

# 4,700+ PFAS

## Industry Issue Overview

### Serious Concerns with Proposed Assessment of 4,700 PFAS

CPCA provided the CASE industry's initial comments on the federal Government's Draft State of PFAS Report and hopes the final decisions on the 'draft' will lead to a consistent and practical definition for Risk Assessment and Risk Management of these substances in Canada. CPCA has long supported a strong risk-based approach to chemicals management under the federal Government's Chemical Management Plan (CMP). Integral to the CMP is the legitimate process for prioritization of 'chemicals of concern' thereby ensuring all available data points are collected from all 'credible' scientific sources. Substantive data will ensure a sound and comprehensive Risk Assessment is completed before moving forward with Risk Management actions such as regulations, bans and other use restrictions.

### What are PFAS?

Per- and poly-fluoroalkyl substances (PFAS) are a group of over 4,700 synthetic substances that are chemically engineered to be safely used in a variety of products. PFAS are used in products such as cosmetics, lubricants, non-stick cookware, food packaging materials, surfactants, firefighting foams, repellents, and textiles.

### Issues with the PFAS Definition

CPCA would support a consistent and science-based definition of PFAS, which can be adopted by all levels of Government and organizations responsible for their safe use. Compounds with only one fluorinated carbon should be excluded from the PFAS definition for the reasons noted herein and as detailed in CPCA's formal submission. CPCA argues that the federal Government must establish a workable definition of PFAS similar to the UK definition with a narrow focus on substances that actually degrade, not 'possibly' degrade. As such, it would only need to target a limited number of PFAS substances or priority sub-classes determined to negatively impact health or the environment. This should be 'the' established process before any PFAS is listed on Schedule 1, Part 1, or Part 2 of CEPA (2023).

### Intentional Use of PFAS and Possible Alternatives

The federal government's initial focus should only be on 'intentional' uses of 'degradable' PFAS. This is especially important if Government wishes to move forward on a credible and more efficient 'grouping approach' for the Risk Assessment and Risk Management of PFAS. Moreover, it must not only rely on the development of risk management instruments for various sub-classes of PFAS without fully evaluating the existence of cost-effective and less harmful alternatives. PFAS are contained in a number of critical raw materials, which will be in great demand for a more sustainable future. Alternative assessment must also be done in a rigorous way as many potential alternatives are still under development and not available to all industry sectors. Further, some may be subject to unfounded marketing claims that are unproven in new product formulations and finished goods. Significant time and costs associated with identifying substitutes, and in some instances, non-fluorinated substitutes, may have a greater negative environmental impact over the lifecycle of a product, not less. This is critical for all industry sectors to note and for the Government to appreciate.

### CMP's Scientific Risk-Based Approach Must be Applied to PFAS

Concerning the recent Draft State of Science Report, it is unclear how the Government could justify the hasty publication of this report by simply invoking the use of the precautionary principle without pre-consulting impacted stakeholders. This is not the chemical assessment approach for which Canada has been widely lauded over the past 20 years. Some have said it puts the cart before the horse, and they are correct. Should it be 'scientifically' proven that all 4,700 PFAS pose 'unacceptable risks' and are potentially dangerous, the question then is: can they be realistically risk assessed expeditiously at various stages of assessment?

Many of the past Risk Management actions under the CMP were not always to the benefit of industry, but industry

10,000  
PFAS to be Evaluated

40,000  
Implicated Products



*The Canadian Government's Draft PFAS proposal underestimates the time and expense to identify substitutes, used to modify all aspects of formulated products and then bring them to market.*



understood and respected the scientific rigour applied in gathering such robust scientific data before rendering final decisions. In the case of the Draft State of PFAS Report, the opposite is true. For some reason, a close-to-final 'emergency' decision was taken by the federal Government without any 'substantive scientific data' to support it. Why was such an unusual decision taken when in fact not all PFAS are toxic and/or bio-accumulative? In CPCA's formal submission on this subject, it quoted the highly respected Dr. Janet Anderson, who recently noted: "It's clear that for a chemical class as diverse as PFAS, a scientifically rigorous approach to risk assessment is needed. We need to acknowledge that "risk assessment" is not a 'one-size fits all' tool and the context matters, and that effective communication of uncertainties and data limitations is required."

### **CPCA Regulatory Focus on PFAS**

The Canadian Government's Draft PFAS proposal underestimates the time and expense to identify substitutes, used to modify all aspects of formulated products and then bring them to market, while often assuming a substitute is available. Formulated products do not have "drop-in" substitutes. All aspects of a formula have been developed and tested for optimum performance, often while minimizing environmental impacts. It all takes time and requires a rigorous, scientific risk-based approach.

Much of the industry's new product development is now focused on increasing innovation and seeking more sustainably sourced inputs in support of strong commitments to move toward net-zero and other ESG

targets. All these efforts require time and increasing costs, but the commitment remains strong in the industry. Regulatory uncertainty has been created by the federal Governments current approach on PFAS, if it proceeds more broadly, will negatively impact trade flows. This is especially the case related to Canada's largest trading partner, the United States, from which almost half of CASE products are manufactured in, or shipped to, Canada.

Exclusion of Fluoropolymers must be considered by Governments considering PFAS regulations. Some PFAS compounds, more especially fluoropolymers, are essential functional ingredients for CASE products used to ensure strong, stable, inert, and long-lasting product performance required to protect vital infrastructure like bridges and hundreds of critical components in airplanes, essential medical equipment and anti-bacterial surfaces in hospitals and schools. Fluoropolymers are polymeric molecules that are too large to crossover in biological membranes and therefore do not present significant concerns for toxicity or bioaccumulation. Fluoropolymers do not present human health impacts associated with other legacy PFAS chemicals like PFOA or PFOS or other long-chain PFAS, nor can they transform into those substances nor can they ever become mobile. CPCA strongly supports the exclusion of fluoropolymers from the currently proposed scope of PFAS assessment and for it NOT to be added to Schedule 1 of CEPA (2024). The goal must be to keep the regulatory focus strictly on PFAS sub-classes based on their actual potential to cause negative effects on the environment and human health.



Canadian Paint  
and Coatings  
Association

Association canadienne  
de l'industrie de la peinture  
et du revêtement

**Canadian Paint and Coatings Association**  
900-170 Laurier Avenue West  
Ottawa ON K1P 5V5  
613-231-3604 | [info@canpaint.com](mailto:info@canpaint.com)

*Trusted Advocacy.  
Proven Results.*

### **About CPCA**

*The Canadian Paint and Coatings Association (CPCA) was founded in 1913 and since then it has forged a legacy as one of Canada's oldest trade associations advocating for the interests of the paint and coatings industry. CPCA's team of regulatory and chemical experts understand how policy, regulations, and industry are intricately connected, providing proactive approaches on legislative and regulatory development for critical issues for the CASE Industry. For more information on this or other issues of interest contact CPCA.*