



**Canadian Fuels**  
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Members of the Senate Standing Committee on National Finance

Dear Senators;

Re: Bill C-59 – **Proposed Paragraph 74.01(1)(b.2) of the *Competition Act***

I am writing on behalf of [Canadian Fuels Association](#) (CFA) and its member companies<sup>1</sup> to thank you for your interest and engagement at today's committee hearing on the proposed greenwashing amendment including the thoughtful questions that Senators asked of witnesses.

The testimony from government officials reinforced that the lack of clarity on “Internationally recognized methodology” and the reverse onus to prove “internationally recognized” presents a serious challenge for all organizations who wish to or have a legal requirement to communicate their environmental performances, improvements in their environmental practices and related benefits associated with their progress. For businesses, this would require a review of all social media, websites, sustainability reports and other historical documents and communications that could constitute ongoing “representations”. We also note that while the right of private enforcement will be delayed by one year, once it comes into effect, applicants will be able to target conduct that occurred up to one year prior which means the right of private enforcement effectively begins at Royal Assent prior to any consultations with industry on guidelines.

We note that Bill C-59 is scheduled for clause-by-clause review by the National Finance Committee tomorrow. We respectfully ask the Committee to recommend in its report that the paragraph under 236 (1) Subsection 74.01(1) (b.2) of the Act be amended by removing:

“in accordance with internationally recognized methodology, the proof of which lies on the person making the representation.”

Section (b.2) would then read:

“make a representation to the public with respect to the benefits of a business or business activity for protecting or restoring the environment or mitigating the environmental and ecological causes or effects of climate change that is not based on adequate and proper substantiation.”

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<sup>1</sup> Canadian Fuels members: Braya Renewable Fuels, Federated Co-operatives Limited, Greenergy, Greenfield Global, Imperial Oil Limited, Irving Oil, North Atlantic, North West Redwater Partnership, Parkland Fuel Corporation, Petro-Canada Lubricants Inc., Shell Canada Products, Suncor Energy Products Partnership, Tidewater Midstream and Infrastructure Ltd., and Valero Energy Inc.

In closing, thank you again for your ongoing engagement on this very important issue and please contact me at [boblarocque@canadianfuels.ca](mailto:boblarocque@canadianfuels.ca) if you need any more information.

Your sincerely,



Bob Larocque  
President & CEO  
Canadian Fuels Association