

September 10, 2021

Publications Section
Pest Management Regulatory Agency
Health Canada
2720 Riverside Drive
Ottawa, Ontario
K1A 0K9
Via email: hc.pmra.publications-arla.sc@canada.ca

Subject: HCPA Comments on Notice of Intent NOI2021-02¹, Proposal to Allow Labelling of Human Pathogens on Products Regulated under the Pest Control Products Act

Dear Sir or Madam,

The Household & Commercial Products Association (HCPA)² appreciates the opportunity to provide comments on Health Canada's Pest Management Regulatory Agency (PMRA) Notice of Intent NOI2021-02, Proposal to allow labelling of human pathogens on products regulated under the Pest Control Products Act. The purpose of this notice is to inform the Canadian public and stakeholders of Health Canada's PMRA intention to allow the labelling of human pathogens on products regulated under the *Pest Control Products Act* when there is sufficient scientific evidence demonstrating efficacy against these microorganisms. HCPA fully supports the comments filed by the Canadian Consumer Specialty Products Association (CCSPA).

HCPA supports the intent of this notice as it aligns with the current labeling practices of hard surface disinfectants under the *Food and Drugs Act*, as well as creates alignment with the regulation of disinfectants and sanitizers in the United States under the Environmental Protection Agency. HCPA believes that when there is sufficient data to support such a claim, a product regulated under the *Pest Control Products Act* should be able to list the human pathogen(s) on the product label. This not only benefits the registrant of the product, but will benefit Canadians that depend on these products to assist them in living cleaner, healthier, and more productive lives.

¹ Available at <https://www.canada.ca/en/health-canada/services/consumer-product-safety/reports-publications/pesticides-pest-management/decisions-updates/notice-intent/2021/proposal-labelling-human-pathogens-products-pest-control-products-act/document.html>

² The Household & Commercial Products Association (HCPA) is the premier trade association representing companies that manufacture and sell \$180 billion annually of products used for cleaning, protecting, maintaining, and disinfecting homes and commercial environments. HCPA member companies employ 200,000 people in the U.S. whose work helps consumers and workers to create cleaner, healthier and more productive lives.

Beyond our general support for this notice, HCPA offers the following comments:

- The consultation summary provides information on the requirements to add human pathogens to the existing label and suggest that registrants request a pre-submission consultation to confirm the data requirements for the specific labelling sought for their specific product(s). HCPA believes that many companies will seek to add human pathogens to their product labelling as a result of this policy change. To mitigate a significant influx of potential submissions and requests for pre-submission consultations, HCPA requests that appropriate efficacy guidance is developed for industry to determine whether or not sufficient data exists and what are acceptable testing methodologies and standards to develop such data before requesting a pre-submission consultation.
- HCPA would appreciate more details on the type of submission, fee, and timeline that would be required in order to add these types of claims to the label. This will help assist companies in determining whether or not to proceed with a submission to modify the label.
- HCPA assumes that fungi, mold and mildew would be within the scope of this policy change, but would appreciate clarification.

Moving forward, as Health Canada looks to potentially amend³ the *Food and Drugs Regulations* and bring forward a regulatory proposal to introduce flexibilities for biocides and place them under a single regulatory framework, HCPA requests that this intent of this notice is also applied to sanitizer products in that framework.

If you have any questions about our comments, please do not hesitate to contact me directly at ngeorges@thehcpa.org.

Respectfully submitted,



Nicholas B. Georges
Vice President, Scientific & International Affairs

³ Available at <https://www.canada.ca/en/health-canada/corporate/about-health-canada/legislation-guidelines/acts-regulations/forward-regulatory-plan/plan/regulations-amending-food-drugs-regulations-part-c.html>