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Robert Iger, Chief Executive Officer of The Walt Disney Company

## PRESIDENT'S MESSAGE



February 2024

### Separating Sense from Nonsense

The highly regarded professor Joe Schwarz at McGill University, heading up the *McGill Office for Science and Society* applies critical thinking to science in “separating sense from nonsense when it comes to chemicals.” Nowhere is that more needed in the world today than in Canada's work on risk assessment of chemicals in commerce. This is evident in some recent events in Canada including several groundbreaking higher court decisions quashing federal Government actions related to chemicals in commerce. Increasingly, more sense in chemical assessment is becoming the main focus of organizations like CPCA in terms of how Governments conduct risk assessments to further regulate chemicals of highest concern. In keeping with the theme one could argue that the focus of many groups is indeed to “separate sense from nonsense” where it is determined to flourish.

Let's take a recent critical thought perspective by Professor Schwarz on the European Union's International Agency for Research on Cancer (IARC) listing of Titanium Oxide as Category 2B and “possibly carcinogenic in humans.” As Professor Schwarz's nonsensical approach notes, TiO<sub>2</sub> is a bright white powder produced from a titanium-iron oxide mineral called ilmenite that is used in paint, paper, sunscreen, cosmetics, toothpaste, and food like chewing gum, pastries, cake decoration, etc. TiO<sub>2</sub> is only banned for some food products

TiO<sub>2</sub> in food is not justified. But, conversely, he agrees with Health Canada's position that TiO<sub>2</sub> "as a food additive poses no health risk as supported by evidence." Thus, only one conclusion or question can be posed: "How can European and Canadian scientists look at the same data and come to different conclusions?" The answer is: "European regulatory agencies favour the precautionary principle, which is the philosophical view that any hint of risk should preclude the use of a substance. Health Canada, on the other hand, evaluates risk by taking into account the manner in which a substance is actually encountered." Dr. Schwarz goes into detail as to [why that is the case here](#).

There are many examples of the need for a rigorous chemical assessment approach, which is the one used by Health Canada and Environment and Climate Change Canada (ECCC) in its long-established protocols for chemical management. The approach is predicated on risk assessment prioritizing chemicals of 'highest concern' using established scientific data gleaned from multiple sources including legally mandating companies to provide any and all relevant data the Government requires to make fully informed decisions *before* risk management measures are mandated. These measures could include outright bans; regulations requiring lower limits/uses; codes of practice; pollution prevention plans; environmental compliance agreements, etc. For over 20 years this approach has worked well and is widely regarded by other countries as a best practice for chemicals management. Moreover, Canada has been successful in that it has risk-assessed 4,300 chemicals in that period with 18 percent of them risk-managed in some form. However, Europe has been engaged in chemical management for the same period of time with less than 300 substances essentially assessed based on their hazards and using the precautionary principle. One could argue that some form of reasonable risk assessment, as done in Canada, followed by risk management measures is better than thousands of substances still in commerce in Europe without being fully risk assessed and risk managed in some manner. The United States under TSCA has also lagged behind Canada in the risk assessment of chemicals in commerce with less than 5 percent of the chemicals assessed in Canada.

With the recent amendments to the *Canadian Environment Protection Act* (1999), now renamed with a few more adjectives, the *Strengthening Environmental Protection for a Healthier Canada Act*, the industry is watching to see how the 62 amendments to the Act will play out in new regulations over the next 18 months or more. One of the new amendments to the Act, "is the recognition, for the first time in federal law, that every individual in Canada has a Right to a Healthy Environment as provided under CEPA." For that to happen the Government will set out a framework as to how the right will be considered in administering the Act and will lay out those principles in the year ahead. How much impact will that have on the risk assessment of chemicals in commerce? That is a good question given all the other long-established protocols that have worked well for Canada to date. The other challenge will be risk assessments under the new Act has much tougher timelines for assessment as each must be concluded within two years of the start date. That in itself is a major development, which will put pressure on both Government and industry to comply. It will likely cause some multinational companies now manufacturing certain product lines in Canada to shift production to the United States and ship those products to Canada to limit the uncertainty created by what will be a very different approach to chemical assessment in Canada. In fact, we have already seen this occur with the cancellations in Canada of biocide preservatives for paint.

That new timeline for risk assessment completion will have new requirements under the new *Right to a Healthy Environment* under sub-section 5. 1(2) of CEPA, with a framework that must address:

- Principles to be considered in the administration of CEPA such as environmental justice (including the avoidance of adverse effects that disproportionately affect vulnerable populations and vulnerable environments), non-regressing and intergenerational equity;
- Research, studies, and monitoring in support of the right;

- mechanisms to support the protection of the right.

The Minister is required to report on the RTHE implementation framework annually in the CEPA Annual Report. There is currently a 25-page document with countless issues being considered over the next 18 months on how best to ensure compliance with the measures related to the Right to a Healthy Environment in chemical risk assessment in Canada.

It is still unclear if this will stand up to the test of “separating sense from nonsense when it comes to chemicals,” which most believe Canada has done well for the most part over the past 20 years. If not, Canada will never get through the risk assessment of the next 4,300 chemicals in 15-20 years. That robust risk assessment was achieved in that time with strong industry-government collaboration ensuring ‘sensible science’ ruled the risk assessment approach without being diverted by other preoccupations of questionable merit or actual benefit to human health or the environment.

We are pleased to note that Dr. Joe Schwarz will be the keynote speaker at CPCA’s annual conference in Montreal at the end of May. Join us for more ‘sensible’ talk on chemicals.

**Gary LeRoux**

President & CEO

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**ChemSpec Canada** is part of the ChemSpec family of companies, and a subsidiary of Safic-Alcan Group located in Paris, France. ChemSpec is a distributor of specialty chemical additives and polymers in the North American elastomer mixing industry, as well as coatings, adhesive & sealants, inks, plastics and cosmetics compounding market segments. Competitive pricing and quality is critical for ChemSpec partners, which include some of the world’s finest chemical producers delivering the most advanced, reliable polymer additives in today’s market. Responsive, sustainable and results

driven, ChemSpec goes beyond the limits of traditional distribution to deliver optimal transparency when bringing technical products from the manufacturer to the end-user. The company’s core values include a focus on sustainability, continuous improvement, integrity,



The True Value Company is headquartered in Chicago and has one of the largest paint manufacturing facilities in the country producing several million gallons of paint annually in various coating segments. True Value is committed to long-term sustained growth and success with numerous stores worldwide supporting sales in many communities.



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## ADVOCACY REPORT



### CPCA Advocacy Efforts Supporting a Stronger Canadian Coatings Industry

- CPCA Comments on the Proposed Regulations for Certain Products Containing Coal Tars, PAHs, and 2-BE
- Members Alerted on Multiple Government Consultations to Begin in Canada on Implementation of New CEPA Provisions in 2024-2025
- World Coatings Council Submits Comments Supporting CPCA's Comments on ECCC Notice of Intent S.46 to Build a Plastic Registry
- Private Members' Bill Introduced in Parliament on Plastic Manufactured Items
- CPCA Participates in OECD Global Forum on PFAS and Reports to Members
- CPCA Members of the Coatings and Adhesives Working Group (CAWG) Respond to Two PMRA Consultations: Continuous Oversight of Pesticides and Increased Fees
- Canadian Manufacturers and Exporters (CME) Initiative: *Manufacturing Our Future*

**Note:** This is a very limited view of the extensive work done by CPCA on these few issues. There are 'many' more such issues with several important actions taken such as data gathering, formal submissions, bilateral meetings, extensive industry engagement, technical committee work, etc. If your company is interested in or indeed impacted by these and other issues please note they are all curated for easy access on the only digital platform for the CASE industry in Canada, the Canada CoatingsHUB. **If you would like a complimentary copy of the most recent 'members only' Regulatory Radar with much more insight on these and other issues please [contact CPCA](#).**

### Proposed Generic Regulations for Certain Products Containing Toxic Substances (Targeting Coal Tars, PAHs, and 2-BE)

CPCA agrees that including multiple substances of concern in products in one generic regulation will simplify the regulatory landscape and help interested parties identify relevant regulatory requirements and identify the proper level of concerns for UVCBs, single substances, or classes of substances. While CPCA appreciates that the newly proposed generic regulation intends to reduce the regulatory burden for stakeholders and governments, we believe that there should be more clarity on the criteria and process as to how the generic regulations will, in fact, be used prior to adding more substances for 'partial prohibition'. For example, Coal tar and distillates contained in sealants products

concentration levels are still allowed for PAHs in sealants and for Z-BE.

*CPCA expressed overarching concerns about ECCC adding substances to a new generic regulation before the Schedule 1, Part 1, and Part 2 listings of CEPA are finalized. The generic regulation will come into force next year to stop the manufacture and import of pavement and roofing sealants and other sealant products for industrial use on metal, structural steel, or concrete components or on pipelines or other buried services containing coal tars and PAHs in excess. Their stop-selling deadlines differs, however.*

## **Multiple Government Consultations to Begin in Canada on Implementation of New CEPA Provisions in 2024-2025**

June 13, 2025 is the final implementation date for the new CEPA provisions for several major regulatory initiatives bound to lead to more impacts on risk assessment with prohibitions and lower limits. These include: the definition of the 'Right to a Healthy Environment' (RTHE), which could have significant impacts on other regulations; the new regime for 'Toxic Substances of Highest Risk' in Schedule 1; the new Watch-List for chemicals only potentially toxic in the distant future; the Animal testing reduction/replacement strategy; and a new labelling strategy focused on excessively more labelling. The government recently added to that list the restriction and authorization process of certain toxic substances expected in the early part of 2025, which will likely be related to the addition of CMRs to *Schedule 1 Part 1*.

*CPCA has developed a detailed timetable for members, indicating the remaining CMP-3 publications to be published in 2024, and highlighting recent PFAS developments, which include the possibility for the government to use 'voluntary pledges' as a risk management mechanism. CPCA urges its members to ensure enough resources and attention be is devoted to the review of many critical regulatory proposals for the chemical industry. There are fundamental legislative and regulatory challenges ahead for the CASE industry in Canada unlike any time in history. CPCA continues to stress and proven often that more and better data leads to better outcomes.*

## **World Coatings Council Submits Comments Supporting CPCA on ECCC's Notice of Intent S.46 to Build a Plastic Registry**

The **World Coatings Council** (WCC) and CPCA questioned the need for an overly broad, extremely complex infrastructure to collect, maintain, and report on data points that may not be reliable, measurable and verifiable. Furthermore, there appears to be other existing initiatives that will provide some of the data that is being targeted by the proposed Registry. The WCC highlighted the work and negotiations being conducted by the United Nations Intergovernmental Negotiating Committee (INC) on plastics pollution and the effort to negotiate an international binding treaty addressing plastic pollution. Specific tracking themes are beginning to emerge such as a focus on single-use or disposable plastics, problematic and avoidable plastic products, use of recycled plastic content, EPR and many other topics of global concern to manufacturers and consumers alike.

The bottom line is just that, other efforts to build registries of this nature in Canada and other countries have been nothing but excessive red tape and tens of millions without any discernible benefit for government, industry or consumers. In fact, the consumer always pays for red tape as they pay twice, in the taxes they paid to build a questionable registry and in the increased prices paid for products at the point of sale. In the final analysis, the same outcome can be easily achieved by regulation, which will easily capture the lion's share of the data needed from the major companies implicated for such data.

*Rather than building another 'costly' government database that may have limited application or appeal even after reports are published, Canada may be better served by waiting to see the final version of the global legally binding treaty language, which is designed to have worldwide applications prior to developing a wide-ranging, costly and burdensome infrastructure and reporting system as implied in the recent NOI.*

## Court Decision Found Unconstitutional Their Addition to Schedule I

Last November, the Federal Court struck down the federal government's decision to add Plastic Manufactured Items (PMI) to the Schedule 1 of CEPA. The Government has since appealed the decision but asked the Federal Court of Appeal to stay the decision in the lower court pending the outcomes of the appeal, hence ensuring that the Canadian Ban of single-use plastic items will remain in effect pending the Appeal decision. This month, a Private Bill C-380 was introduced to amend CEPA, 1999 to delete PMI from the Schedule 1.

*CPCA will continue to closely monitor the legal development surrounding the addition of PMI to Schedule I as members are preoccupied with the usefulness of the proposed Federal Plastic Registry and when/how Canada will impose the use of recycled plastic content in plastic packaging and other items in Canada.*

## The WCC Nominates Five Individuals to Attend Fourth Session of the UN Environment Programme INC-4 (Intergovernmental Negotiating Committee) on a Legally Binding Instrument for Plastic Pollution to be Held in Ottawa

The fourth session of the [Intergovernmental Negotiating Committee](#) to develop an international legally binding instrument on plastic pollution, including in the marine environment (INC-4), is scheduled to take place from 23 to 29 April 2024 at the Shaw Center in Ottawa, Canada. The WCC formally nominated the following individual as official representatives to attend INC-4, including a CPCA representative:

1. HEAD OF DELEGATION – Karyn Schmidt, Senior Director, Regulatory & Scientific Affairs, Global Affairs Lead
2. Raleigh Davis, Director, Regulatory & Scientific Affairs
3. Chuck Chaitovitz, Vice President, U.S. Chamber of Commerce
4. **David Saucier, Director, Issues Management, CPCA**
5. Heidi McAuliffe, Senior Vice President, American Coatings Association

*CPCA is a member of the WCC, which has consultative status with the Economic and Social Council (ECOSOC) and is also accredited to the United Nations Environment Program (UNEP).*

## CPCA Attended the OECD Global Forum on PFAS on February 12-13, 2024

CPCA attended the Global OECD (Organization for Economic Co-operation and Development) PFAS Forum with a wide range of stakeholders who came together to discuss new OECD initiatives related to next 4-year PFAS plan of actions related to risk management approaches, innovation challenges, safer alternatives, risk communication strategies, monitoring techniques, and approaches to managing contamination. OECD has worked on PFAS for 20 years and at the end of the workshop, gathered a long list of suggestions for its 4-year plan at the international level. Canada (ECCC) spoke about Canada's PFAS studies and approach. ECCC will publish its final screening assessment and risk management approach for PFAS later in 2024 and launch a S.71 survey which is now delayed to the fall of 2024 or early 2025. In its DSAR and risk management scope on PFAS, ECCC and Health Canada indicated that they will seek to "align with actions in other jurisdictions, where appropriate".

*CPCA members were provided summaries of all the main presentations from Canada (ECCC), the European Commission, US EPA, Japan, China, and other country groups as well as a list of potential OECD initiatives to be included in the next OECD 4-year plan.*

## CPCA CAWG to Respond to Two PMRA Consultations on the Continuous Oversight of Pesticides and Increased Fees

PMRA proposes a new policy for continuous oversight that will consider on an ongoing basis new information published in the scientific literature, water monitoring activities and results, and other countries' regulatory decisions in order to trigger any necessary proactive actions mainly through special reviews. The current Pest Control Products Fees

and Charge regulations were implemented in 2017. Under a Treasury Board directive, all payments must review their fees from time to time. Since that time, PMRA has developed and plans to implement various transformation initiatives starting in Spring 2024 in support of which fee modernization has become necessary.

*CPCA members of the CAWG will respond to the two consultations and meet PMRA officials in March. Ultimately, the proposed PMRA transformation agenda, new fee regime and policies on oversight should be correctly planned and measured in order to continue providing Canadian registrants and CASE manufacturers reliant and affordable active ingredients, which are essential for manufactures to remain competitive in the marketplace while protecting health and environment.*

## Canadian Manufacturers and Exporters (CME) Initiative, Manufacturing Our Future

CPCA is a member of the CME coalition. CME's Manufacturing Our Future will define an action plan to drive investment, create jobs and grow exports in Alberta, Saskatchewan and B.C. Part of the process is grassroots consultations through a series of roundtables that will inform the development of a report on how to grow manufacturing in each province. Manufacturers are at the forefront of global competition, innovation, and technological change. But they are also competing with the world's best – and to succeed, they require a business climate that is equally world-class. The next dates are: March 1 – Prince George, March 4 – Kelowna, March 5 – Trail, March 11 – Two Hills, March 12 – Bonnyville, March 13 – Lethbridge, and March 14 – Medicine Hat.

*On a Canada-wide basis manufacturing investment is in crisis. Other jurisdictions are moving aggressively to attract investment, grow their value-added manufacturing base, and create high-paying jobs. Western provinces need action plans for manufacturing and CME is closely engaged with the three provincial governments on this initiative. CPCA encourages western-based members to participate (email Carolyn Disney at [carolyn.disney@cme-mec.ca](mailto:carolyn.disney@cme-mec.ca))*

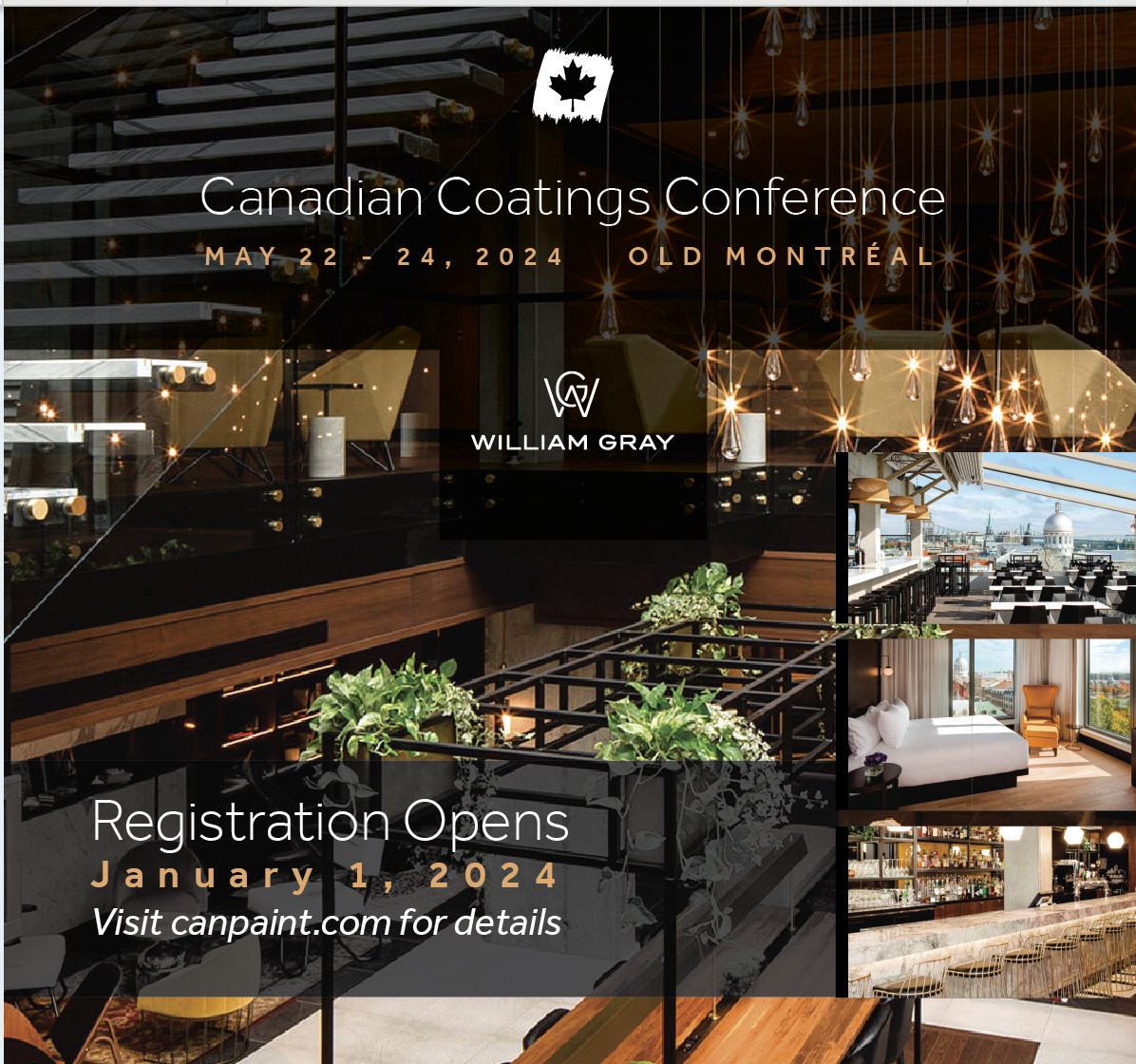
## Ensure Nothing is Missed on Regulatory Compliance in Canada

For more details on the issues noted above, and many more over the past month, please review the latest monthly [Regulatory RADAR](#) (Canada and US Edition) with links to important documents and ongoing actions being taken by CPCA and its committees on behalf of industry.

**Note:** If you are not a CPCA member, please ask for a [complimentary copy of the latest Regulatory RADAR](#).

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### PPG, PPG Foundation Invested \$17.5+ Million in Communities Worldwide in 2023

PPG and the PPG Foundation **invested more than US\$17.5 million worldwide in 2023**, an increase of \$1.3 million over 2022. The funding supports more than 450 community partners and programs that are focused on advancing education and delivering community sustainability while encouraging PPG employee volunteerism.

### BASF to Research on Alternatives to Animal Testing on Behalf of the European Chemicals Agency (ECHA)

For six years, the **ECHA contracted a consortium that includes BASF**. The company will conduct scientific studies on the reliability and relevance of New Approach Methodologies (NAMs) as alternatives to animal testing and to promote the use of such methods in the future. The contract aims to get additional NAMs accepted by regulatory authorities, focusing on molecular biological technologies (OMICS and toxicokinetics).

### AkzoNobel Launches White Paper to Explain Role of Coil Coatings in Building Sustainable Environment

**AkzoNobel** deep dives into governmental bodies around the world, how increases in regulation push the industry towards achieving net zero by 2050, and how coil and extrusion manufacturers along with their customers and suppliers are likely to be affected.

### PPG ADJUSTRITE Repair Management Tool Launched for Greater Commercial Body Shop Productivity

**This new mobile-friendly feature** of industry-leading commercial estimating software offers technicians a time clock system and automated tracking of work hours per repair order. Shop managers and estimators benefit from a centralized approach to delegate tasks, gain insights from productivity metrics and efficiency data, and utilize dynamic charts for a thorough overview of repair orders and technician activities.

## MEMBER RECOGNITION



### Farrow & Ball Welcomes Garrett Bredenkamp New North American President

Garrett Bredenkamp's rich career background in **transforming and scaling businesses** will allow him to lead the acceleration of Farrow & Ball in the US and Canada.

### Marcel Krohnen Heading BYK's Global Paint Additives Business

## CDP Renewed Leadership Status for BASF Receiving A- in All Three Categories

The non-profit CDP ([Carbon Disclosure Project](#)) has again ranked BASF as one of the world's leading companies for its sustainable water management and forest and climate protection measures.

## PPG Recognized by JUST Capital for Environmental, Community Impact

[JUST Capital](#) recognized 937 most Just companies across 36 industries and recognized PPG for environmental, community impact for the sixth consecutive year. The [annual rankings](#) reflect the public opinion of roughly 3,000 Americans and evaluates the relative performance of companies in the Russell 1000 index.

## Brenntag Receives ISCC PLUS Certification

Brenntag was awarded the [International Sustainability and Carbon Certification ISCC PLUS](#), a world leading, independent certification system for sustainable feedstocks like biomass, circular materials, and renewables as well as for the mass balance approach. This follows the certification of Brenntag's Product Carbon Footprint data calculation method "CO2Xplorer" last November.

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# CANADIAN ECONOMY



## Inflation Rate Slipped Under 3.0 Per Cent in January

On a seasonally adjusted monthly basis, prices in January [fell for the first time since May 2020](#). It is hoped that the Bank of Canada will start cutting interest rates soon. [The real GDP](#) is forecast to grow by 2.7% in 2024.

## Global Manufacturing Growth Not Predicted until 2025

Despite a tough year ahead for most regions and territories in 2024, [growth will return in 2025 for many sectors](#). The expected CAGR for US manufacturing between 2023 and 2028 is expected to be positive at 2.4 percent and 2.4 percent in Europe.

## Daylight Saving Time: How to Spring Forward Safely

By "springing forward" the time change can also introduce risks, including sleep disruptions, tired workers, and more work injuries. [See how](#) to help keep workers well-rested and safe during daylight saving time.



# Canadian Coatings Conference

MAY 22 - 24, 2024 OLD MONTRÉAL

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## TECH INNOVATIONS



### Institute Develops Alternative to PFAS-Based Coatings

The **Leibniz Institute for Plasma Science and Technology** created a new method for the production of ultra-hydrophobic organosilicon polymer coatings as an alternative to per- and polyfluorinated compounds. Based on plasma technology, the coating is stable, up to 200 nm thick and opaque, storable, washable and reproducible.

### Innovative Coating to Prevent Limescale Formation in Hot Tanks, Washing Machines, Kettles

A **special limescale-repellent** coating with microscopically small ridges prevents the adhesion of limescale crystals. This study was published in Science Advances.

### 3D Printed Nanocellulose Upscaled for Green Architectural Applications

A hydrogel material formed from nanocellulose and algae has been tested in Sweden as an alternative, more sustainable building material. While nanocellulose is not a new biomaterial, it has never been dried and used for building applications. The technology for this **abundant material is being scaled up**.

### Researchers Study Microbes to Create Ice-shedding Coatings for Airplane Wings, Wind Turbines, Power Lines



used to manipulate ice and snow in several ways, such as by changing the temperature at which water freezes and increasing and decreasing how strongly ice adheres to surfaces.

### Antifouling Steel Coating for Food Containers

US researchers developed a **two-step coating solution for galvanized steel**. The coating method reduces the risk of corrosion and exhibits superhydrophobicity and antifouling capabilities.

### Stimuli-responsive Antibacterial Coatings: Bacteria-killing and Releasing Mechanism

The combination of different stimuli such as pH, temperature, salt solution, light, sugar, or their combination is an effective way to trigger and **control the antibacterial function on smart surfaces** by causing a conformational change in responsive polymers and leading to the release of killed bacteria.

### Eco-friendly Bio Copper Based Superhydrophobic Coating on Steel Metal

The use of biogenic Cu nanoparticles in combination with a biocompatible process enables an environmentally friendly method of producing superhydrophobic **anticorrosive coatings on steel surfaces**.



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