



Compliance Unit Trading System (CUTS)

Application form: Notification of generation of compliance units

As written in section 7 of the *Volatile Organic Compound Concentration Limits for Certain Products Regulations* (the regulations), you may participate in a compliance unit trading system if you plan to:

- (a) generate compliance units in accordance with section 11 of the regulations in respect of all of the reformulated products for which you have elected to participate in the compliance unit trading system;
- (b) transfer unused compliance units to another person in accordance with section 12 of the regulations; or
- (c) use compliance units that are generated by you or transferred to you to compensate for the excess quantity of VOCs determined in accordance with paragraph 13(d) of the regulations in respect of a product.

As written in subsection 11(1) of the regulations a person that intends to generate compliance units in respect of a reformulated product that they manufacture or import must, no later than October 1 of the first year in which they elect to participate in the compliance unit trading system in respect of that product, submit a notice to the Minister.

How to apply:

Use this form to notify ECCC that you intend to generate compliance units under the CUTS program for a reformulated product you manufacture or import and has a concentration lower than what is set out in column 3 of Schedule 1. Refer to sections 7 to 14 of the regulations to ensure all necessary information is provided and that you understand your responsibilities as an applicant.

Further information on the generation, transfer and reporting under the CUTS program is available on the [Alternative Compliance Options webpage](#).

Timelines:

You may notify your intention to generate compliance units for a reformulated product you manufacture or import after the coming into force of the regulations on January 1, 2023. You must submit your notice of intention to generate compliance units no later than October 1 of the first year in which you elect to participate in the compliance unit trading system (CUTS). If the requirements of the Notice are met, you will be eligible to generate compliance units from the date of application to the end of the calendar year.

Reporting requirements for generators of compliance units:

On March 1 of the year following generation, you must submit an annual report to ECCC including (but not limited to) the actual quantities, concentrations of your reformulated products, compliance unit calculations, confirmation of whether you intend to continue generating



compliance units for the next calendar year and the quantities you expect to manufacture or import. Actual quantities can be calculated using the following formula:

- Actual quantity = manufactured quantity + imported quantity – exported quantity

A copy of this reporting form can be found on the [Alternative Compliance Options webpage](#).

ECCC will provide you with a confirmation of the number of compliance units that are available within 60 days after the day on which you submit the annual report.

Confidentiality:

Under section 313 of the Canadian Environmental Protection Act, all persons submitting information to the Minister are entitled to submit a written request that specific information be treated as confidential. Persons submitting such a request should also include the reasons for that request. Under each section of this application, you may request information be treated as confidential. You have been given space to provide your explanation. If you need more space, please attach added documents.

To promote transparency in the CUTS program, ECCC will publish a list of companies generating compliance units and their years of participation in the CUTS program on the [Alternative Compliance Options webpage](#).

Where to submit your form:

When your application is complete, please submit it either electronically to the email address Produits-Products@ec.gc.ca with the subject “Notification to generate compliance units – CUTS” or by mail to:

Environment and Climate Change Canada
Products Division
351 St. Joseph Boulevard, 9th Floor
Gatineau, Quebec
K1A 0H3

Disclaimer:

Although care has been taken to ensure that this application reflects the requirements of the *Canadian Environmental Protection Act, 1999 (CEPA)* and the *Volatile Organic Compound Concentration Limits for Certain Products Regulations*, the Act and these regulations prevail over the text of this application in case of any discrepancies or inconsistencies. This application does not supersede or modify the Act or these regulations. It is ultimately the responsibility of regulatees to be familiar with the full text and application of these regulations.



Section 1 - Applicant information

Applicant/Company Name

Business Number

Civic Address

Postal Address Same as Civic Address

Telephone Number Fax Number (if applicable)

E-mail Address (if applicable)



Section 2 – Authorized representative

Authorized Representative Name

Authorized Representative Title

Address

Same as Section 1

Civic Address

Postal Address

Same as Civic Address

Telephone Number

Fax Number (if applicable)

E-mail Address (if applicable)



Section 3 - Product Information

Section 3.1 – Products included in the application

This application should apply to a single reformulated product with the same formulation. Where the product formulation is the same, multiple sizes or products with different branding/labels may be included under the same application. Please ensure to list information on all variations to ensure they are included in the calculation of compliance units.

Any changes in formulation, such as differing fragrances or efficacy must be submitted under a separate application.

Provide the list of products included in the application in Table 3.1 below. Please provide copies of labels for all products included in the application. If more space is needed for the listing, extra pages can be used.

Table 3.1 – Reformulated products to be included in the CUTS program:

#	Common or Generic Name	Trade Name	Stock Keeping Unit or Product Number	UPC Code	Product Weight (kg)	Product Volume (L) (Complete only if product is sold based on volume weight)
1						
2						
3						
4...						

Section 3.2 – Selection of product category

Product category set out in column 1 of Schedule 1 or column 1 of Schedule 2

If applicable, subcategory set out in column 2 of Schedule 1

Choose an item.



How was the product category determined? Please provide product labels and documentation to support determination of applicable product category (attach to this application form).



Section 4 - Product concentrations and quantities

This product is: Manufactured Imported Both

Lowest VOC concentration of product prior to reformulation (w/w%)

Date of reformulation

VOC concentration of product after reformulation (w/w%)

Please provide evidence to verify the VOC concentrations prior to and following reformulation. This evidence could include laboratory testing, formulation data, etc. Evidence should also clearly demonstrate that the product has the same trade name and use after reformulation.

Provide the expected quantity of the reformulated product (in kilograms) to be manufactured and/or imported from the day the notice is submitted to December 31 of the same year, excluding any quantity that is manufactured or imported for export only



Are you requesting confidentiality of information provided in section 4? Yes No

If yes, please indicate what information is to be kept confidential and provide a justification.



Attestation

I _____ certify that the information within this document is accurate and complete at the time of submission

Signature _____

Date