

January 8, 2018

Transmission by email:
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The Honourable Ginette Petitpas Taylor
Minister of Health
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The Honourable Catherine McKenna
Minister of the Environment and C.C.
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Submission: Comments regarding the “Consultation to proposed changes to the Cosmetic Ingredient Hotlist: prohibited and restricted substances”, issued November 11, 2017.

Dear Minister Catherine McKenna and Minister Ginette Petitpas Taylor,

Please consider the following comments by Prevent Cancer Now (PCN) and Chemical Sensitivities Manitoba (CSM) in response to Health Canada’s “Proposal to Update the Cosmetic Ingredient Hotlist”,¹ issued November 11, 2017.

OVERVIEW

Canada’s Cosmetic Ingredient Hotlist is a communications tool to inform manufacturers, importers and the general public about restrictions on harmful ingredients in personal care products.² The Hotlist is updated periodically, but any products manufactured and distributed in Canada must meet legislative and regulatory requirements regardless of the status on the Hotlist.³

As a communications tool, the Hotlist is a prime opportunity to identify the *hazards* associated with cosmetic ingredients and least-toxic approaches. Personal care products are absorbed through the skin, and vapours and residues are found in indoor air and dust, and wastewater. As a result of exposures to diverse substances such as endocrine disruptors and sensitizers that contribute to adverse birth and developmental

¹ Health Canada. Consultation to proposed changes to the Cosmetic Ingredient Hotlist: prohibited and restricted substances. November 11, 2017.

² Cosmetic Ingredient Hotlist. Date modified: 2015-12-14. <https://www.canada.ca/en/health-canada/services/consumer-product-safety/cosmetics/cosmetic-ingredient-hotlist-prohibited-restricted-ingredients/hotlist.html#tbl1>

³ Health Canada. Cosmetic Ingredient Hotlist: Prohibited and Restricted Ingredients. Date modified: 2014-03-28. <https://www.canada.ca/en/health-canada/services/consumer-product-safety/cosmetics/cosmetic-ingredient-hotlist-prohibited-restricted-ingredients.html>

outcomes, chronic diseases and cancers, there are numerous health and environmental repercussions that affect users, unborn children, others in shared spaces, and the environment. Unnecessary hazards should be avoided, as risk characterization of the low dose exposures and complex mixtures from multiple consumer goods is both inexact and under-estimated.

The Hotlist is incomplete, and it is unclear how substances come to be included. For example, toxic elements such as lead are included, but asbestos is not listed. This is in the context of long time concerns regarding asbestos in talc, and now recent reports of asbestos in children's makeup and a Health Canada request to access the data.⁴

With the above caveats, we support the addition of the proposed substances to the Hotlist prohibited list, and lowering of tolerance levels of substances when they are restricted rather than banned.

APPROACH

Proposed changes for restricted substances present an opportunity to address the use of safer alternatives that would not require restrictions. Unfortunately, the approach to consider alternatives is not prescribed in current health policy or legislation and was not considered in this consultation. Alternatives assessment and selection of least-toxic and/or more sustainable options have been brought to the attention of the Health Canada and Environment and Climate Change Canada by *Prevent Cancer Now*, *Chemical Sensitivities Manitoba* and several other non-governmental organizations (NGOs) and individuals, in the context of chemicals management, pesticides and radiation, as well as in hearings and submissions to the House of Commons Standing Committee on Environment and Sustainable Development, Health and Agriculture.⁵ Finally, Health Canada and Environment and Climate Change Canada have coordinated a number of consultation meetings that focus on alternative assessment and its role in managing toxic chemicals through the Chemicals Management Plan implementation work, particularly in post-2020 planning.

The current approach, rather than using a least-toxic strategy, results in considerable confusion and hinders progress. For example, methylisothiazolinone (currently proposed to be banned from leave-on products and reduced in concentration in wash-off products) was included as an alternative preservative in the Government of Canada December 2017 triclosan pollution prevention planning consultation.⁶ Proposed substitution of triclosan with another chemical of concern, a month following release of

⁴ Health Canada seeks data from Claire's analysis of kids makeup for asbestos. Dec. 29, 2017. <http://nationalpost.com/pmnl/news-pmn/canada-news-pmn/health-canada-seeks-data-from-claires-analysis-of-kids-makeup-after-asbestos-warning>

⁵ <http://www.preventcancer.ca/main/resources/cancer-prevention-submissions>

⁶ Triclosan: Pollution prevention planning consultation. December 13, 2017. <https://www.canada.ca/en/environment-climate-change/services/pollution-prevention/planning-notice/performance-results/triclosan-overview.html>

the Hotlist consultation, only stalls progress on alternative strategies and truly safer products.

SPECIFIC SUBSTANCES

The following are our comments and recommendations to this consultation:

Prohibitions: proposed revisions to the requirement on the Hotlist

Chloramine:

We are in agreement with the proposed revision that would add related compounds along with chloramine T, since these compounds are expected to convert to Chloramine T in solution.

Oleandrin:

We are in agreement with the proposed revision that would include Nerium oleander, its extracts and glycosides, because of the toxicity of the entire plant, including the sap.

Proposed addition for restriction to the Hotlist & current restrictions with proposed changes in the context for the restrictions

Pigment Red 4:

Pigment Red 4 is a mono-azo pigment that was included in the assessment of the Aromatic Azo and Benzidine-based substance grouping. Hazards of Pigment Red 4 were initially determined to be of concern as a result of its concentration in lipsticks.

Pigment Red 4 is considered to pose “acceptable” risks at 3% in cosmetics, but unacceptable risks at higher exposure levels. In this situation, discussion of safer alternatives should have been included in the consultation. The need for a primary focus on the toxicity of the substance (hazard) is particularly relevant when considering substances in personal care products and household articles. Given numerous unknowns and uncertainties, we find ingestion of cosmetics containing the proposed maximum concentration of 3% to be of concern, and recommend that Pigment Red 4 should be eliminated in favour of less hazardous options.

Methylisothiazolinone, and Methylisothiazolinone/Methylchlorisothiazolinone in combination:

There are proposed revisions for methylisothiazolinone (MI) because of sensitization. The use of MI is proposed to be prohibited in leave-on products and a reduction of the maximum permitted concentration in rinse-off products to 0.0015%. As well, when MI and methylchlorisothiazolinone (MCI) are used in combination in

the same product, the total concentration of MCI plus MI is proposed not to exceed 0.0015%.

We are in agreement with the prohibition of leave-on products but have concerns about the use of MI and/or MCI in rinse-off products, even at a low concentration. Regardless of label instructions, there is always the possibility of improper removal of the personal care product or leaving the product on the skin for a prolonged period of time, when it is actually meant to be a rinse-off product. As noted above, we are also concerned regarding “mixed messages” that MI is an acceptable alternative to triclosan, published more than a month following the current consultation.

In summary, while we agree with many of the details of the current proposal, we see a need for a paradigm shift to achieve least-toxic approaches and products in Canada.

Restrictions are not the only method by which the government could protect human health and the environment. Additional work to identify and to promote least-toxic approaches and safer substitutions should be an integral part of the Cosmetic Ingredient Hotlist, and other Health Canada and Environment and Climate Change Canada assessment and regulatory strategies.

We hope that the above is of assistance in the present and ongoing work of the Government of Canada to shift to best practices in chemicals assessments and management.

Respectfully submitted,

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