sustainability Towards a Toxic-Free Environment" placed emphasis on responding to an identified hazard, rather than the risk of exposure, embracing the 'Precautionary Principle. The commission intends to implement a hazard-based approach at the global scale, by introducing new hazard classes into the U.N. Globally Harmonized System of Classification and Labeling of Chemicals (GHS) and seeking to phase-out chemical groups through international conventions and agreements within the next two years. New CLP hazard classes and expanded SVHC criteria are expected by the end of 2021.

OECD Publishes Guidance for the Identification and Selection of Safer Chemical Alternatives

The Organisation for Economic Co-operation and Development just published a guidance report intended to advance broader agreement on a general approach and criteria for the selection of safer alternatives, with a focus on chemical substitution. It is intended to advance a consistent understanding of the minimum requirements needed to determine whether a chemical alternative is safer.

More details on these and other industry issues are available for members on the Canada CoatingsHUB.



Login to the HUB





NADIAN PAINT ASSOCIATION CANADIENNE ND COATINGS DE L'INDUSTRIE DE LA PEINTURE SOCIATION ET DU REVÊTEMENT

PRESERVING PAINT FORMULATIONS IS PARAMOUNT!

CPCA is committed to helping members understand Canadian regulations, pending changes, and what that means for product formulations. The Compliance Calendar helps members stay ahead of changes that may impact their products & business.

OPEN THE CALENDAR

ISSUE **TRACKING**

Chemical Management in Canada

New Substances Notification Fees 2021-2022 to Decrease 0.2 Percent Read More

Final Order 2021-66-03-01 Amends the DSL

One substance is deleted while four substances are added in Part I. Four substances are deleted in Part 3. The description of four substances is replaced in Part 3.

Final Order 2021-87-03-01 Amends the DSL

Three substances are added in Part 1, 14 in Part 3.

Proposed Orders 2021-66-03-02 & 2021-87-03-02 to Amend the NDSL

CASRN 1613243-56-3 is added, 34354-45-5 is deleted in Part I.

CMP Phase 3

Chlorhexidine and its Salts to be Added to Schedule 1

These substances do not appear CASE-implicated.

CMP Post-2020

Researchers Call for Lifecycle Studies for Insulation Flame Retardant

PolyFR, a copolymer of polystyrene and brominated polybutadiene, has been used as a replacement for hexabromocyclododecane (HBCD) at high volume. According to teams from the US and UofT, there is an urgent need for environmental fate and toxicity data on the modern insulation flame retardant PolyFR. Chemical regulations do not typically call for the same level of scrutiny for polymers as for other substances and the EU is currently discussing proposals to include their registration under REACH.

Workplace Health and Safety

Post-Consumer Paint Recycling

Ontario Held Webinar on Proposed Producer Responsibility Regulation for Hazardous and Special Products (HSP)

The webinar summarized the new regulatory requirements on March 5, encouraging stakeholder submissions by March 28.

Management Information | Trade Policy & Regulations | Supply Chain Management

United States-Canada COVID-19 Travel Restrictions

See non-essential travel ban and quarantine requirements for anyone crossing the Canada-US or US-Canada border.

Looking to Scale Your BD?

The Canadian Commercial Corporation has launched a Global Bid Finder Search Tool with the specific intent of supporting Canadian businesses to expand their offerings and reach their business development goals.

International Initiatives

World Coatings Council (WCC) Sustainability Report Progress

The global report will be aligned with some of the 17 UN Sustainable Development Goals (SDGs) and is anticipated for publication in September.

US EPA: 1,4-Dioxane Risk Management under TSCA Section 6 to Follow Final Risk Evaluation Publication

US members or Canadian members trading in the US, should see possible restrictions for consumer cleaners, paint and floor lacquers and for occupational exposure to industrial/commercial adhesives and sealants.

Update on Designing a Global Strategy for Nanomaterials

Read More

Sub-Committee of Experts Report on the GHS of Classification and Labelling of Chemicals on its Thirty-ninth Session

Read More

CPCA is a founding member of the World Coatings Council and continues to provide insight and guidance on policy and sustainable development for the paint and coatings industry.



worldcoatingscouncil.org



Update on 2020 Greenhouse Gas (GHG) Reporting Period

The Greenhouse Gas Reporting Program is expecting the Single Window system to be open for 2020 GHG reporting on April 15. Emitters of 10 kilotonnes or more of GHGs in 2020 and/or those involved in carbon capture, transport, injection or storage activities in certain NAICS codes are subject to reporting. The deadline to report is June 1.

Next Step Announced in Creation of Domestic Carbon Offset to Support Clean Growth

The Federal Greenhouse Gas Offset System is a market-based approach that will spur innovation and private-sector investment in economic activities that lead to further emissions reductions and more competitive industry.

Federal Support for Made-in-Canada Solutions to Achieve Zero Plastic Waste

Four SMEs will receive up to \$150,000 toward developing solutions.

Independent Net-Zero Emissions Advisory Body Appointed

The Net-Zero Advisory Body, an independent group of 14 experts will advise the government on the best pathways until 2050. See the list of advisory members.

Comprehensive Security Plan Developed to Protect Transportation Network from Cyberthreats

Read More

Transportation of Dangerous Goods Newsletter Published Read More

Hazardous Materials Information Review Act Published Read More

COVID-19

- Support for Businesses (Financials & Layoffs, Re-Hiring and New Jobs)
- 12 Tips on Working Safely in Confined Spaces during Pandemic
- Hand Sanitizer Licence Flexibilities to End September 1: DEL Now Required





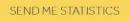
INT ASSOCIATION CANADIENNE I DE L'INDUSTRIE DE LA PEINTURE ET DU REVÊTEMENT

HAVING THE **RIGHT DATA** IS HALF THE BATTLE

CPCA provides members with quarterly statistics on import and export figures and important industry trends based on the Canadian paint and coatings industry and market sectors in Canada.

If you want to receive this data contact CPCA today.

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CANADIAN PROVINCIAL UPDATES

Ontario

Ontario Developing First-Ever Critical Minerals Strategy Read More

Improper Forklift Use Results in Employee DeathR.M. Bélanger Limited fined \$210,000 in Ontario court Read More

100 Additional OHS Inspectors to be Deployed in July Read More

Ongoing Consultation on Modernizing First Aid Regulations Read More

COVID-19

• Ontario Aims to Get First COVID-19 Shots to All Eligible Residents by June 20

Quebec

CPEQ Launches New Series of Educational Videos on Various Concepts Related to Environmental Protection and Sustainability Read More

Port of Montreal Strike Threat Already Disrupting Shippers Read More

COVID-19

- Private Companies Have Access to Rapid Tests After Submitting Projects
- All Adults to Receive First Dose of COVID-19 Vaccine by June 24

Manitoba

Manitoba Releases Report on Electronic Logging Devices for Commercial Vehicles

The "*What We Heard*" report reflects the perspectives of Manitobans.

New Online Motor Carrier Permitting Application System Launched Read More

Alberta

COVID-19

- Additional COVID Support for Alberta Small Business
- Step 2 of Restart Plan Completed
- OHS Officers Can Issue Tickets for Not Complying with Mask Requirements Indoors

British Columbia

WorkSafeBC New High-Risk Strategies and Industry Initiatives 2021-2023

The four newest initiatives will focus on Musculoskeletal Injuries, Psychological Safety, Small Business, and Sustained Compliance.

Lower Mainland, B.C. Develops Portrait of DG Movements in the Area Read More

Innovate BC Awards \$900K to Three BC Research Commercial Cleantech, Biotech Projects Read More

COVID-19

- Returning to Safe Operation

 (B.C.'s Restart Plan, Phases 2 & 3)
 General Guide to Reducing Risk; FAQs; What Workers Should Expect; Ventilation FAQs, Ventilation FAQs
- Phase 2 of its Vaccination Plan Started on March 1, Phase 3 to Begin in Mid-April

ORR & Boss is CPCA's Partner of Choice for Real Insights on the Canadian Paint and Coatings Industry and the Canadian economy. Read the latest updates on the Canada CoatingsHUB.



Read the Report



U.S. UPDATES

PFAS Drinking Water Rules: One Step Closer to Final Rule

PFAS drinking water regulations are expected by the end of 2021. Many companies falsely assume that any regulation under the Safe Drinking Water Act will not impact them, aside from water utilities. There are three specific ways that drinking water limits for PFAS will trigger scrutiny on environmental practices of businesses: (1) effluent discharges into water sources; (2) waste sent to landfills leaching into drinking water sources; and (3) properties abutting or in the vicinity of water sources. Non-compliance could lead to significant fines, cleanup costs, and business interruption.

ACA Reminder: PFAS TRI Reporting Deadline

The first reporting deadline on the TRI Form R is July 1, 2021 for year 2020.

EPA Further Clarifies Review of TSCA Process

The agency will be refining its approach to selecting and reviewing the scientific studies that are used to inform its evaluations.

TSCA Risk Management Rule for decaBDE Draws Lawsuit

The final rule imposed a prohibition on the manufacture, import, and processing of most uses of decaBDE and products containing it.

California OEHHA

- Public Hearing Held on Amendments to Article 6, Clear and Reasonable Warnings Shortform Warnings
- Prop 65 Petition for Rulemaking for Safe Harbor Level for 1,3-Dichloropropene: Request for Information
- Plastic Packaging Legislation Proposed
- All disposable packaging to be recyclable or compostable by 2032

Occupational Health/Pesticide Registration

EPA Registers Copper Alloys for Use Against COVID-19

The list of wipes, sprays and other products viewed as effective against the coronavirus has grown to more than 500 products.

OSHA:·Proposes Hazard Communication Update

Read More

Launches Program to Protect High-risk Workers from Coronavirus Read More

Al-enabled Tech Could be Used to Diagnose Burnout Read More

Environment

Biden to Place Environmental Justice at Center of Sweeping Climate Plan Read More

DOE Providing US\$52.5M to Help Manufacturers Reduce Carbon Footprint

Read More

USGBC Releases Top 10 LEED States for 2020 Read More

H.R. 861. Alerting Localities of Environmental Risks and Threats Act of 2021 (Draft) Read More

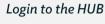
Trade

Bank of America Announces Net-Zero Financing Goal

Joining other banks in Partnership for Carbon Accounting Financials, the Bank of America is committed to achieving net-zero GHG emissions from its financing activities by 2050. Shareholders are increasingly concerned about the systemic impacts of climate change.

More details on these and other industry issues are available for members on the Canada CoatingsHUB.







INTERNATIONAL UPDATES

ECHA Updates

Ethanol CMR Classification to 'Undermine' CLP Regulation

This anticipated proposal would bring "massive socio-economic disruption" affecting uses, including in renewable fuels, cosmetics, beverages, alcohol and food, and as a raw material to make other chemicals. Last December, the biocides industry warned that a reprotoxic hazard classification for ethanol in the EU could spell disaster for the availability of hand disinfectants in hospitals and beyond during the pandemic.

EU Biocide Committee Denies Approval of Four Silver Containing Actives Read More

Eight Proposals to Identify New SVHCs

Read More

Dutch Research Institute: Knowledge Gaps Prevent Assessment of Microplastic Risk to Human Health

The most urgent gap to investigate is to demonstrate the actual presence of microplastics in the human body, so we can better understand internal exposure. This is a huge analytical challenge and very few high-quality studies have been published.

BCF: UK Coatings Industry Faces Significant Challenges From EU Free Trade Agreement

Read More

New Partnership Between EU and Bio based Industries Consortium

The proposal puts forward CBE JU, the Circular Bio-based Europe Joint Undertaking, as a programme building on the achievements of BBI JU. Bio-based industries are considered to be a key enabler of the green transition towards a resilient and environmentally sustainable EU

economy.

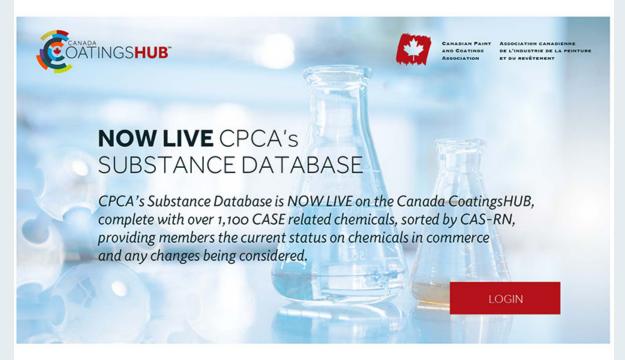
New China REACH Enforced

The new China REACH, known as China New Chemical Substance Notification (MEE Order No. 12), has been enforced since January 1. New chemicals, which are defined as not listed in the IECSC (Inventory of Existing Chemical Substances), will have to comply with the new China REACH. Those IECSC-listed substances where the use is outside the permitted scope also need to comply.

Latin American and Caribbean Environment Ministers Agreed on the Region's Chemicals Management Priorities for 2021–2024

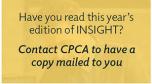
Six priorities and actions to be taken by the 33 countries in the region:

- Strengthening governance and coordination by boosting capacity and improving science-policy linkages;
- Improving the availability of data on chemicals for environmental risk assessments;
- Priority under SAICM to promote sustainable chemistry and GHS implementation
- Implementing the UN's Basel, Rotterdam and Stockholm Conventions;
- Addressing mercury and managing mercury waste
- Waste management and promotion of extended producer responsibility (EPR) schemes



Thank You For Reading! We'll See You Next Month.

Got a Question? Contact CPCA at anytime for answers to your regualtory questions or concerns.





CPCA's DIY Centre Where DIY Painters go to get the job done! *Find inspiration, tips, and tutorials!*



CPCA's CoatingsTECH Delivering Excellence in Education to the Coatings Community

Start Learning Today!



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