



Plan of Priorities Team
Chemicals Management Division
Environment and Climate Change
351 St. Joseph Blvd Gatineau, QC K1A 0H3
By email to: substances@ec.gc.ca

December 4, 2024

Re: Proposed Plan of Priorities

Please consider the following recommendations concerning the draft Plan of Priorities for the Chemical Management Plan.

Preventing and limiting the risks of toxic chemicals to human health and the natural environment is a vitally important function of government; this was expressly acknowledged in the recent [Federal Budget Plan](#). While the government of Canada does not expressly report the number of deaths or disability-adjusted life years lost to toxic chemicals in Canada, according to the [World Health Organization, toxic chemicals \(including pesticides and other chemicals\) cause two million deaths annually worldwide](#), which is on the same order of magnitude as deaths due to poor diet (8 million), [tobacco \(8 million\)](#), and [alcohol \(2.6 million\)](#). We are not aware of official Canadian estimates of the harms caused by chemicals, but it is doubtless higher than the [sum of 6,388 deaths attributed to occupational exposure to carcinogens and 2,215 deaths attributed to lead exposure](#) in the general population, estimated for Canada by the Seattle-based Institute for Health Metrics and Evaluation in 2021. While mortality is a crucial metric, morbidity is extremely costly to society and to nature.

For context, I have attached the 2024 Recommendations of the Canadian Environmental Network's Toxics Caucus to the federal government's Chemical Management Program, a key focus of the work of the Caucus, and repeat the observations set out in detail in our October 2024 letter to the Ministers of Health and Environment observing that the termination of NGO funding came at a time when the number of public servants assigned to address toxic substances rose by one-third to 1,623 Full-Time-Equivalents while the total size of the public service declined slightly.¹

Likewise, the 2024 Federal Budget Plan dedicated \$95 million per year to Canada's Chemical Management Plan for the years 2024-2026,² which (at an average payment of \$125,000 per public servant [based on 2023 assumptions used by the Parliamentary Budget Office](#)) indicates that approximately 760 FTEs are dedicated to the Chemical Management Plan, specifically, especially at the two departments. This appears contrary to the Federal Government's acceptance of

recommendations to sustain and improve engagement with civil society in Health Canada's 2023-2024 internal audit entitled, [Horizontal Evaluation of the Chemicals Management Plan](#).

With specific regard to the Plan of Priorities we recommend:

1. **State a plan to reduce the risk of toxic chemicals (and pesticides) by 50% by 2030.** Reducing the acute and chronic harm of toxic chemicals foreseeably includes using less chemicals overall and switching to demonstrably safer alternatives. This requires publishing a quantitative toxic chemical reduction plan and measuring progress; e.g., the number of kilograms of toxic chemicals that are in the marketplace, waterways and atmosphere. To avoid comparing apples and oranges, the quantities should be normalized to a common level of toxicity depending upon mode of toxicity.
2. **Quantitative empirical evidence of harm:** Does any Canadian government analysis of chemical risk include quantitative analysis? Does the Chemical Management Plan collaborate with the Seattle-based [Institute for Health Metrics and Evaluation](#), which does? Does the Chemical Management Plan do any of its own modelling of risks of harm?
3. **Quantify how mitigation options can reduce the avoidable risks of death and disability from chemical exposure.** Share any modelling estimates on how much death and disability could be prevented by different Chemical Management Plan regulatory and management scenarios. Health Canada and Environment Canada's unquantified characterizations of the chemical risks introduce the potential problem of an excessive amount of time and resources being devoted to comparatively minor risks (with paths of lesser resistance) and inadequate attention being devoted to addressing chemicals posing huge public health risks, e.g., lead and asbestos. The complexity of the analysis should not eclipse the potential for public health impact and environmental justice as drivers of regulatory resources. For instance, ["Final Human Health State of the Science Report on Lead"](#) has not been updated since 2013 but, at least the Institute for Health Metrics and Evaluation identifies it as the cause of 2,215 Canadian deaths per year. (See the Toxics Caucus Joint Statement). Lead was conspicuously absent from the list of specific chemicals on page 4 of the draft Plan of Priorities.
4. **Clarify departures from Gazette consultations.** Indicate the extent to which consultation will take place outside the Gazette process as suggested by the references to "bilateral consultations" on page 10 of the Proposed Plan of Priorities and the reference to doing so in the [Policy on Regulatory Development](#), which states: "Note: Regulators may choose to share draft regulatory text with stakeholders outside the Canada Gazette consultation process to help them develop specific and precise comments" however it does not oblige government to be transparent about the use of such processes.
5. **Require systematic reviews of scientific literature.** The "weight of evidence" approach doesn't include systematic reviews of the literature or even any expressly commitment to consulting peer-reviewed literature published in scientific journals. The literature search terms and method of assigning weight to studies is especially important when there are inconsistent or poorly comparable lines of evidence.

6. **Publish the Chemical Management Plan’s conflict-of-interest safeguard protocol.** The Plan of Priorities should, but does not yet, stipulate the use of conflicts of interest safeguards (only "systematically compile and reviewing information on existing substances") though a November 7, 2024 email communication from the Acting Director General of Health Canada’s Safe Environments Directorate, Kathleen Buset stated:

“Regarding your second concern about mobilizing expertise and activating conflict of interest safeguards, I agree that these are critical components of the CMP... Conflict of interest safeguards are an essential part of data collection and are used as part of the peer-review stage, for example.”

7. **Stipulate the triggering conditions for applying the “precautionary principle.”** An email communication from the Chemicals Management Program on September 12, 2023 stated:

The precautionary principle is embedded into CEPA, and as such, is considered in every screening assessment decision under the CMP (even if the principle itself is not explicitly mentioned).

If the application of the precautionary principle is not being acknowledged when it is used, there is no transparency about its use and no opportunity for the public to witness if it is being used appropriately. In some circumstances, it has appeared that the government outright dismisses contrary evidence as entirely unfounded to avoid applying the precautionary principle.

The draft implementation framework defines the precautionary principle as follows:

“Precaution is applied in risk assessments by using conservative but realistic assumptions to account for the uncertainty identified at various stages of an assessment, depending on the weight of evidence and uncertainties for the particular data set being evaluated.”

The Plan of Priorities should reconcile the Chemical Management Plan working definition of the precautionary principle with the Precautionary Principle Wingspread definition, namely:

“When an activity raises threats of harm to human health or the environment, precautionary measures should be taken even if some cause and effect relationships are not fully established scientifically. In this context the proponent of an activity, rather than the public, should bear the burden of proof.”

8. **Consider and acknowledge the societal economic costs of toxic chemicals.** The Plan of Priorities does not acknowledge or cite the societal economic burden of the adverse health effects of toxic chemicals. For instance, in 2016, Canada spent \$53 billion on shipments of chemical products that, in 2022, Endocrine disrupting chemicals were estimated to cause \$24.6 billion in harm (i.e. 46% of the purchase price, though not borne by the sellers.) Global

pollution includes the widespread use of, for example, endocrine disruptors, pesticides, and plastics that contribute to major losses in biodiversity, and in the ability of the planet to maintain the homeostasis needed for life. The Plan of Priorities should acknowledge that chemicals are not the only cause, but they do play a direct role in affecting morbidity and mortality of non-human life, plus an indirect role in that they enable humans to adversely modify the environment.

9. **Implement transparent consultations about toxic chemicals:** We urge the Minister of Health to promulgate regulations implementing a right to healthy environment adjudication mechanism using the relatively new mechanism in *Canada Gazette, Part I* that proactively publishes all submissions filed: <https://www.gazette.gc.ca/consult/consult-orcs-eng.html> and consider proactively disclosing meetings between the director-level or higher ranked among the 1,623 federal chemical management staff and outside parties (especially chemical companies and their advocates) akin to the [proactive disclosure of notes, dates and participants related to Health Canada's Healthy Eating Strategy](#).
10. **Share any preliminary quantitative risk assessments of chemicals available that are used to prioritize further consideration.** Please indicate whether the government has conducted preliminary assessments of 30,000 chemicals to inform decisions about which ones to shortlist including individual and groups of chemically or structurally related substances. Has the government used grouping approaches for chemically similar or structurally related substances?
11. **Share or implement a knowledge management plan.** Does the government have a knowledge management strategy or plan for tracking and making risk management decisions about as many as 30,000 chemicals (according to Budget 2024), and dozens, hundreds or even thousands of published studies on each, 200 "risk management instruments," and 255 [Risk Management "activities"](#)?
12. **Describe and estimate a time-efficient approach for consolidating information disclosed in the PFAS Management Plan.** What plan is in place to distill the CEPA section 71 data being solicited about per- and polyfluoroalkyl substances (PFAS) if public servants will need to manually move data to a spreadsheet from the PDF forms that are used to collect the data? Could it be massively time-consuming and delay using that information for regulatory action and impact analysis for years? How is data collection being modernized so that data is FAIRER (Findable, Accessible, Interoperable, Reusable, Ethical and Replicable).
13. **Report any evidence justifying the "Use value" of chemicals.** Empirical evidence of the use-value is key to assessing essentiality/substitutability of chemicals. Does the government require it from companies? Can it?
14. **Matching primary care electronic medical records with Chemical Management Plan prioritization.** Check progress and potential for recent [federal funding to upgrade electronic](#)

[medical records](#) to better understand the exposure of Canadians to toxins from access to anonymized administrative records of biopsies of stool, blood, breastmilk, and other tissue.

15. **Specifically, model and report the impact of rising temperature could affect risk profiles of chemicals.** Risk analysis and management may change with changing environmental conditions. Increasing temperatures affect how chemicals will degrade, how they will interact with life forms in nature (and maybe in humans), how various potential extreme events will affect chemicals management (e.g. extreme rainfall and tailings ponds leaks; sea level rise and effects on chemical use, transport, storage close to coasts. Accounting for this, the impact of climate change on chemicals is essential.
16. **Prioritize actionable data collection.** More extensive long-term biomonitoring data collection, as well as improved health data management and interoperability—as pioneered by CANUE—are needed to effectively manage risks. CHMS is currently a series of underpowered national snapshots curated by volunteers in a few locations. The Canadian Institutes for Health Research should enhance funding for such research. Likewise, Health Canada should support targeted studies of areas and exposures of concern (e.g., Windsor/Sarnia ON, Fort Chip AB, or Boat Harbour NS), or occupational exposures such as exhaust-exposed border guards with high incidence of breast cancer. Environment and Climate Change Canada and Health Canada must follow the threshold of certainty in CEPA - "reasonable certainty of no harm."

Respectfully submitted,



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cc. Jade Scognamillo, Executive Director, Canadian Environmental Network, director@rcen.ca,
AND: Hon. Mark Holland, PC, MP, Minister of Health, hcminister.ministresc@canada.ca
AND: The Honourable Steven Guilbeault, Minister of Environment and Climate Change, ministre-minister@ec.gc.ca

Appendix

2024 Recommendations of the Canadian Environmental Network's Toxics Caucus to the federal government's Chemical Management Program, jointly administered by Health Canada and Environment and Climate Change Canada

- 1. PROVIDE TIMELY NOTICES OF CONSULTATIONS.** Ensure that consultation dates are communicated well in advance, providing CSOs with sufficient time for planning and preparation.
- 2. ESTABLISH A MECHANISM TO ENSURE SUSTAINABLE, RELIABLE PUBLIC INTEREST INTERVENOR FUNDING MANDATED BY LEGISLATION INDEXED TO INFLATION AND THE NUMBER AND QUANTITIES OF CHEMICALS.** Discretionary funding allocated annually or bi-annually is ineffective for planning and creates a moral hazard, where the Toxics Caucus may avoid robust public interest advocacy to secure continued funding. A mechanism for sustainable funding allocation to CSOs should be established to ensure their effective and meaningful participation in consultations.
- 3. IMPROVE DATA TRANSPARENCY.** Create a dedicated platform for transparent data sharing among government agencies, CSOs, industry stakeholders, and the public. Establish forums for ongoing dialogue and information exchange between stakeholders and decision-makers to foster collaboration and trust.
- 4. PUBLISH CONFLICT-OF-INTEREST SAFEGUARDS.** Companies in Canada and abroad profit from the harmful use, release and spread of toxic chemicals. Interventions and roles of vested interests in assessments should be made fully transparent. Measures taken by Health Canada and Environment and Climate Change Canada to protect the public interest from undue commercial influence should also be made fully transparent.
- 5. FULFILL THE DUTY TO WARN.** Implement measures to enhance public access to information about hazardous chemicals and their impacts. This includes improving product labels and creating an online searchable catalog of chemicals, detailing their risks, exposure levels, and estimated environmental concentrations to ensure broader awareness and understanding.
- 6. CONSULT ON PLANS TO REDUCE RISKS OF HARM BY 50% BY 2030.** The government committed to reducing chemical risks by 50% by 2030 as part of its Biodiversity Strategy. However, the volume and diversity of chemicals are increasing, and the government has yet to indicate how it plans to collect data, calculate, let alone reduce, these risks. (We share the same urgent concern regarding pesticides.)
- 7. OPERATIONALIZE THE DEFINITION AND APPLICATION OF THE PRECAUTIONARY PRINCIPLE:** The precautionary principle is inconsistently applied when evidence of harm is assessed to be uncertain. Uncertainty often stems from deficiencies in data quality, availability, or comparability. Criteria should be established and consulted on, and the triggering rules should be clarified. These rules should include how essential/irreplaceable a substance is (is there an inherently safer option) and the availability of inherently safer processes, products, and/or substances.

8. ASSESS DATA NEEDS. Work with CSOs to identify areas where existing data falls short and develop mechanisms to enhance data collection and validation from diverse communities. Improve data accessibility and inclusivity by involving diverse communities in risk assessments and regulatory actions. Prioritize engagement with affected communities, including vulnerable populations, at all stages, including pre-assessment. Incorporate input from individuals with vulnerabilities such as Multiple Chemical Sensitivities (MCS) to enhance protective measures and promote safer product choices.

9. MANDATE RIGOROUS, PEER-REVIEWED SYSTEMATIC REVIEWS OF PUBLISHED SCIENTIFIC LITERATURE BY DEDICATED GOVERNMENT OF CANADA STAFF: Previous reviews conducted by Health Canada—such as those for lead—have been selective, overlooking major studies that indicated harm. In a systematic review, all relevant studies should be identified and considered, with clear explanations provided for downgrading their importance or giving them little weight. Additionally, the search terms used in these reviews should be transparent, especially for chemicals with ambiguous or widely used names, like mercury and lead, or for those with multiple names or class-specific effects, such as endocrine disruptors or chemicals harmful to pollinators.

10. IMPOSE PREVENTATIVE SUN SETTING AND SUCCESSION PLANNING (INCLUDING WITH A FOCUS ON ESSENTIALITY AND INHERENTLY SAFER ALTERNATIVES) FOR HARMFUL CHEMICALS. Collaborate with civil society organisations and stakeholders to implement strategies to prevent harm and support the transition towards safer technologies for a healthier and more sustainable future.

11. REPORT THE STAFF COMPLEMENTS OF THE CHEMICAL MANAGEMENT PLAN. Estimates of full-time-equivalent staff dedicated to the Chemical Management Plan have varied widely, from 10 to 100, with no one at the February 29, 2024, meeting knowing the true figure. This number, along with the competencies of the staff, should be included in a report to Parliament. Recent indications suggest that the number could exceed half of the 1,200 full-time-equivalents of officials at Health Canada and Environment and Climate Change Canada mandated for the Chemical Management Plan or other chemical risk-related activities. **We know the answer to this now: 1,600 combined in both departments, 450 for the CMP at Health Canada.**

12. CONSULT ON AND PUBLISH CONFLICT-OF-INTEREST SAFEGUARDS USED IN POLICYMAKING, PRIORITY-SETTING, AND THE EVALUATION OF RESEARCH RELATED TO HUMAN HEALTH AND ENVIRONMENTAL PROTECTION. Participants expressed concern about the lack of procedures for considering input and research from companies, as well as from scientists and other individuals funded by commercial enterprises with conflicts of interest. Mandating and publishing interest declarations, as done by the World Health Organization, is an essential first step. It is also crucial to proactively publish direct or indirect communications with Chemical Management Plan staff. In certain circumstances, it may be appropriate for individuals or organizations with conflicts of interest to be excluded from positions of trust, such as government advisory committees, or to recuse themselves from discussions related to chemicals management. What is the role of Canada's Chief Scientist and her office?
<https://science.gc.ca/site/science/en/office-chief-science-advisor>

13. LINK THE CHEMICAL MONITORING PROGRAM TO FEDERAL HEALTH CARE FUNDING CONDITIONAL ON IMPROVEMENT OF ELECTRONIC MEDICAL RECORDS. Anonymized electronic medical records (including chemical analyses of blood, hair, urine, feces, and other tissues), like waste-water testing, can be used to assess the impact of chemicals on human health.

14. REGULAR QUARTERLY MEETINGS: Negotiating meeting dates around many people's evolving schedules is both time-consuming and frustrating. Meetings should be scheduled well in advance so participants can plan accordingly or send substitute delegates. For occasional meetings to address urgent issues between quarterly sessions—such as the implications of the recent internal audit of the Chemical Management Plan, the significant changes resulting from the 2024 federal budget (including budget reductions and user fees), and the termination of funding for the Chemical Management Plan outreach program to the Toxics Caucus—and efficient coordination through scheduling tools like Calendly or Doodle is recommended.

These recommendations aim to strengthen CSO engagement in the CMP program by prioritizing capacity building, fostering collaboration, promoting education, encouraging engagement, and enhancing public participation. This approach seeks to create a more informed, inclusive, and collaborative framework for chemical management.

ENDNOTES

¹ Although actual spending for fiscal year 2023-2024 has not been updated yet, the combined number of Full-time Equivalent public servants dedicated to Health Canada's "Health Impacts of Chemicals Program" and Environment and Climate Change Canada's "Substance and Waste Management Program" rose from 1,216 in fiscal year 2022-2023 to 1,623 in 2024-2025, a 33% rise. See: Government of Canada. Actual and Planned Full-Time Equivalents (FTEs) by Program: Government of Canada. Updated August 19, 2024. Available at: [https://www.tbs-sct.canada.ca/ems-sgd/edb-bdd/index-eng.html#rpb/\(-\(table.-'programFtes.-subject.-'gov_gov.-columns.-\(-'7b*7bpa_last_year_5*7d*7d.-'7b*7bpa_last_year_4*7d*7d.-'7b*7bpa_last_year_3*7d*7d.-'7b*7bpa_last_year_2*7d*7d.-'7b*7bpa_last_year*7d*7d.-'7b*7bplanning_year_1*7d*7d.-'7b*7bplanning_year_2*7d*7d.-'7b*7bplanning_year_3*7d*7d\)\)](https://www.tbs-sct.canada.ca/ems-sgd/edb-bdd/index-eng.html#rpb/(-(table.-'programFtes.-subject.-'gov_gov.-columns.-(-'7b*7bpa_last_year_5*7d*7d.-'7b*7bpa_last_year_4*7d*7d.-'7b*7bpa_last_year_3*7d*7d.-'7b*7bpa_last_year_2*7d*7d.-'7b*7bpa_last_year*7d*7d.-'7b*7bplanning_year_1*7d*7d.-'7b*7bplanning_year_2*7d*7d.-'7b*7bplanning_year_3*7d*7d)))

² 2024 Federal Budget Plan. Available at: <https://budget.canada.ca/2024/home-accueil-en.html#pdf>