

Voluntary Report – Voluntary - Public Distribution

Date: May 25, 2023

Report Number: CA2023-0024

Report Name: Canada Consults on the Intent to Regulate PFAS

Country: Canada

Post: Ottawa

Report Category: Climate Change/Global Warming/Food Security, FAIRS Subject Report, Policy and Program Announcements

Prepared By: Mihai Lupescu

Approved By: Tyler Babcock

Report Highlights:

On May 20, 2023, Canada opened public consultations on the intent to add per- and polyfluoroalkyl substances (PFAS) to the list of toxic substances regulated under the Canadian Environmental Protection Act. PFAS are substances found in a wide range of products, including food packaging. Interested stakeholders may submit comments until July 19, 2023. Additionally, Canada signals the intent to propose a standard for PFAS-containing biosolids sold as commercial fertilizers.

On May 20, 2023, Environment and Climate Change Canada (ECCC) opened a 60-day public comment period on two documents:

- [Draft State of Per- and Polyfluoroalkyl Substances \(PFAS\) Report](#), and
- [Risk Management Scope](#)

Interested stakeholders are encouraged to submit comments **before July 19, 2023**, at the following:

- Email: substances@ec.gc.ca
- Mail:
Program Development and Engagement Division, Science and Risk Assessment
Science and Technology Branch
Environment and Climate Change Canada
351 Saint-Joseph Boulevard
Gatineau, QC, K1A 0H3

According to ECCC, per- and polyfluoroalkyl substances (PFAS) are a group of over 4,700 human-made substances, “extremely persistent” in the environment, with a variety of industrial applications, and found in a wide range of products, including food packaging.

ECCC indicates that the Draft State of PFAS Report is a “qualitative assessment of the fate, sources, occurrence, and potential impacts of these substances on the environment and human health.” The Draft Report concludes that:

- 1) PFAS substances “are entering or may enter the environment in a quantity or concentration or under conditions that have or may have immediate or long-term harmful effects on the environment or its biological diversity”; and
- 2) PFAS substances “are entering or may enter the environment in a quantity or concentration or under conditions that constitute or may constitute a danger in Canada to human life or health”.

Based on these conclusions, the Draft Report recommends that PFAS are added to the List of Toxic Substances in Schedule 1 of the [Canadian Environmental Protection Act](#).

To mitigate the possible negative impact of PFAS to human health and the environment, the Risk Management Scope paper suggests several potential options for consideration, including regulatory and non-regulatory controls for PFAS.

In terms of next steps, ECCC indicates that a final decision on the need to add PFAS to Canada’s List of Toxic Substances would be published by the end of 2023, together with a final Report on the State of PFAS. If necessary, further regulatory actions on PFAS would be proposed for public comment by the end of 2025, with the intent to implement final regulatory requirements by mid-2027.

Canada Also Intends to Establish a PFAS Standard for Fertilizer Biosolids

In a parallel development, the Canadian Food Inspection Agency (CFIA) [published](#) a notice of intent “to engage on proposed interim standard for PFAS in biosolids imported or sold in Canada as fertilizers”. The CFIA proposes a standard that would require biosolids “to contain less than 50 ppb ($\mu\text{g}/\text{kg}$) of per-fluorooctane sulfonate (PFOS) as an indicator before to they can be imported or sold in Canada”. CFIA notes that according to preliminary analysis of PFAS content in Canadian biosolids, “over 90% of all Canadian-produced biosolids contain less than 50 ppb of PFOS”. Additionally, CFIA indicates that the

“interim approach is intended to provide a risk control measure for biosolids that is protective of the environment and the safety food and feed crops grown in Canada”. A public consultation on this proposed measure is expected in summer 2023.

Attachments:

No Attachments.