

REGULATORY RADAR

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



ADVOCACY REPORT

CPCA is your partner in Compliance — Trusted Advocacy. True Results.

- CPCA Bulletin Alerts Members on **Recent Addition of Plastic Manufactured Items** as Toxic in Schedule I of CEPA
- **Updated 2021-2022 Publication Timelines** for Groups of Interest in CMP
- Formal Comments Submitted on Proposal to the **Adopt GHS Revision 7 in Canada**
- CPCA **to Participate** in CIC Meeting and Health Canada's Workshop on Consumer Products Exemption in Early June
- CPC Comments Being Considered in **Final Publication of the 2021-2028 Federal VOC Agenda**
- Members Urged to Comment on **Proposed Amendments to the Surface Coating Materials Regulations** Prior to July 3, 2021
- Members Informed of Upcoming **S.71 Notice for Certain Bisphenols** Planned for Late Summer/Early Fall 2021
- ECCC to Publish a **Draft Risk Assessment Framework for Nanomaterials** in Summer 2021
- ECCC to Launch S.71 Notice for **Risk Assessment of Nanomaterials** on CASE-implicated nano-TiO₂ and nano-ZnO in Fall 2021
- ECCC Planning Multi-stakeholder **Consultation on Supply Chain Transparency** and Expanded Labelling Requirements in Fall 2021
- Final Screening Assessment for **Boric Acid, its Salts and Precursors** Expected in Fall 2021
- Final Screening Assessment on **Talc Concludes Toxicity** in Loose Powder Products
- **DSL/NDSL Substances** Search Engines Now Fully Operational
- PMRA Provides CPCA with Draft Minutes of the First CAWG Meeting



MEMBER ACTION **REQUIRED**



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

NPRI Reporting Deadlines Extended to September 30, 2021

The NPRI module in the SWIM-reporting system is **targeted for launch in early July**.

DSL/NDSL Substances Search Tool Fully Operational as of April 29

[Read More...](#)

Consultation on Proposed Amendments to the Surface Coating Materials Regulations

On April 24, Health Canada (HC) issued a public consultation in CGI on a proposal to amend the Surface Coating Materials Regulations (SCMR) under the Canada Consumer Product Safety Act. The most noteworthy change relates to the definition of a “surface coating material” which now includes coatings that are applied electrostatically or cured, and that do not just “dry” on the surface, such as powder coatings. **The deadline to respond is July 3.**

Final Order Amends the DSL while Second Related Order Amends the NDSL

14 substances are added, 8 in Part I and 6 in Part 3. The second Order published amends the **NDSL** to delete four substances that are included in the 14 substances added to the DSL.

Consultation on Proposed Amendments to the Carriages and Strollers Regulations

The proposal includes changes to mechanical requirements, surface coating materials requirements, toxicological hazard requirements, phthalates requirements, and warnings. **Comments are due by June 17.**

CMP Phase 2

Reminder: 3 Substances in the Organic FR Group – Melamine, TCPP, TDCPP – Proposed for Addition to Schedule 1

Additional details on the health risks and RM objectives for Melamine (CAS RN 108-78-1), TCPP (CAS RN 13674-84-5), and TDCPP (CAS RN 13674-87-8) led to proposing them toxic. **Members should review their potential uses in textile and furniture coatings.**

CMP Phase 2 & Phase 3

April 29, 2021 Paint and Coatings Working Group Meeting: Publication Timelines and Information Gathering-CMP-2 & CMP-3 Publications in 2021-

2022

Government officials shared a detailed table of publications timelines for all groups of interest to the CASE sector. For CMP-2, the FSAR for Boric acid and 100 more salts and precursors will be published in fall 2021. For CMP-3, the **DSAR for TiO₂ is still expected in July 2022**.

2021-2022 Information Gathering Initiatives

The government's plan implies an upcoming S.71 notice for certain **bisphenols and for certain substances in R-ICL** (Revised In-commerce List) as well as an ongoing voluntary survey for long-chain aliphatic amines and 2-mercaptobenzothiazole (MBT) and its precursors. There is also some ongoing information gathering being done on road salts. Non-CBI survey results will be communicated regarding coal tars, BENPAT, quaternary ammonium compounds, and PFHxS.

FSAR and RM Approach Published for Talc (CASRN 14807-96-6)

The Final Screening Assessment Report concluded that **talc meets the criteria for toxicity for human health concerns** and is recommended its addition to Schedule 1. Talc was identified as causing lung damage and an elevated risk of cancer from inhalation exposure. The Risk Management (RM) Approach seeks to reduce exposures to talc in loose powder form from cosmetics and natural health products by modifying the control conditions under the Cosmetic Ingredient Hotlist and Natural Health Products Ingredients Database.

April 29, 2021 PCWG Meeting: Updates on Chain Transparency, Nanomaterials and BPA Analogues and Functional Alternatives

- **Multi-stakeholder Consultation on Supply Chain Transparency and Expanded Labelling Requirements Planned for Fall 2021**

The government will launch a consultation on supply chain transparency and the related topic of new mandatory federal labelling requirements for consumer chemical products. A discussion paper will be published first followed by a public consultation meeting.

- **Risk Assessment of Nanomaterials Initiatives Being Planned**

A Draft Risk Assessment Framework for **Nanomaterials will be published in Summer 2021** for a 60-day period. It will describe the approach to be used for environmental and human health risk assessments. The first assessments of DSL nanomaterials will be initiated via a S.71 survey and target nano zinc oxide (ZnO) & nano-TiO₂.

- **Government Summarizes Results of BPA Analogues and Functional Alternatives Consultation and Plans a S.71 Survey**

Due to the rising use of Bisphenol S and Pergafast 201, the 2017-2018 IRAP review recommended the scoping of thirty-four BPA-alternative substances and later identified a broader group of 343 BPA structural analogues and functional alternatives. Following the technical consultation of 2020, seven comments were received, such as the ICG comments endorsed by CPCA. A S.71 notice on certain **bisphenols will follow in Late Summer/Early Fall 2021**.

Notice of Intent to Address PFAS-Class Substances Published in Canada Gazette, Part I

The NOI is to regulate the broad class of chemicals known as PFAS. **In 2021, the government will be gathering information** to shape the class-based approach instead of the usual individual approach substance by substance under the CMP. Members should identify any challenges with PFAS and share their concerns with CPCA.

Reminder to Complete Voluntary Survey on Supply Chain Transparency by May 17

The results of this survey will help inform **national consultations to begin in Fall 2021** on ways to enhance and facilitate the collection and sharing of product data within corporate supply chains and with consumers, particularly in digital form.

CPCA Bulletin Alerts Members on Final Order Adding Plastic Manufactured Items as Toxic in Schedule I

On May 12, following its registration on April 23, a final Order was published that added **Plastic Manufactured Items as Toxic in Schedule 1 of CEPA** despite a Notice of Objection to the Proposed Order calling for the establishment of a Board of Review filed by CPCA and multiple other groups. The Order targets the full composition of any 'plastic manufactured items' that are discarded, disposed of, or abandoned in the environment outside of a waste management system.



VOCs & AIR QUALITY

April 29, 2021 PCWG Meeting Update: 2021-2028 Federal Agenda for VOC Reductions from Consumer and Commercial Products

ECCC presented a summary of comments received during the consultation and acknowledged many CPCA comments. ECCC's final decisions will be made in Spring 2021 and the **Agenda will officially be published in CGI in Fall 2021.**



WORKPLACE HEALTH & SAFETY

CPCA Submits Comments on Proposal to the Adopt GHS Revision 7 in Canada

CPCA will formalize its submission **prior to the May 19 deadline.** On May 14, Health Canada published a comparison document that identifies the "key variances" between US and Canadian proposals to update their respective hazard communication requirements. CPCA has captured and reflected many of these in our detailed submission.

CPCA Bulletin Alerts Members on More Workplace Restrictions Imposed Regarding the Covid-19 Outbreaks

At the end of April, Ontario, and some other Provinces began looking at new rules to address the continued spread of the virus in the third wave of the pandemic in the **workplace, including manufacturing facilities.**

Health Canada's Virtual Workshop on the Labour Issues of Consumer Product Exclusion Set for Early June

HC is moving forward with a virtual facilitated workshop during the week of June 7-11, 2021 to discuss potential approaches and solutions to the issues being raised by labour organizations regarding the consumer products exclusion under the HPA. This invite-only workshop was proposed by HC as a result of industry opposition to the public survey released earlier this year. **CPCA and other CIC members will participate to represent industry.**



BIOCIDE PRESERVATIVES

PMRA Provides Minutes of the First CAWG Meeting Held on April 23

CPCA will soon ask PMRA for modifications to be made to the minutes before sharing them with all members. Several of the key industry points raised at the meeting were omitted from PMRA's minutes.



POST-CONSUMER PAINT RECYCLING

Developments on the Paint Recycling Programs in Four Provinces

Ontario, B.C., Alberta, and Québec are in the process of implementing **changes to their recycling initiatives,** which will impact paint producers in Ontario only for the foreseeable future. In Ontario, CPCA is working closely with Product Care and the Ministry to challenge problematic aspects of the upcoming HSP regulation. BC and Alberta are both moving towards programs that

emphasize EPR, which could lead to the same oversight authority issues that CPCA has had to deal with in Ontario. As a result, CPCA's advised Alberta who raised the prospect of an Ontario type oversight agency to cease and desist immediately as it will only add more costs and red tape for producers and consumers in Alberta. Similarly, a new Quebec EPA policy is being rolled out that puts the responsibility on brand owners to meet specific targets, which will likely require industry to invest massively in collection and processing infrastructure. However, at this point it does not envision changes to the paint recycling regime as it has been operating well in Quebec, as it has been Ontario.

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

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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**



Did You Know?



INFORMATIONAL

Below are informational resources not requiring further member action directly at this time, but provided as an update for 'members only' as your companies still need to be aware of the issues to ensure full compliance and to mitigate risk as warranted.



CHEMICALS MANAGEMENT **IN CANADA**

CMP Phase 2

Final Order Adds Selenium and Its Compounds to Schedule 1 of CEPA

Selenium and its compounds are declared **toxic** for health and the environment. The main sources of concern include releases from mining, burning of fossil fuels, metal refining

operations, agricultural activities, and wastewater treatment.

CMP Phase 3

DSAR Published for the Monocyclic and Bicyclic Sesquiterpenes Group

It is proposed to conclude that T & T clove oil (CASRN 68917-29-3), sandalwood oil (CASRN 8006-87-9), and guaiazulene (CASRN 489-84-9) are **CEPA-toxic**.

CMP Post-2020

CMP Science Committee Report February 2020 Meeting

The **CMP Science Committee** met face-to-face in February 5-6 to focus on considerations for identifying potential risks from exposure to chemicals in the workplace. The committee reviewed key scientific lessons learned from international, the types and relevance of workplace data that could be used to inform prioritization exercises and guiding principles that could help prioritize substances or sectors to date.



VOCs & AIR **QUALITY**

ECCC Publishes Progress Report on the Code of Practice for the Reduction of VOC Emissions from Cutback and Emulsified Asphalt 2019

This is the second progress report after the **Code was implemented in 2017**. The 2019 data showed that the percent reduction target for 2023 (from the 2017 level) is far from being met. In 2023, if the Code's objectives are not met, it may be necessary to amend it or adopt another instrument.



WORKPLACE **HEALTH & SAFETY**

Reminder: CANUTEC Phone Number NOT to be Used in Part 1 of the SDS

The Canadian Transport Emergency Centre (CANUTEC) 24-hour telephone numbers must not be listed as an emergency telephone number. The overall mandate of CANUTEC is to promote public safety in the transportation of DGs by all modes but it cannot provide any information on the storage, use or handling of products.



INTERNATIONAL **INITIATIVES**

TDMA/ACA Update on TiO₂: EU Held Special CARACAL Meeting on May 4, 2021

The **Titanium Dioxide Manufacturers Association** recently embarked on an analytical project to identify tests that would determine if TiO₂ grades meet the classification criteria. The test results showed that many grades of TiO₂ do not meet the EU criteria. TDMA shared these findings with the European Commission and ECHA in March, which called for a special CARACAL meeting in May. TDMA is developing comprehensive information to be used in SDS and continues to push for the Commission to accelerate the update of the EU guidance on the classification of waste.

Mexico Developing Federal Standards to Regulate VOC Content in Architectural Coatings

The Mexican Government's first draft of their **Architectural VOC regulatory limits is about 90 percent complete**. The adoption and implementation timelines are still unknown. Members

should review some of the VOC limits that are currently being anticipated for waterborne coatings, textured coatings, and road marking paint.

FTA Negotiations with the UK and Its Possible Accession to the CPTPP

On February 1, the **UK submitted a notification of intent** to begin the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) accession process. The CPTPP is a Free Trade Agreement (FTA) between Canada and 10 other Asia-Pacific nations. Canada and the UK continue their FTA discussions following a public consultation that ended in April.



FEDERAL-PROVINCIAL **UPDATE**

Competition Bureau Releases Updated Guidelines Regarding Collaborations between Competitors

[Read More...](#)

Health Canada Publishes Quarterly Consumer Product and Cosmetic Reports Received Summary for Q1 2021

[Read More...](#)

Waiver of Information Requirements for Substances Published in CGI

[Read More...](#)

Transport Canada Proposed Changes to the Marine Transportation Security Regulations

[Read More...](#)

Virtual 28th International Symposium on Epidemiology in Occupational Health: From the Workplace to the Population: Exposure and Prevention

The EPICOH event is scheduled for **October 25-28, 2021**.

Canadian Intellectual Property Office CIPO Taking Measures to Allow Expedited Examination of Trademark Applications.

[Read More...](#)

Mental Health Week of May 3-9 Releases Free Resources for the Workplace

[Read More...](#)

Quebec

IRSST Publications

- [Knee Surgery: Factors Hindering the Return to Work](#)
- [Sustainable Return to Work Following a Musculoskeletal Disorder: Courses of Action for Supervisors](#)

Alberta

Legislative and Regulatory Changes Support a More Competitive Forest Sector

Changes made to the outdated **five-decade-old Forests Act** come at a time when North America is experiencing record demand for wood products.

Province Provides Employer Tool Kit Based on Last Year's Updated Standards

[Read More...](#)

British Columbia

Proposed Policy Amendments regarding Permanent Disability Evaluation Schedule Review

4:30 p.m. on August 6, 2021

Metro Vancouver's Draft Clean Air Plan – Public Forum on May 20

Members can [register](#) to the forum or [provide online feedback](#) on the regional plan for [managing air quality and GHGs](#) over the next 10 years.



COVID-19 UPDATE

National

- [Order Minimizing the Risk of Exposure to COVID-19 in Canada: Prohibition of Entry into Canada from the US & into Canada from any Country Other than the US &](#)
- [Canada Order on Quarantine, Isolation, and Other Obligations](#)

Ontario

- [Employers Reimbursed for Up to Three Paid Leave Days for Every Employee](#)

Quebec

- [Dashboard of the Covid-19 Situation](#)

Prince Edward Island

- [New Travel Measures Introduced for Truck Drivers](#)

Alberta

- [New Mandatory Health Restrictions to Help Stop the Spike of COVID-19](#)
- [Alberta and Montana Agree to Speed up the Vaccination of Albertans Truckers across the Border](#)
- [Alberta Partners with Chambers of Commerce to Make it Easier for SMEs to Access Rapid Testing Kits](#)

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



Chemical Management

H.R.1512 - CLEAN Future Act Deferred to Subcommittee on Environment and Climate Change

To build a clean and prosperous future by addressing the climate crisis, protecting the health and welfare of all Americans, and putting the Nation on the path to a **net-zero greenhouse gas economy by 2050**.

US EPA's Recent Announcements Regarding Toxic Substances and Chemicals

- EPA first released a list of 390 chemicals that are expected to lose their confidential status and move to the public portion of the Toxic Substances Control Act (TSCA) inventory. The EPA has published a list of the chemicals identified by their accession numbers.
- EPA announced a plan to update its Toxics Release Inventory (TRI), which includes expanding reporting requirements for certain chemicals and facilities, including PFAS. This aims to improve transparency, as well as access to environmental information. <https://www.epa.gov/newsreleases/epa-announces-plan-update-toxics-release-inventory-advance-environmental-justice>
- EPA Administrator proposes a PFAS Special Council. The council's mission is to build the agency's work to better understand and reduce the risks caused by per- and polyfluoroalkyl substances.
- SNURs Proposed for Three Substances and Fourteen Other Substances
- Integrated Risk Information System Opens 30-day Comment Period for Vanadium Compounds

ACC: EPA HFC Proposal to Spur Manufacturing

The EPA's proposal to phase down hydrofluorocarbons by 85 per cent over 15 years "will sharply reduce a sizable source of GHG while creating new manufacturing jobs and growing our nation's share of the global market for air-conditioning and refrigeration products," said ACC President and CEO. Effective alternatives to HFCs are available from Honeywell, Chemours, Arkema and other companies.

OEHHA Notice of Public Comment Period for Draft Cancer Inhalation Unit Risk Factor for 1-Bromopropane

This substance may still be used in industrial spray adhesives.

Health & Safety

EPA's Chemicals Office Head Details Agency's Plans to Ensure Greater Worker Protections under TSCA

EPA begins environmental justice consultations on Risk Management rulemakings for asbestos, Part 1: Chrysotile Asbestos and PV29. This will potentially supplement risk evaluations completed to address environmental justice concerns.

EPA Approves Kraton's Antimicrobial Coating for Use in Airlines

EPA Grants Section 18 Emergency Exemption for Kraton Corp.'s block copolymer. BiaXam sulfonated block copolymer can provide long-lasting antimicrobial protection on public surfaces. The technology can kill up to 99.999% of the SARS-CoV-2 virus under laboratory conditions, with continued protection for up to 200 days, depending on use, exposure, and cleaning methods. Kraton is currently seeking regulatory approvals in other jurisdictions.

Vermont Bill Takes Another Step Towards Becoming Law to Ban PFAS in Consumer Products

The Bill would **restrict the use of per- and polyfluoroalkyl substances** (PFASs) in class B firefighting foam and require disclosure for their use in firefighters' PPE and would tackle PFASs or ortho-phthalates in food packaging. The restrictions include prohibit intentional additions in residential carpets and rugs, as well as after-market treatment products and in ski waxes. They extend beyond PFASs and phthalates. With respect to children's products, PFHxS, PFHpA and PFNA are added to the list of high concern substances to report.

ACA Developing a Petition for Rulemaking to EPA Requesting that Solvent-based Paint be Designated a Universal Waste under 40 CFR Part 273

ACA is to convene a working group on the development of the definition and scope of "paint."

Massachusetts Bill to Mandate Rooftop Solar on New Homes and Commercial Buildings

[Read More...](#)

CPCA is a regular contributor to several well recognized industry magazines and news outlets.



Find the Articles in CPCA's Blog!



CANADIAN PAINT AND COATINGS ASSOCIATION
ASSOCIATION CANADIENNE 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.

[SEND ME STATISTICS](#)





EUROPEAN **UPDATE**

Reminder: Seven Substances, Including the Cyclosiloxanes D4, D5 and D6, Recommended for Addition to the Authorization List

[Read More...](#)

Nearly 300 Chemicals Identified as Candidates for Regulatory Action

Most of the **290 chemicals** will, however, require more data to be generated and their confirmation of hazard before any actions can start.

Chemsec Published a Report on the Top 10 Most Searched SIN Chemicals

What are people searching for when using the SIN List? Here are the 10 “**most wanted**” hazardous chemicals that SIN List users are particularly interested in.

Report: Companies Continue to Set Sustainability Targets Without Understanding How to Achieve Them

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

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INTERNATIONAL UPDATE

OECD New Guidance: Characterization, Validation, and Reporting of Physiologically Based Kinetic (PBK) models for Regulatory Risk Assessment

PBK models are a mathematical representation (based on ordinary differential equations) of biological processes in the body. They allow the prediction of absorption, distribution, metabolism, and excretion (ADME) of a **chemical in humans and other animal species**.

China Adds 204 Substances to the IECSC

There are **45,763 substances listed in IECSC**. The MEE recently added 204 substances.

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



CANADIAN PAINT
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NOW LIVE CPCA's SUBSTANCE DATABASE

CPCA's Substance Database is NOW LIVE on the Canada CoatingsHUB, complete with over 1,100 CASE related chemicals, sorted by CAS-RN, providing members the current status on chemicals in commerce and any changes being considered.

[LOGIN](#)

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



Got a Question? Contact CPCA at anytime for answers to your regulatory questions or concerns. We appreciate member feedback, so should you have suggestions for improving the RR or other aspects of the Hub please let us know.

Have you read this year's edition of INSIGHT?

Contact CPCA to have a copy mailed to you

INSIGHT
CPCA'S ANNUAL GUIDE & DIRECTORY 2021

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