

## Regulatory Essentials – December 8, 2021

### Cosmetics Alliance Virtual Winter Regulatory Workshop – Last Chance to Register!

Regulatory Workshop Details:

**Date:** December 9, 2021

**Time:** 8:30 a.m. – 12:30 p.m. EST

**Location:** Virtual

**Cost:** \$350 (including Member Engagement Session)

\$50 off for all additional attendees from the same member company

#### [Final Workshop Agenda](#)

Member Engagement Session:

**Date:** December 10, 2021

**Time:** 9:00 am – 11:00 am EST

**Location:** Virtual

#### [Final MES Agenda](#)

Get ready for our Virtual Winter Regulatory Workshop on December 9-10, 2021. Cosmetic Alliance Regulatory Workshops provide members with the opportunity to stay up-to-date and informed on “everything regulatory”. Hear from government officials and Cosmetics Alliance staff on issues that will directly affect your business. You also do not want to miss the Member Engagement Session the next day to discuss what was heard the day before with your industry colleagues and CA Staff.

Price of the workshop is per login; attendees can not share logins.

#### [Register](#)

### Health Updates

#### Consumer Product and Cosmetic Reports Received by the Consumer and Hazardous Products Safety Directorate Quarterly Data July 1 to September 30, 2021

Industry is required to submit reports to the Consumer and Hazardous Products Safety Directorate when they become aware of an incident related to their consumer product. Consumers report concerns about consumer products and cosmetics on a voluntary basis.

Percentage of industry reports and consumer reports: 56% and 44%, respectively.

Not every report the Consumer and Hazardous Products Safety Directorate receives involves an injury. Over the time period, injuries, including deaths, were reported in 32% of reports received.

616: Number of reports received by the Consumer and Hazardous Products Safety Directorate  
Top 3 Injury Types

- Burns: 46
- Irritations: 49
- Cuts: 51

One of the top 5 product types based on number of reports received is cosmetics with 22 reports received in the second quarter of 2021.

[Full Report](#)

### You're Invited to Health Canada's 2021 Stakeholder Update on Health Products

Date: January 13, 2022

Time: 1:30-3:00 p.m.

Please join the call for an update on Health Canada's progress on key initiatives and priorities.

[Register](#) by December 31, 2021, and send in your questions for the presenters in advance of the event to: [hpfb.engagement-mobilisation.dgpsa@hc-sc.gc.ca](mailto:hpfb.engagement-mobilisation.dgpsa@hc-sc.gc.ca). CA wishes its membership to join in the session as CA will be represented at the session.

[Agenda](#)

<https://www.cosmeticsalliance.ca/youre-invited-to-health-canadas-2021-stakeholder-update-on-health-products/>

### Animal Testing Ban in Canada (Joint Stakeholder Letter)

With the return of a Liberal minority government in the recent federal election and the appointment of a new Minister of Health, our stakeholder group has sent a [joint letter](#) to the new Minister again outlining our request to move forward with the necessary legislative and regulatory amendments to implement a ban in Canada on animal testing for cosmetics.

Key Points:

As you will note in the [attached letter](#), our stakeholder group:

- Includes Cosmetics Alliance Canada on behalf of industry, Cruelty Free International and their retail partner The Body Shop, and Humane Society International and Animal Alliance of Canada with their retail partner Lush;
- Agrees and proposes that the Canadian ban “align with the principles of the European Union ban as well as work within the context of the Canadian regulatory framework”;
- Requests that the necessary legislative/regulatory amendments be drafted by Health Canada “to ensure that they are administratively workable, do not result in unintended consequences, and are ultimately supported by the Government which is key to Parliamentary approval”; and
- Suggests that this initiative be included within the development and implementation of Health Canada’s regulatory modernization initiative known as the Self-Care Framework, which we propose would be the simplest and fastest way to implement the ban.

We have also indicated that work has been undertaken by stakeholders on various operational details over the past few years, “many of which are reflected in the proposed Humane Cosmetics Act” now before the U.S. Congress, and that we would be prepared to discuss the details with the Minister’s officials.

#### Further Suggestions to the Government:

In addition to this information, we have also suggested:

- The Government consider adding to the preamble of the *Food & Drugs Act* a provision similar to that included in the recently proposed amendment to the Canadian Environmental Protection Act (CEPA) recognizing the importance of “promoting the development and timely incorporation” of non-animal alternative methods and strategies;
- Health Canada regularly publish and update a list of non-animal testing methods and strategies which they will accept as meeting their requirements; and
- Health Canada review all of its statutory/regulatory requirements where animal testing is currently required – such as the *Toy Regulations* under the *Canadian Consumer Product Safety Act* – to determine if they are still necessary. These latter regulations have specific animal testing requirements for toys including plush toys (such as the toy bunnies used by various organizations to promote the ban on animal testing, as well as “toy” cosmetics intended for use in play by children).

#### Timing & Expectations:

Given the significant number of issues on which the new Minister is to be briefed, as well as the continued demands of the COVID pandemic and concerns arising from new variants, it is not expected that this will necessarily be a high priority for the Minister. However, it is hoped that as a result of this letter and our outreach, the issue will be put into the hands of the Self-Care Framework team within the Department to work with stakeholders to move forward with the ban.

Although specific legislative initiatives (i.e. private members bills) have been twice initiated before, beginning with a private members bill in the Senate in 2015, this approach did not prove successful. The proposed legislation – drafted without the engagement of Health Canada, its Minister, or industry – did not fully address the complexities of the *Food & Drugs Act* or the current modernization initiative of the Self-Care Framework. All stakeholders have now come to

appreciate and agree that having Health Canada draft the necessary legislative and regulatory amendments will ensure both a workable system and, very importantly, the political support of the Minister of Health and Government. Additionally, as the regulatory and legislative changes necessary to implement the Self-Care Framework are already part of Health Canada's Forward Regulatory Plan, this avenue of is likely the fastest means of moving forward.

#### Briefing Colleagues Within Your Company – Our Ask to You:

If you are part of an international company with an interest in the implementation of the animal testing ban world-wide, we would ask that you please forward this note and accompanying letter to your appropriate colleagues within your company to update them on the status of the issue in Canada.

Should you have any comments, questions. or require further information, please don't hesitate to contact Susan Nieuwhof ([snieuwhof@cosmeticsalliance.ca](mailto:snieuwhof@cosmeticsalliance.ca)).

#### Updated REP Guidance Document Published

OSIP (Office of Submissions and Intellectual Property) has released updated version of the following documents:

[REP Guidance Document](#)

[REP FAQ](#)

[CESG HC Reference Guide](#)

Cosmetics Alliance highly recommends subscribing to the following RSS feeds to receive the latest information from OSIP on the CESG:

[Common Electronic Submission Gateway](#)

[Electronic Submissions RSS Feed](#)

The CESG HC Reference Guide has been updated to include other options for security certificates and for plain language step-by-step instructions for enrolling in the gateway.

The REP Guidance Document has been updated as follows:

1. Simplification of the Company Enrolment/Amendment Steps
2. Minor editorial changes

The REP FAQ has been updated to:

- Replace contact information from [hc.ereview@canada.ca](mailto:hc.ereview@canada.ca) to [ereview@hc-sc.gc.ca](mailto:ereview@hc-sc.gc.ca)

- Know when the REP guidance document has been updated and how to sign up for the RSS feeds
- Reflect new procedure for the management of Third-Party consultants.
- Additional tips and tricks for the management of CO, PI and RT templates.
- Updated information on the e-billing program.
- Update information on small business mitigation measures

<https://www.cosmeticsalliance.ca/updated-rep-guidance-document-published/>

## **Environmental Update**

### **Publication of the Draft Screening Assessment for Acids and Bases Group**

The Draft Screening Assessment for Acids and Bases Group was published for a 60-day public comment period ending on February 2, 2022.

Environment Canada conducted a screening assessment on 22 substances referred to collectively under the Chemicals Management Plan as the Acids and Bases Group. These 22 substances were identified as priorities for assessment as they met categorization criteria under subsection 73(1) of CEPA or were considered a priority on the basis of other human health concerns. Six of 22 substances in the Acids and Bases Group (hydroxylammonium chloride, sodium hypochlorite, sodium chlorate, calcium hypochlorite, chlorine, and chlorine dioxide) were previously addressed by Environment Canada under the Priority Substances Assessment Program and conclusion for potential harm to human health was not determined. It is proposed that all 22 substances in the acids and bases group do not meet any of the criteria set out in CEPA.

<https://www.canada.ca/en/health-canada/services/chemical-substances/chemicals-management-plan-3-substances/acids-bases-group.html>

## **Cosmetics Alliance Update**

### **Webinar: ISO 22716 (Good Manufacturing Practices for Cosmetics) Audits: Top Non-Conformities and Observations**

This webinar, presented by CA member - SGS North America will be presenting some key topics related to ISO 22716 (Good Manufacturing Practices for Cosmetics) Audits

**Date:** Monday, December 13, 2021

**Time:** 12:00 pm - 1:00 pm EST

**Cost:** Member: Free Non-Member: \$50

[Register](#)

The webinar will focus on:

- Understanding the relation between ISO 22716 and the Canadian Cosmetic Regulations
- Learning the top non-conformities identified during SGS ISO 22716 audits
- SGS ISO 22716 GMP training opportunities

Target Audience

- Quality staff, Compliance Managers, QA employees

### Interactive Training Session: Hosting a Health Canada Audit

This Interactive Training Session will focus on preparing stakeholders for an inspection under ROEB's new Pilot Natural Health Product GMP Inspection Program which was launched in March 2021.

This training will benefit those who have experienced a HC audit and prepare you for any anticipated Health Canada Audits in the future.

**Date:** December 20, 2021

**Time:** 2:00 pm – 3:30 pm EST

**Location:** Virtual

**Cost:** Member \$250; Non-Member \$395

Objectives:

- Prepare stakeholders for a Health Canada audit.
- Understand the opportunities for industry under the inspection pilot.
- Learn the process for virtual, on-site and hybrid audits.
- Understand the audit cycle.
- Ensure you have the latest GMP information on NHPs from the NNHPD

[Register](#)