

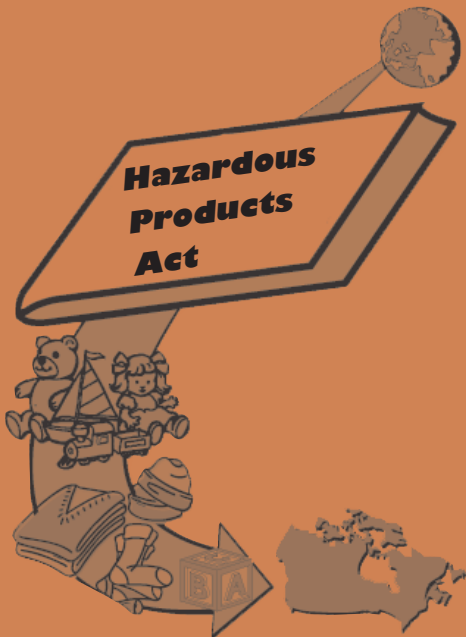


Health Canada  
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Your health and  
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sécurité... notre priorité.

# Quick Reference Guide to the *Hazardous Products Act* for Manufacturers, Importers, Distributors and Retailers – 2009



Canada

**Health Canada is the federal department responsible for helping the people of Canada maintain and improve their health.** We assess the safety of drugs and many consumer products, help improve the safety of food, and provide information to Canadians to help them make healthy decisions. We provide health services to First Nations people and to Inuit communities. We work with the provinces to ensure our health care system serves the needs of Canadians.

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# Quick Reference Guide to the *Hazardous Products Act* for Manufacturers, Importers, Distributors and Retailers – 2009

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Consumer Product Safety of Health Canada establishes and enforces safety standards for consumer products. Our general mandate, under the *Hazardous Products Act*, includes “any product, material or substance that is or contains a poisonous, toxic, flammable, explosive, corrosive, infectious, oxidizing or reactive product... (which) is or is likely to be a danger to the health and safety of the public; or any product designed for household, garden or personal use, for use in sports or recreational activities, as lifesaving equipment or as a toy, plaything or equipment for use by children... (which) is or is likely to be a danger to the health or safety of the public because of its design, construction or contents.”

This information has been prepared to provide an overview of the legislation. It is not intended to substitute for, supersede or limit the requirements under the legislation. In case of any discrepancy between this summary and the legislation, the legislation will prevail. Take note that in some cases, more than one federal Act and/or provincial/territorial legislation may apply to the listed products in the attached tables.

Updates to this document will be posted on the Health Canada Web site at: [www.healthcanada.gc.ca/cps](http://www.healthcanada.gc.ca/cps)

The *Hazardous Products Act*, as it relates to consumer products, consists of two parts. Items included in Part I of Schedule I (see Table 1) are **banned** from import, sale and advertisement in Canada. Products included in Part II of Schedule I (see Table 2) must meet specific **regulations** in order to be imported, sold or advertised in Canada.

Table 3 lists **voluntary standards** which may apply to some products. These standards have been negotiated between industry and government.

Table 4 lists products that are **not regulated but are of concern**.

Cosmetic preparations are subject to the provisions of the *Food and Drugs Act* (<http://laws.justice.gc.ca/en/F-27/index.html>) and its Regulations regarding composition, safety, labelling and advertising.

For more information on the above, contact the Consumer Product Safety office of Health Canada nearest you (see Table 5).

Pre-packaged non-food consumer products are also subject to the *Consumer Packaging and Labelling Act* and the *Consumer Packaging and Labelling Regulations* with respect to bilingual labelling, false and misleading representations and net quantity declarations. Many consumer textile products are also subject to the labelling requirements set out in the *Textile Labelling Act* and the *Textile Labelling and Advertising Regulations*. This information can be found at the Industry Canada Web site:

[www.competitionbureau.gc.ca](http://www.competitionbureau.gc.ca)

Electrical products are also subject to provincial/territorial electrical codes. Information about provincial/territorial requirements can be found through the Canada Business Network Web site by selecting the appropriate province or territory:

[www.canadabusiness.gc.ca](http://www.canadabusiness.gc.ca)

The *Canadian Environmental Protection Act (CEPA)* may also place restrictions on substances used in some of these products. This information can be found at the Chemical Substances Portal:

[www.chemicalsubstances.gc.ca](http://www.chemicalsubstances.gc.ca)

Table I

<b>BANNED ITEMS</b> <i>Hazardous Products Act</i> <b>Part I of Schedule I</b> <a href="http://laws.justice.gc.ca/en/H-3/index.html">http://laws.justice.gc.ca/en/H-3/index.html</a>		
<b>Product</b>	<b>Banned Condition(s)</b>	<b>Item #</b>
Aerosol containers	containing vinyl chloride	23
Audible signal appliances, control units, smoke detectors, heat detectors for use in fire alarm systems in the home	that do not meet ULC standards	33
Baby walkers	that are mounted on wheels or a similar device with an enclosed area, supporting the baby with his or her feet touching the floor and enable horizontal movement of the walker	12
Balloon blowing kits containing any organic solvent	where the vapours of the solvent can be released during use	21
Bathtub enclosures, shower doors, storm doors, exterior doors for household use that are made of glass or that contain a pane of glass	that are not constructed of safety glass	17
Bed linen (sheets, pillowcases, blankets, mattress pads, comforters, sleeping bags)	having a flame spread of 7 seconds or less for non-raised fibres; having a flame spread of 7 seconds or less and exhibiting base burn for raised fibres	13

**Table I** (continued)

Product	Banned Condition(s)	Item #
Candles	that relight spontaneously once extinguished	29
Car seats – infant	that do not meet Canada Motor Vehicle Safety Standard 213.1	35
Children’s jewellery (jewellery or jewellery components intended primarily for children under 15 years of age)	that contain more than 600 mg/kg total lead and/or 90 mg/kg migratable lead	42
Children’s Sleepwear (up to and including size 14X – includes sleepwear designed for use in a hospital, for infants up to 7 kg, polo pyjamas, and sleepers)	having a flame spread of 7 seconds or less	5
Cigarettes	Refer to regulations for cigarettes under the <i>Tobacco Act</i> .  <a href="http://www.hc-sc.gc.ca/hl-vs/tobac-tabac/legislation/reg/index-eng.php">http://www.hc-sc.gc.ca/hl-vs/tobac-tabac/legislation/reg/index-eng.php</a>	41
Cutting oils, and fluids for use in machining operations	containing more than 50 µg/g of nitrite, when monoethanolamine, diethanolamine or triethanolamine is present	32
Device that resembles a bomb containing a clock and a simulated explosive	all devices of this type	36
Face protectors for ice hockey	that do not meet the Canadian Standards Association (CSA) standard	20

**Table I** (continued)

<b>Product</b>	<b>Banned Condition(s)</b>	<b>Item #</b>
Furniture and other articles for children	with a surface coating material containing more than 600 mg/kg of total lead	2
Ice Hockey Helmets	that do not meet the Canadian Standards Association (CSA) standard	19
Immersion oils used in microscopy, excluding refractive index oils	containing polychlorinated biphenyls	26
Jequirity beans (whole or in part)	the beans and all articles containing them	1
Kite strings	that conduct electricity	11
Kites made from or containing parts made from uninsulated metals or conductive film coating	that exceed maximum linear dimension	27
Lawn darts	with elongated tips	39
Pencils and artist brushes	with applied surface coating material containing more than 600 mg/kg of total lead	18
Sneezing powder	containing various listed substances	31
Spectacle frames	composed of or containing cellulose nitrate	6
Structural devices that position feeding bottles	that enable babies to feed themselves while unattended	15



**Table I** (continued)

<b>Product</b>	<b>Banned Condition(s)</b>	<b>Item #</b>
Teethers, soothers, pacifiers	with filling that contains a viable micro-organism	14
Textiles (in general)	having a flame spread of 3.5 seconds or less for non-raised fibres, or having a flame spread of 4 seconds or less and exhibiting base burn for raised fibres, and exhibit ignition or fusion of their base fibres	4
Textiles (wearing apparel treated with a flame retardant)	treated with tris (2, 3 dibromopropyl) phosphate	30
Toys (flammability hazards)	composed of or containing celluloid or cellulose nitrate, other than Ping Pong balls	7
Toys (heavy metals)	with a surface coating material containing lead, antimony, arsenic, cadmium, selenium, barium, or mercury	9
Toys (physical hazards)	<ul style="list-style-type: none"> <li>• emitting noise exceeding 100 decibels</li> <li>• containing plant seeds for noise-making and is for use by a child under 3 years of age</li> <li>• containing plant seeds as stuffing material</li> </ul>	10

**Table I** (continued)

<b>Product</b>	<b>Banned Condition(s)</b>	<b>Item #</b>
Toys (toxicity hazards)	containing carbon tetrachloride, methyl alcohol, turpentine, benzene, petroleum distillates, boric acid or its salts, or ethyl ether	8
Urea formaldehyde foam insulation (UFFI)	used to insulate buildings	34
Yo-yo type balls and similar products	made of soft pliable material and having a stretchable cord that can extend to at least 500 mm in length	3

Table 2

<b>REGULATED PRODUCTS</b> <i>Hazardous Products Act</i> Part II of Schedule I			
<b>Product</b>	<b>Item #</b>	<b>Federal Regulations Registration Number and Web site reference</b>	<b>Condition(s)</b>
Asbestos	44	SOR/2007-260 <a href="http://laws.justice.gc.ca/en/showdoc/cr/SOR-2007-260">http://laws.justice.gc.ca/en/showdoc/cr/SOR-2007-260</a>	pure, loose asbestos cannot be sold as a consumer product
Asbestos products applied by spraying	44	SOR/2007-260 <a href="http://laws.justice.gc.ca/en/showdoc/cr/SOR-2007-260">http://laws.justice.gc.ca/en/showdoc/cr/SOR-2007-260</a>	asbestos fibres must be encapsulated within a binder and cannot become friable after drying.
Ashes or embers - simulated	44	SOR/2007-260 <a href="http://laws.justice.gc.ca/en/showdoc/cr/SOR-2007-260">http://laws.justice.gc.ca/en/showdoc/cr/SOR-2007-260</a>	Cannot contain asbestos
Baby Gates		(see Expansion Gates and Expandable Enclosures)	
Booster Cushions	45	SOR/89-446 <a href="http://laws.justice.gc.ca/en/SOR-89-446/index.html">http://laws.justice.gc.ca/en/SOR-89-446/index.html</a>	must meet Canadian Motor Vehicle Safety Standard 213.2
Carpets and other textile floor coverings	29, 30	C.R.C., c. 923 <a href="http://laws.justice.gc.ca/en/C.R.C.-c.923/index.html">http://laws.justice.gc.ca/en/C.R.C.-c.923/index.html</a>	flammability and labelling requirements
Carriages and Strollers	39	SOR/85-379 <a href="http://laws.justice.gc.ca/en/SOR-85-379/index.html">http://laws.justice.gc.ca/en/SOR-85-379/index.html</a>	labelling and performance requirements
Cellulose Insulation	35	SOR/79-732 <a href="http://laws.justice.gc.ca/en/SOR-79-732/index.html">http://laws.justice.gc.ca/en/SOR-79-732/index.html</a>	labelling and performance requirements

**Table 2** (continued)

<b>Product</b>	<b>Item #</b>	<b>Federal Regulations Registration Number and Web site reference</b>	<b>Condition(s)</b>
Ceramics		(see Glazed Ceramics and Glassware)	
Charcoal	24	C.R.C., c. 924 <a href="http://laws.justice.gc.ca/en/H-3/C.R.C.-c.924/index.html">http://laws.justice.gc.ca/en/H-3/C.R.C.-c.924/index.html</a>	labelling requirements
Child Restraint Systems	41	SOR/88-151 <a href="http://laws.justice.gc.ca/en/H-3/SOR-88-151/index.html">http://laws.justice.gc.ca/en/H-3/SOR-88-151/index.html</a>	must meet Canadian Motor Vehicle Safety Standard 213
Children's Sleepwear (up to and including size 14X - nightgowns, nightshirts, dressing gowns, bathrobes, housecoats, robes, pyjamas, and baby-doll pyjamas, other than those designed for hospital use, for infants up to 7 kg, polo pyjamas, and sleepers)	40	SOR/87-443 <a href="http://laws.justice.gc.ca/en/H-3/SOR-87-443/index.html">http://laws.justice.gc.ca/en/H-3/SOR-87-443/index.html</a>  Contact your local Product Safety Office for: Children's Sleepwear Flammability Requirement Guidelines  or visit <a href="http://www.healthcanada.gc.ca/cps">www.healthcanada.gc.ca/cps</a> to view a copy of this resource under "Reports and Publications".	labelling and flammability requirements
Consumer Chemicals and Containers	1 and 2	SOR/2001-269 <a href="http://laws.justice.gc.ca/en/H-3/SOR-2001-269/index.html">http://laws.justice.gc.ca/en/H-3/SOR-2001-269/index.html</a>	requires mandatory product assessment, labelling and packaging

**Table 2** (continued)

<b>Product</b>	<b>Item #</b>	<b>Federal Regulations Registration Number and Web site reference</b>	<b>Condition(s)</b>
Controlled Products (chemical products used in the workplace [WHMIS])	Schedule II	SOR/88-66 <a href="http://laws.justice.gc.ca/en/H-3/SOR-88-66/index.html">http://laws.justice.gc.ca/en/H-3/SOR-88-66/index.html</a>	labelling requirements, MSDSs
Cribs and Cradles	25	SOR/86-962 <a href="http://laws.justice.gc.ca/en/H-3/SOR-86-962/index.html">http://laws.justice.gc.ca/en/H-3/SOR-86-962/index.html</a>	labelling and performance requirements
Crocidolite Asbestos	44	SOR/2007-260 <a href="http://laws.justice.gc.ca/en/showdoc/cr/SOR-2007-260">http://laws.justice.gc.ca/en/showdoc/cr/SOR-2007-260</a>	Severe product spectrum restrictions, labelling and import notification requirements
Drywall joint cements or compounds or spackling or patching compounds	44	SOR/2007-260 <a href="http://laws.justice.gc.ca/en/showdoc/cr/SOR-2007-260">http://laws.justice.gc.ca/en/showdoc/cr/SOR-2007-260</a>	composed of asbestos and fibres cannot become airborne during application, repair or disposal
Expansion Gates and Expandable Enclosures	46	SOR/90-39 <a href="http://laws.justice.gc.ca/en/H-3/SOR-90-39/index.html">http://laws.justice.gc.ca/en/H-3/SOR-90-39/index.html</a>	labelling and performance requirements
Glass Containers of Non-Alcoholic Carbonated Beverages (1.5 L or more)	36	SOR/80-831 <a href="http://laws.justice.gc.ca/en/SOR-80-831/index.html">http://laws.justice.gc.ca/en/SOR-80-831/index.html</a>	labelling and performance requirements
Glazed Ceramics and Glassware	20.1	SOR/98-176 <a href="http://laws.justice.gc.ca/en/H-3/SOR-98-176/index.html">http://laws.justice.gc.ca/en/H-3/SOR-98-176/index.html</a>	must not release lead and cadmium in excess of a prescribed limit

**Table 2** (continued)

<b>Product</b>	<b>Item #</b>	<b>Federal Regulations Registration Number and Web site reference</b>	<b>Condition(s)</b>
Infant Feeding Bottle Nipples	37	SOR/84-271 <a href="http://laws.justice.gc.ca/en/H-3/SOR-84-271/index.html">http://laws.justice.gc.ca/en/ H-3/SOR-84-271/index.html</a>	must not contain nitrosamines in excess of a prescribed limit
Kettles	28	C.R.C., c. 927 <a href="http://laws.justice.gc.ca/en/H-3/C.R.C.-c.927/index.html">http://laws.justice.gc.ca/en/ H-3/C.R.C.-c.927/index.html</a>	must not release 0.050 ppm or more lead
Lighters	34	SOR/2008-231 <a href="http://laws.justice.gc.ca/en/SOR-2008-231">http://laws.justice.gc.ca/en/ SOR-2008-231</a>	labelling and performance requirements
Matches	23	C.R.C., c. 929 <a href="http://laws.justice.gc.ca/en/H-3/C.R.C.-c.929/index.html">http://laws.justice.gc.ca/en/ H-3/C.R.C.-c.929/index.html</a>	labelling and performance requirements
Mattresses	32	SOR/80-810 <a href="http://laws.justice.gc.ca/en/H-3/SOR-80-810/index.html">http://laws.justice.gc.ca/en/ H-3/SOR-80-810/index.html</a>	flammability requirements
Modelling or sculpture material	44	SOR/2007-260 <a href="http://laws.justice.gc.ca/en/showdoc/cr/SOR-2007-260">http://laws.justice.gc.ca/en/ showdoc/cr/SOR-2007-260</a>	containing asbestos
Pacifiers	27	C.R.C., c. 930 <a href="http://laws.justice.gc.ca/en/H-3/C.R.C.-c.930/index.html">http://laws.justice.gc.ca/en/ H-3/C.R.C.-c.930/index.html</a>	labelling, performance and toxicity requirements
Paints		(see Surface Coating Materials)	
Playpens	26	C.R.C., c. 932 <a href="http://laws.justice.gc.ca/en/H-3/C.R.C.-c.932/index.html">http://laws.justice.gc.ca/en/ H-3/C.R.C.-c.932/index.html</a>	labelling and performance requirements
Science Education Sets	22(1)	C.R.C., c. 934 <a href="http://laws.justice.gc.ca/en/H-3/C.R.C.-c.934/index.html">http://laws.justice.gc.ca/en/ H-3/C.R.C.-c.934/index.html</a>	labelling and toxicity requirements
Sleepwear		(see Children's Sleepwear)	

**Table 2** (continued)

Product	Item #	Federal Regulations Registration Number and Web site reference	Condition(s)
Strollers		(see Carriages and Strollers)	
Surface Coating Materials (paint)	31	SOR/2005-109 <a href="http://laws.justice.gc.ca/en/H-3/SOR-2005-109/index.html">http://laws.justice.gc.ca/en/H-3/SOR-2005-109/index.html</a>	must not contain more than 600 mg/kg total lead or 10 mg/kg total mercury
Tents	31.1	SOR/90-245 <a href="http://laws.justice.gc.ca/en/H-3/SOR-90-245/index.html">http://laws.justice.gc.ca/en/H-3/SOR-90-245/index.html</a>	labelling and flammability requirements
Textiles (to be worn on the person)	44	SOR/2007-260 <a href="http://laws.justice.gc.ca/en/showdoc/cr/SOR-2007-260">http://laws.justice.gc.ca/en/showdoc/cr/SOR-2007-260</a>	cannot contain asbestos, unless for protection from fire or heat and the asbestos fibres cannot become separated
Toys	44	SOR/2007-260 <a href="http://laws.justice.gc.ca/en/showdoc/cr/SOR-2007-260">http://laws.justice.gc.ca/en/showdoc/cr/SOR-2007-260</a>	cannot be composed of or contain asbestos which may become separated from the product
Toys	13 to 20	C.R.C., c. 931 <a href="http://laws.justice.gc.ca/en/H-3/C.R.C.-c.931/index.html">http://laws.justice.gc.ca/en/H-3/C.R.C.-c.931/index.html</a> Contact your local Product Safety Office for: <ul style="list-style-type: none"> <li>• Industry Guide to Canadian Safety Requirements for Toys and Related Products</li> <li>• Toys: Age Classification Guidelines</li> </ul> or visit <a href="http://www.healthcanada.gc.ca/cps">www.healthcanada.gc.ca/cps</a> to view a copy of this resource under Reports and Publications.	mechanical, electrical, toxicological and flammability requirements

Table 3

<b>VOLUNTARY STANDARDS</b>	
Glass carbonated soft drink bottles (750 ml)	must incorporate an education program, a used bottle standard and compliance monitoring
Glass fibre insulation	asphalt-impregnated kraft paper backing is no longer allowed
Indoor carpets (and other textile floor coverings)	gas emissions and total amounts of chemicals must be within certain limits; information and certification required
Manufactured firelogs	labelling requirements
Particle board	must meet reduced formaldehyde emissions
Polystyrene foam board insulation	have labelling, require fire retardants and must provide point of sale educational material



Table 4

<b>NON - REGULATED ITEMS OF CONCERN *</b>
Bumper Pads
Bunk Beds
Children's Clothing with Drawstrings and Small Parts
Infant Bath Seats
Infant Swings
Lead in Other Products (figurines, candle wicks, window blinds, crystal)
Ozone Generators
Power Lawn Mowers
Suspended Infant Jumpers
Trampolines
Window Coverings With Looped Cords

\* It is the manufacturer's obligation to ensure that their product meets any general safety guidelines set out in industry standards that may exist. We recommend that you maintain good records which support compliance with these guidelines. In the event there are no specific industry standards that apply directly to the product in question, you are reminded that under general health and safety guidelines, the manufacturer must ensure that the materials used in their products are safe under any foreseeable conditions of use.

Table 5

<b>CONSUMER PRODUCT SAFETY REGIONAL OFFICES</b>	
<b>British Columbia and Yukon</b>	
<b>Burnaby</b> 604-666-5003 Bby_Prodsafe@hc-sc.gc.ca	<i>Serves these locations in the United States:</i> Alaska Nevada California Oregon Hawaii Washington
<b>Alberta and Northwest Territories</b>	
<b>Calgary</b> 403-292-4677 Alberta_Prodsafe@hc-sc.gc.ca  <b>Edmonton</b> 780-495-2626 Alberta_Prodsafe@hc-sc.gc.ca	<i>Serves these locations in the United States:</i> Arizona New Mexico Colorado Utah Idaho Wyoming Montana
<b>Manitoba and Saskatchewan</b>	
<b>Saskatoon</b> 306-975-4502 Sk_Prodsafe@hc-sc.gc.ca	<i>Serves these locations in the United States:</i> Kansas Nebraska Oklahoma South Dakota
<b>Winnipeg</b> 204-983-5490 Mb_Prodsafe@hc-sc.gc.ca	Arkansas Iowa Louisiana Minnesota Missouri North Dakota Texas Wisconsin
<b>Ontario and Nunavut</b>	
<b>Hamilton</b> 905-572-2845 Tor_Prodsafe@hc-sc.gc.ca  <b>Toronto</b> 416-973-4705 Tor_Prodsafe@hc-sc.gc.ca	<i>Serves these locations in the United States:</i> Illinois New York Indiana North Carolina Michigan

**Table 5 (continued)**

<b>Quebec</b>													
<p><b>Montreal</b> 514-283-5488 Quebec_Prod@hc-sc.gc.ca</p> <p><b>Longueuil</b> 450-646-1353 Quebec_Prod@hc-sc.gc.ca</p> <p><b>Quebec</b> 418-648-4327 Quebec_Prod@hc-sc.gc.ca</p>	<p><i>Serves these locations in the United States:</i></p> <table style="width: 100%; border: none;"> <tr> <td>Connecticut</td> <td>Ohio</td> </tr> <tr> <td>Maine</td> <td>Pennsylvania</td> </tr> <tr> <td>Massachusetts</td> <td>Rhode Island</td> </tr> <tr> <td>New Hampshire</td> <td>Vermont</td> </tr> <tr> <td>New Jersey</td> <td></td> </tr> </table>	Connecticut	Ohio	Maine	Pennsylvania	Massachusetts	Rhode Island	New Hampshire	Vermont	New Jersey			
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New Hampshire	Vermont												
New Jersey													
<b>New Brunswick, Newfoundland and Labrador, Nova Scotia, and Prince Edward Island</b>													
<p><b>Moncton</b> 506-851-6638 Atlantic_Prodsafe@hc-sc.gc.ca</p> <p><b>Halifax</b> 902-426-8300 Atlantic_Prodsafe@hc-sc.gc.ca</p> <p><b>St. John's</b> 709-772-4050 Atlantic_Prodsafe@hc-sc.gc.ca</p>	<p><i>Serves these locations in the United States:</i></p> <table style="width: 100%; border: none;"> <tr> <td>Alabama</td> <td>Maryland</td> </tr> <tr> <td>Delaware</td> <td>Mississippi</td> </tr> <tr> <td>District of Columbia</td> <td>South Carolina</td> </tr> <tr> <td>Florida</td> <td>Tennessee</td> </tr> <tr> <td>Georgia</td> <td>Virginia</td> </tr> <tr> <td>Kentucky</td> <td>West Virginia</td> </tr> </table>	Alabama	Maryland	Delaware	Mississippi	District of Columbia	South Carolina	Florida	Tennessee	Georgia	Virginia	Kentucky	West Virginia
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<b>Outside Canada and the United States</b>													
<p><b>Ottawa, Ontario</b> 613-952-1014 CPS-SPC@hc-sc.gc.ca</p>													

To receive regular updates to the **Quick Reference Guide to the *Hazardous Products Act* for Manufacturers, Importers, Distributors and Retailers – 2009** subscribe to Consumer Product Safety News, Consumer Product Safety's electronic newsletter. Subscribers receive updates when new information, consumer advisories and warnings, consumer product recalls, and consultation documents regarding consumer product safety are posted on the Health Canada Web site:

[www.healthcanada.gc.ca/cps](http://www.healthcanada.gc.ca/cps)



