

REGULATORY COOPERATION COUNCIL NEWS

OCTOBER 2013

Welcome to the second Regulatory Cooperation Council (RCC) Canadian Secretariat news update. These are prepared periodically to provide you with information on RCC plans, progress being made and other items of interest.

RCC WELCOMES INPUT INTO NEXT PHASE OF WORK

From August 30 to October 11, 2013, the Canada–United States Regulatory Cooperation Council (RCC) is seeking input from stakeholders to inform its approach to a potential next phase of regulatory cooperation between the two countries. Businesses, consumers and other stakeholders are invited to share their views on how to expand and secure ongoing regulatory cooperation efforts between Canada and the United States (U.S.), identify regulatory initiatives to be included in future work and suggest how to best engage stakeholders as work progresses. Input from stakeholders and Canadians will help inform the direction of any potential future regulatory cooperation between the two countries.

There are opportunities for greater alignment between the regulatory systems of Canada and the U.S. which can reduce costs for businesses and requirements for moving goods across the border as well as provide benefits for consumers. In most cases, the two regulatory systems have similar goals, but there are ways for our regulatory systems to be better aligned to avoid duplicative and time consuming work that adds unnecessary costs. The goal of the RCC is to better align the two regulatory systems to benefit producers, manufacturers and consumers and boost North American trade and competitiveness.

Public engagement has been important to the RCC's work since its inception. Beginning with its initial round of engagement, summarized in its August 2011 report "[What Canadians told us: A report on consultations on regulatory cooperation between Canada and the United States](#)", input from consultations has guided the development of the RCC's December 2011 initial Joint Action Plan, as well as its implementation.

A notice has been posted online on the [Canada Gazette website](#) as well as on the [Federal Register website](#) in the United States. Stakeholders are invited to review these documents and share their views by sending their comments via e-mail to rcc-ccr@pco-bcp.gc.ca by October 11, 2013.

PROGRESS CONTINUES

A few highlights of our recent and ongoing work include:

- On September 16, 2013 the Minister of Transport announced the signing of a new Memorandum of Understanding between Transport Canada and the Railway Association of Canada that provides a framework for addressing emissions in the Canadian rail sector covering the 2011 to 2015 period. This MOU supports the locomotive emissions initiative under the RCC.
- The Canadian Food Inspection Agency (CFIA) and United States Animal and Plant Health Inspection Service (APHIS) completed [the draft Canada–United States Perimeter Approach to Plant Protection framework document](#). The framework proposes details on how the two government agencies can work together on regulatory cooperation and aligning regulatory policies, for the safe and efficient trade in plants and plant products between Canada and the United States. The framework was open for comments from stakeholders until September 27, 2013.
- As part of the work to enhance collaboration on compliance and enforcement by increasing mutual reliance on each other's routine surveillance of good manufacturing practices (GMP), initial observational inspections occurred at two sites in Canada in late-April and early-May. In July, two more were conducted in the US. Consolidation of the reports of these inspections is underway and analysis of the findings is expected to be completed by November 2013. The results will be used to define the path forward for conducting joint and more complex GMP inspections. Progress updates are being provided to industry stakeholders during the regularly-scheduled industry bilateral meetings.
- A jointly-planned Common Electronic Submission Gateway (CESG) pilot between the U.S. Food and Drug Administration (FDA) and Health Canada began in August 2013 with participation from a range of firms. This pilot is testing the system that will enable the industry to submit drug applications for market authorization electronically to both the U.S. FDA and Health Canada. To date, the pilot has resulted in over 750 test submissions being sent to Health Canada via the CESG by 18 firms.
- Under the Mutual Reliance of Food Safety Testing Results work plan, CFIA, Health Canada (HC) and the FDA completed a gap analysis of the inventory of tools used by CFIA/HC and FDA for the recognition of food safety laboratory accreditation bodies. The analysis identifies differences in the accreditation criteria used by regulators, which present barriers to acceptance of each other's test results. The gap analysis was distributed for joint stakeholder consultation in August and September 2013.

- Health Canada and the FDA announced that they had completed their first joint review of a veterinary drug product on December 14, 2012. Building further on the initiative to align the approvals process for veterinary drugs, four additional similar pilot product reviews are currently underway.
- Environment Canada recently announced that it intends to develop new regulations under the Canadian Environmental Protection Act, 1999 to establish stricter limits on air pollutant emissions from 2017 and later model year cars and light trucks, and to reduce the amount of sulphur in gasoline. These regulations will align with the U.S. Environmental Protection Agency's proposed "Tier 3" standards which, once fully phased-in, are expected to reduce smog-forming air pollutants from new vehicles by approximately 80% compared to the current "Tier 2" standards. A related [Notice of Intent \(NOI\)](#) was published in the Canada Gazette Part I on June 8th, to provide additional details and to invite comments. Through this initiative, Environment Canada is working closely with the U.S. EPA towards the continued development and implementation of common national standards to reduce air pollution from vehicles and fuels.
- A 60-day public comment period on the [RCC Nanotechnology Policy Principles for Decision-Making Concerning the Regulation and Oversight of Nanotechnology and Nanomaterials](#) finished in July 2013. A final document is anticipated for late Fall 2013.

ENGAGING WITH STAKEHOLDERS

Ongoing Consultations And Upcoming Events

- As part of the RCC Nanotechnology Work Plan, Canada and the US are organizing a final stakeholder workshop in Washington, D.C. on November 20th, 2013 to report on results and discuss future ongoing engagement between the two countries and stakeholders.
- On October 22, 2013, in Boston, the U.S. Federal Reserve Bank, in cooperation with the Canadian Consulate, will be hosting a day-long event where officials responsible for the implementation of the Regulatory Cooperation Council and the Beyond the Border Action Plans will be on-hand to provide an update on progress and discuss next steps for both initiatives. The day will also include panel discussions with business leaders from General Electric, Philips Healthcare and others.

- On July 5th, 2013 Health Canada launched a consultation to begin the process of applying the Globally Harmonized System of Classification and Labelling of Chemicals (GHS) for workplace chemicals in Canada. Chemicals used in the workplace are produced and sold around the world. These products often have different label information depending on the safety rules in place where they are produced and sold. The purpose of the GHS for workplace chemicals is to promote both workplace safety and international trade by applying definitions and safety information requirements that are globally accepted. Requests to obtain a copy of the proposed regulations can be made by email to: whmis_simdut@hc-sc.gc.ca. Following this consultation, the Department intends to publish a formal regulatory proposal in the Canada Gazette, Part I, for broader public comment.

Recent Events And Engagements

- On September 25, 2013, the U.S. Chamber of Commerce hosted a U.S. – Canada Regulatory Cooperation Council Stakeholder Discussion Session. Senior Canadian and American RCC officials gave a presentation and encouraged participants to provide feedback on improving regulatory cooperation moving forward as part of the ongoing dialogue currently underway through the [Canada Gazette](#) and the United States [Federal Register](#) websites.
- On September 10, 2013 an RCC official moderated a panel on “North America and the World: What are the benefits of North American Cooperation in a global market”, as part of the 2013 [North American Consumer Products Safety Summit](#).
- On July 16, 2013 a representative of the Canadian RCC Secretariat Team gave a presentation to the [23rd Annual Summit](#) of the Pacific Northwest Economic Region (PNWER) Anchorage, Alaska titled: [U.S.–Canada Regulatory Cooperation Council – Charting the Path Forward](#).
- On June 20, 2013 in Washington, D.C., the Canada–United States Regulatory Cooperation Council (RCC) held its second major stakeholder event, the first having taken place in January 2012. Video recordings (English only) and copies of the presentations for all June 20 RCC events, including the morning plenary and afternoon breakout sessions, are available on the [Woodrow Wilson Center website](#).
- Members of the Canadian RCC Secretariat continue to meet individually and collectively with business and community stakeholders in Canada and the U.S.

TO STAY CONNECTED OR FOR MORE INFORMATION

As always, the Working Groups for the individual RCC Joint Action Plan initiatives are committed to consulting with and providing information to stakeholders. Contact information can be found at the bottom of each of the individual work plan on our website:

- Work Plans for each of the Joint Action Plan's 29 initiatives:
www.actionplan.gc.ca/page/rcc-ccr/initiatives-and-working-groups

For general information please visit our website or send us an email at:

- Website: www.actionplan.gc.ca/RCC
- Email: rcc-ccr@pco-bcp.gc.ca

RCC Reference Documents

- [RCC News – May 2013](#)
- [Canada – U.S. Regulatory Cooperation Council Joint Action Plan Progress Report to Leaders](#) (December 2012)
- [U.S. Executive Order 13609](#) promoting international regulatory cooperation (May 1, 2012)
- [RCC Joint Action Plan](#) (December 2011)
- [What Canadians Told Us: A Report on Consultations on Regulatory Cooperation Between Canada and the United States](#) (August 2011)

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