



## Modernizing the *Canadian Environmental Protection Act* — Canada's pollution and toxics law

### Issue summary

It has been more than two decades since Parliament passed the *Canadian Environmental Protection Act (CEPA)*, 1999, and this cornerstone pollution-prevention law needs to be updated to address today's environmental and health threats. Canada's leading environmental and health groups call on all federal parties to support a bill to modernize CEPA without further delay, in line with the House of Commons Standing Committee on Environment and Sustainable Development's 2017 report to Parliament.

### Background

**Exposure to toxics is a public health and environmental justice problem. For example:**

- Inuit pregnant women and children have significantly higher body levels of PFAS, chemicals found to weaken immune systems and vaccine effectiveness.
- Toxics may be contributing to 850,000 cases of asthma in children and ADHD in five per cent of school-age children.
- Hormone disrupting chemicals like BPA contribute to hormonal cancers and lower fertility. More than 25,000 women are diagnosed with breast cancer annually.
- Nearly 15,000 Canadians die prematurely from air pollution every year.
- Studies show that lower income Canadians are three times more likely to live within one kilometer of a major source of air pollution than those with a higher income.
- BPA and PFAS are present in the bodies of 80% and 100% of Canadians, respectively.

### Canada's pollution law is outdated

CEPA provides the legislative framework for protecting human health and the environment from pollution and toxics. The law has not been significantly amended for more than two decades, yet sources of pollution and our scientific understanding of risks have changed dramatically over this time. In today's era of climate emergency, a global plastic pollution problem and a respiratory illness pandemic, CEPA must evolve to adequately protect the health of Canadians, particularly marginalized people and those in vulnerable situations including Indigenous people, women, workers and racialized communities.

In 2017, the House of Commons Standing Committee on Environment and Sustainable Development made 87 recommendations for strengthening CEPA. While the government committed to updating CEPA, it has yet to introduce amendments.

### Key CEPA modernization amendments

- Better control of toxic substances — including toxics in imported goods — in line with leading international approaches. This must include legal requirements to:
  - Ban highly hazardous substances like carcinogens, reproductive toxins and hormone disruptors such as BPA, phthalates and PFAS.
  - Address cumulative effects of chemicals and require substitution with safer alternatives as toxic substances are restricted.
  - Require mandatory labelling to fully disclose chemicals in products such as cosmetics.
- Establishing enforceable national air- and drinking water-quality standards.
- Protect susceptible people and those in vulnerable situations like workers, women, children and marginalized communities — including Indigenous communities.
- Recognizing the human right to a healthy environment.

### Broad support for CEPA reform

The Chemistry Industry Association of Canada (the dominant player in the chemicals sector) and Responsible Distribution Canada (a representative of chemical distribution and ingredient supply chain companies) have publically signalled their support for many of these recommendations. As well, more than 500 scientists signed an open letter to the prime minister calling for CEPA reform. Their letter states:

*“Canada’s overarching law governing pollution and toxics is outdated; it is inadequate to deal with today’s sources of pollution and toxic chemicals. We have a once-in-a-generation opportunity today to curb pollution, save lives, protect the environment, boost the economy, and improve the quality of life for all Canadians by updating CEPA.”*

According to a national poll conducted by the Gandalf Group, nearly eight in 10 Canadians consider strengthening protections from toxics “very important” (37%) or “somewhat important”(41%) to vote intention in federal elections.

### Conclusion

Parliament should implement the Standing Committee’s 2017 recommendations and pass legislation to strengthen CEPA as promised in the Speech from the Throne without further delay. We call on all federal parties to support a bill to bring CEPA into the 21<sup>st</sup> century.

### Contacts

Lisa Gue, David Suzuki Foundation, lgue@davidsuzuki.org 613-914-0747

Elaine MacDonald, Ecojustice, emacdonald@ecojustice.ca 416-368-7533 x527

Muhannad Malas, Environmental Defence, mmalas@environmentaldefence.ca