



January 12, 2023

Environment and Climate Change Canada

Substances@ec.gc.ca

NOTICE OF INTENT ON THE LABELLING OF TOXIC SUBSTANCES IN PRODUCTS, INCLUDING TOXIC FLAME RETARDANTS

The Canadian Chamber of Commerce welcomes the opportunity to respond to Environment and Climate Change Canada's [notice of intent on the labelling of toxic substances in products, including toxic flame retardants](#). As Canada's largest business organization, we understand that regulating toxic substances helps businesses avoid serious health risks to their employees and customers.

In conjunction with members of our [Natural Resources and Environment Committee](#), the Chamber believes that Canada should advance a labeling regime with a clear and valid purpose, while respecting the administrative and financial burdens that overbearing regulations could impose on the private sector. Many private companies already voluntarily label their products with information about their ingredients and health effects. Thus, the Chamber encourages the Government of Canada to work with private sector stakeholders to adapt industry best practices pertaining to the labeling of toxic substances – with the aim of ensuring greater safety and transparency.

In response to the Notice of Intent, the Chamber appreciates the opportunity to table the following points of consideration to support the development of a national product labeling strategy:

1. **Canada's national product labeling strategy should align with our largest trading partners.** An international approach to labeling will make it simpler for manufacturers to comply with a limited number of requirements, which may make it easier for consumers to understand product labeling. Additionally, it may be more efficient for regulators to enforce a limited number of labeling requirements. In sum, it is important to have harmonized rules for labeling and classification so that there is a clear understanding of the requirements.
2. **Further to the above, we encourage ECCC to adopt the European Union REACH reporting threshold of 0.1% (1,000 ppm) for intentionally added substances.** We also encourage ECCC to ensure a national product labeling strategy aligns with established terminology applied internationally to guide future disclosure requirements, such as "intentionally added" and "contaminant". Avoiding unnecessary divergencies should be a priority objective for ECCC.
3. **Product labels should provide relevant, straightforward information to consumers.** If there is not enough information provided about the risks of chemical substances and potential exposure, it can create a false impression of a health risk. This would ultimately be counterproductive to the original informational intent of providing the labelling.
4. **Significant consideration should be given to the list of reportable substances and levels of concentration.** In particular, the national product labeling strategy must articulate whether intentionally added substances must be labeled – as there are substances that arise over time during degradation.



5. **New labeling requirements should only be advanced if specific criteria are met.** Specifically, the Chamber believes that new labeling requirements are warranted when: (1) the substance meets specific hazard criteria (e.g., acute toxicity, carcinogenicity); (2) the concentration of a substance creates health risks; (3) there is a reasonable likelihood of exposure; and (4) the substance is intentionally added.

We support ECCC's aim to provide Canadians with greater access to information about toxic substances to which they may be exposed and allow for more informed purchasing decisions in order to help protect the environment and human health. Ensuring that Canadians have access to timely and accurate information about toxic substances will help to protect the environment and human health, while also ensuring that businesses can continue to compete in a global market.

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