

**Health Canada – New Substances Assessment and Control Bureau-
Environmental Assessment Working Group**

In Commerce List (ICL) Sub-committee

Report from meetings: September & November 2007, January & April 2008

Prepared by: Sandra Madray

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The Environmental Assessment Working Group (EAWG) established by Health Canada and Environment Canada, has a mandate to provide broad, strategic advice on operational (planning), technical and regulatory issues related to Environmental Assessment Regulations, and the revision, prioritization, and management of the In Commerce List (ICL).¹

The ICL sub-committee consults and reports directly to the EAWG and provides recommendations on issues such as:

- Revision of the ICL;
- Categorization of the ICL;
- Risk Assessment;
- Risk Management.²

There are approximately 9000 substances in products that are on the ICL which are subject to regulations under the *Food and Drugs Act* (F&DA). These products entered into commerce between January 1, 1987 and September 13, 2001. Data from records in Health Canada's commodity groups were utilized in the formation of the ICL and currently, there are four sub-groups:

- List 1 - human and veterinary pharmaceuticals with approximately 1100 substances identified by a chemical name (e.g., Chemical Abstract Service (CAS) name), an alternate name and a Chemical Abstract Service Registry Number (CASRN);
- List 2 - cosmetics and personal care products with approximately 1,300 substances identified by a substance name and CASRN;
- List 3 - cosmetics and personal care products - with approximately 4,000 substances identified by a substance name only;
- List 4 - cosmetics and personal care products - with approximately 2,600 substances identified by a fragrance or trade name.³

¹ Environmental Assessment Working Group (EAWG) Overview: Teleconference Part 11 (Document 8) Dec. 2006. Kiran Hanspal, Health Canada.

² Sub-committee on the In Commerce List: Terms of Reference March 28, 2007. Neil Tolson, Health Canada.

The challenges that face the management of the ICL are numerous. Some of them include:

- Mismatch of substance name and Chemical Abstract Service Registration Number (CASRN);
- No CASRN;
- Various nomenclatures used for substance naming;
- Some substances are actually mixtures making accurate identification somewhat difficult;
- Omission of substances that were in commerce;
- Multiple entries for one substance;
- Some substances are on the Domestic Substances List;
- Some areas have inadequate information - identification of manufacturers, chemical structures, use patterns, projected annual volumes.

The sub-committee has made good progress with its agenda but as it moves forward with its discussions and recommendations, there will be a need for continued open and transparent dialogue. Because of the diversity of stakeholders in the sub-committee, industry and non-governmental organizations (NGOs) both need to voice their opinions with each side attempting to understand the challenges at hand.

The sub-committee has had one teleconference and four face-to-face meetings - two in 2007 and two in 2008. The sub-committee is comprised of 10 industry representatives, 2 NGOs and 8 government representatives from various departments within Health Canada and Environment Canada. The NGOs on the sub-committee are Maria Castro - Beyond Factory Farming Coalition, Sandra Madray - Chemical Sensitivities Manitoba. Maureen Carter-Whitney – Canadian Institute for Environmental Law and Policy (CIELAP) is the alternate NGO.

³ Environmental Assessment Working Group Teleconference Package, Part 1 Dec 06. Health Canada & Environment Canada