



JUN 12 2012

Ms. Shannon Coombs
President
Canadian Consumer Specialty
Products Association
130 Albert Street, Suite 800
Ottawa ON K1P 5G4

Mr. Derek Nighbor
Senior Vice-President
Public and Regulatory Affairs
Food & Consumer Products of Canada
885 Don Mills Road, Suite 301
Toronto ON M3C 1V9

Mr. Darren Praznik
President and Chief Executive Officer
Canadian Cosmetic, Toiletry and
Fragrance Association
420 Britannia Road East, Suite 102
Mississauga ON L4Z 3L5

Dear Ms. Coombs, Mr. Nighbor and Mr. Praznik:

I am responding to the Notice of Objection that you filed on April 27, 2011, regarding the generic nature of the proposed *Regulations Respecting Products Containing Certain Substances Listed in Schedule 1 to the Canadian Environmental Protection Act, 1999*, (CEPA 1999) (the Regulations) that were published in the *Canada Gazette*, Part I, on February 26, 2011, for a 75-day consultation period that ended on May 12, 2011.

Your Notice of Objection requests that I establish a Board of Review. You also express concern that the generic nature of the proposed Regulations was inappropriate and had not been the subject of adequate consultation.

I have carefully considered the issues identified in your Notice of Objection in deciding whether to establish a Board of Review. As set out in CEPA 1999, the mandate of a Board of Review in this instance is to inquire into the nature and extent of the danger posed by the substance in respect of which the regulation is proposed. As your Notice of Objection does not provide any information that relates to this mandate, I am informing you that I will not establish a Board of Review.

Please be assured that the Government of Canada is committed to consulting with all stakeholders and the public on the development of the proposed Regulations, and that any issues brought forth will continue to be considered in an open and transparent manner. To that end, Environment Canada and Health Canada published a Response

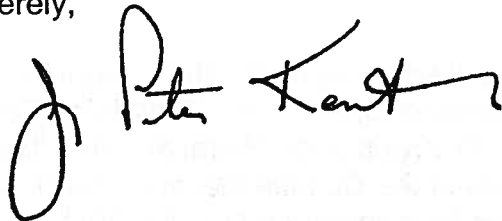
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to Comments document that summarizes the feedback received during the consultation period and describes how these matters will be addressed in the final Regulations. The document is available on Environment Canada's Mercury and the Environment website at www.ec.gc.ca/mercure-mercury.

At the time of publication of the proposed Regulations, mercury was the only substance targeted. As stated in the Regulatory Impact Analysis Statement, any addition of a substance would be done in accordance with the regulatory process, including public consultation requirements, as set out in CEPA 1999, and would require amendments to the Regulations as well as the development of a separate Regulatory Impact Analysis Statement and pre-publication in the *Canada Gazette*, Part I. Nevertheless, I wish to inform you that, subject to the approval of the Governor in Council, it is proposed that the final Regulations deal explicitly and exclusively with products containing mercury.

I appreciate your bringing your organizations' concerns to my attention, and look forward to working with you in the future on environmental or human health matters of mutual interest.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Kent". The signature is written in a cursive style with a large initial "P" and "K".

The Honourable Peter Kent, P.C., M.P.