

November 18, 2008

Hon. Jim Prentice, P.C., M.P.  
Minister of the Environment  
10 Wellington Street  
Gatineau, Quebec  
K1A 0H3

SENT BY FAX: (819) 953-0279

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 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



The Honourable L'honorable

Jim Prentice

Ottawa, Canada K1A 0H3

**APR 22 2009**

Ms. Shirley-Ann George  
Senior Vice-President, Policy  
The Canadian Chamber of Commerce  
360 Albert Street, Suite 420  
Ottawa ON K1R 7X7

Dear Ms. George:

Thank you for your correspondence of November 18, 2008, concerning the cyclic volatile methyl siloxanes known as D4, D5 and D6.

As you know, in December 2006 Canada's Chemicals Management Plan was launched, with the aim of taking immediate action on chemicals that are harmful to human health or the environment. Substances identified as high priorities for screening assessment were included in the Plan's Challenge initiative based on the results of categorization. The Government of Canada committed to act on these priorities in a timely manner, and to conclude evaluation of potential risks based on currently available information. The siloxanes D4, D5 and D6 were included in Batch 2 of the Challenge, which was announced on May 12, 2007.

Information regarding D4, D5 and D6 was submitted by stakeholders (including the Silicones Environmental, Health and Safety Council) at several points during the process, as well as during the public comment period that followed publication of the draft Screening Assessment Reports. This information was thoroughly evaluated and taken into consideration in developing the final assessment reports for D4, D5 and D6 that were published in the *Canada Gazette*, Part I, on January 31, 2009.

Proposed Risk Management Approaches for D4 and D5 were also published in the *Canada Gazette*, Part I, with associated 60-day public comment periods that continued until April 1, 2009. During this period, stakeholders provided comments on the Risk Management Approaches or information they deemed pertinent for managing the risks associated with these substances. They will have opportunities to provide comments during consultations on specific risk management actions and during the 60-day public comment period that will follow publication of any proposed risk management instrument.

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The Chemicals Management Plan is a major Canadian achievement that puts us in a position of global leadership. It has been achieved through hard work and good collaboration between the Government and stakeholders, and we look forward to a continuation of this partnership.

I appreciate your bringing your views to my attention and trust that my comments are of assistance.

Sincerely,

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

The Honourable Jim Prentice, P.C., Q.C., M.P.