



October 2024

An opportunity for Canada: Regulating chemicals of concern in plastics ahead of INC-5

To demonstrate progress on advancing Canada's plastics agenda and support global momentum to address plastic pollution, Canada should announce a regulatory package on chemicals in plastics ahead of the fifth negotiating session toward a Global Plastics Treaty (INC-5). INC-5 provides a timely springboard to regulate CEPA-toxic substances out of plastic products, and to identify plastics-related chemical groupings for prioritization under the modernized CEPA.

Polling suggests that more than four out of five people in Canada want to see federal action on [plastics](#) and [plastics additives](#), and support federal action to reduce exposure to [PFAS](#). Product testing¹ in Canada continues to demonstrate that substances, such as phthalates and flame retardants, are present in plastic products in the Canadian marketplace, and that their concentrations (~10% by volume) represent a significant exposure risk in products and throughout their lifecycle.

Canada can send a message to national delegations in advance of INC-5 that it is serious about eliminating toxic chemicals in plastic products and leverage domestic action to build momentum for protective and precautionary control measures on chemicals of concern in the Global Plastics Treaty.

We urge Canada to announce the following regulatory package in advance of INC-5 in November 2024, that prohibits the following CEPA-toxic substances from plastic products by [finalizing draft](#) regulations and/or closing

¹ Plastic additive testing to be released, October 2024

regulatory loopholes that allow these toxic chemicals in products/articles, and/or expanding regulatory action beyond its existing narrow scope:

- DEHP: prohibit in articles
- BPA: prohibit in articles
- Heavy metals (lead, cadmium, chromium VI, arsenic, cobalt): prohibit in articles
- PFAS: finalize the draft regulation to prohibit articles that covers PFOA, PFOS and long-chain PFCAs
- deca-BDE: finalize regulation
- Decachlorane plus² (DP) - finalize regulation
- Decabromodiphenyl ethane (DBDPE) - finalize regulation
- Hexabromocyclododecane (HBCDD) - Finalize regulation

Further, the final Priority Plan, scheduled for release no later than June 2025, must prioritize classes of plastics chemicals and additives for assessment and risk management in plastics in the final Priority Plan, referencing existing research and assessments that detail significant hazards and/or exposures:

1. Phthalates: reassess the grouping assessment with recent exposure / product testing data
2. Flame retardants (brominated, chlorinated, organophosphorus): publish the assessment
3. Bisphenols: publish the grouping assessment
4. Class of PFAS: prioritize fluoropolymer assessment, and expedite risk management in articles
5. Chlorinated paraffins: broaden assessment and risk management to long-chain paraffins, and ensure medium-chain paraffins are restricted in articles
6. Benzotriazoles: prioritize the grouping for assessment
7. Aromatic Amines: prioritize the grouping for re-evaluation
8. Alkyl aldehydes: prioritize the grouping for assessment
9. Salicylate esters: prioritize the grouping for assessment for 2025
10. Aromatic ethers: prioritize the grouping for assessment
11. Parabens: finalize the assessment, and use the Watchlist for ethylparaben, benzylparaben and iso-propylparaben
12. Aceto/benzophenones: prioritize the hydroxybenzophenones grouping for assessment, and include UV 238
13. Alkylphenols: prioritize the grouping for assessment for 2025

² (1,4:7,10-Dimethanodibenzo[a,e]cyclooctene, 1,2,3,4,7, 8,9,10,13,13,14,14-dodecachloro-1,4,4a,5,6,6a,7,10,10a, 11,12,12a-dodecahydro-)

By Fall 2025, finalize the Plastics Chemicals Strategy that, in addition to the substances and groupings listed above, prioritizes and swiftly implements regulations to prohibit or restrict the following **CEPA-toxic plastic chemicals and precursors** used to make plastics:

1. Formaldehyde: Restrict production and import in articles, and require disclosure and transparency for all these substances
2. Naphthalene: expedite the assessment, restrict production and import in articles, and require disclosure and transparency for all these substances
3. Benzene / Styrene: expedite the styrene assessment, move quickly to restrict production and import in articles, and require disclosure and transparency for all these substances
4. Vinyl chloride: Restrict production and import in articles, and require disclosure and transparency for all these substances
5. POPs: Review remaining persistent organic pollutants (POPs) listed in the Stockholm Convention³ with a view to restricting production and import in articles, and requiring disclosure and traceability for all these substances in articles throughout the entire lifecycle

In addition, **the Watchlist must flag the classes of hazardous chemicals in plastics** listed above that are not currently within the 2024-2025 Work Plan to support the phaseout of these chemicals and reduce the chance of regrettable substitutions. ECCC should publish the new watch list without delay, and include relevant plastics chemicals.

Finally, **complete the disclosure and transparency regime** throughout the value chain for toxic additives to ensure adequate tracking and reporting of these chemicals in plastic.

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³ Including PFHxS, UV328, Polychlorinated Naphthalene, PCBs, HCBd, hexabromobiphenol (flame retardant), mirex, commercial Penta BDEs, dioxins and furans.