

NOTICE TO CEASE & DESIST DISTRIBUTION OF COVID-19 RAPID ANTIGEN TESTS

To: _____

Date: _____

This will serve as your legal notice to **cease and desist** from any and all further distribution of all COVID-19 rapid antigen tests including—but not limited to—Artron, Abbott, BNTX, and BD Veritor. The test dissemination was carried out in a negligent and cavalier manner without appropriate direction. This notice outlines concerns regarding the improper handling and administration of test kits, which can result in serious harm.

Dangers: All individuals utilizing COVID-19 rapid antigen test kits within the community must be informed of all associated **known dangers**. Appropriate arrangements are required to facilitate the return of these tests to pre-determined locations that specialize in the collection and disposal of medical biohazard waste products.

Professional Use Only: According to the package insert, COVID-19 rapid antigen test kits are to be administered by **healthcare professionals in clinical laboratories or Point of Care (POC) settings**. Cautions of critical importance have not been communicated to individuals, as of April 1, 2022. These cautions include:

- Use of personal protective equipment — **laboratory coats, disposable gloves and eye protection**
- **Safe disposal** of test equipment in biohazard container and then taken to approve hazardous waste facilities

Links to rapid antigen test product inserts approved by BCCDC for use in BC:

- Artron Product Insert: <https://genebiomedical.com/wp-content/uploads/2022/01/Artron-product-insert-Dec-2021.pdf>
- Abbot Product Insert: <https://manuals.plus/abbot/abbot-panbio-covid-19-ag-rapid-test-device-instructions>
- BNTX Product Insert: [https://www.bntx.com/files/COV-19C25/MSDS-I092%20COV-19C25%202.5 BTNX En.pdf](https://www.bntx.com/files/COV-19C25/MSDS-I092%20COV-19C25%202.5%20BTNX%20En.pdf)
- BD Veritor Product Insert: <https://www.fda.gov/media/139755/download>

Health & environmental hazard concerns and test kit limitations:

1. **Human Biohazard:** Ingredients in rapid antigen tests are toxic and harmful to humans in some instances, as detailed in Health Canada's '[Rapid antigen test kits and potential exposure to hazardous substances](#)' public safety alert. Artron—one of the most highly distributed test kits in schools in British Columbia—**does not disclose whether sodium azide is a component in their rapid test**. Refer to the product insert links above, demonstrating the inclusion of sodium azide, ProClin-300, and ethylene oxide (EO) in several of the test kit products. It is disconcerting that Health Canada and manufacturers are not required to fully disclose test kit chemicals or ingredients. Harms associated with the chemicals of concern in COVID-19 rapid antigen tests are:

- **Sodium Azide:** Found in the extraction buffer and/or nasal swabs of test kits; causes nausea, vomiting, skin burns and/or blistering, respiratory distress (including lung injury), convulsions, low blood pressure, and unknown long-term health effects such as cardiac and neural damage. Refer to CDC document '[Sodium Azide Fact Sheet](#)'.
- **ProClin-300:** Allergic skin reactions, respiratory damage, poisoning if swallowed, and damage to aquatic life as detailed in FDA's document '[Phase Scientific COVID-19 Rapid Antigen Test](#)' and Sigma Aldrich '[ProClin-300 Safety Data Sheet](#)'.
- **Ethylene Oxide (EO):** Test kits—which come into direct contact with the nasal cavity epithelium—clearly state that EO is a chemical constituent within the nasal swab. EO is classified as a **toxic chemical, requiring proper handling and disposal protocols**. EO is **carcinogenic**, as per the [U.S. Environmental Protection Agency \(EPA\)](#).
- **Glowing Swabs:** Nasal swabs also become **bioluminescent when observed under UV light**. The ingredient causing this chemical reaction is undisclosed on product inserts; therefore, rapid antigen test users are not receiving full informed consent when utilizing these medical supplies.

NOTICE TO CEASE & DESIST DISTRIBUTION OF COVID-19 RAPID ANTIGEN TESTS

2. **Environmental Biohazard:** The aforementioned ingredients pose an environmental hazard and are classified as 'biohazardous waste'. Disposing of test kit components in the garbage is considered **illegal dumping**. Rapid antigen test kit instructions state to use biohazard containers and then take to a proper disposal facility.

Disposal: Local pharmacies (Shopper's Drug Mart and Pharmasave) have confirmed that there are no standardized protocols for the collection and disposal of rapid antigen tests within the community; thus, these test kits are currently being discarded via regular waste management systems. These rapid antigen kits pose a significant environmental harm through a compounding effect. **The illegal dumping of rapid antigen test kits—classified as 'biohazard waste' directly on product inserts—must be halted immediately.**

3. **Test Kit Limitations:** A clause included on test kit packaging introduces concern for the test's legitimacy.
- Not useful for vaccinated - The performance of this device **has not been assessed in a population that is vaccinated against COVID-19:** 87.6% of BC aged 5+ had two doses of a COVID-19 as of April 6, 2022.
 - Not useful for those without symptoms - The performance of this test has **not yet been clinically validated for use in patients without signs of respiratory symptoms;** and
 - Not useful for variants - The performance of the device **has not been assessed on specimens from individuals infected with variants of SARS-CoV-2.**

Final Statements:

An immediate public announcement is required to disclose rapid antigen test ingredients, via media and otherwise. Individuals who are encouraged by the provincial government to utilize these tests **have not received full informed consent**, and are unknowingly subjected to toxic chemicals with known—and unknown—adverse side effects. The use of COVID-19 rapid antigen test kits for the purposes of detecting a SARS-CoV-2 infection must be ceased immediately, and corrective action by the provincial government and public health officer is required.

You are hereby instructed to immediately comply with the terms of this letter or face legal remedies as applicable under Federal and Provincial Laws. Should any harm befall a child or adult to whom you have provided this product after you have been advised of the danger associated with this product, you will be held personally liable.

Sincerely,

Name Printed:

Address:

NOTICE TO CEASE & DESIST DISTRIBUTION OF COVID-19 RAPID ANTIGEN TESTS

IMPORTANT CALLS TO ACTION

- 1) Contact the **Ministry of Environment to submit an Environmental Pollution Report** for illegal waste disposal by phone, online or to your local Conservation Officer Service district office:
Report All Poachers and Polluters: <https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/natural-resource-law-enforcement/conservation-officer-service/cos-rapp>
 - **Phone:** 1-877-952-7277 (RAPP)
 - **Online Submission:** <https://forms.gov.bc.ca/environment/rapp/>
 - **Contact Conservation Officer:** <https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/natural-resource-law-enforcement/conservation-officer-service/contact-information>
- 2) Review Government of Canada's **Toxic Substances List**. Research 'ethylene oxide' at the following link:
 - **Toxic Substances List:** <https://www.canada.ca/en/environment-climate-change/services/canadian-environmental-protection-act-registry/substances-list/toxic.html>
 - **Toxic Substances List — Ethylene Oxide:** <https://www.canada.ca/en/environment-climate-change/services/management-toxic-substances/list-canadian-environmental-protection-act/ethylene-oxide.html>
- 3) Share this document with all family and friends and those who may not know this toxic information.

REFERENCES

Health Canada — Rapid Antigen Test Recall & Safety Alert: <https://recalls-rappels.canada.ca/en/alert-recall/rapid-antigen-test-kits-and-potential-exposure-hazardous-substances>

Sodium Azide Toxicity:

- CDC Sodium Azide Fact Sheet: <https://emergency.cdc.gov/agent/sodiumazide/basics/facts.asp>
- 'Human Toxicity From COVID-19 Rapid Home Test Kits': <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8786400/>
- Harvard Lab Safety Guideline — Sodium Azide: https://www.ehs.harvard.edu/sites/default/files/lab_safety_guideline_sodium_azide.pdf
- Sodium Azide — Hazardous Waste Material: <https://www.vumc.org/safety/waste/p-listed-wastes>
 - Hazardous Waste No. P105
 - Chemical Abstract No. 26628-22-8
- National Library of Medicine — Lab Chemical Safety Summary (LCSS): <https://pubchem.ncbi.nlm.nih.gov/compound/33557#datasheet=LCSS>
 - GHS Hazard Statements
 - H300: Fatal if swallowed [Danger Acute toxicity, oral]
 - H400: Very toxic to aquatic life [Warning Hazardous to the aquatic environment, acute hazard]
 - H410: Very toxic to aquatic life with long lasting effects [Warning Hazardous to the aquatic environment, long-term hazard]
- National Library of Medicine — Hazardous Substances Data Bank: [https://pubchem.ncbi.nlm.nih.gov/source/Hazardous%20Substances%20Data%20Bank%20\(HSDB\)](https://pubchem.ncbi.nlm.nih.gov/source/Hazardous%20Substances%20Data%20Bank%20(HSDB))

ProClin-300 Toxicity:

- Sigma Aldrich *Proclin-300* Safety Data Sheet — <https://www.sigmaaldrich.com/CA/en/sds/sial/48914-u>
- FDA 'Phase Scientific COVID-19 Rapid Antigen Test' — <https://www.fda.gov/media/151215/download>

Ethylene Oxide Toxicity:

- National Library of Medicine — Lab Chemical Safety Summary (LCSS): <https://pubchem.ncbi.nlm.nih.gov/compound/Ethylene-oxide#datasheet=LCSS>
- National Library of Medicine — Hazardous Substances Data Bank: <https://pubchem.ncbi.nlm.nih.gov/source/hsdb/170>
- U.S. Environmental Protection Agency — Ethylene Oxide: <https://www.epa.gov/sites/default/files/2016-09/documents/ethylene-oxide.pdf>
- Government of Canada — *Canadian Environmental Protection Act List of Toxic Substances:* <https://www.canada.ca/en/environment-climate-change/services/management-toxic-substances/list-canadian-environmental-protection-act.html>