



Products Whose Use Results in Lower VOC Emissions application form

As written in subsection 15(1) of the Volatile Organic Compound Concentration Limits for Certain Products Regulations (the regulations), you may apply for a Permit – Products Whose Use Results in Lower VOC Emissions or a renewal of this permit if:

- a) you manufacture or import a product that belongs to a product category set out in column 1 of the table to Schedule 1 and, if applicable, a subcategory set out in column 2, and
- b) the product has a VOC concentration that is greater than the applicable maximum VOC concentration set out in column 3 of the table to Schedule 1, and
- c) when used in accordance with the manufacturer's written instructions, results in lower VOC emissions than those that would result from the use of another product that belongs to the same category and, if applicable, the same subcategory that has a VOC concentration that is less than or equal to that maximum VOC concentration (comparable compliant product).

How to apply:

Use this form to apply for a Permit – Products Whose Use Results in Lower VOC Emissions. Refer to sections 15 to 17 of the regulations to ensure all necessary information is provided and that you understand your responsibilities as an applicant. The information provided in the application must demonstrate by clear and convincing evidence that the use of the permitted product will result in lower VOC emissions than a comparable compliant product. As written in subsection 15(3), the Minister may, on receiving the application, require any clarifications that are necessary for the application to be processed.

You must notify Environment and Climate Change Canada in writing of any change to the information provided in this application — other than the quantity of the product that is expected to be manufactured or imported per calendar year — within 30 days after the day on which the change occurs.

Important Dates:

You may apply for a Permit – Products Whose Use Results in Lower VOC Emissions after January 1, 2023. The prohibitions come into effect on January 1, 2024 except for disinfectants that come into effect on January 1, 2025.

A Permit – Products Whose Use Results in Lower VOC Emissions **may be applied for up to four years and can be renewed.** The renewal must be submitted to Environment and Climate Change Canada (ECCC) at least 90 days before the day on which the permit expires.

Confidentiality:

Under section 313 of the *Canadian Environmental Protection Act, 1999* (CEPA) 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, ECCC will publish a list of permits issued, including company name, product names, and expiry date on the [Alternative Compliance Options webpage](#).

Where to submit your permit application:

When your application is complete, please submit it either electronically to the email address Produits-Products@ec.gc.ca with the subject "Permit Application – Lower VOC Emissions (PULE)" 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)

Permit Number to be renewed (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 product with a consistent formulation. Where the product formulation is consistent, multiple sizes or products with different branding/labels may be captured under the same application. Please ensure to list information on all variations to ensure they are covered by the permit.

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 permit application in Table 3.1 below. Where the application applies to multiple product sizes, or labels, please ensure you provide details for all products included in the application. **Please provide copies of labels for all products included in the application.**

In accordance with section 23 of the regulations, **you must ensure that, before the product is offered for sale or sold, it bears a label, or is accompanied by documentation, that sets out instructions in both official languages for the use of the product in a manner that results in lower VOC emissions** than those that would result from the use of another product that belongs to the same category and, if applicable, the same subcategory that has a VOC concentration that is less than or equal to the applicable maximum VOC concentration set out in column 3 of the table to Schedule 1. **Please provide copies of these labels or documentation that will accompany the products if a permit is issued.**

If more space is needed for the listing, extra pages can be used.

Table 3.1 - Products to be included in the permit application

#	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 – Product and comparable product information

In the table below, provide the information for your product and the comparable product that meets the maximum VOC concentration. Please ensure you provide the following information to clearly justify your choice of comparable product. The same comparable product should be used throughout the application, including in the evidence and testing to justify lower emissions.

The comparable product must:

- currently exist. Theoretical products are not considered acceptable comparisons;
- belong to the same product category, and if applicable the same subcategory;



- have the same function or use. The comparable product must be labelled to serve the same purpose as the product included in the permit application;
- have a VOC concentration that is less than or equal to the concentration set out in column 3 of Schedule 1;
- have the same product form (aerosol, liquid, etc.);
- have at least similar efficacy compared to other products of the same category;
- have demonstrated consumer acceptance; and
- not have any features that may cause it to result in excessive VOC emissions.

Please provide copies of the label and instructions for the comparable product you have chosen.

Table 3.2 – Applicant product and comparable product information

Product information	Applicant product	Comparable product
Product Common or Generic Name	See table 3.1	
Trade Name	See table 3.1	
Primary function or use of the product		
Dispensing form (eg. Aerosol, solid, liquid, etc.)		
VOC Concentration (%w/w)		
If product requires dilution for use, provide the recommended dilution and a copy of the manufacturer’s dilution instructions.		
Average dispensed product amount per use (kg)		
Average VOC released per use (kg)		
Average number of uses in a normal consumer use pattern within a defined timeline (eg. 4 uses per 24 hours, etc.)		
Is the product manufactured or imported or both		N/A
Expected total quantity of product to be manufactured and/or imported per calendar year in kg. (excluding any quantity that is manufactured or imported for export only)		N/A



Section 3.3 – Selection of product categories

Section 3.3.1 - Applicant product category

Product Category in column 1 of Schedule 1: Choose an item.

If applicable, subcategory set out in column 2 of Schedule 1: Choose an item.

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

Section 3.3.2 - Comparable product category

Product Category in column 1 of Schedule 1: Choose an item.

If applicable, subcategory set out in column 2 of Schedule 1 Choose an item.

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



Section 3.4 – Product formulation

Provide the product formulation for your product in Table 3.4

Table 3.4 - Product formulation information for your product

Ingredient	Percent by weight	VOC as defined in CEPA Schedule 1 (yes/no)	Is the ingredient excluded when determining the VOC concentration under the regulations?

Are you requesting confidentiality of information provided in section 3? Yes No

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



Section 4 – Evidence that demonstrates lower volatile organic compound emissions

Paragraph 15(2)(h) of the regulations states that the application must contain “evidence that demonstrates that the use of the product in accordance with the manufacturer’s written instructions results in lower VOC emissions than those that would result from the use of another product that belongs to the same category and, if applicable, the same subcategory that has a VOC concentration that is less than or equal to the applicable maximum VOC concentration set out in column 3 of the table to Schedule 1.”

This application should provide clear and convincing evidence that demonstrates how the use of your product, in accordance with its written instructions, will result in lower VOC emissions than the comparable product that meets the maximum VOC concentration set out in Schedule 1 of the regulations.

Due to the varied and unknown nature of the products, ECCC cannot prescribe the exact information that will be needed as evidence for your application. Some recommendations are outlined below.

Evidence could include:

- Clear description of the aspects of the product that result in lower emissions than a comparable compliant product, such as product design, formulation, delivery or other factors. This could include:
 - A detailed discussion of the formulation if the formulation itself is the feature of the product that allows its use to result in lower emissions
 - Product specifications, such as spray rates, pressure, dosages amounts, etc.
 - Product schematics or diagrams, including components
 - Emissions calculations
 - Others
- Clear explanation of the testing that has been undertaken to demonstrate emissions from the product and comparable compliant product, such as:
 - Laboratory testing to demonstrate product performance (i.e., features of the product allow it to satisfactorily complete its desired function with lower VOC emissions)
 - Product emission data over the course of a time series. This should show that the emissions are consistently lower
 - Consumer use studies that demonstrate the product will result in lower VOC emissions during its typical consumer use
- Laboratory testing results should include:
 - Product names
 - Parameters tested
 - Specifications (spray rates, application rates, discharge modes, etc.)
 - Types of test methods used
 - Proof that the test results are reproducible
 - Proof of laboratory accreditation and standards of good practice as outlined in Section 21 of the regulations



- Statistical analysis including the confidence level in cases where the data set has uncertainty associated with it (e.g. consumer tests, where data is often highly variable)

Please attach any additional materials that would support your application, including usage instructions, photos, etc. Additional pages can be added, as needed, to document your evidence.



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 Click or tap to enter a date.