



2003 is the Year Changes to the 2001 Consumer Chemicals and Containers Regulation Impact AIA Members!

How time flies...

The new Consumer Chemicals and Containers Regulations (CCCR, or 'Triple C' Regulations) came into force in Canada on October 1, 2001 with the purpose of informing consumers about the hazards of a wide range of products for personal use and for use in the household. These regulations contain new labelling requirements and new packaging requirements for all such consumer products, including a number of automotive aftermarket products.

When the regulations came into effect on October 1, 2001, the authorities provided a two-year transition period to allow manufacturers and importers to meet the requirements and ease the impact in the Canadian marketplace. These new labelling and container requirements for manufacturers and importers come into force on September 30, 2003.

Some common examples of aftermarket products impacted by the change include antifreeze, windshield washer fluids, solvents, parts cleaners, batteries, bleaches, carburetor or fuel injector cleaners, lubricants, adhesives, glues, gasoline additives, aerosol cans, and consumer paints and varnish removers. The regulations also require child-resistant packaging for most hazardous products, and products that are too dangerous to be used safely in the home, are generally prohibited.

Health Canada Product Safety Officers identify non-compliance issues through consumer complaints or surveys of products in the marketplace. The level of violation is based on risk to the public. For example, finding a banned product in a shipment is treated more seriously than minor labelling errors. Enforcement Officers have the authority to recall a product, and have the power of seizure for more serious offences.

Shifting into High Gear

So if you are just getting started, here is a summary of the key steps to take with this process. More details are provided below.

1. Prepare a list of all consumer chemical products, with their ingredients, that you manufacture or import. Prepare a list of all containers used for these products.

2. Determine the hazards arising from the reasonably foreseeable use of the chemical product or container from physical property data, toxicity data, the scientific literature and results of tests conducted on the product. This data may be in your product files, in Material Safety Data Sheets, from tests, or from organizations such as the Canadian Centre for Occupational Health and Safety, CCOHS, <http://www.ccohs.ca>
3. Determine the hazard categories of each chemical product or container on your list, and if applicable, the appropriate subcategories
4. Determine the type of container that is required for each product
5. Determine the information that is required to be displayed on the container
6. Make certain that you keep all records of your determinations under steps 2, 3, 4, and 5, above for a period of at least 3 years after the date of manufacture or importation of chemical product or container.

Health Canada has provided AIA with a document that will assist members to make many of the determinations, it is posted on the AIA website, under Government Relations.

Where does CCCR 2001 fit in?

You are not alone if you are confused over how these new regulations fit in with the other laws that affect safety and your automotive products. So let's start out by clarifying that CCCR is not another part under WHMIS, or TDG regulations. The new CCCR regulations are distinct requirements, so if you have done a lot of work to comply with WHMIS and TDG, that's good. But it does not mean that you are compliant under CCCR. The side bar provides an overview of the main differences between these laws that govern your products. And as you can see, the main focus on CCCR is **on chemicals sold to consumers**.

Overviews of CCCR, WHMIS, and TDG Regulations

Legislation	Short Form	Purpose	Main Requirements
Consumer Chemicals and Containers Regulation	CCCR 2001	To inform <u>consumers</u> about the hazards of chemicals for <u>personal use</u> , and for use in the <u>household</u>	<ol style="list-style-type: none"> 1. Hazardous chemicals must be labeled strictly according to the regulations through the use of hazard symbols and bilingual warning statements 2. Containers of hazardous chemicals must not leak 3. Certain hazardous chemicals packaged in child-resistant containers 4. Standards and performance requirements and mandatory instructions for use of these child-resistant containers
Workplace Hazardous Materials Information System	WHMIS	To inform <u>workers</u> about the hazards of chemicals in the <u>workplace</u>	<ol style="list-style-type: none"> 1. Cautionary labels on containers of controlled products 2. Provide Material Safety Data Sheet (MSDS) for each controlled product 3. A worker education and training program
Transportation of Dangerous Goods	TDG	To promote <u>public safety</u> when dangerous goods are <u>transported</u> in Canada by road, rail, or marine transport.	<ol style="list-style-type: none"> 1. All packages labeled to identify hazards and meet safety and quality standards 2. Labelling requirements in the form of placards for vehicles and transport containers 3. Full documentation to accompany shipments 4. Employee training programs

New Labelling Requirements

Labelling requirements take the form of hazard symbols, warning statements, and first aid treatments that are based upon the formulation of the consumer product, its toxicity, and related physical characteristics such as flammability, acidity, or alkalinity. Data sources of hazard information for your products are specified in Part 6 the regulations. Some information may be available, for example, on the Material Safety Data Sheet for the chemical.

Information Required on the Labels

The technical specifications and presentation of information on the labels is spelled out in Sections 17 to 32 of the regulations. Specific wording for hazard warnings are defined for each new hazard category and potential route of exposure. The wording on the labels must be in both English and French, and the hazard warnings must be well separated from the rest of the information by a border. The layout, instructions, first aid information, label sizes, format, text, placement and size of the information on the container are all defined in the new regulations. The Product Safety Branch of Health Canada does not approve labels.

Container and Packaging requirements

The new CCCR regulations require that the containers of consumer chemical products not leak. These regulations will also require that certain consumer chemical products be packaged in child-resistant containers. Container requirements are covered in Parts 7 to 16. The standards for the performance requirements and mandatory instructions for use of these child-resistant containers are contained in Parts 9-13 of the regulations. Chemical products that are classified as 'toxic', 'corrosive', and 'very corrosive' must be in a child – resistant package. For example, automotive chemical products such as windshield washer fluid and gasoline antifreeze that contain more than 1% methyl alcohol and a total quantity of 5 ml or more, must be in child resistant containers.

Hazard Categories for Consumer Products

Consumer Products in the new CCCR regulation are divided into five new categories according to the types of hazards as shown in the Table below. They have their own unique identification symbols enclosed in a defined border that are intentionally different from WHMIS symbols. The hazard symbols must be an exact reproduction of the applicable symbol in Schedule 2, except with respect to size and colour.



Corrosive



Explosive



Flammable



Toxic

Labelling criteria in the regulations are based on the degree of toxicity with specific levels identified. Several hazard categories are further subdivided into subcategories based upon specific criteria. The wording of the headings and the specific phrases used for the substances in the products indicate the degree of hazard of each sub-category.

For example, radiator antifreeze products that contain 10% or more of the chemical ethylene glycol will fall into the sub-category of Toxic. Section 39 of the regulation specifies the information that must appear on the container in both English and French.

If a chemical product and its container fall into more than one hazard category, its container must display the information that is required for every applicable hazard category.

Table: Summary of Consumer Product Categories

Hazard Category and Symbol*	Labelling Requirements	Subcategory
Category 1. Toxic Products Skull and cross bones inside an octagon border	Based upon the degree of toxicity, with three specific levels specified.	Very Toxic Toxic Harmful
Category 2. Corrosive Products Human hand stripped to bare bones inside octagon border	Based on the degree of hazard with three specific levels identified	Very Corrosive Corrosive Irritant
Category 3. Flammable Products Flame inside an octagon border	Based on the flammability with four specific levels	Very Flammable Flammable Spontaneously Combustible Combustible
Category 4. Quick Skin-Bonding Adhesives No symbol required	Specific warnings are required. -The adhesive must be in a child-resistant container or enclosed in a child-resistant outer package	
Category 5. Pressurized Container Exploding ball in a triangle	Specific warnings required.	

* See <http://gazetteducanada.gc.ca/partII/tempPdf/g2-13517.pdf>

Because there are so many different types of automotive related consumer chemicals and containers, it is likely that many will fall into one or more of the five hazard categories above.

Summary

If you have not started the compliance process, the time has definitely arrived!

1. Depending upon the number of products you manufacture, or import, compliance with consumer chemicals and containers regulations will require a significant level of effort and resources.
2. Once the complete set of information for your labels is assembled, you will need to provide the details to your label and container manufacturer or supplier. The preparation of new labels and the manufacturer of new containers, where necessary, could require significant lead times.
3. Assistance can be obtained from the Product Safety Branch of Health Canada. Phone numbers and email addresses for offices across Canada can be found on the following web site: <http://www.hc-sc.gc.ca/> Follow the links in English or French to http://www.hc-sc.gc.ca/english/media/releases/2001/2001_108ebk1.htm

The Consumer Chemicals and Containers Regulations, 2001 was published in Canada [Gazette, Part II](#) on August 15, 2001.

Consequential amendments to Schedule I of the Hazardous Products Act, the Science Education Sets Regulations, the Food and Drugs Regulations, and the Cosmetics Regulations were also published in this notification.

A copy is available at your public library or to obtain official printed copies of the Canada Gazette, contact bookstores selling government publications or place your order through Public Works and Government Services Canada, Canadian Government Publishing or see <http://gazetteducanada.gc.ca/partII/tempPdf/g2-13517.pdf>.

If you have any compliance concerns with this regulation, please contact Denise Faguy at AIA (519) 763-9660 ext 293 or denise@aiacanada.com.

Ken Hine of Hine & Associates acts as an Environment Consultant for AIA on a number of government relations initiatives, ensuring the interests of aftermarket companies are accurately and effectively represented. He has a number of years of automotive aftermarket experience. Ken Hine can be reached at (905)-883-4295 or khine45@yahoo.ca.