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## IN CANADA, FEDS USE FALSE 'SOUND SCIENCE' TO REGULATE CARCINOGENS

By Simon Doyle, Hill Times <<http://www.hilltimes.com>>

The Canadian Environmental Protection Act calls on the government to use 'precaution' in its risk management of toxins, but the principle has not been used.

As the federal government comes under criticism for failing to properly regulate toxins and carcinogens in consumer products and the environment, the Standing Committee on Environment heard last week that government departments have relied on a faulty approach of using "sound science" to determine the risks associated with toxins.

In recent weeks, pressure has mounted on the government to ban a number of harmful and toxins that do not break down in the environment and that are sold in consumer products, such as flame retardants, found in furniture and carpets, or perfluorooctane sulfonate (PFOS), which is used to make non-stick pans and other non-stick materials.

The Canadian Environmental Protection Act, or CEPA, gives regulatory powers to Cabinet to define chemicals as toxic if they are considered to pose significant health risks.

But last week, environmental advocates told the Standing Committee on the Environment and Sustainable Development that government departments have been influenced by industry groups that have successfully argued that the government needs to use a "false principle" of "sound science" in its decisions to ban substances.

A brief submitted last week to the committee by Bruce Lourie, president of the Ivey Foundation, an environmental charitable foundation in Toronto, says that there is no such thing as "sound science" because it implies absolute evidence or consensus when all science contains uncertainty. The brief calls the phrase an invention of industrial stakeholders to slow down and delay the regulatory process toward banning chemicals.

In his appearance before the Environment Committee last week, Mr. Lourie said he conducted an informal survey of about 30 sources in the government, manufacturing industry, advocacy groups, and academics, and only government officials viewed "sound science" as a valid phrase. Even the industry officials surveyed acknowledged the term as a strategy for undermining or delaying government action, he said.

"We see sound science referenced in federal documents. Sound science, if you read any of the literature on it, was a term created by industry, deliberately, to interject uncertainty, to interject doubt into decision-making. So the fact that we have sound science in our federal documentation suggests that we're really lining ourselves up with the kind of language the industry uses, deliberately, to undermine action. That's problematic," Mr. Lourie said.

The Canadian Cancer Society says that 50 per cent of cancers are preventable, and although most preventable cancers can be attributed to smoking, people can unknowingly accumulate carcinogens and other toxins in their bodies through inhalation, ingestion or skin contact.

They can be found in pesticides and weed killers, household cleaners and detergents, personal care products, fruit with traces of pesticides, beef with growth hormones, composite wood products and plastics.

In the 1970s, one in five Canadians could expect to develop cancer in their lifetimes, according to Health Canada cancer statistics. Today, the chance for men is one in 2.4 and for women one in

2.7, and the rate is predicted to rise.

CEPA includes a provision mandating that the government use a "precautionary principle [http://www.precaution.org/lib/pp\\_def.htm](http://www.precaution.org/lib/pp_def.htm)" in its approach to determining whether some substances are harmful, but witnesses at the committee said a "sound science" approach does not allow for such precaution.

Larry Stoffman, from the Canadian Strategy for Cancer Control, who appeared before the committee with Mr. Lourie, said that in the absence of using the precautionary principle, cancers that could be prevented, are not.

Mr. Stoffman and Mr. Lourie pointed to mercury as an example of a well-known toxin with multiple health hazards, but which has not been banned and is still used in thermometers in public school labs.

If "sound science" had been applied in the risk management of smoking in public places, Mr. Stoffman said, smoking would still be allowed in the very committee room where they met in West Block.

Mr. Stoffman said the European Union uses an effective precautionary principle, which says that wherever reliable scientific evidence shows there may be adverse health effects from certain substances--even if there is uncertainty about the extent of the effects--there is a requirement to use precaution and ban or virtually eliminate the substance.

The House Environment Commons Committee is currently conducting a statutory review of CEPA. Liberal MP John Godfrey (Don Valley West, Ont.), a member of the committee, told The Hill Times that the committee could use the opportunity to look at redefining CEPA's precautionary principle, to ensure that it is properly used.

"What happens is that these things become politicized. If there's a substance where a group of stakeholders have some economic interest in defending it, and they don't want this particular substance replaced-- they own the patent on it or whatever else--if the debate reaches a Cabinet committee, the danger is that the economic interest of the stakeholder trumps the precautionary principle," Mr. Godfrey said.

The issue appears to be gaining some political momentum. Last week, Ms. Minna's bill, Bill C-298, would ban PFOS, found in non-stick pans, which is linked to various types of Cancer and can damage the brain and the immune system.

Ms. Minna, former minister for International Cooperation under Jean Chretien, said the issue is becoming increasingly important because, while studies have increasingly shown the health hazards of the chemicals, children are increasingly accumulating them.

However, under the regulatory powers of CEPA, the former Liberal government had several years to ban the substances, and when asked why it did not, Ms. Minna said the regulatory process--which observers say can become bogged down in consultations--is slow.

"I, quite frankly, think we need to change the regulatory system to make it easier and a little faster, so that these kinds of changes can be made fairly quickly," Ms. Minna said. She said that she hopes to see committee's current review of CEPA come up with a streamlined way to ban substances through regulations.

"I think that maybe we should take a look at the regulatory system as we review CEPA, and really change the onerous time that it takes to designate substances. Other countries are doing it much faster," Ms. Minna said. "In the meantime we should pass this through the House of Commons. Let's do it now," she said of the bill she introduced.

Ms. Kadis added that increasing pressure is only now creating awareness about harmful environmental toxins. "The media has played an important role, the public has, we're trying here today, and I think collectively, we're at a point in time that it really begs for that type of action to take place and serious investigation by our officials," Ms. Kadis said.

Ms. Minna's bill is at first reading and will be debated on June 15, but she said Minister Ambrose has indicated the government will not be supporting the bill because such matters are the responsibility of the Environment Department.

John Moffet, a director general at the Department of the Environment, also appeared before the committee last week, and when asked why the government has not banned substances such as mercury, Mr. Moffet said CEPA gives the government the power to do so. The issue is really one of political will, he said.

"Why haven't we? Fundamentally? I would argue that those are political decisions. On the issue of federal leadership, the act gives us the authority to address a wide range of issues, the extent to which we've chosen to exercise that authority, has been and will continue to be a political decision," Mr. Moffet said.

Mr. Moffet said stakeholder consultations on banning substances can become "circular" and slow the process down. "Nothing in CEPA impedes the minister from saying, 'I don't care what that process says, this is the decision,'" he said.

A study released this month by Environmental Defence, an environmental advocacy group in Toronto, tested seven children and six parents to find harmful toxins in all of them, such as stain repellants, flame retardants, mercury, lead, DDT and PCBs. Some children were found to have higher levels of chemicals than their parents.

The study tested for 68 chemicals with a 68 per cent success rate. They found eight chemicals linked to reproductive disorders, 38 suspected cancer-causing agents, 23 chemicals dangerous to the hormone system, 19 neurotoxins, and 12 toxins associated with respiratory illnesses.

Last week, Environment Minister Rona Ambrose (Edmonton-Spruce Grove, Alta.) announced an initiative to prevent nearly 10 tonnes of mercury from entering into Canada's air over the next decade. Ms. Ambrose also announced that she would have her blood tested in another study by Environmental Defence to raise awareness of the toxins in the blood of children and families.

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