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GUIDANCE DOCUMENT FOR EXPORTERS

Export of Substances on the Export Control List Regulations

Canada

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Introduction

The *Export of Substances on the Export Control List Regulations* (the Regulations) apply to exports of substances listed on Schedule 3 of the *Canadian Environmental Protection Act, 1999* (CEPA), which is also known as the Export Control List. The Regulations also apply to the export of products containing one or more of the substances listed on the Export Control List. Some of the rules for exports under CEPA and the Regulations apply, even if other regulations under CEPA or any other legislation also apply to these exports.

The Regulations set out the content of the notice of proposed export, and the period and manner in which it must be provided, as required under subsection 101(1) of CEPA. The Regulations also ensure that Canada complies with its export obligations under the *Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade* (Rotterdam Convention), *Stockholm Convention on Persistent Organic Pollutants* (Stockholm Convention) and *Minamata Convention on Mercury* (Minamata Convention), in addition to conditions on the export of certain substances. The Regulations also set out the requirements for obtaining an export permit.

The latest amendments to the Regulations come into force on December 30, 2018 and now prohibit (with certain exceptions) the export of all forms of asbestos listed on the Export Control List.

This guidance document has been developed for exporters of substances listed on the Export Control List. In case of a discrepancy between this guidance document and the Regulations or the current Registers and Annexes from the Stockholm Convention and Rotterdam Convention, the Regulations and those registers and annexes shall prevail.

An importing country may have limitations that are more restrictive than the conditions established under the Rotterdam, Stockholm and/or Minamata conventions and the Regulations. Exporters may wish to confirm with their importers that their export meets all applicable conditions from the importing country.

This guidance document may be updated from time to time. As a result, users should ensure that they are always consulting the most recent version of the document. Users can contact ec.substancedexportationcontrolee-exportcontrolledsubstance.ec@canada.ca to confirm this information or for any questions regarding the Regulations.

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1. The Export Control List

The Export Control List is a list of substances in Schedule 3 to the *Canadian Environmental Protection Act, 1999* (CEPA). It sets out substances subject to the Regulations and groups these substances into three parts:

- Substances in Part 1 are subject to a prohibition on their use in Canada. They can only be exported for the purpose of destruction or to comply with a direction issued by the Minister under subparagraph 99(*b*)(iii) of CEPA, as set out in subsection 101(2) of CEPA. See section 8.2.1 of this guidance document.
- Substances in Part 2 are subject to an international agreement requiring the consent or notification of the importing country, such as the Rotterdam Convention. See section 8.2.2 of this guidance document.
- Substances in Part 3 are subject to domestic controls which restrict their use in Canada. See section 8.2.3 of this guidance document.

The Export Control List is amended from time to time. Substances can be added to, or removed from, the List by Ministerial Order made by the Ministers of Environment and Health. Orders amending the Export Control List are published in the Canada Gazette.

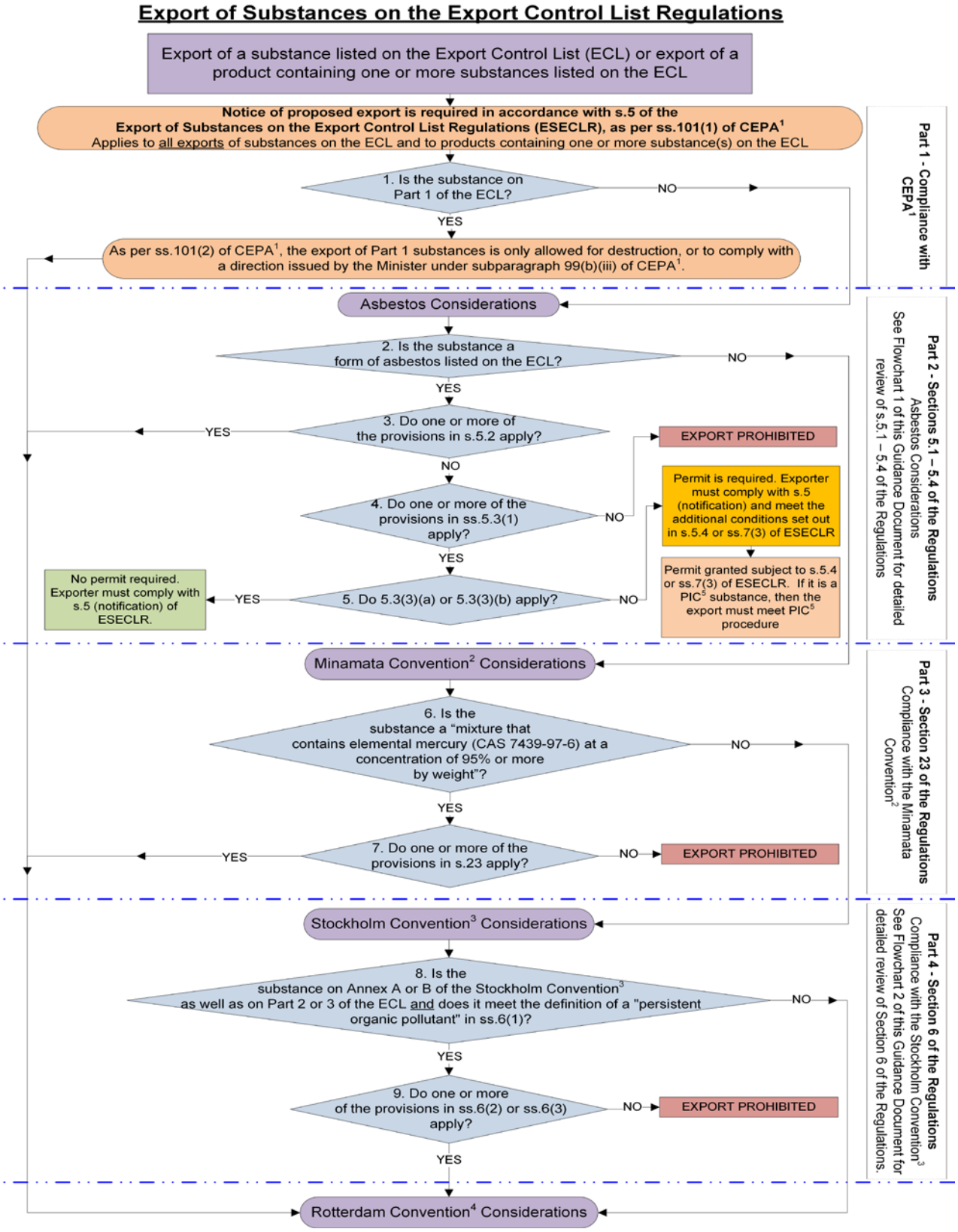
The Regulations apply when a substance on the Export Control List is exported from Canada. This export can be for:

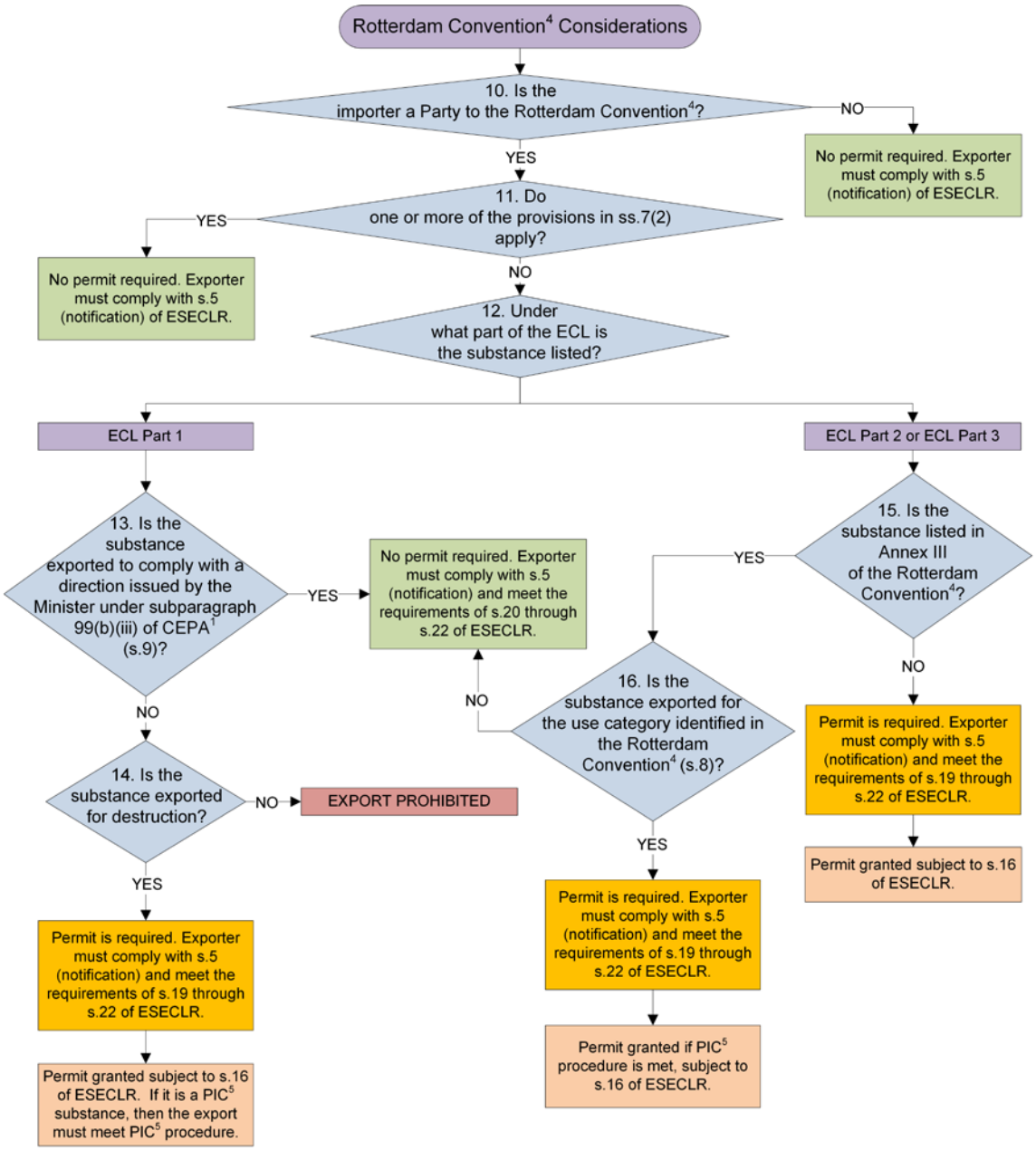
- a substance as identified on the Export Control List, or
- a substance identified on the Export Control List, contained in a mixture or a product

The Regulations set out the conditions under which the export of a substance listed in the Export Control List is acceptable and the procedures to follow. The procedures for exporting a substance vary depending on the Part of the Export Control List the substance is listed to and on whether or not the substance is listed under one or more of the Stockholm Convention, the Rotterdam Convention or the Minamata Convention. Additionally, in the case of asbestos, exports have their own regime.

2. Export of Substances on the Export Control List Regulations

Flowchart 1 - Overview of the Regulatory Obligations





1. CEPA = The Canadian Environmental Protection Act, 1999
2. Minamata Convention = The Minamata Convention on Mercury
3. Stockholm Convention = The Stockholm Convention on Persistent Organic Pollutants
4. Rotterdam Convention = The Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade
5. PIC = Prior Informed Consent procedure as described by the Rotterdam Convention. All substances listed in Annex III of the Rotterdam Convention are considered "PIC Substances" when used for the category for which they are listed in Annex III.

This flowchart has been developed for exporters of substances listed on the Export Control List. It is intended to be complementary to the Regulations. In case of a discrepancy between this document and the Regulations, the Regulations shall prevail.

3. Notice of Proposed Export

A notice of proposed export is required for all exports of substances, or products containing one or more of the substances, listed on the Export Control List. This is a requirement set out in subsection 101(1) of CEPA and the Regulations set out the manner in which to notify. Section 5 of the Regulations requires that prior notice of export be provided to the Minister by the person proposing the export of a substance at least:

a) seven days before the export in the case where the person holds a permit to export the substance issued under paragraph 185(1)(*b*) of CEPA, in other words under the *Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations*; or
b) 15 days before the export in any other case.

The information to be provided in the notice of proposed export is detailed in Schedule 1 of the Regulations and includes:

- the identity of the exporter and the substance exported
- the country of destination
- the expected date of export
- the estimated quantity of the substance to be exported
- the purpose of the export
- the exception under which the export is allowed, if applicable

4. Permit Application

Certain exports require an export permit and are subject to additional requirements regarding record keeping, liability insurance, labelling and inclusion of safety data sheets with the exports. Section 6 (asbestos considerations) and section 8 (conditions relative to the Rotterdam Convention) of this guidance document present the circumstances where an export permit is required.

Exporters should take note that whether or not an export permit is necessary, a notice of proposed export must be submitted for all exports of substances on the Export Control List.

The information to be provided in an application for an export permit is detailed in Schedule 2 of the Regulations. The information requested on an application for an export permit is similar to information requested in the notice of proposed export but also includes:

- whether or not the substance is contained in a product
- the proposed number of exports in the year, if known; and
- the safety data sheet

Templates are available for exporters to provide prior notice and/or apply for an export permit.

- Notice of Proposed Export
- Export Permit Application
- Combined Notice of Proposed Export and Export Permit Application

Exporters who submit an application for an export permit – complete with all required information – should expect to receive their export permit, if approved, within ten working days from the date of submission of their completed application. If granted, the export permit will be valid for the calendar year for which it was issued.

4.1. Refusal, Cancellation, Amendment or Suspension of a Permit

An export permit will be refused, cancelled, amended or suspended by the Minister if certain conditions, which are set out in sections 5.4 and 16 through 18 of the Regulations, are met. Generally, such actions are in response to a change to the conditions of import by the Rotterdam Party importing the substance (for example, as per the Prior Informed Consent procedure, the Rotterdam Party informs that it no longer consents to imports of the substance), or the exporter is not able to export the substance in compliance with the Regulations, CEPA, or any other measures under this Act.

5. Other Requirements

Exports requiring a permit and exports set out in sections 8 and 9 of the Regulations are subject to additional requirements regarding record keeping, liability insurance, labelling and inclusion of safety data sheets with the exports, which are described below.

5.1. Retention of Records

Exports requiring a permit and exports set out in sections 8 and 9 of the Regulations require that the exporter keep records for a minimum of 5 years at their principal place of business in Canada. Section 19 of the Regulations sets out this requirement.

5.2. Insurance

For exports requiring a permit and exports set out in sections 8 and 9 of the Regulations, the exporter is required to have liability insurance of not less than $5,000,000 for each export in respect of damages and costs for which the exporter could become liable. Section 20 of the Regulations sets out this requirement.

5.3. Labelling and Safety Data Sheet

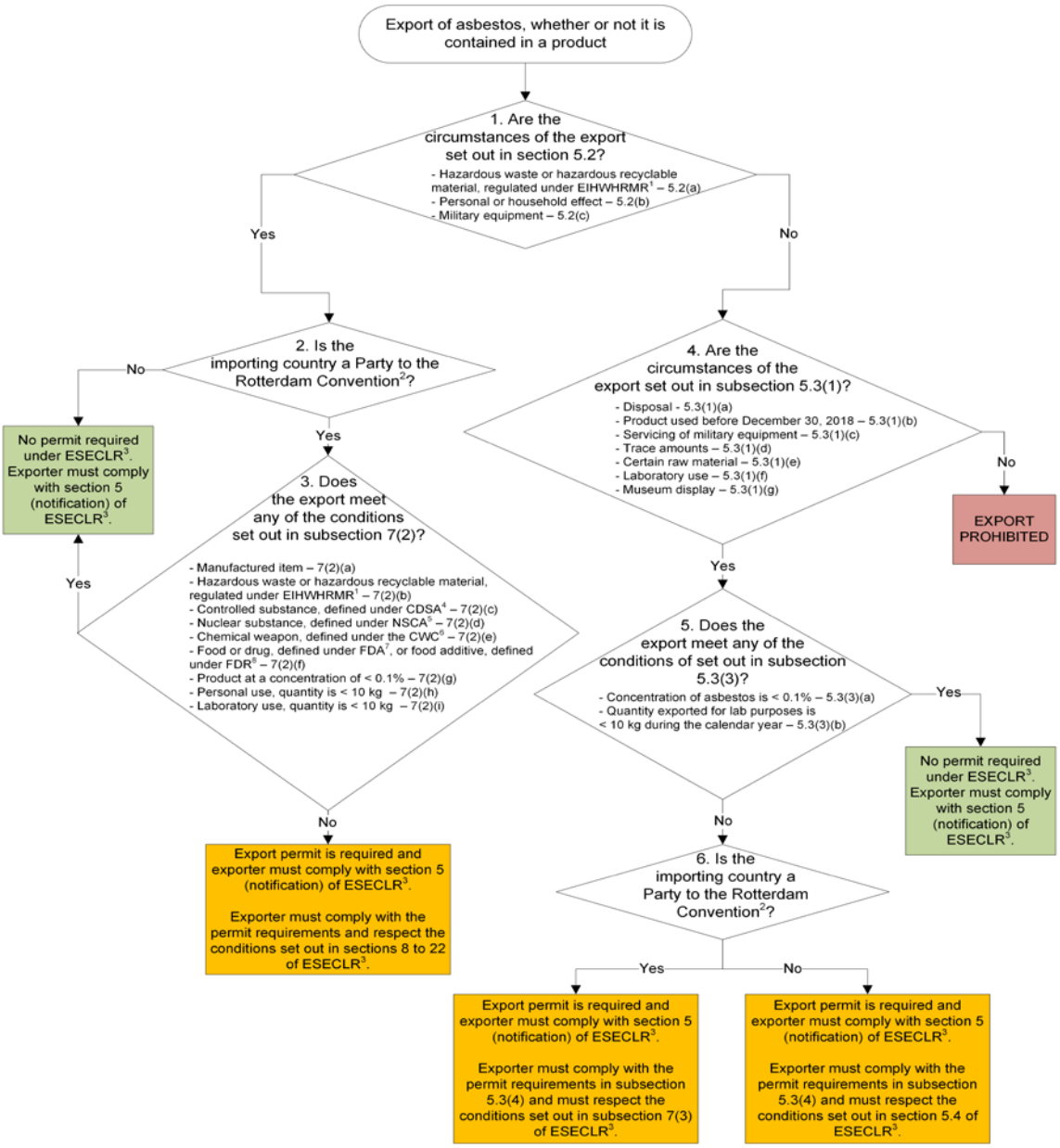
Exports requiring a permit and exports set out in sections 8 and 9 of the Regulations have labelling requirements. A Safety Data Sheet (SDS) must also accompany these exports. Sections 21 and 22 of the Regulations set out the labelling and SDS requirements.

6. Asbestos Considerations

The Regulations prohibit the export of all forms of asbestos listed on the Export Control List, whether or not asbestos is contained in a product, with certain exceptions. Sections 5.1 to 5.4 of the Regulations set out the circumstances where a proposed export of asbestos is acceptable and the conditions for its export. Flowchart 2 provides a summary of these circumstances and conditions.

Flowchart 2 – Overview of the Considerations for Exports of Asbestos

Export of Substances on the Export Control List Regulations
Export of Asbestos (sections 5.1 through 5.4)



[1] EIHWHRMR = Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations
[2] Rotterdam Convention = The Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade
[3] ESECLR = Export of Substances on the Export control List Regulations
[4] CDSA = Controlled Drugs and Substances Act
[5] NSCA = Nuclear Safety and Control Act
[6] CWC = Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (Chemical Weapons Convention)
[7] FDA = Food and Drugs Act
[8] FDR = Food and Drug Regulations

This flowchart has been developed for exporters of substances listed on the Export Control List. It is intended to be complementary to the Regulations. In case of a discrepancy between this document and the Regulations, the Regulations shall prevail.

The exporter will inform which acceptable circumstances apply to its export through the notice of proposed export, which is required for all exports. In certain cases, an export permit may be required. Some unique considerations for asbestos exports are elaborated upon here.

6.1. Exceptions listed under section 5.2 of the Regulations

Exports allowed by an exception listed under section 5.2 of the Regulations remain subject to the conditions relative to the Rotterdam Convention, which are presented under section 8 of this guidance document. This means that an export to a country that is Party to the Rotterdam Convention will require a permit unless exempted by subsection 7(2) or section 8 of the Regulations. Exports allowed by these exceptions will not require a permit if the importing country is not a Party to the Rotterdam Convention.

Table 1 provides a list of these exceptions and examples.

Table 1 – Exceptions listed under section 5.2 of the Regulations

Exception	Type of Exports Allowed	Examples
5.2(a)	Hazardous waste or hazardous recyclable material, regulated by the EIHWHRMR[a]	Asbestos fibres and other wastes or recyclable material regulated by the EIHWHRMR[a]
5.2(b)	Personal or household effect	Older small appliances containing asbestos, such as coffee pots, toasters, crock pots; hair dryers; ironing board covers; electric blankets; fireproof gloves
5.2(c)	Military equipment[b]	Military vehicle with installed asbestos-containing parts, such as brake pads, clutches, gaskets, heat seals, insulation, etc.

[a] EIHWHRMR = *Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations*
[b] Military equipment means an aircraft, ship, submarine or land vehicle designed to be used in combat or in a combat support role.

6.2. Exceptions listed under subsection 5.3(1) of the Regulations

Exports allowed by an exception listed under subsection 5.3(1) of the Regulations will require a permit, unless the concentration of asbestos in the exported product is less than 0.1% by weight, or, in the case of laboratory use, the total quantity of asbestos exported for this purpose during the calendar year does not exceed 10 kg, as set out in subsection 5.3(3) of the Regulations. These exports will also require that the exporter complies with the permit requirements set out in subsection 5.3(4) of the Regulations.

Where a permit is required, it will be required regardless of the country of destination and the export will be subject to additional requirements.

Table 2 provides a list of these exceptions and examples.

Table 2 – Exceptions listed under subsection 5.3(1) of the Regulations

Exception	Type of Exports Allowed	Examples
5.3(1)(a)	Disposal	This includes products exported for asbestos abatement, such as asbestos insulation surrounding coils, as well as other products exported for disposal, such as brake pads containing asbestos, etc.
5.3(1)(b)	Product used before December 30, 2018	Gaskets containing asbestos installed in a final product, vehicles with brake pads containing asbestos
5.3(1)(c)	Product exported to service military equipment[a] during a military operation[b], if no asbestos-free alternative is available[c]	Replacement parts containing asbestos for military vehicles
5.3(1)(d)	Product containing asbestos in trace amounts	Information on products containing trace amounts of asbestos is available in the Guidance document on trace amounts of asbestos in consumer products developed for the *Prohibition of Asbestos and Products Containing Asbestos Regulations*
5.3(1)(e)	Raw material[d]	Ore, sand, rock
5.3(1)(f)	Laboratory uses	Samples for characterization, analytical standards
5.3(1)(g)	Museum display	Artifact, mineral, processed asbestos fibres

[a] Military equipment means an aircraft, ship, submarine or land vehicle designed to be used in combat or in a combat support role.
[b] Military operation means any operation taken to protect national security, support humanitarian relief efforts, participate in multilateral military or peacekeeping activities under the auspices of international organizations or defend a member state of the North Atlantic Treaty Organization.
[c] A product can only be exported to service military equipment if no technically or economically feasible asbestos-free alternative is available
[d] Raw material extracted from the ground can be exported to manufacture a consumer product that contains asbestos in trace amounts, to manufacture a product that is not a consumer product, or for a purpose other than manufacturing a product, if the raw material will not be sold as a consumer product

If an application for an export permit, complete with all required information, is received for an export to a country that is a Rotterdam Party, the Minister will issue an export permit, subject to subsection 7(3) of the Regulations. If the exported substance is listed to Annex III to the Rotterdam Convention, the Prior Informed Consent procedure will apply to the export, and the permit will only be issued if the importing Party has consented to the import of the substance. The permit may specify conditions on import required by the importing Party.

If an application for an export permit, complete with all required information, is received for an export to a country that is not a Rotterdam Party, the Minister will issue an export permit, subject to section 5.4 of the Regulations.

7. Stockholm Convention

The Stockholm Convention on Persistent Organic Pollutants is a global treaty to protect human health and the environment from chemicals that remain intact in the environment for long periods, become widely distributed geographically, accumulate in the fatty tissue of humans and wildlife, and have harmful impacts on human health or on the environment.

Substances listed on the Export Control List that are also listed in Annex A or Annex B of the Stockholm Convention, other than ones added to the Convention by an amendment that is not in force for Canada, are defined as persistent organic pollutants (POPs).

The export of POPs is prohibited, with certain exceptions in accordance with the Stockholm Convention.

The Regulations do not provide a list of the substances listed in Annex A or Annex B of the Stockholm Convention nor the associated information regarding specific exemptions and acceptable purposes. Instead, they incorporate this information by reference which keeps the information current based on changes made to the Convention or ratification of Parties.

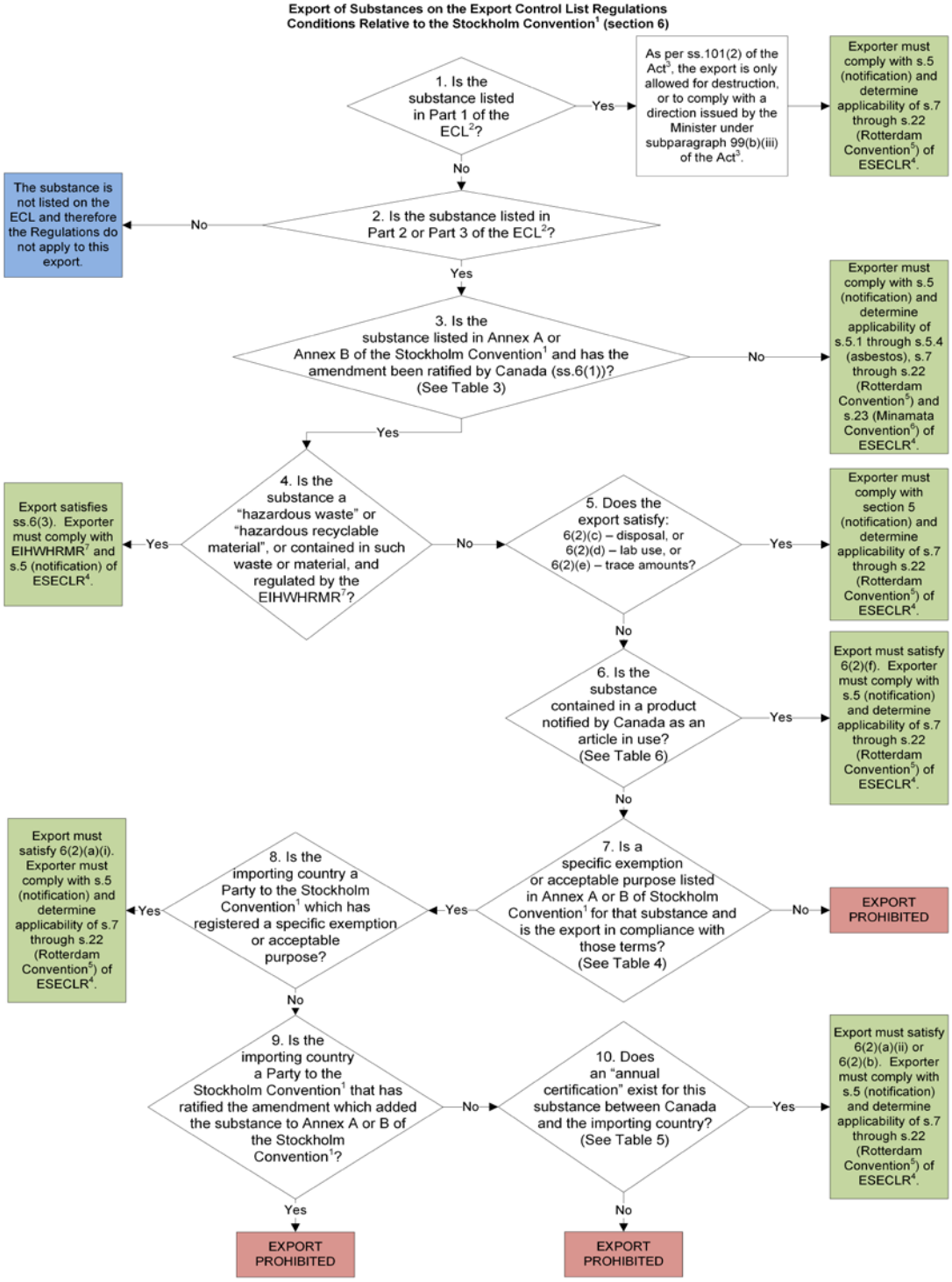
Exporters should take note that the listings and information in the Annexes and registers maintained by the Secretariat of the Stockholm Convention will be updated from time to time. In the case of a discrepancy between the information presented in this guidance document and the information maintained by the Secretariat of the Stockholm Convention, the information maintained by the Secretariat shall prevail.

Section 6 of the Regulations sets out the conditions for a proposed export relative to the Stockholm Convention. These conditions specifically apply to POPs listed in Part 2 or Part 3 of the Export Control List. As per subsection 101(2) of CEPA, POPs listed in Part 1 can only be exported for the purpose of destruction or in compliance with a direction issued under subparagraph 99(b)(iii) of CEPA, and the applicable requirements of the Regulations must be met.

The notice of proposed export, set out in Schedule 1 of the Regulations, requires the exporter to inform which of these circumstances are met.

For a detailed overview of the conditions relative to the Stockholm Convention, refer to Flowchart 3.

Flowchart 3 – Overview of the Conditions Relative to the Stockholm Convention



1. Stockholm Convention = The Stockholm Convention on Persistent Organic Pollutants
2. ECL = Export Control List, the list of substances in Schedule 3 to the Canadian Environmental Protection Act, 1999
3. The Act = The Canadian Environmental Protection Act, 1999
4. ESECLR = Export of Substances on the Export control List Regulations
5. Rotterdam Convention = The Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade
6. Minamata Convention = The Minamata Convention on Mercury
7. EIHWHRMR = Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations

This flowchart has been developed for exporters of substances listed on the Export Control List. It is intended to be complementary to the Regulations. In case of a discrepancy between this document and the Regulations, the Regulations shall prevail.

Exporters that consider exporting a substance listed in Annex A or Annex B of the Stockholm Convention should consider the following factors to determine if their proposed export is allowed under the Regulations:

- has the amendment been ratified by Canada and is it in force for Canada?
  - if the amendments have not been ratified by Canada, refer to section 7.1 of this guidance document
- is the importing country a Party to the Stockholm Convention?
  - if the importing country is not Party to the Stockholm Convention, refer to section 7.4 of this guidance document
- has the importing country ratified the amendment adding the POP to Annex A or Annex B of the Stockholm Convention?
  - if the importing country did not ratify the amendment, refer to section 7.3 of this guidance document
- is a specific exemption or acceptable purpose in force for the POP?
  - if the importing country has registered a specific exemption or acceptable purpose, refer to section 7.2 of this guidance document
- what is the purpose of the export?
  - if the export is for environmentally sound disposal, refer to section 7.5 of this guidance document
  - if the export is for laboratory uses, refer to section 7.6 of this guidance document
  - if hazardous waste or hazardous recyclable material are exported, refer to section 7.9 of this guidance document
- is the POP contained in a product?
  - if products containing incidental trace amounts of POPs are exported, refer to section 7.7 of this guidance document
  - if products already in use before the amendment adding the POP was ratified and that were notified by Canada are exported, refer to section 7.8 of this guidance document

Exports allowed by an exception set out in section 6 of the Regulations may also be subject to the conditions relative to the Rotterdam Convention, set out in section 8 of this guidance document.

7.1. Amendment not in force for Canada - 6(1)

Canada is only bound to the provisions of the Stockholm Convention for amendments which it ratifies. A substance which was added to Annex A or Annex B of the Stockholm Convention through an amendment which has not been ratified by Canada (or is not yet in force for Canada) does not meet the definition of a “persistent organic pollutant” for the purpose of section 6 of the Regulations and the additional conditions relative to the Stockholm Convention do not apply for these substances. The exporter must however comply with the requirements regarding the notice of proposed export and determine the applicability of the conditions relative to the Rotterdam Convention.

Table 3 provides an inventory of the substances added to Annex A or Annex B of the Stockholm Convention which have been ratified by Canada.

7.2. Exports to Parties for acceptable purposes or specific exemptions - 6(2)(*a*)(i)

This exception allows the export of a POP to Parties which have registered for a specific exemption or acceptable purpose for that POP under the Convention.

Table 4 provides an inventory of POPs, and informs which Parties have registered for a specific exemption or acceptable purpose. This information allows an exporter of one of these POPs to determine if the export will satisfy this exception.

The exporter must also comply with the requirements regarding the notice of proposed export and determine the applicability of the conditions relative to the Rotterdam Convention.

7.3. Exports to Parties who have not ratified an amendment adding the POP to the Convention - 6(2)(*a*)(ii)

This exception allows the export of a POP to countries who are Parties to the Stockholm Convention but have not ratified the amendment which adds the POP to Annex A or Annex B, if an annual certification is in force.

Under the Stockholm Convention, Canada must have an annual certification in force, which is an agreement between Canada and the importing Party regarding the POP. The annual certification will apply to one or more specific exemptions or acceptable purposes allowed for the POP under the Stockholm Convention. Table 5 provides an inventory of the annual certifications in force between Canada and other countries and the applicable acceptable purposes and specific exemptions.

The exporter must also comply with the requirements regarding the notice of proposed export and determine the applicability of the conditions relative to the Rotterdam Convention.

7.4. Exports to countries which are not Parties to the Convention - 6(2)(*b*)

This exception allows the export of a POP to a country that has not ratified the Stockholm Convention, if Canada has an annual certification in place with that country.

In these cases, the annual certification will apply to one or more specific exemptions or acceptable purposes allowed for the POP under the Stockholm Convention. Table 5 provides an inventory of all of the annual certifications in force between Canada and other countries and the applicable acceptable purposes or specific exemptions.

The exporter must also comply with the requirements regarding the notice of proposed export and determine the applicability of the conditions relative to the Rotterdam Convention.

7.5. Environmentally sound disposal - 6(2)(*c*)

The exception allows the export of a POP if the export is for environmentally sound disposal as set out in paragraph 1(*d*) of Article 6 of the Convention.

Article 6 paragraph 1(*d*) of the Stockholm Convention states:

> *Take appropriate measures so that such wastes, including products and articles upon becoming wastes, are:*
>
> *(i) Handled, collected, transported and stored in an environmentally sound manner;*
>
> *(ii) Disposed of in such a way that the persistent organic pollutant content is destroyed or irreversibly transformed so that they do not exhibit the characteristics of persistent organic pollutants or otherwise disposed of in an environmentally sound manner when destruction or irreversible transformation does not represent the environmentally preferable option or the persistent organic pollutant content is low, taking into account international rules, standards, and guidelines, including those that may be developed pursuant to paragraph 2, and relevant global and regional regimes governing the management of hazardous wastes;*
>
> *(iii) Not permitted to be subjected to disposal operations that may lead to recovery, recycling, reclamation, direct reuse or alternative uses of persistent organic pollutants; and*
>
> *(iv) Not transported across international boundaries without taking into account relevant international rules, standards and guidelines.*

To help determine if the export is for environmentally sound disposal, exporters can consult the Adopted Technical Guidelines for environmentally sound management of wastes containing persistent organic pollutants developed under the *Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal.* These guidelines describe suitable methods of environmentally sound management of wastes.

Specifically, the “General Technical Guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants” provide general information and may be used in conjunction with technical guidelines specific to certain POPs. These guidelines have a section dedicated to environmentally sound disposal which exporters can use to ensure that the foreseen treatment by the importing country will satisfy 6(2)(c) of the Regulations.

The exporter must also comply with the requirements regarding the notice of proposed export and determine the applicability of the conditions relative to the Rotterdam Convention.

7.6. Laboratory use - 6(2)(*d*)

This exception allows the export of a POP if it is exported for use in a laboratory for analysis, in scientific research, or as a laboratory analytical standard. The total quantity of the POP exported by the person during the calendar year in question must not exceed 10 kg.

The exporter must also comply with the requirements regarding the notice of proposed export and determine the applicability of the conditions relative to the Rotterdam Convention.

7.7. Incidentally present in trace amounts - 6(2)(*e*)

This exception allows the export of a POP if it is incidentally present in trace amounts in a product.

The exporter must also comply with the requirements regarding the notice of proposed export and determine the applicability of the conditions relative to the Rotterdam Convention.

7.8. Products already in use - 6(2)(*f*)

This exception allows the export of products manufactured on or before the entry into force for Canada of a provision of the Stockholm Convention, if Canada has notified the Secretariat for that product.

Products or quantities of a POP already in use at the time a Party ratifies an amendment adding the substance to Annex A or Annex B can be notified to the Secretariat of the Stockholm Convention. Table 6 provides an inventory of Canada's notifications. Products listed in this table are authorized for export under this exception.

The exporter must also comply with the requirements regarding the notice of proposed export and determine the applicability of the conditions relative to the Rotterdam Convention.

For these exports, the date of manufacture of the product is required and must be provided in the notice of proposed export.

7.9. Hazardous waste - 6(3)

The considerations relative to the Stockholm Convention in subsection 6(2) of the Regulations do not apply to a POP that is, or is contained in, a hazardous waste or hazardous recyclable material regulated by the *Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations* recognizing

that these Regulations will therefore apply to the export. The exporter must also comply with the requirements regarding the notice of proposed export.

Table 3: Substances on the Export Control List which are also listed to Annex A or Annex B of the Stockholm Convention and in force for Canada

Note: In the case of a discrepancy between this table and the register of the status of ratifications maintained by the Secretariat of the Stockholm Convention, the information maintained by the Secretariat shall prevail.

Last updated: August 31, 2018

Substance	CAS Registry Number	Export Control List	Stockholm Convention	
			Annex	Date in force for Canada
Mirex (Dodecachloropentacyclo [5.3.0.0^{2,6}.0^{3,9}.0^{4,8}] decane)	2385-85-5	Part 1	A	May 17, 2004
Polybrominated biphenyls that have the molecular formula $C_{12}H_{(10-n)}Br_n$ in which "n" is greater than 2 (only Hexabromobiphenyl is listed in Annex A of the Stockholm Convention)	36355-01-8	Part 1	A	April 4, 2011
Chlordecone	143-50-0	Part 1	A	April 4, 2011
Endrin (1,2,3,4,10,10-hexachloro-6,7-epoxy-1,4,4a,5,6,7,8, 8a-octahydro-exo-1,4-exo-5,8-dimethanonaphthalene)	72-20-8	Part 1	A	May 17, 2004
Toxaphene	8001-35-2	Part 1	A	May 17, 2004
Alpha-HCH	319-84-6	Part 1	A	April 4, 2011
Beta-HCH	319-85-7	Part 1	A	April 4, 2011
Aldrin	309-00-2	Part 2	A	May 17, 2004
Chlordane	57-74-9	Part 2	A	May 17, 2004
DDT	50-29-3	Part 2	B	May 17, 2004
Dieldrin	60-57-1	Part 2	A	May 17, 2004
Heptachlor	76-44-8	Part 2	A	May 17, 2004
Hexachlorobenzene	118-74-1	Part 2	A	May 17, 2004
Lindane	58-89-9	Part 2	A	April 4, 2011
Polychlorinated biphenyls (PCB)	1336-36-3	Part 2	A	May 17, 2004

Substance	CAS Registry Number	Export Control List	Stockholm Convention	
			Annex	Date in force for Canada
Pentachlorobenzene, which has the molecular formula C_6HCl_5	608-93-5	Part 3	A	April 4, 2011
Perfluorooctane sulfonates, perfluorooctane sulfonamides and perfluorooctane sulfonyls including: • Perfluorooctane sulfonic acid • Potassium perfluorooctane sulfonate • Lithium perfluorooctane sulfonate • Ammonium perfluorooctane sulfonate • Diethanolammonium perfluorooctane sulfonate • Tetraethylammonium perfluorooctane sulfonate • Didecyldimethylammonium perfluorooctane sulfonate • Perfluorooctane sulfonyl fluoride (only perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride are listed under the Stockholm Convention and are therefore included in this table)	1763-23-1 2795-39-3 29457-72-5 29081-56-9 70225-14-8 56773-42-3 251099-16-8 307-35-7	Part 2	B	April 4, 2011

Table 4: Specific Exemptions and Acceptable Purposes Registered by Parties to the Stockholm Convention for Substances Listed on Annex A or Annex B and in force for Canada

Note: In the case of a discrepancy between this table and Annexes A and B, as well as the registers of specific exemptions and acceptable purposes as maintained by the Secretariat of the Stockholm Convention, the information maintained by the Secretariat shall prevail.

Last updated: August 31, 2018

Substance	CAS Registry Number	Export Control List	Stockholm Convention		
			Annex	Parties claiming exemption or purpose	Specific Exemption (SE) / Acceptable Purpose (AP)
Mirex (Dodecachloropentacyclo [5.3.0.0^{2,6}.0^{3,9}.0^{4,8}] decane)	2385-85-5	Part 1	A	Substances listed on Part 1 of the Export Control List can be exported, but only for the purpose of destruction or to comply with a direction issued by the Minister under subparagraph 99(*b*)(iii) of the *Canadian Environmental Protection Act, 1999*.	
Polybrominated biphenyls that have the molecular formula $C_{12}H_{(10-n)}Br_n$ in which "n" is greater than 2 (only hexabromobiphenyl is listed in Annex A of the Stockholm Convention)	36355-01-8	Part 1	A		
Chlordecone	143-50-0	Part 1	A		
Endrin (1,2,3,4,10,10-hexachloro-6,7-epoxy-1,4,4a,5,6,7,8, 8a-octahydro-exo-1,4-exo-5,8-dimethanonaphthalene)	72-20-8	Part 1	A		
Toxaphene	8001-35-2	Part 1	A		
Alpha-HCH	319-84-6	Part 1	A		
Beta-HCH	319-85-7	Part 1	A		
Aldrin	309-00-2	Part 2	A	Not applicable	
Chlordane	57-74-9	Part 2	A	Not applicable	
DDT	50-29-3	Part 2	B	Botswana	AP: • Disease vector control
				Eritrea	AP: • Disease vector control
				Ethiopia	AP: • Disease vector control

				India	AP: • Disease vector control
				Madagascar	AP: • Disease vector control
				Marshall Islands	AP: • Disease vector control
				Mauritius	AP: • Disease vector control
				Mozambique	AP: • Disease vector control
				Namibia	AP: • Disease vector control
				Senegal	AP: • Disease vector control
				South Africa	AP: • Disease vector control
				Swaziland	AP: • Disease vector control
				Uganda	AP: • Disease vector control
				Venezuela	AP: • Disease vector control
				Yemen	AP: • Disease vector control
				Zambia	AP: • Disease vector control
				Zimbabwe	AP: • Disease vector control
Dieldrin	60-57-1	Part 2	A	Not applicable	
Heptachlor	76-44-8	Part 2	A	Not applicable	
Hexachlorobenzene	118-74-1	Part 2	A	Not applicable	

Lindane	58-89-9	Part 2	A	China (applicable to Hong Kong and Macao)	SE: • Adjuvant therapeutic drug to control head lice and to treat scabies.
Polychlorinated biphenyls (PCB)	1336-36-3	Part 2	A	Not Applicable	
Pentachlorobenzene, which has the molecular formula C_6HCl_5	608-93-5	Part 3	A	Not Applicable	
Perfluorooctane sulfonates, perfluorooctane sulfonamides and perfluorooctane sulfonyls including: • Perfluorooctane sulfonic acid • Potassium perfluorooctane sulfonate • Lithium perfluorooctane sulfonate • Ammonium perfluorooctane sulfonate • Diethanolammonium perfluorooctane sulfonate • Tetraethylammonium perfluorooctane sulfonate • Didecyldimethylammonium perfluorooctane sulfonate • Perfluorooctane sulfonyl fluoride (only perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride are listed under the Stockholm Convention and are therefore included in this table)	1763-23-1 2795-39-3 29457-72-5 29081-56-9 70225-14-8 56773-42-3 251099-16-8 307-35-7	Part 2	B	Brazil	AP: • Insect baits for control of leaf-cutting ants from *Atta spp.* and *Acromyrmex spp.*
				Cambodia	AP: • Fire-fighting foam

				China (applicable to Hong Kong and Macao)	AP: • Photo-imaging • Photo-resist and anti-reflective coatings for semi-conductors • Etching agent for compound semi-conductors and ceramic filters • Aviation hydraulic fluids • Metal plating (hard metal plating) only in closed-loop systems • Certain medical devices (such as ethylene tetrafluoroethylene copolymer (ETFE) layers and radio-opaque ETFE production, in-vitro diagnostic medical devices, and CCD colour filters) • Fire-fighting foam
				Czech Republic	AP: • Photo-imaging • Photo-resist and anti-reflective coatings for semi-conductors • Aviation hydraulic fluids • Metal plating (hard metal plating) only in closed-loop systems

				European Union	AP: • Photo-imaging • Photo-resist and anti-reflective coatings for semi-conductors • Etching agent for compound semi-conductors and ceramic filters • Metal plating (hard metal plating) only in closed-loop systems.
				Japan	AP: • Photo-imaging • Photo-resistant and anti-reflective coatings for semi-conductors • Etching agent for compound semi-conductors and ceramic filters • Certain medical devices
				Norway	AP: • Photo-imaging • Photo-resist and anti-reflective coatings for semi-conductors • Etching agent for compound semi-conductors and ceramic filters • Metal plating (hard metal plating) only in closed-loop systems
				Switzerland	AP: • Photo-imaging • Photo-resist and anti-reflective coatings for semi-conductors • Etching agent for compound semi-conductors and ceramic filters • Aviation hydraulic fluids • Metal plating (hard metal plating) only in closed-loop systems • Fire-fighting foam

				Republic of Korea	AP: • Photo-imaging • Photo-resist and anti-reflective coatings for semi-conductors • Etching agent for compound semi-conductors and ceramic filters • Aviation hydraulic fluids • Metal plating (hard metal plating) only in closed-loop systems • Certain medical devices (such as ethylene tetrafluoroethylene copolymer (ETFE) layers and radio-opaque ETFE production, in-vitro diagnostic medical devices and CCD colour filters)
				Turkey	AP: • Photo-imaging • Photo-resist and anti-reflective coatings for semi-conductors • Etching agent for compound semi-conductors and ceramic filters • Aviation hydraulic fluids • Metal plating (hard metal plating) only in closed-loop systems
				Vietnam	AP: • Photo-imaging • Photo-resist and anti-reflective coatings for semi-conductors • Etching agent for compound semi-conductors and ceramic filters • Aviation hydraulic fluids • Metal plating (hard metal plating) only in closed-loop systems • Certain medical devices (such as ethylene tetrafluoroethylene copolymer (ETFE) layers and radio-opaque ETFE production, in-vitro diagnostic medical devices, and CCD colour filters) • Fire-fighting foam • Insect baits for control of leaf-cutting ants from *Atta spp*. and *Acromyrmex spp*.

				Zambia	AP: • Aviation hydraulic fluids • Fire-fighting foam

Canada has also registered exemptions for tetrabromodiphenyl ether, pentabromodiphenyl ether, hexabromodiphenyl ether, and heptabromodiphenyl ether in accordance with Part IV of Annex A of the Stockholm Convention, but these substances are not listed on the Export Control List, and therefore the *Export of Substances on the Export Control List Regulations* do not apply.

To determine the estimated expiry dates of specific exemptions, exporters can view when amendments came into force for Parties to the Stockholm Convention on the Secretariat's website.

Table 5: List of Active Annual Certifications as Registered by Canada

Note: In the case of a discrepancy between this table and the registers of active annual certifications maintained by the Secretariat of the Stockholm Convention, the information maintained by the Secretariat shall prevail.

Last updated: August 31, 2018

Importing State	Date of export	Exported chemical	Intended use of the chemical
-	-	-	-

Canada presently has no annual certifications registered with the Secretariat of the Stockholm Convention.

Table 6: Articles in Use as Notified by Canada under the Stockholm Convention

Note: In the case of a discrepancy between this table and the registers of articles in use maintained by the Secretariat of the Stockholm Convention, the information maintained by the Secretariat shall prevail.

Last updated: August 31, 2018

Substance	CAS Registry Number	Export Control List	Stockholm Convention		
			Annex	Article	Date of Notification
Lindane	58-89-9	Part 2	A	Human health pharmaceutical for control of head lice and scabies as second-line treatment	21 December 2010
Perfluorooctane sulfonates, perfluorooctane sulfonamides and perfluorooctane sulfonyls including: • Perfluorooctane sulfonic acid • Potassium perfluorooctane sulfonate • Lithium perfluorooctane sulfonate • Ammonium perfluorooctane sulfonate • Diethanolammonium perfluorooctane sulfonate • Tetraethylammonium perfluorooctane sulfonate • Didecyldimethylammonium perfluorooctane sulfonate • Perfluorooctane sulfonyl fluoride (only perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride are listed under the Stockholm Convention and are therefore included in this table)	1763-23-1 2795-39-3 29457-72-5 29081-56-9 70225-14-8 56773-42-3 251099-16-8 307-35-7	Part 2	B	Aqueous film forming foams (fire-fighting foams)	21 December 2010

Canada has also notified articles containing tetrabromodiphenyl ether, pentabromodiphenyl ether, hexabromodiphenyl ether, and heptabromodiphenyl ether in accordance with Part IV and Part V of Annex A of the Stockholm Convention, but these substances are not listed on the Export Control List, and therefore the *Export of Substances on the Export Control List Regulations* do not apply.

8. Rotterdam Convention

The Rotterdam Convention on the prior informed consent procedure for certain hazardous chemicals and pesticides in international trade aims to promote shared responsibility and cooperative efforts among Parties in the international trade of certain hazardous chemicals in order to protect human health and the environment from potential harm and to contribute to the environmentally sound use of those hazardous chemicals, by facilitating information exchange about their characteristics, by providing for a national decision-making process on their import and export and by disseminating these decisions to Parties.

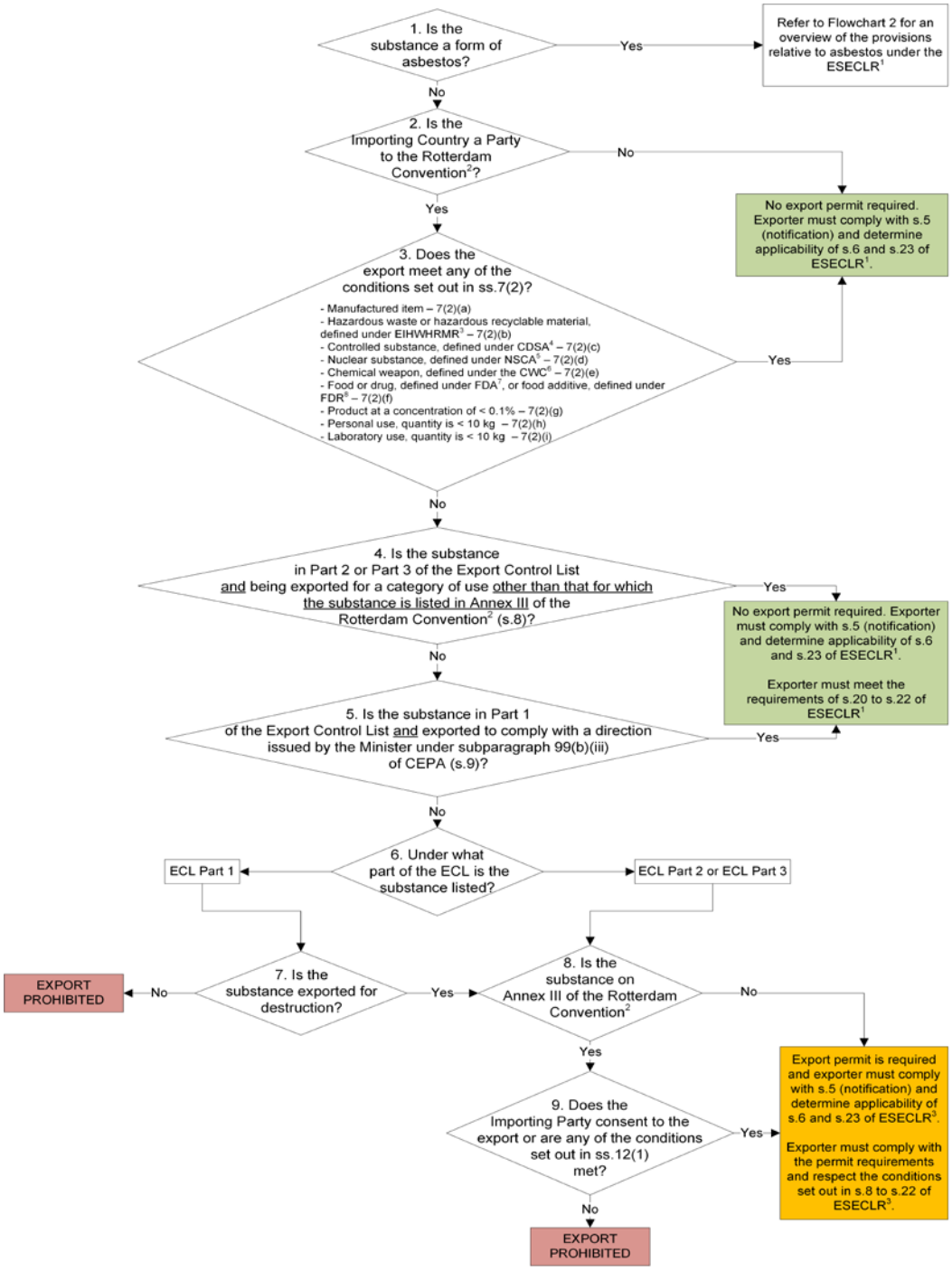
When a substance on the Export Control List is proposed for export to another country which is Party to the Rotterdam Convention, an exporter may require a permit for export under the Regulations. Sections 7 through 22 of the Regulations apply to exports of substances listed on the Export Control List when they are exported to another Party to the Rotterdam Convention and may also apply for exports under other sections of the Regulations.

Different considerations are taken into account to determine if a permit is required, such as the expected use by the importing Party and the Part of the Export Control List to which the substance is listed.

For a detailed overview of the conditions relative to the Rotterdam Convention, refer to Flowchart 4.

Flowchart 4 – Overview of the Conditions Relative to the Rotterdam Convention

Export of Substances on the Export Control List Regulations
Conditions Relative to the Rotterdam Convention (sections 7 through 22)



1. ESECLR = Export of Substances on the Export control List Regulations
2. Rotterdam Convention = The Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade
3. EIHWHRMR = Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations
4. CDSA = Controlled Drugs and Substances Act
5. NSCA = Nuclear Safety and Control Act
6. CWC = Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (Chemical Weapons Convention)
7. FDA = Food and Drugs Act
8. FDR = Food and Drug Regulations
9. Stockholm Convention = The Stockholm Convention on Persistent Organic Pollutants

This flowchart has been developed for exporters of substances listed on the Export Control List. It is intended to be complementary to the Regulations. In case of a discrepancy between this document and the Regulations, the Regulations shall prevail.

8.1. Exports not requiring a permit

For exports subject to conditions relative to the Rotterdam Convention, an export permit will be required unless exempted by subsection 7(2), section 8 or section 9 of the Regulations.

8.1.1 Exports where conditions relative to the Rotterdam Convention do not apply

Certain exports, other than those set out in subsection 5.3(1) of the Regulations, are exempted from the need for an export permit and additional requirements relative to the Rotterdam Convention. These exports are set out in subsection 7(2) of the Regulations, which states that sections 8 to 22 of the Regulations do not apply to a substance that:

a. is contained in a manufactured item that during manufacture is formed into a specific physical shape or design and has for its final use a function or functions wholly or partly dependent on its shape or design
b. is, or is contained in, a hazardous waste or hazardous recyclable material regulated by the *Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations*
c. is, or is contained in, a controlled substance as defined in subsection 2(1) of the *Controlled Drugs and Substances Act*
d. is, or is contained in, a nuclear substance as defined in section 2 of the *Nuclear Safety and Control Act*
e. is, or is contained in, a chemical weapon as defined by the *Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction*, signed at Paris, France, on January 13, 1993, as amended from time to time
f. is, or is contained in, a food or drug as defined in section 2 of the *Food and Drugs Act* or a food additive as defined in Part B of the *Food and Drug Regulations*
g. is contained in a product at a concentration of less than 0.1% by weight
h. is exported for the personal use of the individual who imports the substance, if the total quantity exported for that purpose by the exporter during the calendar year in question does not exceed 10 kg, or
i. is exported for use in a laboratory for analysis, in scientific research or as a laboratory analytical standard, if the total quantity exported for those purposes by the exporter during the calendar year in question does not exceed 10 kg

8.1.2 Substances not subject to prior informed consent procedure

Substances listed in Annex III of the Rotterdam Convention are listed for either their use as a pesticide, use as an industrial chemical, or both. The Prior Informed Consent Procedure of the Rotterdam Convention applies when a

substance is exported for the category of use(s) for which it is listed in Annex III. Table 7 provides an inventory of the Export Control List substances which are on Annex III of the Rotterdam Convention and the associated category of use(s) for these substances.

Except for all forms of asbestos, the export of a substance listed in Annex III and on Part 2 or Part 3 of the Export Control List does not require an export permit if the substance is exported for a category of use other than the category for which it is listed in Annex III. Such an export is nevertheless subject to the insurance, labelling and safety data sheet requirements of sections 20 through 22 of the Regulations. Section 8 of the Regulations sets out this exemption.

8.1.3 Direction issued by the Minister

The export of a substance on Part 1 of the Export Control List, made to comply with a direction issued under subparagraph 99(*b*)(iii) of CEPA does not require an export permit, but is subject to the insurance, labelling and safety data sheet requirements of sections 20 through 22 of the Regulations. Section 9 of the Regulations sets out this exemption.

8.2. Permit Applications and Export Conditions

Exporters should ensure that a proposed export is allowed under the Regulations by consulting the asbestos considerations, as well as the conditions relative to the Stockholm Convention and Minamata Convention, before applying for a permit.

The Database of Import Responses, which is maintained by the Secretariat of the Rotterdam Convention, provides an overview of the Import Responses provided by Rotterdam Parties for substances subject to the Prior Informed Consent Procedure.

8.2.1 Exports of substances on Part 1 of the Export Control List

As per subsection 101(2) of CEPA, a substance listed on Part 1 of the Export Control List can only be exported for the purpose of destruction or in compliance with a direction issued under subparagraph 99(*b*)(iii) of CEPA, and the applicable requirements of the Regulations must be met.

As explained in section 8.1.3 of this guidance document, exports to comply with a direction issued under subparagraph 99(b)(iii) of CEPA do not require a permit.

If the substance to be exported is **not listed** in Annex III to the Rotterdam Convention:
The Minister must issue an export permit allowing the export to take place only for the purpose of destroying the substance.

If the substance **is listed** in Annex III to the Rotterdam Convention:

The Prior Informed Consent procedure will apply to the export and the Minister will issue a permit for export if the destination Party has consented to imports of the substance for the purpose of destruction. The permit may specify conditions on import required by the Importing Party.

The Minister must not issue an export permit if the export does not comply with the Prior Informed Consent procedure of the Rotterdam Convention (for example, the importing Party does not consent to imports of the substance).

8.2.2 Exports of substances on Part 2 or Part 3 of the Export Control List which are also listed in Annex III of the Rotterdam Convention

All substances listed on Part 2 of the Export Control List are listed in Annex III of the Rotterdam Convention, with the exception of "Mixtures that contain elemental mercury (CAS 7439-97-6) at a concentration of 95% or more by weight". Substances listed on Part 3 of the Export Control List may also be listed in Annex III of the Rotterdam Convention.

When an application is received for an export permit for a Part 2 or Part 3 substance that is also listed in Annex III of the Rotterdam Convention, the Minister will confirm that the export complies with the Prior Informed Consent procedure of the Rotterdam Convention (for example, the importing Party has stated "consent" for imports of the substance) before issuing the permit. The permit may specify conditions on import required by the Importing Party.

The Minister must not issue an export permit if the export does not comply with the Prior Informed Consent procedure (for example, the importing Party does not consent to imports of the substance).

8.2.3 Exports of substances on Part 3 of the Export Control List that are not listed in Annex III of the Rotterdam Convention

Substances listed on Part 3 of the Export Control List that are not listed in Annex III of the Rotterdam Convention are subject to a domestic restriction on their use and, in order to remain compliant with Article 12 of this Convention, the Government of Canada must provide an export notification to the Importing Party.

An application for an export permit for a substance listed on Part 3 of the Export Control List that is not listed in Annex III of the Rotterdam Convention provides the Minister with the necessary information to notify the importing Party.

8.3. Parties to the Rotterdam Convention

Several countries have ratified the Rotterdam Convention. For the purposes of the Regulations, these countries are considered "Rotterdam Parties". The current list of participants is available through the Rotterdam Convention Secretariat.

Table 7: Substances listed on the Export Control List that are also listed in Annex III of the Rotterdam Convention

Note: In the case of a discrepancy between this table and Annex III of the Rotterdam Convention as maintained by the Secretariat of the Rotterdam Convention, the information maintained by the Secretariat shall prevail.

Last updated: August 31, 2018

Substance Name	CAS Registry Number	Export Control List	Rotterdam Convention Category
Polybrominated biphenyls that have the molecular formula $C_{12}H_{(10-n)}Br_n$ in which "n" is greater than 2		Part 1	Industrial
Polychlorinated terphenyls that have the molecular formula $C_{18}H_{(14-n)}Cl_n$ in which "n" is greater than 2		Part 1	Industrial
Phosphamidon (2-chloro-2-diethylcarbamoyl-1-methylvinyl dimethyl phosphate)	13171-21-6	Part 1	Severely hazardous pesticide formulation
Toxaphene	8001-35-2	Part 1	Pesticide
Alpha-HCH	319-84-6	Part 1	Pesticide (listed as HCH (mixed isomers))
Beta-HCH	319-85-7	Part 1	Pesticide (listed as HCH (mixed isomers))
Azinphos-methyl	86-50-0	Part 1	Pesticide
2,4,5-T and its salts and esters		Part 2	Pesticide
Aldrin	309-00-2	Part 2	Pesticide
Captafol	2425-06-1	Part 2	Pesticide
Chlordane	57-74-9	Part 2	Pesticide
Chlordimeform	6164-98-3	Part 2	Pesticide
Chlorobenzilate	510-15-6	Part 2	Pesticide
DDT	50-29-3	Part 2	Pesticide
Dieldrin	60-57-1	Part 2	Pesticide
Dinoseb and its salts and esters		Part 2	Pesticide
1,2-dibromoethane (EDB)	106-93-4	Part 2	Pesticide
Fluoroacetamide	640-19-7	Part 2	Pesticide
Heptachlor	76-44-8	Part 2	Pesticide
Hexachlorobenzene	118-74-1	Part 2	Pesticide
Lindane	58-89-9	Part 2	Pesticide
Mercury compounds, including inorganic mercury compounds, alkyl mercury compounds and alkyloxyalkyl and aryl mercury compounds		Part 2	Pesticide

Pentachlorophenol and its salts and esters		Part 2	Pesticide
Monocrotophos	6923-22-4	Part 2	Pesticide
Methamidophos	10265-92-6	Part 2	Pesticide
Emulsifiable concentrates containing methyl parathion at or above 19.5% and dusts containing methyl parathion at or above 1.5%	298-00-0	Part 2	Severely hazardous pesticide formulation
Parathion	56-38-2	Part 2	Pesticide
The following types of asbestos: a. Actinolite b. Anthophyllite c. Amosite d. Crocidolite e. Tremolite	77536-66-4 77536-67-5 12172-73-5 12001-28-4 77536-68-6	Part 2	Industrial
Polychlorinated biphenyls (PCB)	1336-36-3	Part 2	Industrial
Tris (2,3-dibromopropyl) phosphate	126-72-7	Part 2	Industrial
Binapacryl	485-31-4	Part 2	Pesticide
Ethylene oxide	75-21-8	Part 2	Pesticide
1,2-Dichloroethane	107-06-2	Part 2	Pesticide
Dinitro-ortho-cresol (DNOC) and its salts	534-52-1 2980-64-5 5787-96-2 2312-76-7	Part 2	Pesticide
Dustable powder formulations containing a combination of benomyl at or above 7%, carbofuran at or above 10% and thiram at or above 15%	17804-35-2 1563-66-2 137-26-8	Part 2	Severely Hazardous Pesticide Formulation
All tributyltin compounds including: a. Tributyltin oxide b. Tributyltin fluoride c. Tributyltin methacrylate d. Tributyltin benzoate e. Tributyltin chloride f. Tributyltin linoleate g. Tributyltin naphthenate	56-35-9 1983-10-4 2155-70-6 4342-36-3 1461-22-9 24124-25-2 85409-17-2	Part 2	Industrial, Pesticide
Tetraethyl lead	78-00-2	Part 2	Industrial
Tetramethyl lead	75-74-1	Part 2	Industrial
Endosulfan	115-29-7	Part 2	Pesticide

Perfluorooctane sulfonates, perfluorooctane sulfonamides and perfluorooctane sulfonyls including: a. Perfluorooctane sulfonic acid b. Potassium perfluorooctane sulfonate c. Lithium perfluorooctane sulfonate d. Ammonium perfluorooctane sulfonate e. Diethanolammonium perfluorooctane sulfonate f. Tetraethylammonium perfluorooctane sulfonate g. Didecyldimethylammonium perfluorooctane sulfonate h. N-Ethylperfluorooctane sulfonamide i. N-Methylperfluorooctane sulfonamide j. N-Ethyl-N-(2-hydroxyethyl) perfluorooctane sulfonamide k. N-(2-Hydroxyethyl)-N-methylperfluorooctane sulfonamide l. Perfluorooctane sulfonyl fluoride	1763-23-1 2795-39-3 29457-72-5 29081-56-9 70225-14-8 56773-42-3 251099-16-8 4151-50-2 31506-32-8 1691-99-2 24448-09-7 307-35-7	Part 2	Industrial

9. Minamata Convention

The Minamata Convention on Mercury is a global treaty to protect human health and the environment from the adverse effects of mercury.

"Mixtures that contain elemental mercury (CAS 7439-97-6) at a concentration of 95% or more by weight" are listed to Part 2 of the Export Control List, which makes the export of these mixtures, as well as the export of mercury of high purity, subject to the Regulations. These requirements allow Canada to comply with its export obligations under the Minamata Convention.

Section 23 of the Regulations prohibits the export of these mixtures, with certain exceptions, provided in Table 8.

For these exceptions, the exporter must also comply with the requirements regarding the notice of proposed export and determine the applicability of the conditions relative to the Rotterdam Convention.

Table 8 – Exceptions listed under section 23 of the Regulations

Exception	Type of Export Allowed	Examples
23(a)	Hazardous waste or hazardous recyclable material, defined under the EIHWHRMR[a]	Mercury and other waste and recyclable material regulated by the EIHWHRMR[a]
23(b)	Laboratory uses, if the total quantity is less than 10 kg during the calendar year	Sample exported for characterization; laboratory analytical standard
23(c)	Manufactured items	Certain lamps, such as straight or compact fluorescent lamps

[a] EIHWHRMR = *Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations*