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November 21, 2001

Suzanne MacPhee  
Competition Bureau  
17th floor, Place du Portage I  
50 Victoria St.  
Hull, Quebec K1A 0C9

Dear Ms. MacPhee:

The Canadian Manufacturers of Chemical Specialties Association (CMCS) is pleased to comment on the proposal by the Competition Bureau to adopt new environmental labelling and advertising guidelines.

CMCS represents more than 50 member companies with a total of 111 facilities across Canada, employing over 11,000 people, and generating annual Canadian sales valued at \$13.7 billion. Our members manufacture or import formulated consumer and commercial products including aerosols, detergents, soaps, floor finishes, deodorizers, disinfectants, sanitizers, pest control products, antiseptics, water treatment chemicals, and automotive chemicals. Also included are companies that process, distribute or package chemical specialty products, as well as those that supply raw materials.

The Canadian Manufacturers of Chemical Specialties Association supports the adoption of CAN/CSA-ISO 14021-00 in considering Environmental Claims under the Competition Act. CMCS was represented on the CSA Technical Committee that developed Z761, which was eventually supplanted by this more comprehensive ISO standard. We certainly support movement towards international standardisation and the harmony that it can bring to our markets. There are three comments that we would like to submit:

1. The ISO standard makes no distinction between the use of the Möbius Loop symbol (the "chasing arrows") for indicating recyclability vs. recyclable content. The set of three symbols, which are displayed in the standard, is a mix of the previously established recyclable and recycled content symbols. It is likely that the choice of symbols to represent recycled and recyclable will be inconsistent among manufacturers, resulting in consumer confusion.

*We recommend that Industry Canada supplement the ISO standard by endorsing the established convention for the use of the Möbius Loop symbols that differentiate between recyclable materials and recycled content. This convention was entrenched in the original PGELA, and again in CSA Z761, and is understood broadly by the Canadian public.*

2. Because products have been marketed for a decade in compliance with the PGELA, there are many labels that will not comply strictly with the ISO standard.

*We recommend that a recycled content symbol, without a percentage qualifier continue to be acceptable and to be interpreted as a claim of 100% recycled content.*

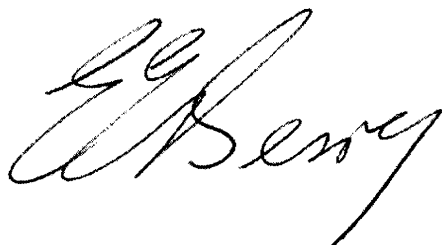
*We recommend that a qualifier of "post-consumer", "post-use", or any of the other qualifiers used to illustrate the PGELA section on Recycled Content continue to be acceptable.*

3. We support a spirit of openness in validating environmental claims. However, section 6.5, Access to Information, has raised concerns with our members, where the standard presumes a conflict between claims and confidential business information. In particular, the requirement that information verifying the claim "shall be disclosed, upon request... to any person...." We feel that the "cost recovery" option offered in 6.5.2 is not sufficient to prevent malicious abuse of this requirement. This requirement is not imposed on any other claim made regarding the safety, efficacy, or value offered by a product.

*We recommend that claims should not be suppressed if they can be verified to the satisfaction of Industry Canada by providing confidential business information that will be protected. We recommend that Industry Canada use section 6.5 judiciously in evaluating environmental claims.*

In summary, we support the use of CAN/CSA-ISO 14021-00 by the Competition Bureau. While we have concerns, we believe they can be met through the judicious application and interpretation of the standard. We look forward to a positive response to our recommendations and further recommend that this response be incorporated into an explanatory/supporting document when Industry Canada confirms the adoption of CAN/CSA-ISO 14021-00.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Edwin E. Berry'. The signature is fluid and cursive, with a large initial 'E' and 'B'.

Edwin E. Berry, Ph.D., CChem  
Vice President