Workplace Hazardous

Materials Information System

Controlled Products Regulations

SOR/88-66 P.C. 1987-2721
December 31, 1987

amended by

SOR/88-555, P.C. 1988-2453
SOR/89-150, P.C. 1989-408
SOR/97-543, P.C. 1997-1798
SOR/2001-254, P.C. 2001 - 1236

Controlled Products Regulations

Summary of Amendments

The following are the amendments to the *Controlled Products Regulations* (*CPR*) as summarized in the "Consolidated Index of Statutory Instruments, January 1, 1955 to September 30, 2001", Canada Gazette, Part II, September 30, 2001:

CPR Section	Registration	*CPR* Section	Registration
s. 2, "mixture"	SOR/97-543; s.13(E)	**s. 27**	SOR/88-555; s.5 SOR/97-543; s.18
s. 5.1	added, SOR/89-150; s.1	**s. 32, "IARC"**	SOR/97-543; s.19(E)
s. 8.1	added, SOR/88-555; s.1 repealed, SOR/97-543; s.14	**s. 32, "respira-tory tract sensitization"**	SOR/2001-254; s.9
s. 8.2	added, SOR/88-555; s.1	**s. 32, "skin sensitization"**	SOR/2001-254; s.9
s. 9	SOR/2001-254; s.1(F)	**s. 33**	SOR/97-543; s.20E
s. 10.1	added. SOR/2001-254; s.2	**s. 34**	SOR/97-543; s.21
s. 11	SOR/2001-254; s.3	**s. 39**	SOR/97-543; s.22(F)
s. 12	SOR/97-543; s.15 SOR/2001-254; s.4	**s. 57**	SOR/97-543; s.23(F)
s. 14	SOR/88-555; s.2 SOR/2001-254; s.5	**s. 60**	SOR/97-543; s.24(F)
s. 15.1	added, SOR/88-555; s.3 repealed, SOR/97-543; s.16	**s. 62**	SOR/97-543; s.25
s. 17.1	added, SOR/2001-254; s.6	**Sch. I**	SOR/97-543; s.26(F) and 27(E)
s. 19	SOR/2001-254; s.7	**Sch. I.1**	added, SOR/2001-254; s.10
s. 20	SOR/88-555; s.4	**Sch. IV**	SOR/97-543; s.28
s. 25	SOR/97-543; s.17	**Sch. V**	SOR/97-543; s.29 and 30(F)
s. 26	SOR/2001-254; s.8		

REGULATIONS RESPECTING CONTROLLED PRODUCTS

Short Title

1. These Regulations may be cited as the *Controlled Products Regulations*.

INTERPRETATION / DISCUSSION OF SECTION 1

The *Controlled Products Regulations* (*CPR*) have been established under the authority of section 15 of the (*Hazardous Products Act*) *HPA*. The purpose of these regulations is threefold: to prescribe the form and content of information to be disclosed on material safety data sheets (MSDSs) and labels of controlled products; to prescribe the conditions for exemption from the requirements of sections 13 and 14 of the *HPA* (i.e., the requirements for MSDSs, labels and information disclosure); and third, the regulations to provide the criteria which define the products that fall into the WHMIS classes and divisions of controlled products.

The *CPR* are organized into four parts:

Part I deals with exemptions in relation to MSDSs followed by MSDS form and content specifications (sections 4 to 13);

Part II deals with exemptions in relation to labels followed by label form and content specifications (sections 14 to 22);

Part III deals with general exemptions and specifications for both MSDS and labels (sections 23 to 31); and

Part IV lists the scientific criteria which define controlled products (sections 34 to 66).

Definitions for terms used throughout the *CPR* are found in section 2. Definitions related to classification under WHMIS and, hence, used only in Part IV of the *CPR*, are found in section 32.

Interpretation

2. (1) In these Regulations,

"Act" means the *Hazardous Products Act*; (*Loi*)

"CAS registry number" means the identification number assigned to a chemical substance by the Chemical Abstracts Service Division of the American Chemical Society; (*numéro d'enregistrement CAS*)

"complex mixture" means a mixture that is a combination of many chemicals, has a commonly known generic name and is

(*a*) naturally occurring,

(*b*) a fraction of a naturally-occurring mixture that results from a separation process, or

(*c*) a modification of a naturally-occurring mixture or a modification of a fraction of a naturally-occurring mixture that results from a chemical modification process; (*mélange complexe*)

"hazard information" means information on the proper and safe storage, handling and use of a controlled product and includes information relating to its toxicological properties; (*renseignements sur les dangers*)

"LC_{50}" means the concentration of a substance in air that, when administered by means of inhalation over a specified length of time in an animal assay, is expected to cause the death of 50 per cent of a defined animal population; (CL_{50})

"LD_{50}" means the single dose of a substance that, when administered by a defined route in an animal assay, is expected to cause the death of 50 per cent of a defined animal population; (DL_{50})

"laboratory sample" means, in respect of a controlled product, a sample of the controlled product that is intended solely to be tested in a laboratory but does not include a controlled product that is to be used
(*a*) by the laboratory for testing other products, materials or substances, or
(*b*) for educational or demonstration purposes; (*échantillon pour laboratoire*)

"mixture" means a combination of two or more products, materials or substances that do not undergo a chemical change as a result of interaction between them; (*mélange*) [SOR/97-543; s.

13]

"nurse" means a registered nurse registered or licensed under the laws of a province; (*infirmier ou infirmière*)

"product identification number" means the number and letters, if any, specified in column II of an item of List II in Schedule II to the *Transportation of Dangerous Goods Regulations* that correspond to the product specified in column I of an item of that List; (*numéro d'identification du produit*)

"product identifier" means, in respect of a controlled product, the brand name, code name or code number specified by a supplier or the chemical name, common name, generic name or trade name; (*identificateur du produit*)

"research and development" means systematic investigation or search carried out in a field of science or technology by means of experiment or analysis, other than investigation or search in respect of market research, sales promotion, quality control or routine testing of controlled products, and includes

(*a*) applied research, namely, work undertaken for the advancement of scientific knowledge with a specific practical application in view, and

(*b*) development, namely, use of the results of applied research for the purpose of creating new, or improving existing, processes or controlled products; (*recherche et développement*)

"risk phrase" means, in respect of a controlled product or a class, division or subdivision of controlled products, a statement identifying a hazard that may arise from the nature of the controlled product or the class, division or subdivision of controlled products; (*mention de risque*)

"supplier identifier" means, in respect of a controlled product, the name of the supplier of the controlled product. (*identificateur du fournisseur*)

(2) For the purposes of Part II of the Act,

"bulk shipment" means a shipment of a controlled product that is contained, without intermediate containment or intermediate packaging, in

(*a*) a vessel with a water capacity of more than 454 litres,

(*b*) a freight container, a road vehicle, a railway vehicle, a portable tank, a freight container

carried on a road vehicle, railway vehicle, ship or aircraft, or a portable tank carried on a road vehicle, railway vehicle, ship or aircraft,

(*c*) the hold of a ship, or

(*d*) a pipeline; (*expédition en vrac*)

"hazardous waste" means a controlled product that is intended for disposal or is sold for recycling or recovery; (*résidu dangereux*)

"work place" means a place where a person works for remuneration. (*lieu de travail*)

INTERPRETATION / DISCUSSION OF SECTION 2

bulk shipment: Ingots of controlled products shipped without wrapping (of any sort) are eligible for the label exemptions detailed in section 15 of the *CPR*. This policy was agreed upon to avoid having to provide a separate supplier label for each individual ingot of the same controlled product; {ref.: PIS No. 68}.

product identification number: The "product identification number" must be disclosed, if available, for the product as a whole and not for individual ingredients of the controlled product. (**Note:** PINs have been replaced by "UN Number" in the Clear Language version of the *Transportation of Dangerous Goods Regulations* and it is anticipated that the definition for "product identification number" in the *CPR* will be replaced with "**UN number" has the meaning assigned to that term by the *Transportation of Dangerous Goods Regulations*. (*numéro UN*)**".

risk phrase: For information regarding the "qualifying" of risk phrases, refer to the interpretation of section 25 of the *CPR*.

work place: Farms are considered to fall within the definition of "work place". Therefore, suppliers of controlled products to farms, (which are otherwise not exempt from WHMIS supplier requirements by virtue of section 12 of the *HPA*), must comply with the WHMIS requirements of the *HPA;* {ref.: PIS No. 18}.

Concentration Expressed as a Percentage

3. Where in these Regulations, other than in sections 11 and 36, the concentration of an ingredient is expressed as a percentage, the percentage shall be taken as an expression of the ratio of the weight of the ingredient to the weight of the controlled product.

INTERPRETATION / DISCUSSION OF SECTION 3

This section of the *CPR* establishes that, with the noted exceptions, concentrations expressed throughout the *CPR* are ratios of weight to weight only, i.e., not weight to volume, volume to volume, etc..