

November 18, 2008

Hon. Leona Aglukkaq, P.C., M.P.  
Minister of Health  
Brooke Claxton Building, Tunney's Pasture  
Ottawa, Ontario  
K1A 0K9

SENT BY FAX: (613) 952-1154

Dear Minister:

**RE: Designation of Siloxanes as CEPA Toxic**

I am writing to you to seek your assistance on a very time sensitive manner that we believe could have significant implications for some of the member companies of the Canadian Chamber of Commerce as well as for the international reputation of a key environmental program of your Government, the Chemicals Management Plan (CMP).

Under the CMP, the substances known as siloxanes (specifically D4, D5 and D6) have gone through an assessment process that we understand may lead to their being recommended for designation as "CEPA Toxic" in the November 22<sup>nd</sup> *Canada Gazette*. We further understand that this result would be based largely on modeling without the benefit of the nine significant field studies that are currently underway in Europe and elsewhere, including two being co-sponsored by Environment Canada. Data from the first of these studies (which we understand has recently been provided to your Department) suggest that siloxanes do not, in fact, bio-accumulate or bio-magnify as suggested by the models and so may not meet the criteria for the "CEPA Toxic" designation.

We understand that environmental regulators in the European Union and the United States are awaiting the results of these field studies, which are expected to be completed and peer reviewed by December 2009, before making any decision on these substances. These siloxanes were also not identified by Health Canada earlier in the year as being a concern for human health; nor has Environment Canada identified any environmental problems that may require such immediate action.

We also understand that our concern is one which Environment Canada officials have already acknowledged as a very legitimate problem – a premature and possible inaccurate designation of siloxanes as “CEPA Toxic” resulting in unwarranted and unnecessary damage to companies that use these substances. The potential media/public/consumer reaction to a designation of “toxic” may not be easily repaired later on should the results of the field tests confirm that siloxanes do not meet the criteria for “CEPA Toxic”. The experience with Bisphenol A last spring underlines this concern.

I am therefore urging you to ensure that the recommendation as to the designation of these substances does not result in a premature labeling of them as “CEPA Toxic” until the field tests are completed over the next year. If your Government is committed to sound science and risk assessment, this is a reasonable course of action, particularly in light of decisions in Europe and the United States to wait for the completion of the field tests.

Yours Sincerely,

Shirley-Ann George  
Senior Vice-President, Policy