

October 15, 2010

The Honourable Leona Aglukkaq, P.C., M.P.
Minister of Health
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The Honourable Jim Prentice, P.C., M.P.
Minister of the Environment
Environment Canada
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Transmission by email

Dear Minister Aglukkaq and Minister Prentice:

Re: Response to List of Prohibited and Restricted Cosmetic Ingredients (The Cosmetic Ingredient Hotlist) and Proposed Changes to the Cosmetic Ingredient Hotlist posted as of August 16, 2010

The Canadian Environmental Law Association and Chemicals Sensitivities Manitoba are responding to the consultation “Proposed Changes to the Cosmetic Ingredient Hotlist” posted on August 16, 2010.¹ Below we have provided our brief comments and recommendations on the chemicals proposed for listing to the Cosmetic Ingredient Hotlist.

CELA (www.cela.ca) is a non-profit, public interest organization established in 1970 to use existing laws to protect the environment and to advocate for environmental law reform. It is also a legal aid clinic that provides legal services to citizens or citizens’ groups who are unable to afford legal assistance. In addition, CELA also undertakes substantive environmental policy and legislation reform activities in the area of access to justice, pollution and health, water sustainability and land use issues since its inception. Under its pollution and health program, CELA has been actively involved in matters that promote the prevention and elimination of toxic chemicals addressed in the *Canadian Environmental Protection Act*, including the categorization process and implementation of the CMP.

Chemical Sensitivities Manitoba (CSM), a volunteer organization, was founded in 1997 by four individuals who saw the need to address the affects of toxic chemicals on human health and the possible link between the onset of chemical sensitivities and chemical exposure and, in particular, chronic low-level exposure. CSM raises awareness of the presence of toxic chemicals in the home and the environment and strongly advocates for the safe substitution of these toxins.

¹ Health Canada web site, Accessed at http://www.hc-sc.gc.ca/cps-spc/legislation/consultation/_cosmet/hotlist-liste_critique-cons-2010-eng.php

Our organizations submitted comments to the last set of proposed amendments to the Cosmetic Ingredients Hotlist in December 2009. In this submission, we reiterate several of the relevant comments we presented in our December 2009 submission as it relates to the use of the Cosmetic Ingredient Hotlist to prohibit and restrict toxic substances in cosmetic products. (Also see attachment)

Specific Comments: Cosmetic Ingredient Hotlist

- **Establish separate lists for Prohibitions and Restrictions:** Currently, the Hotlist presents chemicals targeted for prohibition or restriction by alphabetical order under one list. This approach can be confusing for the general public as explicit mention for prohibition is not included on the list. The details of any restriction noted on the list require additional knowledge on the rationale used by government to place the chemical for restriction rather than prohibition. The separation of the list into two categories – prohibition and restriction, should not be a complex administrative matter but rather, it should clarify any element of doubt about prohibition or restriction for listed chemicals.
- **Lack of specificity of prohibition or restriction in the proposed risk management document:** The proposed risk management documents released to the public upon completion of the final screening of these substances did not provide necessary commentary on whether a prohibition or restriction will be applied to the target chemicals. Since many of these chemicals have various health impacts such as carcinogenicity, it would more protective to apply a full prohibition of these substances. From Table 1 below, five substances have been targeted for restriction rather than prohibition. The application of restriction on these chemicals does not support a preventative approach and may result in the continued human exposure as well as on-going concerns with end of life management issues, including the disposal methods of cosmetic products containing these toxic chemicals.
- **List of chemicals for vulnerable populations:** The list does not explicitly or separately recognize those chemicals that may pose greater concerns for children or other vulnerable populations including pregnant women.
- **Hotlist ingredients in other consumer products:** Furthermore, it is difficult to assess the effectiveness of the Cosmetic Ingredient Hotlist when chemicals on the list are used in other consumer products that have not been targeted for management measures under the CMP. This matter becomes more important when it relates to the protection of children's health.
 - Example: pigments – they can be present in other consumer products some of which can be used by children where the concern would be the mouthing of such articles by children.
 - Children's exposure to chemicals can be direct and indirect. The breakdown of toxic chemicals can also be a source of exposure to children as well as the environment.
- **Establishing public accountability in the enforcement of the Hotlist:** Manufacturers and importers are required to comply with the Cosmetic Ingredient Hotlist through a post-market notification process. However, public reporting on the level of compliance by manufacturers

and importers to the Cosmetic Ingredient Hotlist is unknown. To date, the public is not provided with a report that outlines how many companies have violated the requirements of the Hotlist and how long it has taken the government to resolve these infractions.

The requirement for public reporting may be a useful trigger for eliminating toxic chemicals in cosmetics and it should be a necessary element to demonstrate the effectiveness of the Cosmetic Ingredient Hotlist as a government tool to protect human health. While the government may work closely with manufacturers to ensure compliance with the Hotlist, any quantitative or qualitative assessment of these activities is not publicly available.

At present, there is public uncertainty as to the course of government's actions in situations where a manufacturer is not meeting the requirements of the Hotlist and determining what resulting measures are taken to address the issue of non-compliance. Here are a few questions that are relevant for public accountability:

- What number of notifications submitted by manufacturers to Health Canada, on an annual basis, has not met the requirements under the Cosmetic Ingredient Hotlist?
 - What measures were taken by manufacturers to address situations where the requirements of the Cosmetic Ingredient Hotlist are not being met?
 - Has there been evidence of manufacturers that have not submitted a post-notification package to Health Canada? If so, what penalties, if any, were applied to the manufacturer?
 - What happens to the products that were found not to meet the requirements of the Cosmetic Ingredient Hotlist?
- **Exporting of cosmetic products should meet the requirements for prohibition or restriction:** The list does not require exporters of cosmetic products to comply with the requirements of the Hotlist. This is a significant flaw in the application of the Hotlist as an effective management regime for toxic chemicals in Canada. The use of CEPA toxic chemicals should not be permitted for products intended for the export market. This practice is of particular concern because of the potential impacts it may have for receiving countries which may not have adequate regulatory and legislative framework to address these chemicals.

While it is recognized and appreciated that jurisdictions have the authority to determine the level of exposure to chemicals that is acceptable for its jurisdictions, Canada's efforts to determine a chemical's toxicity under CEPA provides a valuable benchmark that sends a signal to Canadians and other countries that the designation of CEPA toxic identifies a chemical that needs to be managed for the protection of human health and the environment. Canada has an opportunity to demonstrate its leadership in the area of exports by requiring the same level of management for toxic chemicals that is required for domestic applications, importers and exporters.

Furthermore, the exclusion of exporters to meet the requirements of the Cosmetic Ingredient Hotlist increases our concerns with end of life management issues that will be relevant in domestic situations. These exporters will contribute to the creation of waste and the disposal of waste products containing these substances. The exclusion of exporters will result in potential re-exposure of Canadians.

- **Penalties or fines for failing to meet the requirements of the Hotlist:** Although the Cosmetic Ingredient Hotlist is applied as an administrative list under the Cosmetic Regulations of the *Food and Drug Act*, there is no clear understanding of the fines or penalties levied for companies that fail to meet the requirements of the Hotlist.² As noted in the previous sections focused on public accountability, additional rationale should be provided regarding the efficiency and effectiveness of the Hotlist in ensuring the safety of toxic chemicals from cosmetic products.
- **Post-market notification:** This is reactionary and does not effectively support a preventative approach. The “10 days within introduction to the market” is limited for any substantial review of data submitted by industry and could permit the potential entry of products that may contain toxic chemicals. Furthermore, in situations where a product contains a prohibited chemical or a restricted chemical above the permitted level, there are ongoing concerns regarding the appropriate collection and complete destruction of the product so as to ensure that these products are not available for the public. This results in the public not being aware that a company has not complied with the requirements of the Hotlist. This process lacks full public accountability and transparency. The approach would be more efficient if companies were required to submit pre-notifications for the manufacturing of their products that would need approval before any products are introduced into the market.
- **Expand Section 15 of the Cosmetic Regulations to include a chemical category for prohibition:** Currently, the Cosmetic Regulations³ include requirements for targeted chemicals, under Section 15 of the Cosmetic Regulations. For example, chloroform and estrogens are included in this list. This section does not provide a definition or a list of criteria that would be used to determine inclusion of chemicals in the regulation. However, this should not be interpreted as a limiting factor. Estrogens may include chemicals that are carcinogens, reproductive and developmental toxicants and endocrine disruptors. In addition, many of these chemicals may be present in cosmetic products as residues. This section offers an opportunity to establish a distinct list of chemicals for prohibition under the Cosmetic Regulations to ensure complete prohibition of the use, sale, import, manufacture, production and export of these chemicals.

Table 1 outlines specific comments to the chemicals proposed for the Cosmetic Ingredient Hotlist. No additional comments will be made to the restrictions proposed for a number of aluminum based compounds, which have been proposed for additions based on “a change in the classification of antiperspirant products as per the Products at the Cosmetic-Drug Interface (PCDI). The absence of comments to these proposals should not be considered as support of the listing. Because of the lack of background information provided in the consultation document as

² See: Canadian Environmental Law Association and Lowell Center for Sustainable Production, “The Challenge of Substances of Emerging Concern in the Great Lakes Basin: A review of chemicals policies and programs in Canada and the United States,” A report prepared for the International Joint Commission Multi-Board Work Group on Chemicals of Emerging Concern in the Great Lakes Basin, June 2, 2009.

³ Government of Canada. Cosmetic Regulations C.R.C., C. 869.

to the use of these compounds in cosmetic products, no additional comments can be provided at this time.

TABLE 1: Summary of CEPA toxic chemicals for addition to the Cosmetic Ingredient Hotlist

CHEMICAL NAME CAS RN	BATCH # of the Industry Challenge	Uses	Restriction	Prohibition	Comments
CI 12120 (pigment red 3) (CAS RN; 2425-85-6)	3	Acrylic paints, paints, anti-rust proofing paint, plastics, printing inks (toner), and polyurethane coatings Colorant in cosmetic products Pesticide formulant		x	The toxicity of this chemical was determined based on its carcinogenicity, therefore a prohibition in cosmetic products is appropriate. Government risk management proposals do not include a prohibition of this chemical in other uses, such as other consumer products. The government approach should be expanded to prohibition of this chemical in other consumer products.
Methoxydiglycol (diethylene glycol monomethyl ether) (CAS RN: 111-77-3)	3	Hairsprays, skin creams, cleansers, and as a fragrance ingredient. An additive in jet fuel Pesticide formulant An ingredient in inks, cleaning products, food can coatings, dyes, resins,		x	Based on the uncertainty associated with the level of exposure to this chemical, a prohibition in cosmetic products is appropriate. The extensive uses of this chemical in other consumer products warrants further consideration for prohibition in industrial applications and consumer products.

CHEMICAL NAME CAS RN	BATCH # of the Industry Challenge	Uses	Restriction	Prohibition	Comments
		hydraulic fluids, a raw material for plasticizers, and glue used in food packaging			
Methoxyethanol acetate (2-MEA) (CAS RN: 110-49-6)	3	Industrial solvent in glues, paints, coatings, lacquers for paper and leather, gums, resins, waxes, oils, textile printing, dry cleaning Used as a solvent in cleaning products used on food contact-surfaces Nail polish		x	The toxicity of 2-MEA includes reproductive and developmental effects. Given that this chemical is very similar in effects to 2-ME, which has been prohibited in cosmetic and consumer products in other jurisdictions such as the European Union, the commitment to prohibit this chemical from cosmetic products is appropriate.
Methoxyisopropanol (propylene glycol monomethyl ether) (PGME) (CAS RN:107-98-2)	3	PGME generally contains the manufacturing by-product, 2-methoxypropa	Prohibited when containing equal to or more than 0.5% of 2-		The consultation document does not provide adequate rationale for proposing a restriction > or equal to 0.5% for 2-methoxypropanol (1589-47-5), particularly since it has been targeted for prohibition on the Cosmetic Ingredient Hotlist. However, the assessment and risk management reports include extensive commentary that 2-methoxypropanol (1589-47-5) is found as an impurity in the solvent PGME.

CHEMICAL NAME CAS RN	BATCH # of the Industry Challenge	Uses	Restriction	Prohibition	Comments
		<p>nol (CAS RN: 1589-47-5), up to 5%. 2-methoxypropanol.</p> <p>Used mainly as an industrial solvent including paints, stains and coatings, inks.</p> <p>Pesticides</p> <p>Personal care products</p>	methoxypropanol (1589-47-5)		<p>Furthermore, it is unclear how the residual level was established in the proposed restriction at 0.5% for CAS RN 1589-47-5.</p> <p>Given its presence as a impurity (up to 5%) found in PGME formulants, additional consideration to prohibit the use of PGME in all cosmetic and personal care products is warranted. This is further warranted since the main routes of exposure to these chemicals may be through direct inhalation or dermal penetration – depending on the product.</p> <p>While no screening assessment has been conducted on PGME, it is clear that such an assessment is required because of its use in consumer products as well as cosmetics and personal care products which will all contain the presence of 2-methoxypropanol as a residue. Such an assessment will determine if other management measures, in addition to the listing on the Cosmetic Ingredient Hotlist, may be needed on this chemical. Several health hazards associated are suspected with this chemical including: gastrointestinal or liver toxicant; kidney toxicant; neurotoxicant; reproductive toxicant; and skin or sense organ toxicant.⁴</p> <p>It is unacceptable that 2-methoxypropanol - CAS RN 1589-47-5, should be permitted in cosmetic and personal care products as an impurity.</p> <p>Based on the finding of toxicity on CAS RN 1589-47-5 and the suspected health hazards associated with PGME -CAS RN 107-98-2, the prohibition should be explicit to both these chemicals.</p>
Methoxyisopropyl acetate (propylene glycol monomethyl ether acetate) (CAS RNs: 108-65-6; 84540-57-8)		Methoxyisopropyl acetate – widely used in the cosmetics industry but generally	Prohibited when containing equal to or more than 0.5% total of		<p>Same comments as PGME.</p> <p>The consultation does not provide any details on the content levels permitted for CAS RN 1589-47-5 or CAS RN 70657-70-4 in cosmetic products.</p> <p>It is unacceptable that CAS RNs 1589-47-5 or 70657-70-4 be permitted in</p>

⁴ Environmental Defense US Scorecard. Health Hazards for Chemical PROPYLENE GLYCOL MONOMETHYL ETHER, CAS Number: 107-98-2. Accessed at http://www.scorecard.org/chemical-profiles/summary.tcl?edf_substance_id=+107-98-2#use_profile dated September 28, 2010.

CHEMICAL NAME CAS RN	BATCH # of the Industry Challenge	Uses	Restriction	Prohibition	Comments
		contains residues of 2-methoxypropanol and/or 2-methoxypropyl-1-acetate	2-methoxypropanol (CAS RN 1589-47-5) and/or 2-methoxypropyl-1-acetate (CAS RN 70657-70-4)		cosmetic products as an impurity at any level. All chemicals: PGME with CAS RN: 108-65-6; 84540-57-8, and 2-methoxypropanol with CAS RN: 1589-47-5 and 2-methoxypropyl-1-acetate with CAS RN: 70657-70-4, regardless of whether they are found as impurities in cosmetic products, should be included in the prohibition. Such a prohibition should not be limited to specific concentration thresholds as currently proposed.
2-Methoxypropanol (CAS RN: 1589-47-5)	3	See comment above for methoxyisopropyl acetate		x	Based on the finding that this chemical is a non-threshold carcinogen, we support a commitment to prohibit the use of this substance in cosmetic products. However, we seek a substantial expansion of the prohibition of this substance in other consumer products that are addressed under the <i>Hazardous Products Act</i> , principally. In addition, we seek a revision of the restrictions placed on PGME as it pertains to 2-methoxypropanol - CAS RN 1589-47-5. The listing of PGME should be a prohibition that should not be limited to CAS RN 1589-47-5 since this chemical is found as an impurity in this substance with no evidence that it can be removed effectively.
2-Methoxypropyl-1-acetate (CAS RN: 70657-70-4)	3	As above.		x	Based on the finding that this chemical is a non-threshold carcinogen, we support a commitment to prohibit the use of this substance in cosmetic products. However, we seek a substantial expansion of the prohibition of this substance in other consumer products that are addressed under the <i>Hazardous Products Act</i> , principally.

CHEMICAL NAME CAS RN	BATCH # of the Industry Challenge	Uses	Restriction	Prohibition	Comments
1,3-Butadiene (CAS RN: 106-99-0)	4	See comments for butane (CAS RN: 106—97-8) 1,3-butadiene is found as a contaminant in butane and isobutene.		x	This chemical was added to the CEPA Toxic Substances List (Schedule 1). ⁵ The goal of prohibiting the use of this chemical in cosmetic products is supported based on the finding of the assessment indicating that 1,3-butadiene is “highly likely to be carcinogenic in humans; it is also considered likely to be genotoxic in humans. Butadiene also induced adverse effects in the reproductive organs of female mice at relatively low concentrations.” ⁶ There should be a substantive regulatory approach to manage this chemical that expands beyond the current approach which includes requirements for environmental emergency plans and regulations aimed at emission reductions from off road vehicles and engines. ⁷ According to the government web site on 1,3 butadiene focused on the on-going activities, levels of butadiene have declined in urban centres which can be attributed to the regulatory measures for on road vehicles. However there has been no quantitative evaluation of the level of reduction of this substance as achieved from these regulations in Canada overall. Furthermore, no management measures of this chemical in consumer products have been proposed. The proposed prohibition in cosmetic products is appropriate. However, additional consideration should be given to use this consultation process as a way to initiate a process to develop additional management measures to reduce or eliminate this substance from all consumer products.
Diethyl sulfate (CAS RN: 64-67-5)	4	Used as an intermediate in the production of dyes,		x	Based on the finding of toxicity under CEPA and determination that this substance is a non-threshold carcinogen, a prohibition in cosmetic products is appropriate. However, it would be preferred that prohibition of this chemical should also apply to all consumer products and industrial applications.

⁵ Government of Canada. CEPA Registry. CEPA Toxic Substances List (Schedule 1). Accessed at <http://www.ec.gc.ca/lcpe-cepa/default.asp?lang=En&n=0DA2924D-1&wsdoc=4ABEFFC8-5BEC-B57A-F4BF-11069545E434> (dated September 20, 2010).

⁶ Environment Canada and Health Canada. Canadian Environmental Protection Act, 1999: Priority Substances List Assessment Report - 1,3-Butadiene (Revised August 2000). page. 1. Accessed at http://www.hc-sc.gc.ca/ewh-semt/alt_formats/hecs-sesc/pdf/pubs/contaminants/psl2-lsp2/1_3_butadiene/1_3_butadiene-eng.pdf. Date October 14, 2010.

⁷ See - <http://www.ec.gc.ca/lcpe-cepa/default.asp?lang=En&n=0DA2924D-1&wsdoc=4ABEFFC8-5BEC-B57A-F4BF-11069545E434>

CHEMICAL NAME CAS RN	BATCH # of the Industry Challenge	Uses	Restriction	Prohibition	Comments
		agricultural chemicals, pharmaceuticals, textiles, fabric softeners, hair care products, sanitizer, drilling fluids, water cooling applications, lubricants, oil-based paints, phase transfer catalysts, electroplating materials, and emulsifying agents.			<p>This chemical has many applications as a chemical intermediate which can eventually be used in preparation of other intermediates that include uses in the textile, pulp and paper industry and other industrial sectors. Additional consideration is warranted to determine the residual levels of this substance in industrial processes and the presence of residual levels of this substance in consumer products.</p> <p>Additional monitoring and sampling requirements should be undertaken to validate claims made in the risk management document that indicate no evidence of use of the substance is in cosmetic products.</p>
Dimethyl sulfate (CAS RN: 77-78-1)	4	<p>Used as an intermediate in a closed loop system and not expected to be present in consumer products.</p> <p>An alkylating agent used in dyes,</p>		x	<p>The risk management scope document for dimethyl sulphate indicates that this chemical “is currently not used in cosmetics, but it is not officially prohibited or found on Health Canada’s Cosmetic Ingredient Hotlist.”⁸ However, it was found to be toxic under CEPA based on its carcinogenicity. Therefore, the commitment to prohibit the use of this chemical in cosmetic products is appropriate. This commitment would prevent future uses in cosmetic products but does not contribute to an overall reduction of this chemical in the Canadian market.</p> <p>In addition to prohibiting this chemical in cosmetic products, the other management measures under consideration are the application of notification of future uses and the development of environmental emergency plans.</p>

⁸ Environment Canada and Health Canada. Proposed Risk Management Approach for Sulfuric Acid, Dimethyl Ester (Dimethyl Sulfate), Chemical Abstracts Service Registry Number (CAS RN):77-78-1. August 2009. Accessed at <http://www.ec.gc.ca/ese-ees/default.asp?lang=En&n=21F912D1-1>.

CHEMICAL NAME CAS RN	BATCH # of the Industry Challenge	Uses	Restriction	Prohibition	Comments
		agricultural chemicals, drugs and other specialty products. Also used as an intermediate in the manufacture of commercial products such as pesticides, dyes and fragrances			Based on the extensive application of this chemical in industrial processes or in the production of consumer products and in addition to the potential for carcinogenicity, careful consideration should be given to the prohibition. An expanded prohibition would contribute to the use reduction of these chemicals.
Butane (CAS RN: 106-97-8)	4	Used as a hydrocarbon propellant in some consumer products. These categories include: arts and crafts, automotive, home maintenance, landscape/yard, personal care, pesticides and pet care. This would include products such as hair care sprays,	Butane and isobutane are proposed to be added as a restriction due to concerns with 1,3-butadiene impurities: Prohibited when containing equal to or more than 0.1% w/w of 1,3-butadiene (106-99-0)		1,3 butadiene has been proposed for prohibition under the Cosmetic Regulations. Unfortunately, the current risk management regime for 1,3-butadiene does not address use of this chemical in various products but focuses on requirements for environmental emergency plans and regulations aimed at reduction of emissions for off road vehicles and engines. Further consideration should be given to ensure that products that may include 1,3-butadiene as an impurity be explored for elimination . It is unclear from the consultation document how the level of 0.1% w/w of 1,3 butadiene was proposed as a safe human exposure level, and in particular, for children. An explanation outlining the factors used to establish the 0.1% w/w of 1,3-butadiene should be presented in the consultation document. It should be made clear what the potential implications are for a full prohibition of 1,3 butadiene in cosmetic and consumer products. In addition, 1,3-butadiene should not be permitted even as an impurity in butane. Therefore, it is appropriate to list butane with or without residual 1,3-butadiene, for prohibition rather than a restriction.

CHEMICAL NAME CAS RN	BATCH # of the Industry Challenge	Uses	Restriction	Prohibition	Comments
		deodorants and antiperspirants, shaving creams, edible oil, cleaners, and coatings			
Isobutane (CAS RN: 75-28-5)	4	As above for butane	Prohibited when containing equal to or more than 0.1% w/w of 1,3-butadiene (106-99-0)		Same comments with butane. Therefore, it is appropriate to list isobutene with or without residual 1,3-butadiene, for prohibition rather than a restriction-
Acrylamide monomer (CAS RN: 79-06-1)	5	Usage as a monomer include: Oil and gas industry, plastics, chemical manufacturing, agricultural products, industrial and building products, appliances,		x	Based on the information presented on acrylamide in the risk management scope document, the use of acrylamide in consumer products and in industrial processes is extensive. Acrylamide is used to produce polymers such as polyacrylamide. While the breakdown of polyacrylamide to its monomer is unlikely to occur, it appears that any releases of acrylamide from the polymer results in residual (free) acrylamide. ⁹ While polyacrylamide was not the focus of the assessment, the presence and use of polyacrylamide in cosmetic products is extensive. It is unclear why the prohibition on acrylamide in cosmetic products would be restricted to only its monomer and not polyacrylamide – the source of the monomer. The prohibition should include the acrylamide monomer and the source, polymeracrylamide.

⁹ Environment Canada and Health Canada. Proposed Risk Management Approach for 2-Propenamide (Acrylamide), Chemical Abstracts Service Registry Number (CAS RN): 79-06-1. August 2009. Accessed at <http://www.ec.gc.ca/ese-ees/default.asp?lang=En&n=9D4CB853-1#4>.

CHEMICAL NAME CAS RN	BATCH # of the Industry Challenge	Uses	Restriction	Prohibition	Comments
		consumer and cosmetic products, water clarification.			
Benzyl chloride (CAS RN: 100-44-7)	6	Used as a chemical intermediate in some processes including fragrances, cosmetics, pharmaceuticals, germicides, fungicides, food packaging material, vinyl tiles.		x	<p>The use of this chemical as an intermediate chemical is very relevant and should be strictly managed. It is a chemical intermediate for the synthesis of quaternary ammonium compounds as well as other chemicals such as benzyl alcohol and benzyl butyl phthalate, which can all have very low (trace) levels of benzyl chloride as a residual material left over from the industrial processes.¹⁰ Quaternary ammonium compounds act as active ingredients or have bactericide properties and are used extensively for cosmetic and consumer products.</p> <p>Since benzyl chloride has a relevant function as a chemical intermediate chemical and the finding of toxicity based on carcinogenicity, it is appropriate to commit to a prohibition in cosmetic products.</p> <p>The prohibition of this chemical should be extended to its use in the production of other consumer products as well as its role in the synthesis and production of other chemicals, including benzyl alcohol and benzyl butyl phthalate.</p>
4,4'-Bis(dimethylamino)benzophenone (Michler's ketone) (CAS RN: 90-94-8)	7	Colourant for paper, textiles, ink, pen pastes, other printing inks, biological stain		x	<p>The toxicity of this chemical was determined based on its carcinogenicity, therefore a prohibition in cosmetic products is appropriate.</p> <p>Michler's ketone may be a residue in dyes and pigments found in some paper products which would be available to the public. With government proposals not including a prohibition of this chemical in other uses, this approach should be reconsidered.</p>

¹⁰ Environment Canada and Health Canada. Proposed Risk Management Approach for Benzene, (chloromethyl)-(Benzyl Chloride), Chemical Abstracts Service Registry Number (CAS RN): 100-44-7. November 2009. Accessed by http://www.ec.gc.ca/substances/ese/eng/challenge/batch6/batch6_100-44-7_rm_en.pdf.

CHEMICAL NAME CAS RN	BATCH # of the Industry Challenge	Uses	Restriction	Prohibition	Comments
		Antiseptic fungicide Electronics and film industry Intermediate chemical in pharmaceutical manufacture			
Potassium bromate (CAS RN: 7758-01-2)	9	Flour milling, laboratories, dye textiles, permanent wave neutralizing solutions for hair		x	On the basis of carcinogenicity, the commitment to prohibit potassium bromate (7758-01-2) is appropriate as it prevents any future consideration of use in cosmetic products. This commitment expands on the government's current approach to require specific labelling and packaging requirements for this chemical. It was noted in the government's risk management scope document for potassium bromate (7758-01-2) that the amendments to the Cosmetic Ingredient Hotlist will "prevent the re-introduction of potassium bromate into cosmetic products such as home permanent wave kits." ¹¹ The management document provides very little information on the current use of this chemical in cosmetic products, however, some information on its historical use by the cosmetics industry as an oxidizer or neutralizer in permanent wave neutralizing solutions have been noted. ¹²

¹¹ Environment Canada and Health Canada. Proposed Risk Management Approach for Bromic acid, potassium salt (Potassium bromate), Chemical Abstracts Service Registry Number (CAS RN): 7758-01-2. September 2010. Accessed at <http://www.ec.gc.ca/ese-ees/default.asp?lang=En&n=D1613C58-1#i3>.

¹² Ibid.

Additional comments for the upcoming review of Cosmetic Regulations

In 2009, Health Canada conducted a public on-line survey to solicit stakeholder feedback to relevant issues for the review of the Cosmetic Regulations. The findings of this on-line survey have not been released to the public. It is unclear how the data from this survey will impact on the review of the Cosmetic Regulations. However, the anticipated review of the Cosmetic Regulations would provide the government with the necessary opportunity to strengthen the authority of the Cosmetic Ingredient Hotlist and make stronger, explicit linkages between the Cosmetic Regulations and the process of managing toxic chemicals, as required under the *Canadian Environmental Protection Act*. In this upcoming review, we encourage further discussions on the following issues to strengthen the authority of the Cosmetic Regulation:

- 1) Improve industry accountability with cosmetic products. This matter would address issues related to the safety of cosmetic products from the production to the eventual disposal methods of cosmetic products, including:
 - a. Shifting the notification process from a post-notification process to a pre-notification process that includes public transparency and engagement;
 - b. Reviewing the adequacy of the timeframe to complete the notification process;
 - c. Reviewing the data and information required by companies that submit notifications packages;
 - d. Review requirements for notification by importers of cosmetic and personal care products;
 - e. Review the collection, disposal or destruction methods applied to cosmetic products that may be in non-compliance of the Cosmetic Hotlist.
 - 2) Ensure that the Cosmetic Ingredient Hotlist has regulatory authority to prohibit toxic chemicals in cosmetic products.
 - 3) Acknowledge how products of nanotechnology are addressed in the regulation.
 - 4) Require public reporting on the effectiveness and efficiency of enforcing the Cosmetic Regulations including the implementation of the Cosmetic Ingredient Hotlist. The regulation lacks adequate public reporting under the Cosmetic Regulations on a number of issues, including foundation creating a dedicated prohibition list under the Regulation. The chemicals listed for prohibition under the Cosmetic Ingredient Hotlist should be adopted for this section of the Cosmetic Regulations.
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Based on the commentary provided throughout this submission, including specific comments on toxic chemicals proposed for prohibition or restriction addressed in Table 1, below are a list of recommendations for further consideration by government.

Recommendation: We support the intent of government to seek a prohibition of the following toxic chemicals used in cosmetic products: CI 12120 (pigment red 3) (CAS RN: 2425-85-6); Methoxydiglycol (diethylene glycol monomethyl ether) (CAS RN: 111-77-3); Methoxyethanol acetate (2-MEA) (CAS RN: 110-49-6); 2-Methoxypropanol (CAS RN: 1589-47-5); 2-Methoxypropyl-1-acetate (CAS RN: 70657-70-4); 1,3-Butadiene (CAS RN: 106-99-0); Diethyl sulfate (CAS RN: 64-67-5); Dimethyl sulfate (CAS RN: 77-78-1); Acrylamide monomer (CAS RN: 79-06-1); Benzyl chloride (CAS RN: 100-44-7); 4,4'-Bis(dimethylamino)benzophenone (Michler's ketone) (CAS RN: 90-94-8); Potassium bromate (CAS RN: 7758-01-2)

Recommendation: We urge the government to amend the Cosmetic Regulations under the *Food and Drug Act* to enhance the accountability of industry in providing data to demonstrate the safety of chemicals used in all cosmetic and personal care products.

Recommendation: We urge the government to conduct the review of the Cosmetic Regulations and ensure full transparency and public engagement throughout the review process.

Recommendation: The review process should address issues discussed above.

Recommendation: We recommend that the Cosmetic Ingredient Hotlist be replaced by a list to be included in the Cosmetic Regulation outlining a list of Prohibited Toxic Substances in cosmetic products intended for sale, use, manufacture, import and export. This list should be reviewed and updated on a regular basis. The use of the current Cosmetic Ingredient Hotlist, a non-regulatory tool, to manage chemicals is inadequate to achieve these objectives.

Recommendation: The government should consider the expansion of Section 15 of the Cosmetic Regulations to include the list of prohibited substances in cosmetic products.

Recommendation: Restrictions for the use of toxic chemicals in cosmetic products should be provided on a case by case basis, and be time limited to provide opportunity for manufacturers or exporters to find safe, government approved substitutes for toxic chemicals. These chemicals should be targeted for eventual prohibition in all cosmetic products.

Recommendation: We urge the government to extend prohibitions beyond the toxic chemicals that are found in cosmetic products as residues or impurities. This approach would require further investigations on the contributions of feedstocks or associated manufacturing processes that result in the presence of these toxic chemicals in cosmetic products.

Recommendation: The Cosmetic Regulations should be amended to require public reporting on the effectiveness of the pre-notification process and compliance with the prohibition list of toxic chemicals.

Recommendation: Based on the finding of toxicity, all 16 substances listed in Table 1 should be targeted for prohibition in cosmetic products. In keeping with a regulatory approach, the prohibition of these chemicals should be listed in a revised Cosmetic Regulations. This would require the addition of a new section to the regulation.

If you have questions about the above recommendations, please do not hesitate to contact us. Our contact information is provided below.

Thank you for your consideration.

Yours truly,



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c.c. Canadian Environmental Network Toxics Caucus; Hotlist Coordinator, Cosmetics Division,
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encl.

December 23, 2009

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Transmission by email

Dear Minister Aglukkaq and Minister Prentice:

Re: Response to List of Prohibited and Restricted Cosmetic Ingredients (The Cosmetic Ingredient Hotlist) and Proposed Changes to the Cosmetic Ingredient Hotlist posted as of October 23, 2009

The Canadian Environmental Law Association and Chemicals Sensitivities Manitoba are responding to the consultation "Proposed Changes to the Cosmetic Ingredient Hotlist" posted as of October 23, 2009. Below we have provided our brief comments and recommendations on the chemicals proposed for listing to the Cosmetic Ingredient Hotlist.

CELA (www.cela.ca) is a non-profit, public interest organization established in 1970 to use existing laws to protect the environment and to advocate for environmental law reform. It is also a legal aid clinic that provides legal services to citizens or citizens' groups who are unable to afford legal assistance. In addition, CELA also undertakes substantive environmental policy and legislation reform activities in the area of access to justice, pollution and health, water sustainability and land use issues since its inception. Under its pollution and health program, CELA has been actively involved in matters that promote the prevention and elimination of toxic chemicals addressed in the *Canadian Environmental Protection Act*, including the categorization process and implementation of the CMP.

Chemical Sensitivities Manitoba (CSM), a volunteer organization, was founded in 1997 by four individuals who saw the need to address the affects of toxic chemicals on human health and the possible link between the onset of chemical sensitivities and chemical exposure and, in particular, chronic low-level exposure. CSM raises awareness of the presence of toxic chemicals in the home and the environment and strongly advocates for the safe substitution of these toxins.

Throughout the implementation of the Chemicals Management Plan, our organizations have submitted substantial comments and recommendations to the government of Canada on the use of the Cosmetic Ingredients Hotlist as the tool to restrict and prohibit chemicals considered toxic under CEPA. We have urged the government to establish regulatory goals for elimination for all

CEPA toxic chemicals, applying the use of prohibition and phase out action plans for these chemicals. It is our view that action on the 13 chemicals or groups of chemicals listed in the consultation document (see table below) should be targeted for goals of elimination, including their use in cosmetic products.

We have concerns that the government's approach to manage the use of these chemicals is relying on non regulatory tools such as the Cosmetic Ingredient Hotlist. Our organizations propose that the government use its full authority to regulate these chemicals using regulatory tools to prohibit these chemicals. While we support the intent in the Cosmetic Ingredient Hotlist to prohibit the current and future use of chemicals in cosmetics, it also permits the continued usage of a range of toxic chemicals through restrictions. We have significant concerns that the Hotlist lacks the necessary regulatory framework to ensure the adequate protection of human health from toxic chemicals on the Hotlist.

Our concerns include:

- The list outlines chemicals targeted for prohibition and those targeted for restriction. The list is quite confusing to users such as the general public who are one of the intended audiences. For those who are not well acquainted with the list, there will be confusion about which chemicals are targeted for prohibition and which have restrictions, since the two categories are not explicitly listed separately.
- Application of restrictions for chemicals identified with specific health impacts such as carcinogens or reproductive and developmental toxicity is not a preventative approach. This approach may continue to result in additional environmental and health impacts downstream through disposal methods of cosmetic products containing toxic chemicals.
- The list does not provide sufficient additional consideration for those chemicals that may result in unique vulnerabilities to subpopulations such as children, pregnant women, workers, aboriginal communities, people with chemical sensitivities and people of low income.
- It is unclear whether manufacturers or importers abide by the limits on the Hotlist.
- The list does not require exporters of cosmetic products to comply with the requirements of the Hotlist. This is a significant flaw, not only of the Hotlist but of the management regime for toxic chemicals in Canada. The use of CEPA toxic chemicals should not be permitted for products intended for the export market.
- There are no public reporting requirements to assess the effectiveness of the post marketing notification process for the Cosmetic Ingredient Hotlist. To date, the public is not provided with a report that outlines how many offences have been made under the Hotlist and how the government has resolved such offences. The presence of public reporting may be a useful trigger for producing better products.
- There is no clear understanding of the fines or penalties for companies that fail to comply with the Hotlist.¹³

¹³ See: Canadian Environmental Law Association and Lowell Center for Sustainable Production, "The Challenge of Substances of Emerging Concern in the Great Lakes Basin: A review of chemicals policies and programs in Canada and the United States," A report prepared for the International Joint Commission Multi-Board Work Group on Chemicals of Emerging Concern in the Great Lakes Basin, June 2, 2009.

At present, the government relies on a post-market notification process to assess the compliance to the Hotlist. However, this process lacks adequate public accountability and the timeframe for notification of “10 days within introduction to the market” is limited for substantial review of data submitted by industry. Alternatively, the government should make changes in the framework through amendments to the Cosmetic Regulations. The amendments should include:

- enhancing the accountability of industry on the safety of their products, which may be done by revising the notification timeframe towards a pre-notification process rather than a post notification, expanding the timeframe to complete this process; and
- creating a dedicated prohibition list under the Regulation. The chemicals listed for prohibition under the Cosmetic Ingredient Hotlist should be adopted for this section of the Cosmetic Regulations.

Currently, the Cosmetic Regulations¹⁴ include requirements for targeted chemicals, for example, coal tar dye or base, mercury, and chloroform and even estrogens. This last category lacks definition in the regulation but should not be interpreted as limiting. Estrogens may include chemicals that are carcinogens, reproductive and developmental toxicants and endocrine disruptors. A special list of chemicals for prohibition should be added to the Regulations to ensure complete prohibition of the use, sale, import, manufacture, production and export of these chemicals. We propose that this amendment to the Cosmetic Regulations include all chemicals proposed in the consultation document.

TABLE 1: Summary of CEPA toxic chemicals for addition to the Cosmetic Ingredient Hotlist

BATCH 1 CHEMICALS	BATCH 2 CHEMICALS
Hydroquinone (123-31-9)	Epichlorohydrin (Oxirane, (chloromethyl)) (106-89-8)
Methyloxirane monomer (propylene oxide) (75-56-9)	4,4'-Isopropylidenediphenol (Bisphenol A) (80-05-7)
Naphthalene (91-20-3)	Isoprene monomer (1,3-Butadiene, 2-methyl) (78-79-5)
Toluene Diisocyanates (TDIs) including, 2,4-diisocyanato-1-methyl-benzene (2,4-toluene diisocyanate) (584-84-9); 2,6-diisocyanato-1-methyl-benzene (2,6 toluene diisocyanate) (91-08-7); and 1,3-diisocyanatomethyl-benzene (mixed isomers of toluene diisocyanate) (26471-62-5)	HC Blue No. 4 (158571-57-4)
	HC Blue No. 5 (68478-64-8, 158571-58-5)
	Alcohols, C13-15, reaction products with N-[3-(dimethoxymethylsilyl)-2-methylpropyl]- 1,2-ethanediamine, glycidol and hydroxyterminated di-Me siloxanes (237753-63-8)
	Siloxanes and Silicones, 3-[(2-aminoethyl)amino]propyl Me, di-Me, hydroxy- and methoxy-terminated, polymers with polyethylene-polypropylene glycol bis(2-methyl-2-

¹⁴ Government of Canada. Cosmetic Regulations C.R.C., C. 869.

	propen-1-yl) ether (921936-12-1)
	Siloxanes and Silicones, 3-[(2-aminoethyl)amino]propyl Me, hydroxy-terminated, polymers with hydrogen terminated di-Me siloxanes and polyethylene glycol bis(2-methyl-2-propen-1-yl) ether (929218-99-5)
	Siloxanes and Silicones, 3-[(2-aminoethyl)amino]-2-methylpropyl Me, di-Me, reaction products with N,N,N-trimethyloxiranemethanaminium chloride (495403-02-6)

Recommendation #1: We support the intent of government to aim for a prohibition of toxic chemicals used in cosmetic products.

Recommendation #2: We urge the government to amend the Cosmetic Regulations under the *Food and Drug Act* to enhance the accountability of industry in providing data to demonstrate the safety of chemicals used in cosmetic products. We also recommend the government to require a mandatory pre notification process and to create a section in the regulation that lists all toxic chemicals used in cosmetic products aimed for sale, use, manufacture, import and export that will be prohibited. The use of the current Cosmetic Ingredient Hotlist, a non-regulatory tool, to manage chemicals is inadequate to achieve these objectives.

Recommendation #3: Require public reporting on the effectiveness of the pre-notification process and compliance with the prohibition list of toxic chemicals.

Recommendation #4: All 13 toxic chemicals proposed for addition to the Cosmetic Ingredient Hotlist (see Table 1) should be listed for prohibition in the Cosmetic Regulation as this is considered the appropriate regulatory measure. This would require the addition of a new section to the regulation.

The following are brief comments and recommendations to support the above recommendations.

TABLE 2: Proposed CEPA toxic chemicals for addition to the Cosmetic Ingredient Hotlist – Comments and Recommendations

Chemical Name (CAS number)	Government Proposal	Comments	Recommendation
BATCH 1			
Hydroquinone (123-31-9)	1) Restricted to hair dye products and nail products 2) Permitted at concentrations equal to or less than 0.3% as an oxidizing colouring agent for hair dyes. The inner and outer labels of hair dye	The proposed restrictions focus on hair and nail products only. Therefore, the proposed restrictions do not effectively protect consumers despite findings that hydroquinone is a carcinogen. The Hotlist lists hydroquinone as prohibited for use on skin or mucous membrane. However, the proposed restrictions will not	Recommendation: Based on its carcinogenicity, hydroquinone should not be permitted for use in any cosmetic products, regardless of concentration. See above recommendation #4.

	<p>products containing hydroquinone must carry a cautionary statement, in English and French, to the effect: "Contains hydroquinone."; "Do not use to dye eyelashes or eyebrows."; "Rinse eyes immediately if the product comes into contact with eyes."</p> <p>3) Permitted at concentration equal to or less than 0.02% in nail products (after mixing for use). The inner and outer labels of nail products containing hydroquinone must carry a cautionary statement, in English and French, to the effect: "Avoid skin contact."; "Read directions carefully before using."</p>	<p>address imported products such as skin lightening products that may contain hydroquinone. This may highlight the weakness in the current enforcement of the Hotlist.</p> <p>Further no additional restrictions are provided to protect vulnerable populations such as children, workers, pregnant women, aboriginal communities, people of low income and people with chemical sensitivities.</p> <p>Labelling requirements should be expanded to include health impacts of chemicals, including carcinogens, reproductive and developmental toxicants, neurodevelopmental toxicants and endocrine disruptions. While it is important to outline direction for use of products, the burden for protection as it relates to exposure, is still placed heavily on consumers rather than manufacturers of products. Consumers may not be aware of the health impacts associated with this chemical.</p>	
Methyloxirane monomer (propylene oxide) (75-56-9)	Prohibition	Since this chemical is a carcinogen, the intent for prohibiting propylene oxide in all cosmetic products without restrictions is supported.	See above recommendation #4.
Naphthalene (91-20-3)	Prohibition	Since this chemical is a carcinogen, the intent for prohibiting naphthalene in all cosmetic products without restrictions is supported.	See above recommendation #4.
Toluene Diisocyanates (TDIs) including, 2,4-diisocyanato-1-methyl-benzene (2,4-toluene diisocyanate) (584-84-9); 2,6-diisocyanato-1-methyl-benzene (2,6 toluene diisocyanate) (91-08-7); and 1,3-diisocyanatomethyl-benzene (mixed isomers of toluene diisocyanate) (26471-62-5)	Prohibition	Since this chemical is found to be a carcinogen, the intent for prohibiting TDIs in all cosmetic products without restriction is supported.	See above recommendation # 4.

BATCH 2			
Epichlorohydrin (Oxirane, (chloromethyl)) (106-89-8)	Prohibition	Since this chemical is found to be a carcinogen, the intent for prohibiting Epichlorohydrin in all cosmetic products without restrictions is supported.	See above recommendation #4.
4,4'-Isopropylidenediphenol (Bisphenol A) (80-05-7)	Prohibition	Based on evidence to demonstrate that BPA has endocrine disruption potential, the intent for prohibiting Bisphenol A in all cosmetic products without restriction is supported.	See above recommendation #4.
Isoprene monomer (1,3-Butadiene, 2-methyl) (78-79-5)	Prohibition	Since this chemical is found to be a carcinogen, the intent for prohibiting Isoprene monomer (1,3-Butadiene, 2-methyl) (78-79-5) in all cosmetic products without restrictions is supported.	See above recommendation #4.
HC Blue No. 4 (158571-57-4)	Prohibition	The intent for prohibiting Epichlorohydrin with HC Blue No.4 in all cosmetic products without restriction is supported.	See above recommendation #4.
HC Blue No. 5 (68478-64-8, 158571-58-5)	Prohibition	The intent for prohibiting Epichlorohydrin and HC Blue No. 5 in all cosmetic products without restriction is supported.	See above recommendation #4.
Alcohols, C13-15 , reaction products with N-[3-(dimethoxymethylsilyl)-2-methylpropyl]-1,2-ethanediamine, glycidol and hydroxyterminated di-Me siloxanes (237753-63-8)	A person that proposes a significant new activity for this substance shall provide the Minister of the Environment, at least 90 days prior to the commencement of the proposed significant new activity, information as per Order 2007-87-10-01 published January 9, 2008, Amending the Domestic Substances List under the <i>Canadian Environmental Protection Act's New Substances Notification Regulations (Chemicals and Polymers)</i> .	Siloxanes assessed under the Chemicals Management Plan were high production volume chemicals and found to be persistent, bioaccumulative and inherently toxic. Therefore, siloxanes as well as other siloxanes listed in this table should be targeted for prohibition rather than an application of restriction such as the SNAC. The use of the Significant New Activity is inadequate as it does not necessarily promote a prohibition or reduction of this chemical from current uses in cosmetic products. Additional provisions should be made to require prohibition of current and future use of these chemicals in all cosmetic products.	Recommendation: We do not support the application of a SNAC on Alcohols, C13-15 , reaction products with N-[3-(dimethoxymethylsilyl)-2-methylpropyl]-1,2-ethanediamine, glycidol and hydroxyterminated di-Me siloxanes (237753-63-8). A complete prohibition should be applied. See above recommendation #4.
Siloxanes and Silicones, 3-[(2-aminoethyl)amino]propyl Me, di-Me, hydroxy- and methoxy-	A person that proposes a significant new activity for this	Siloxanes assessed under the Chemicals Management Plan were high production volume chemicals	Recommendation: We do not support the application of a SNAC to Siloxanes and

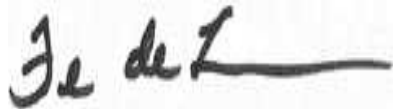
<p>terminated, polymers with polyethylene-polypropylene glycol bis(2-methyl-2-propen-1-yl) ether (921936-12-1)</p>	<p>substance shall provide the Minister of the Environment, at least 90 days prior to the commencement of the proposed significant new activity, information as per Significant New Activity Notice No. EAU-395, published January 12, 2008, under the <i>Canadian Environmental Protection Act's New Substances Notification Regulations (Chemicals and Polymers)</i>.</p>	<p>and found to be persistent, bioaccumulative and inherently toxic. Therefore, siloxanes as well as other siloxanes listed in this table should be targeted for prohibition rather than an application of restriction such as the SNAC.</p> <p>The use of the Significant New Activity is inadequate as it does not necessarily promote a prohibition or reduction of this chemical from current uses in cosmetic products.</p> <p>Additional provisions should be made to require prohibition of current and future use of these chemicals in all cosmetic products.</p>	<p>Silicones, 3-[(2-aminoethyl)amino]propyl Me, di-Me, hydroxy- and methoxy-terminated, polymers with polyethylene-polypropylene glycol bis(2-methyl-2-propen-1-yl) ether (921936-12-1). This will not contribute to an overall approach that will prohibit or reduce the presence of this substance in all cosmetic products nor will it reduce the exposure to the environment and humans. It permits current uses of this chemical in cosmetic products without additional regulatory requirements to industry. A complete prohibition should be applied.</p> <p>Also see recommendation #4.</p>
<p>Siloxanes and Silicones, 3-[(2-aminoethyl)amino]propyl Me, hydroxy-terminated, polymers with hydrogen terminated di-Me siloxanes and polyethylene glycol bis(2-methyl-2-propen-1-yl) ether (929218-99-5)</p>	<p>A person that proposes a significant new activity for this substance shall provide the Minister of the Environment, at least 90 days prior to the commencement of the proposed significant new activity, information as per Significant New Activity Notice No. EAU-396, published January 12, 2008, under the <i>Canadian Environmental Protection Act's New Substances Notification Regulations (Chemicals and Polymers)</i></p>	<p>Siloxanes assessed under the Chemicals Management Plan were high production volume chemicals and found to be persistent, bioaccumulative and inherently toxic. Therefore, siloxanes as well as other siloxanes listed in this table should be targeted for prohibition rather than an application of restriction such as the SNAC.</p> <p>The use of the Significant New Activity is inadequate as it does not necessarily promote a prohibition or reduction of this chemical from current uses in cosmetic products.</p> <p>Additional provisions should be made to require prohibition of current and future use of these chemicals in all cosmetic products.</p>	<p>Recommendation: We do not support a restrictions to apply SNAC to Siloxanes and Silicones, 3-[(2-aminoethyl)amino]propyl Me, hydroxy-terminated, polymers with hydrogen terminated di-Me siloxanes and polyethylene glycol bis(2-methyl-2-propen-1-yl) ether (929218-99-5). This will not contribute to an overall approach that will prohibit or reduce the presence of this substance in all cosmetic products nor will it reduce the exposure to the environment and humans. It permits current uses of this chemical in cosmetic products without additional regulatory requirements to industry. A complete prohibition should be applied.</p> <p>Also see recommendation #4.</p>
<p>Siloxanes and Silicones, 3-[(2-aminoethyl)amino]-2-methylpropyl Me, di-Me, reaction products with N,N,N-trimethyloxiranemethanaminium chloride (495403-02-6)</p>	<p>A person that proposes a significant new activity for this substance shall provide the Minister of the Environment, at least 90 days prior to the commencement of the proposed significant</p>	<p>Siloxanes assessed under the Chemicals Management Plan were high production volume chemicals and found to be persistent, bioaccumulative and inherently toxic. Therefore, siloxanes as well as other siloxanes listed in this table should be targeted for prohibition rather than an</p>	<p>Recommendation: We do not support a restrictions to apply SNAC to Siloxanes and Silicones, 3-[(2-aminoethyl)amino]-2-methylpropyl Me, di-Me, reaction products with N,N,N-trimethyloxiranemethanaminium chloride (495403-02-6).</p>

	<p>new activity, information as per Significant New Activity Notice No. EAU-135, published November 13, 2004, under the <i>Canadian Environmental Protection Act's New Substances Notification Regulations (Chemicals and Polymers)</i>.</p>	<p>application of restriction such as the SNAC.</p> <p>The use of the Significant New Activity is inadequate as it does not necessarily promote a prohibition or reduction of this chemical from current uses in cosmetic products.</p> <p>Additional provisions should be made to require prohibition of current and future use of these chemicals in all cosmetic products.</p>	<p>This will not contribute to an overall approach that will prohibit or reduce the presence of this substance in all cosmetic products nor will it reduce the exposure to the environment or humans. It permits current uses of this chemical in cosmetic products without additional regulatory requirements to industry.</p> <p>Also see recommendation #4.</p>
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If you have questions about the above recommendations, please do not hesitate to contact us. Our contact information is provided below.

Thank you for your consideration.

Yours truly,



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