

TO: MUNFA Members

FROM: The MUNFA Executive Committee

DATE: August 18, 2009

SUBJECT: Bill C-11, The Pathogens and Toxins Act

This Information Bulletin most concerns those Academic Staff Members (ASMs) who might use biological reagents in their research programs. For your information, consideration and possible action, we would like to raise your attention to new Federal Legislation, Bill C-11, The Pathogens and Toxins Act.

(<http://www2.parl.gc.ca/HousePublications/Publication.aspx?Docid=3658282&file=4>)

It has come to the attention of the MUNFA Executive that Bill C-11 Pathogens and Toxins Act has passed Royal Assent and is now law. C-11 Pathogens and Toxins Act will make it a violation of the Criminal Code to possess, use or dispose of certain biological reagents (level 2 and above human pathogens) without official Federal certification. Such certification will no doubt soon become an additional administrative and procedural responsibility in Federal research grants and related biomedical or biosciences research.

Augmenting safety and security of biohazardous materials is clearly prudent. **However, what is of concern about C-11 is that some of the biological reagents covered by C-11 are in common or routine use in laboratories, which makes the ramifications of C-11 related compliance a potentially important administrative and procedural issue for many ASMs. There has also been discussion and concern expressed on the implications the Bill may have for inspection of research spaces and materials as well as privacy rights, particularly with respect to research involving human subjects and specimens.** The MUNFA Executive is concerned about the MUN administration's silence on this issue and what steps the University is taking to address this new legislation and the compliance process that it will no doubt demand from ASMs.

Therefore, the MUNFA Executive encourages any concerned ASMs to write to Deans and Directors to voice any concerns about the University administration's plans and time lines for implementing a compliance program to address C-11. The MUNFA Executive has learned that the Public Health Agency of Canada is inviting responses to C-11 Pathogens and Toxins Act, suggesting that changes and/or amendments to the Bill may be possible. The MUNFA Executive also encourages any concerned ASMs to write to the Public Health Agency of Canada and/or The Federal Minister of Health with any concerns they may have with C-11 Pathogens and Toxins Act and government's potential amendment of C-11.