



Canada: Exporting Toxic Substances to Canada

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All hazardous products sold in the Canadian market require a Material Safety Data Sheet (MSDS) under the Canadian federal and provincial laws known as WHMIS (Workplace Hazardous Materials Information System). A similar program, Hazardous Materials Information System (HMIS), exists in the U.S. and it also requires the manufacturer to prepare MSDS for products. It is suggested that U.S. companies exporting hazardous products into Canada provide their import partners with the MSDS, which should list the hazardous or active ingredients along with their appropriate Chemical Abstract System Registry (CAS) numbers. For more information concerning WHMIS please contact: whmis_simdut@hc-sc.gc.ca, or visit their website at <http://www.hc-sc.gc.ca/ewh-semt/occup-travail/whmis-simdut/index-eng.php> (WHMIS - Health Canada)

For Environment Canada to approve a toxic substance for importation into the Canadian market, U.S. companies must use its CAS numbers to determine if their substances are on Canada's Domestic Substances List (DSL). U.S. companies can verify if their substances are in the DSL by using Environment Canada's Search Engine which is available on the CEPA Registry site at http://www.ec.gc.ca/substances/nsb/search/eng/cp_search_e.cfm.

If the toxic substance to be exported to Canada is listed on the DSL the U.S company is not required to notify Environment Canada under the New Substances Notification Regulations (Chemicals and Polymers). If the substance is not on the DSL, then you are required to submit a New Substance Notification (NSN) package to Environment Canada before the product/substance can be exported to Canada.

If the U.S company is required to submit an NSN, they can review the Guidelines for the Notification and Testing of New Substances: Chemicals and Polymers, available at http://www.ec.gc.ca/substances/nsb/cpguide/eng/cpguide_e.html and/or contact New Substance at NSN-Infoline@ec.gc.ca for more information.

U.S. companies will also need to verify that the substance(s) they wish to export to Canada is not on Schedule 1, List of Toxic Substances under the Canadian Environmental Protection Act, 1999. If any substance contained in the product to be exported is listed on Schedule 1, there may be risk management tools in place that restrict the importation of this substance. For more information on the management of substances found on Schedule 1, please do not hesitate to contact riskmanagementprograms@ec.gc.ca.

** Although care has been taken to ensure that the information provided herein accurately reflects the requirements for export of toxic substances to Canada, you are advised that, should any inconsistencies be found, the Canadian Environmental Protection Act, 1999 (CEPA 1999) and its regulations prevail over this information. This information does not supersede or modify the Act or the regulations nor does it remove or override a person's or company's obligation to comply with other legislation". **

For More Information

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Sources

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