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Time waste differs from material waste in that there can be no salvage.
Henry Ford

PRESIDENT'S **MESSAGE**

July 2024

Some Perspective Needed on Proposed Federal Regulations

Below are a few items we are reflecting on at CPCA in preparation for a strong advocacy season in Canada in the fall. The Government continues to press forward on new regulations, which are either unnecessary or ill-conceived and will do little to improve Canada's record on the environment, productivity, economic growth, or regulatory alignment with our largest trading partner, the United States. Why they are doing so is anyone's guess. Many commentators, pundits, and journalists are still trying to figure out the end game for policy and regulatory announcements that don't add up!

Several of those eyebrow-raising items are provided below with respect to the CASE sector in Canada.

Plastic Bans and a Plastic Registry?

Despite losing a court challenge on the federal ban for plastic manufactured products in a higher court in 2023, the Federal Government proceeded with a very costly plastic registry with little in the way of expected outcomes, especially in light of what an industry expert had to say about plastics and circularity:

"A low carbon footprint and lightweight is the attraction to plastics for consumer and

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rocus needs to be on solving plastic litter in support of circularity because that will support a truly sustainable ecosystem and key for economic growth." (Rocky Vermani Nova Chemicals – July 2024)

Question: Could this be simply ignoring the scientific facts and a case of greenwashing in reverse by the federal Government, which recently passed a law (July 2024) to prevent greenwashing in Canada under the Competition Act? The new legislative provisions require businesses to conduct "adequate and proper tests" for environmental claims on products or "adequate and proper substantiation in accordance with internationally recognized methodology" for environmental claims on their business activity. Why would the federal Government not have to do the same in claims that have been refuted by many?

Right to a Healthy Environment (RTHE) under the Canadian Environmental Protection Act?

This new legislation means substantial changes for industry to ensure the *Right to a Healthy Environment* is 'subject to reasonable limits' with a new chemicals management and regulatory regime to focus on increasing the federal Government's powers to compel information from industry. The Federal Government has released a 20-page regulatory framework consultation document, which includes everything but the kitchen sink and is nothing more than a make-work project with little prospect of substantive outcomes to ensure this change is codified in law, which is actually unrealistic according to administrative law. It thus begs the question then, why bother? A leading law firm in Canada, Osler Hoskin & Harcourt LLP, clearly reaffirms the **limitations** of the RTHE as follows:

"First, the statutory language in Bill S-5 is broadly worded and **has no enforcement mechanism**. On it is own, **it is unenforceable**". It goes on to note how the new right may cause more confusion and be subject to excessive advocacy in terms of what should and shouldn't be acted on and notes that "It is also apparent that an alleged violation of the right, as expressed in the preamble to CEPA, cannot lead to any regulatory enforcement action."(Osler, Hoskin & Harcourt LLP – April 2024)

Question: Could this simply be a matter of substantial legislative churn without any prospect of the *Right to a Healthy Environment* ever being a reality in Canada or, could it be that it is not even needed given that Canada already has robust and extensive laws and regulations for chemicals in commerce as well as ongoing risk assessment of chemicals of concern including for the protection of vulnerable populations?

Regulation of Ingredients to Preserve Formulated Commercial/Industrial CASE Products in Canada

The Federal Government has expended extensive time and financial resources on a transformation agenda related to the risk assessment of biocides used to preserve a wide range of products for crop protection as well as for industrial uses such as formulated products for paint and coatings used in architectural, institutional, and industrial projects. These CASE products are included in 75% of Canada's GDP, yes total GDP, because **all** other industry sectors require these functional products for their businesses to be successful such as when they are used on walls and wood decks; automobiles, planes, and trains; road markings, and everything imaginable. Yet, the federal Government continues to ban critical ingredients in the coatings sector and impose use restrictions that render CASE products useless for other industries. All of this hurts both productivity and economic growth in Canada because often alternatives cannot be found or when used they do little to extend the lifecycle and thus cost more and are less sustainable over the long term. Maybe we are moving backward on sustainability?

Yet, the Agency overseeing the assessment of these critical inputs has also been engaged over two years to 'modernize' or 'transform' the way in which risk assessment and regulation of preservative ingredients are done in Canada. However, it continues to cause

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In Canada are imported from the United States and many of the products are manufactured in Canada by US and Canadian-owned companies shipping inputs and products in and out of Canada. There needs to be regulatory alignment with our largest trading partner, but federal regulations seems to ignore the negative impact on more than \$908 billion in two-way trade in 2022 between the two countries. Where would Canada be without that? It would go back to before the first Free Trade Agreement was passed, much poorer than it is today.

"While the legislation in jurisdictions outside of Canada may allow for risk-versus-benefit considerations, the provisions of the PCPA do not allow for this possibility in Canada.....Due to the **distinct legislative and policy frameworks and independence of decision-makin**g that are in the best interest of the health of Canadians and the environment; in other cases, the two Agencies are in possession of different data/studies and evaluations may not be aligned chronologically." (Pest Management Regulatory Agency – July 2024)

Question: How will there ever be regulatory alignment with the United States if Canada ignores the Regulatory Cooperation Council rules put in place to 'ensure' more alignment; the Cabinet Directive on Regulations requiring more, not less alignment; and PMRA's own act which states that economic impact must be considered in the assessment the same way as is in the United States and refrain from arbitrary decision-making that leads to different outcomes based on the same data wherein biocides are banned in Canada, but not in the United States?

The foregoing issues are but a few of the current challenges faced by the CASE industry in Canada. There are many more related to new provisions under CEPA for chemicals assessment/management; proposed VOCs that seek to follow the most strict California regulations which 32 jurisdictions there cannot even meet (thankfully now delayed to 2025 in Canada); regulations for PFAS which initially reversed the risk-based approach for chemicals in commerce starting with risk management and overlooking the need to first risk-assess chemicals of concern, but now moving toward a more rigorous and scientific approach under the Chemical Management process. There are several other areas related to supply chain management and excessive new labelling, which many have argued do little or nothing for the protection of the environment or human health. More to come on this front in the coming weeks by industry.

As always industry believes in the risk-based approach to chemicals management and has helped Canada, in concert with dedicated and knowledgable public servants, meet its regulatory obligations on more than 4000 chemicals in commerce today with some bans and use restrictions over the past 20 years. All of this led to Canada being acknowledged as being among the best, if not the best, in the world on chemicals management, which other countries continue to emulate including Brazil, Mexico, and the United States.

Canada needs to get back to scientific, risk-based, and non-politicized management of chemicals of concern and build on its success in protecting human health and the environment without continued acrimony, constant legal challenges (which it has never won), and controversy between government, industry, and Canadians generally.

Gary LeRoux President & CEO

WELCOME NEW MEMBERS



CPCA Welcomes Five NEW Members





Founded in 1995, the Master Painters Institute (MPI) was formed to provide services and information on behalf of the Master Painters and Decorators Association (MPDA), founded in 1885. At the end of the 1990's MPI published the Architectural Specification Manual and the Maintenance Repainting Manual, now considered vital tools for the Architectural Coatings Industry. The acquisition by AMPP (Formerly NACE) in 2017 has allowed global expansion in North American, Latin America, Asia, and other international markets. Since that time MPI has developed the **500 Series of Standards**, **Decision Tree Tools**, and expanded upon their **Training Modules**. Today, MPI is the only independent third-party organization setting performance standards for commercially available paints and coatings adopted by the US and Canadian governments. They help manufacturers, contractors, and applicators ensure paint and coatings performance meet the needs of asset owners, architects, as well as specifiers in the architectural, commercial, and industrial coatings sectors around the world. **By assuring the performance of paint and coatings at the highest level of skill and integrity in application, MPI helps reduce risk and improves satisfaction for all.**



The SATA GmbH & Co. KG holds a leading position worldwide in the field of wet paint technologies and, besides Germany, supplies distribution partners in about 100 countries worldwide. In addition to the technologically outstanding SATA spray guns, other products such as **cup systems**, **breathing protection systems** and **compressed air technology** make SATA a system supplier for users such as vehicle partners, industry, carpenters and painters. As a **family-owned company**, **sustainability** is an integral part of SATA's business activities. the SATA assumes responsibility in three dimensions of economy, ecology and social responsibility. The economic dimension implies securing the long-term success of the company - today and for future generations. This success enables SATA to engage in the social dimension. For years, SATA has been supporting various local and global associations and aid projects. At SATA the ecological dimension includes the conservation of resources and avoidance of waste. Therefore, SATA obtains 100% green electricity and district heating from a nearby biogas plant. Furthermore, SATA invests in environmentally friendly technologies such as geothermal energy and photovoltaics. It is a matter of course for SATA to continuously improve and expand its own sustainability measures to ensure future success.



GDB International ships to over 67 countries worldwide and is headquartered in the United States with its Corporate head office in New Brunswick, New Jersey and other locations throughout the United States. GDB Paints & Coatings is the largest producer of recycled latex paint in the world. It has played an integral part in pioneering sustainability in paints & coatings globally. It is also reimagining plastic waste through **Post-Consumer Resins** (**PCR**) of Flexible Packaging. GDB's advancements in post-consumer flexible film recycling with a capacity of over 45,000 tons in **Co-designing Custom Recycling Solutions** for their Partners globally provide bespoke recycling solutions (including automated sortation, washing, grinding, extrusion, etc.) for their partners across the circular economy value

A trusted supplier in the paint and coatings industry, **VERMAX** specializes in sourcing highquality raw materials that are essential for the production of paints, coatings, and related products. With their extensive network of reliable suppliers and deep industry knowledge, VERMAX prides itself on delivering premium materials that meet the rigorous standards of manufacturers. They have a dedicated team providing exceptional customer service, ensuring timely delivery, competitive pricing, and tailored solutions to meet the clients' specific requirements. Whether you are a **large-scale manufacturer** or a **small business**, **VERAMAX** is committed to being your strategic partner, supplying you with the finest raw materials for your paint and coating needs. **Discover the difference in quality and service that sets Veramax Enterprises from the rest**.



Edgechem is based in Kingston, Jamaica and its flagship product is its automotive line of finishes supplied to repair shops specializing in accident restoration. Edgechem's 15,000 square-foot factory and corporate offices were constructed in 1995 at Nanse Pen in Kingston, and today the "little business" has grown to 200 employees, 22 retail stores, three warehouses, over 500 distribution locations island-wide, and a head office that houses the company's factory and handles its products distribution. In addition to providing its products throughout Jamaica Edgechem also exports automotive, industrial, furniture, and decorative finishes to 13 islands and countries across the English-speaking Caribbean region. Some of its products include: sealers, primers, lacquers, thinners, putty, stains, varnishes, color glosses, enamels, tints, textured and trowel paints, roof compound, and clearcoat. Edgechem has a full line of 'bases' that, when combined together in a formulation, will match manufacturer specifications for auto refinishing of every kind. Edgechem is the only paint company in the Caribbean region making investments in R & D to further develop its automotive product lines.

The CASE Industry's comprehensive source for regulatory compliance in Canada



Visit CanadaCoatingsHUB.ca

CPCA launched its new digital platform, the CanadaCoatingsHUB.ca with enhanced functionality for members. The updated site features several new public-facing pages detailing CPCA's wealth of knowledge and expertise in advocacy and government relations. It also highlights the need for the industry to engage with CPCA and support advocacy efforts for the benefit of all those in the CASE industry in Canada. All the existing functions within the Hub's **'member portal'** section remain the same, and members can continue to rely on the **Compliance Calendar**, **Extensive Industry Resources**, and the **User Dashboard** with some functional upgrades members including:

- 1. New and improved user interface with a clean visual aesthetic
- 2. Integrated AODA compliance through a 'UserWay' Accessibility Plugin
- 3. Improved user onboarding & member registration
- 4. Improved user engagement tracking

Existing users can easily log in to the new and enhanced Canada CoatingsHUB as of now. The site went live on the morning of March 27th, 2024. CPCA will continue to keep members apprised of updates and is available if support is needed to troubleshoot login or website issues.

If you or a member of your organization do not have access to the HUB you can easily register by clicking on the **member login in** the main menu, followed by the **register here** button in the top right-hand corner. Complete the registration form and indicate you are a member of CPCA. The system will validate your submission and provide you access.

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Canadian Paint and Coatings Association Association canadienne de l'industrie de la peinture et du revêtement

Functional Coatings are the Future!

Coatings are **reliable**, **responsible**, and **recyclable**. They are also key to **protecting**, **preserving** and **providing** for our future. Contact CPCA to share how your coatings product is helping to build back better.

Share my story

ADVOCACY REPORT



CPCA Advocacy Efforts Supporting a Stronger Canadian Coatings Industry

- CPCA/WCC Share UNEP's First Draft of Legally Binding Instrument Ahead of INC-5
- Environment and Climate Change Canada and Health Canada Updated Draft State of PFAS Report on July 12
- Competition Bureau Seeking Feedback on Competition Act's New Greenwashing
 Provisions
- WHMB Virtual Multi-stakeholder Fall Workshop Scheduled for November 6-7, 2024

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 Past Issues Translate **T**

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of the most recent members only kegulatory kadar with much more insight on these and other issues please contact CPCA.

CPCA/WCC Share UNEP's First Draft of Legally Binding Instrument Ahead of INC-5

The fifth and last UNEP Intergovernmental Negotiating Committee (INC) meeting is scheduled for the end of 2024, in Busan, Republic of Korea aiming to lay out the final wording of the international legally binding instrument to end plastic pollution. INC-5 will then be followed by the UNEA-5 and Global Framework to End Plastic Waste to meet in Winter 2025. A first draft of the legal text to be discussed at INC-5 was published for a review. At its fourth session (INC-4), the INC decided to establish two ad hoc intersessional open-ended expert groups. Planned for next month, the Intersessional session will cover 1-financial mechanisms and 2-criteria and non-criteria-based approaches regarding plastic products and chemicals of concern. The two expert groups will inform and help advance the INC-5 work. These meetings are not negotiating nor decision-making meetings.

CPCA, as a delegate of the World Coatings Council (WCC), attended many of the week-long sessions held at the INC-4 meeting in Ottawa at the end of April 2024. CPCA and WCC paint associations continue to seek members' expert advice on the possible inclusion of microplastics and chemicals of concern by UNEP in order to help answer these questions to be debated at the Intersessional session and later by country delegations attending INC-5.

Environment and Climate Change Canada and Health Canada Updated Their Draft State of PFAS Report on July 12

The Updated Draft State of per- and polyfluoroalkyl substances (PFAS) Report and the Revised Risk Management Scope are currently open for a 60-day public comment period ending in September. The Ministers propose to recommend that the entire class of PFAS, excluding fluoropolymers, meet S.64 (a) and (c), but not S.64 (b) of the *Canadian Environmental Protection Act*, 1999, and that they be added to Part 2 of Schedule 1. ECCC and Health Canada officials state that fluoropolymers may have significantly different exposure and hazard profiles when compared with other PFAS in the class, hence requiring additional work and a separate assessment.

CPCA will support members and other groups to provide additional use information of fluoropolymers to further inform the risk assessment especially with respect to OECD and other substantive studies supporting the continued use of fluoropolymers in paint.

Competition Bureau Seeking Feedback on Competition Act's New Greenwashing Provisions

On July 22, the Competition Bureau (CB) launched a public consultation to gather input from Canadians on specific questions and issues related to the new greenwashing provisions of the Competition Act. This consultation will inform the development of enforcement guidance related to the new provisions. The recent changes under the Act strengthened the Bureau's ability to act against bogus discount claims and related pricing and also clarified that it is misleading to omit mandatory fees from advertised prices. The changes also required that claims about the environmental benefits of a product be supported by adequate and proper testing and that claims about the environmental benefits of a business or business activity be based on adequate and proper substantiation in accordance with an internationally recognized methodology.

CPCA is seeking more information from its members regarding a broader sectoral perspective and potential challenges that may arise with regard to these new provisions. CPCA will support any feedback received before the end of September 2024.

WHMB Virtual Multi-stakeholder Fall Workshop Scheduled for November 6-7, 2024

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Products Regulations and the new OSHA HCS 2024 that came into effect on July 19, 2024. The WHPP continues to work with US OSHA to determine the variances between the two regulations and to develop a guidance to stakeholders in support of the transition periods for chemical manufacturers of substances and mixtures. Updates on this work, including revisions to the Guidance on Canada.ca, will be communicated to stakeholders and will be on the agenda of the next virtual multi-stakeholder workshop scheduled this fall. The WHPP is currently examining a coherent approach to advance the proposed removal of the Consumer Product Exclusion from the *Hazardous Products Act* and the Human Health Hazards of Concern (HHHoC) regulatory proposal under the *Canada Consumer Product Safety Act*.

CPCA recently made a comparative analysis of the HPR 2022 and new HCS 2024 for the benefit of its membership and CPCA staff also plans to make an industry presentation at the next WHPP multi-stakeholder workshop.

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.

Send me a Copy of the Regulatory RADAR



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Association canadienne

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The Canadian Paint and Coatings Association has six Membership Classes priced fairly to benefit each class according to its return in the industry. Your support and participation, along with all like-minded companies seeking better outcomes for the sector in Canada is now more critical than ever. In our case more is better given the current challenges.

Explore Membership



Canadian Paint and Coatings Association

Association canadienne de l'industrie de la peinture et du revêtement

Plant a **Tree**. Grow **Clean Air**.

CPCA is a proud supporter of Tree Canada, providing annual donations on behalf of CPCA members, which contributes to reforestation efforts across Canada and helps reduce CO2 in the air we all breathe.

Plant a Tree

GREEN INITIATIVES



TreeCanada

ArbresCanada

PPG Partnering with RightShip Sustainability PlatformRight

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solutions to promote a more sustainable future in the maritime industry. PPGs revolutionary biocide-free silicone fouling release is the only hull coating to be approved by RightShip's rigorous product review process.

Encina and BASF Establish Long-Term Partnership

Encina, a manufacturer of circular chemicals, and the global chemical company BASF announced a long-term supply agreement for chemically recycled circular benzene derived from post-consumer end-of-life plastics.

Sherwin-Williams Reveals 2023 Impact Award Winners

The Sherwin-Williams Company announced the winners of the 2023 Water and Wastewater Impact Awards, recognizing application contractors. These awards are presented to projects that significantly influence the industry by protecting assets, improving their life cycles and enhancing safety.

Véronic Landry Awarded a Five-year Grant from the Natural Sciences and Engineering Research Council of Canada (NSERC)'s Individual Discovery Grant Program

Véronic Landry, a distinguished researcher at Université Laval, who has been a speaker at past annual CPCA conferences and is collaborating with the NSERC-Can-Lak Research Infrastructure, is leading a new project "Next Generation Polyelectrolyte Complexes" that will receive \$55,000 per year for five years. It will not only pave the way for innovative applications in sustainable construction, but also provide a valuable research opportunity for three students in wood and bio-based materials engineering at the Université Laval.

Chemquest Discusses Challenges of Sustainability in a Climate-Conscious World

The human stewardship of the Earth is undergoing a metamorphosis—and for very good reasons. The planet is getting hotter, and the situation is getting worse. How can the paint industry, whose products cover the Earth, reengineer its products and processes toward a more sustainable future?



Did You Know?

Coatings have numerous applications for countless substrates on a wide range of manufactured products from automobiles to packaging to road markings. What's remarkable about the **environmental advances** in coatings is that they are **engineered for best-in-class performance** providing **protection** and **superior quality** to the countless finished goods we use every day. This means protection from degradation such as corrosion, abrasion, high or low temperatures, ultraviolet rays, moisture, and microbes. All of these enhance the life-cycle of valuable assets and **improves product stewardship and sustainability**.

MEMBER RECOGNITION



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achievements. This recognition reflects the Lorama group's dedication to minimizing their environmental impact and operating responsibly.

Tnemec Company Received the 2024 AWWA Innovation Award

At the 2024 AWWA Annual Conference, Tnemec received an award for the development of the next generation of high-performance water-based coatings, Series 98-H2O Hydro-Zinc (the first water-based zinc to receive NSF/ANSI/CAN 61 certification) and Series 1220 Hydroline (the first water-based epoxy to receive NSF/ANSI/CAN 61 certification).

Three Dow Laminating Adhesives Earn Recognition from the Association of Plastics Recyclers (APR)

APR Recognizes **Dow's innovative adhesive systems** for polyethylene film recycling. With these three new additions, eight Dow products have achieved the APR Design Critical Guidance Recognition, a globally recognized standard for evaluating recyclability in plastic packaging design, which rewards companies successfully address ingsustainability challenges in packaging.

Three CPCA Members Rank First for Several Consumer Paint Categories in Recent J.D. Power 2024 U.S. Paint Satisfaction Study

Sherwin-Williams ranked highest in the interior paint segment. Benjamin Moore ranked highest in the exterior paint segment. Rust-Oleum ranked highest in a tie in the exterior stain segment. Sherwin-Williams Paint Store also ranked highest in the paint retailer segment.

PPG Recognized as 'Best Place to Work for Disability Inclusion' for the Third Consecutive Year

PPG was recently recognized as a "Best Place to Work for Disability Inclusion" by the Disability Equality Index from Disability: IN and the American Association of People with Disabilities for the third consecutive year. This index is considered the most robust disability inclusion assessment tool in business.

Automotive Colour by BASF Recognized with Renowned Red Dot Award & Broad Range of Chemical Ingredients Now Available with Different Sustainability Attributes from BASF

The colour ZENOMENON, designed by BASF's Coatings division, was the only automotive paint to be honoured this year at the Red Dot Award: Product Design. ZENOMENON is a unique colour effect that arises from self-assembled layered structures giving an iridescent shine. This innovative technology and the special aesthetics of the coating have impressed the experts. Recently, BASF achieved ISCC+ certification across all its global major production sites for Acrylics, Alcohols, Glycol Ethers, and Acetates and is now able to produce more than 60 products with one or more sustainability attributes.

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Your News Stories are Important - Help Us Share Your Successes. Please share with CPCA appointments, awards, and special recognition in your company.

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CANADIAN ECONOMY



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monthly housing sales up since January. Household finances continue to improve as the household debt expressed as a proportion of disposable income has fallen steadily over the past year. Consumer spending is the engine of economic growth in Canada, accounting for 60% of GDP. Interest rates should come down again in the second half of 2024, while the Bank of Canada will cautiously assess the impact of the first cut.

BDC: What Would a New Trump Mandate Mean for Canada's Economy?

The next U.S. election is still four months away, but many Canadian entrepreneurs are wondering what impact a new Trump administration would have on our economy.

TECH INNOVATIONS



A Paint That Could Clean Both Itself and the Air

Researchers from the Vienna University of Technology developed a new photocatalytic paint that works using UV rays from ordinary sunlight, making its self-cleaning properties easier to activate and also able remove pollutants from the air. This paint can be effectively produced from titanium scrap and recycled materials using fallen leaves, which are organic waste.

Butterflies Inspire Creation of Lightest Paint in the World

When you hear the words "sustainable paint" you might think of one with no VOC, but there's a new coating approach that promises to be even more eco-friendly. Made of an ultrathin layer of pigment, the paint is lighter and longer lasting than traditional ones while also offering a cooling effect as it reflects light and absorbs less heat. The use of "structural colour" is also how many species produce their colour in an astonishing range while ensuring colours do not fade over time.

Nanocrystal 'Painted' Films May Someday Help Relieve Summer Heat in Building and Needs for Air Conditioning

Normal coatings heat up in the sun. New crystal films can get the surface cooler than the air around them when exposed to sunlight. They do this by reflecting the sun's rays and releasing that heat into outer space. The new films' colour comes from tiny crystals of cellulose, which work by reflecting just the colours of light and absorbing the rest and emitting heat (infrared wavelengths) which can then escape to the atmosphere. Under sunlight, the films cooled to 4 degrees Celsius below the air temperature.

Self-matting Waterborne Polyurethane with Antibacterial Function

Researchers found that the introduction of ,3,5-tris (2-hydroxyethyl) hexahydro-1,3,5-Triazine (TNO) and a gemini quaternary ammonium (GQM) with hydrophilic and antimicrobial properties (GQM) significantly improved the self-matting and antibacterial activity of waterborne polyurethane.



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