



CANADIAN ENVIRONMENTAL LAW ASSOCIATION
L'ASSOCIATION CANADIENNE DU DROIT DE L'ENVIRONNEMENT

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Sheila Davidson, Project Officer
Chemistry and Flammability Division
Consumer Product Safety Bureau
Health Canada
123 Slater Street
Ottawa, Ontario
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Submitted via e-mail: sheila_davidson@hc-sc.gc.ca

Dear Ms Davidson,

Re : Proposed Prohibition of Polycarbonate Baby Bottles that Contain Bisphenol A

The Canadian Environmental Law Association (CELA) is a non-profit public interest organization and legal aid clinic providing legal services to low income and vulnerable Ontario communities. We also undertake law reform, public legal education and community development work that advances protection of the environment. CELA has a longstanding interest and involvement with the regulation of toxic substances in the environment and consumer products. One of our priority areas of focus is children's environmental health, an area in which we have conducted extensive research and law reform advocacy on the greater vulnerability of children, including *in utero*, to environmental contaminants.

We write today in response to the above-noted consultation concerning regulation of Bisphenol A in polycarbonate baby bottles. We wish to strongly support this proposal insofar as it shows leadership in terms of taking limited precautionary action to ban this substance in one product.

However, we remain concerned that the action is far too limited. Scientific evidence points to exposure in the womb, particularly during early pregnancy, as the time of greatest vulnerability to Bisphenol A, with consequences for several chronic diseases and conditions. According to a recent comprehensive review of endocrine-disrupting chemicals (The Endocrine Society Scientific Statement, 2009), this chemical is associated with multiple effects in the male and female reproductive systems several of which may contribute to the later development of prostate and breast cancer, the two most common cancers facing adults. Additional emerging research also indicates possible interference with thyroid hormones and thus the potential for impacts on brain development. Bisphenol A may also be associated with obesity and diabetes, two additional chronic condition affecting increasingly large numbers of people, including children and young adults.

The Endocrine Society notes that low level Bisphenol A exposure is ubiquitous, as shown in human biomonitoring data, and there is evidence of the greatest effects at low doses compared with effects seen at higher doses. This research calls into question existing methods of

calculating dose-response relationships during traditional risk assessment. Specifically, these dose-response relationships belie the ability of risk assessment to establish a “safe” or “acceptable” level of risk for substances that appear capable of exerting toxic effects at levels currently experienced across the human population.

As we stated in more detail in response to the consultation concerning the designation of Bisphenol A as CEPA-toxic, and reinforced by the expanding and very troubling research base about Bisphenol A and other endocrine-disrupting chemicals, precautionary action on this chemical should include a ban on its use in all food and drink containers. Such action would, at the very least, represent more comprehensive precautionary action to reduce Bisphenol A exposure where it appears to matter the most: reducing exposure to pregnant women and women of child-bearing age.

All of which is respectfully submitted.

Yours truly,

CANADIAN ENVIRONMENTAL LAW ASSOCIATION

A handwritten signature in black ink, appearing to read 'Kathleen Cooper', with a stylized flourish extending to the right.

Kathleen Cooper
Senior Researcher