

From: Minister Bains / Ministre Bains (IC)
To: Sarah Johnson
Subject: Minister of Innovation, Science and Industry
Date: Wednesday, April 29, 2020 2:44:40 PM

Minister of Innovation,
Science and Industry



Ministre de l'Innovation,
des Sciences et de l'Industrie

Dear Ms. Johnson:

I am pleased to respond to your correspondence, which was forwarded to me by the Prime Minister's Office and by the Minister of Environment and Climate Change, concerning the Council of the Municipality of Brockton's resolution related to single-use disposable wipes and the possibility of federally regulating their labelling as "flushable." I understand the challenges this issue presents for municipalities such as Brockton, and I appreciate your taking the time to share your concerns. I regret the lengthy delay in replying to you.

The *Consumer Packaging and Labelling Act* and the *Competition Act* are federal statutes administered and enforced by the Competition Bureau, an independent law enforcement agency. The two laws contain provisions to address false or misleading representations made to the public in advertising or promoting products. The Bureau may open an inquiry if there are grounds to believe that unlawful conduct has taken place under one of the laws, including performance claims based on inadequate testing. You may be aware of recent reports of efforts by stakeholders in this vein to have the Bureau open an inquiry.

The laws are framework statutes of general application. As industry specific regulation and direct regulation of wastewater systems generally fall outside federal responsibility, I encourage you to work with provincial officials as well. Nevertheless, Innovation, Science and Economic Development Canada (ISED) continues to explore the policy levers available to it. ISED has followed with interest both the ongoing efforts within organizations like the International Water Services Flushability Group to develop standards and the findings of academic studies on this topic. Such sources can help fill data gaps about the products under examination during the course of a deliberation or investigation.

Since I received your correspondence, the COVID-19 pandemic has become a defining priority. In that context, Innovation, Science and Economic Development Canada is supporting Canada's response to the crisis. As the situation is rapidly evolving, I encourage you to consult the Government of Canada's COVID-19 [webpage](#) for the most up to date information.

Thank you for taking the time to share your concerns with the Government of Canada, and please accept my best wishes during these very challenging times.

Sincerely,

A handwritten signature in blue ink that reads "N. Bains".

The Honourable Navdeep Bains, P.C., M.P.