



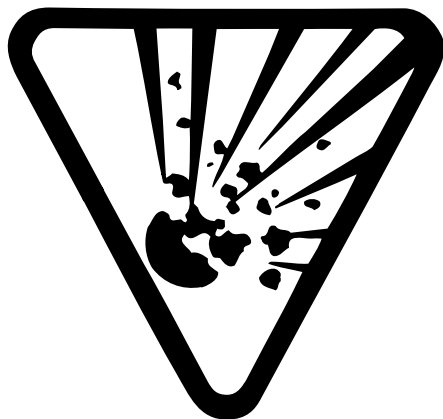
Health
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*Your health and
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*Votre santé et votre
sécurité... notre priorité.*

Reference Manual for the *Consumer Chemicals and Containers Regulations, 2001* of the *Hazardous Products Act*



Canada 

Health Canada is the federal department responsible for helping the people of Canada maintain and improve their health. We assess the safety of drugs and many consumer products, help improve the safety of food, and provide information to Canadians to help them make healthy decisions. We provide health services to First Nations people and to Inuit communities. We work with the provinces to ensure our health care system serves the needs of Canadians.

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For further information or to obtain additional copies, please contact:

Publications

Health Canada

Ottawa, Ontario K1A 0K9

Tel.: 613-954-5995

Fax: 613-941-5366

E-Mail: info@hc-sc.gc.ca


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 Health Canada Santé Canada	Reference Manual <i>Consumer Chemicals and Containers Regulations, 2001</i>	Page intro - 1	Manual updated: 2006/11/16
CCCR, 2001 - INTRODUCTION			


Reference Manual

for the

Consumer Chemicals and Containers Regulations, 2001

of the

Hazardous Products Act

 Health Canada Santé Canada	Reference Manual <i>Consumer Chemicals and Containers Regulations, 2001</i>	Page intro - 2	Manual updated: 2006/11/16
CCCR, 2001 - INTRODUCTION			

Using the Health Canada Reference Manual

for the


Consumer Chemicals and Containers Regulations, 2001

Requirements of the

Hazardous Products Act

This manual is issued primarily to provide assistance to those who are concerned with the administration and enforcement of the federal requirements of Canada's *Consumer Chemicals and Containers Regulations, 2001* (CCCR, 2001) established under the *Hazardous Products Act*. The manual is intended to ensure a common understanding and approach in the administration of the Act and Regulations across Canada. It does not provide any legal advice regarding the CCCR, 2001. Appropriate legal advice is required by all the parties in the administration and enforcement of the CCCR, 2001.

The utility of the reference manual will be enhanced by referring to the index.

 Health Canada Santé Canada	Reference Manual <i>Consumer Chemicals and Containers Regulations, 2001</i>	Page intro - 3	Manual updated: 2006/11/16
CCCR, 2001 - INTRODUCTION			

Introduction

The *Consumer Chemicals and Containers Regulations, 2001* (CCCR, 2001) establish classification criteria, labelling and packaging requirements for chemical products used by consumers. The classification criteria are based on a scientific assessment of the hazards that a product may pose during foreseeable use. Labelling and packaging requirements are determined from the product classification. The labelling takes the form of hazard symbols, warning statements, safety instructions and first aid statements. In some cases, child-resistant packaging is also required. This approach gives Canadian consumers better health and safety information about the chemical products available to them.

Topics

Introduction
 Excluded Products
 Prohibitions
 Additional Information
 Transition Between Regulations
 Consensus Process

Excluded Products:

The following types of products are not subject to these requirements, since they are governed by other Canadian legislation: chemical products used exclusively in the workplace, cosmetics, drugs, explosives, foods, medical devices, nuclear substances, pest control products and tobacco products.


Prohibitions:

Very hazardous products are prohibited from importation and sale. The prohibition generally applies to products classified as very toxic, very corrosive or very flammable. However, there are a few exceptions, for example, very flammable fuels such as gasoline.

The granting of an exception from prohibition involves a regulatory amendment to the CCCR, 2001 in accordance with the Canadian Federal Regulatory Process. A submission to Health Canada to request an exception from prohibition must clearly show the following:

- no other less hazardous alternative exists and is readily available or technically feasible;
- the benefits of the product outweigh the high degree of hazard to the user; and
- any other information which supports the request to allow a very hazardous product into the hands of the general public.

Health Canada will exercise its discretionary authority regarding the request and may make its permission subject to restrictions on the packaging, labelling or conditions of sale. Once the Regulations have been amended, the exception would apply to all products meeting the amendment conditions.

 Health Canada Santé Canada	Reference Manual <i>Consumer Chemicals and Containers Regulations, 2001</i>	Page intro - 4	Manual updated: 2006/11/16
CCCR, 2001 - INTRODUCTION			

Additional Information:

The established criteria, labelling and packaging requirements are intended to provide a guide to manufacturers and importers as to the minimum information that the Canadian government believes is required for consumer safety. No set of rules can cover every situation. Manufacturers and importers are responsible in product liability law for properly assessing the risks of each product and formulation that they sell. Any chemical product used by consumers should be appropriately labelled, whether or not the Regulations call for the specific wording. These Regulations contain minimum requirements. Manufacturers and importers can add, and are encouraged to add, further information that they consider necessary to fully inform their customers of the hazards of using their products.

Transition Between Regulations:


The CCCR, 2001 came into effect on October 1, 2001, with a transition period for existing consumer chemical products and containers that comply with the previous *Consumer Chemicals and Containers Regulations* (CCCR). There is a two-year transition period for upper-level suppliers of consumer chemical products and containers, with an additional one- or two-year transition period at retail, depending on the hazard posed by the product.

The transition period applies to consumer chemical products and containers that were being produced, sold or imported prior to October 1, 2001. A product must have reached the stage of production at which the plating-up of its label was completed and the plated-up label complied with the CCCR. Manufacturers, distributors and importers have until September 30, 2003 to meet the requirements of the CCCR, 2001. During the two-year transition period, products that comply with either the CCCR or the CCCR, 2001 are legal. After October 1, 2003, all consumer chemical products and containers must be in full compliance with the CCCR, 2001 when they are imported or sold above the retail level of trade.

Retailers have an additional transition period, to allow for old stock to be depleted. Products that were entitled to the manufacturer's transition period may continue to be sold at retail until September 30, 2005 if they are classified solely in the categories "harmful", "irritant", "combustible" or "pressurized container". Products classified under any other category must be sold by September 30, 2004.

The transition period does not apply in the following circumstances:

- the product was not produced, sold or imported into Canada prior to October 1, 2001;
- the product was produced before October 1, 2001, but it did not comply with the CCCR; or
- the product was produced before October 1, 2001 in compliance with the CCCR, but there has been a subsequent change to the product's formulation, labelling or packaging.

 Health Canada Santé Canada	Reference Manual <i>Consumer Chemicals and Containers Regulations, 2001</i>	Page intro - 5	Manual updated: 2006/11/16
CCCR, 2001 - INTRODUCTION			

Consensus Process:

The review of the CCCR was conducted over a number of years, with the active collaboration of interested stakeholders, including the medical profession and public health organizations, the chemical industry, senior- and consumer-groups, academia, technical experts and various federal government departments. All interested stakeholders were represented on a Steering Committee and on one or more of four technical working groups that developed recommendations for improving the legislation. The recommendations were accompanied by the rationale that scientifically supported the proposals. This approach meant that all groups participated in shaping the results, and that Health Canada foresees co-operation in implementing the resulting Regulations.


 Health Canada Santé Canada	Reference Manual <i>Consumer Chemicals and Containers Regulations, 2001</i>	Page TOC-1	Manual updated: 2007/06/25
CCCR, 2001 - Table of Contents			

Table of Contents

CONSUMER CHEMICALS AND CONTAINERS REGULATIONS, 2001

[NOTE: also see INDEX at end of manual]

Interpretation

1. (1) [Definitions](#)
- (2) [Table of standards and tests](#)
- (3) [Interpretation of “should”](#)
- (4) [Units of measure](#)
- (5) [Concentration](#)
- [Discussion of CCCR, 2001 Section 1](#)

General Provisions

2. (1) [Authorized advertising, sale and importation](#)
- (2) [Exceptions](#)
[Discussion of CCCR, 2001 Section 2 \(updated\)](#)
3. (1) [Exceptions – importation to bring into compliance or to export](#)
- (2) [Credible evidence](#)
- (3) [Subsection 29\(2\) of the Act applies](#)
[Discussion of CCCR, 2001 Section 3](#)


Requirements

Hazard Category, Container and Information

4. (1) [Determination by person responsible](#)
- (2) [Multiple hazard categories](#)
- (3) [Multiple sub-categories](#)
- (4) [Multiple sub-categories - flammable products](#)
- (5) [Multiple routes of exposure](#)
5. [Record keeping and provision](#)
[Discussion of CCCR, 2001 Sections 4 and 5](#)

Data Sources

6. (1) [Precedence of data sources](#)
- (2) [Differing data sources](#)
[Discussion of CCCR, 2001 Section 6](#)

 Health Canada Santé Canada	Reference Manual <i>Consumer Chemicals and Containers Regulations, 2001</i>	Page TOC-2	Manual updated: 2007/06/25
CCCR, 2001 - Table of Contents			

Containers

7. [Leakage test](#)
8. [Single-use containers](#)
[Discussion of CCCR, 2001 Sections 7 and 8](#)

Child-resistant Containers

9. [Applicable standard](#)
[Discussion of CCCR, 2001 Section 9 \(updated\)](#)
10. (1) [Maintain characteristics](#)
(2) [Evaluation](#)
[Discussion of CCCR, 2001 Section 10](#)
11. (1) [Directions to open and close](#)
(2) [Exception](#)
[Discussion of CCCR, 2001 Section 11](#)
12. (1) [Record keeping](#)
(2) [Provision of information to inspector](#)
[Discussion of CCCR, 2001 Section 12](#)
13. [Child-resistant, single-use containers](#)
14. [Exception - large container](#)
[Discussion of CCCR, 2001 Sections 13 and 14 \(updated\)](#)

Required Information


15. (1) [Containers and packaging](#)
(2) [Additional information](#)
16. (1) [Exemption – packaging](#)
(2) [Exemption - packaging not customarily displayed](#)
[Discussion of CCCR, 2001 Sections 15 and 16](#)

Presentation of Information - Technical Specifications

17. [Languages, legibility and durability](#)
18. [Colour contrast](#)
19. (1) [Print - general rules](#)
(2) [Measurement of height of type](#)
20. [Print - upper-case letters](#)
21. [Hazard symbol - reproduction](#)
[Discussion of CCCR, 2001 Sections 17 to 21 \(updated\)](#)
22. [Hazard symbol - minimum diameter](#)
23. [Signal word - height](#)
24. (1) [Other information - height and body size](#)
(2) [First aid statement - height and body size](#)
(3) [Exception - quick skin-bonding adhesive](#)
[Discussion of CCCR, 2001 Sections 22 to 24 \(updated\)](#)

Location and Order - General Rule

25. (1) [Location and order](#)
(2) [Exemption - small container](#)
[Discussion of CCCR, 2001 Section 25](#)

 Health Canada Santé Canada	Reference Manual <i>Consumer Chemicals and Containers Regulations, 2001</i>	Page TOC-3	Manual updated: 2007/06/25
CCCR, 2001 - Table of Contents			

Location on Main Display Panel

26. (1) [Location of hazard symbol, signal word, and primary hazard statement](#)
- (2) [Base of collapsible tube](#)
- (3) [Exception - short, wide containers](#)
27. [Multiple hazard symbols](#)
28. [Precedence among signal words](#)
[Discussion of CCCR, 2001 Sections 26 to 28 \(updated\)](#)

Location of Other Hazard information

29. [Location of specific hazard statement, instructions and first aid statement](#)
30. [Border](#)
31. [First aid statement - order of information](#)
32. [Hazardous ingredients](#)
[Discussion of CCCR, 2001 Sections 29 to 32](#)

PART 1: TOXIC PRODUCTS

Classification of Toxic Products

33. [Data sources](#)
34. (1) [Sub-categories - substance of special concern](#)
- (2) [Sub-categories - oral exposure](#)
- (3) [Sub-categories - dermal exposure](#)
- (4) [Sub-categories - inhalation exposure](#)
- (5) [Sub-category - aspiration hazard](#)
[Discussion of CCCR, 2001 Sections 33 and 34 \(updated\)](#)

Determination of Toxicity


35. (1) [Data sources](#)
- (2) [Differing data sources](#)
- (3) [Mixture that separates](#)
- (4) [Definition of "mixture that separates"](#)
36. (1) [Additivity formulas - LD₅₀ or LC₅₀ of mixtures](#)
- (2) [Complex mixture](#)
- (3) [When LD₅₀ or LC₅₀ of ingredient is not known but can be estimated](#)
- (4) [When LD₅₀ or LC₅₀ of ingredient is not known and cannot be estimated](#)
37. [Conversion to a 4-hour LC₅₀](#)
[Discussion of CCCR, 2001 Sections 35 to 37 \(updated\)](#)

Very Toxic Products

38. [Prohibition](#)
[Discussion of CCCR, 2001 Section 38](#)

Required Information

39. (1) [Required information - sub-category "toxic"](#)
- (2) [Required information -sub-category "harmful"](#)
- (3) [Exception - fuels](#)
[Discussion of CCCR, 2001 Section 39](#)

 Health Canada Santé Canada	Reference Manual <i>Consumer Chemicals and Containers Regulations, 2001</i>	Page TOC-4	Manual updated: 2007/06/25
CCCR, 2001 - Table of Contents			

Child-resistant Containers

40. (1) [Sub-category “toxic”](#)
(2) [Exceptions - spray container and single-drop dispenser](#)
[Discussion of CCCR, 2001 Section 40](#)

PART 2: CORROSIVE PRODUCTS

Classification of Corrosive Products

41. (1) [Data sources](#)
(2) [Classification using human experience data](#)
42. (1) [Sub-categories - substance of special concern](#)
(2) [Sub-categories - one or more acids](#)
(3) [Sub-categories - one or more bases](#)
(4) [Sub-categories - substances causing necrosis or ulceration](#)
(5) [Sub-category - substances causing other effects](#)
[Discussion of CCCR, 2001 Sections 41 and 42](#)

Test Methods

43. (1) [Determination - necrosis and ulceration](#)
(2) [Determination - other effects](#)
44. (1) [Determination of the pH](#)
(2) [Determination of acid reserve or alkali reserve](#)
(3) [Unstable end-point](#)
[Discussion of CCCR, 2001 Sections 43 and 44](#)

Very Corrosive Products

45. [Prohibition and exception](#)
[Discussion of CCCR, 2001 Section 45](#)

Required Information

46. (1) [Required information - sub-category “very corrosive”](#)
(2) [Required information - sub-category “corrosive”](#)
(3) [Required information - sub-category “irritant”](#)
(4) [Exception - another primary hazard statement](#)
[Discussion of CCCR, 2001 Section 46](#)


Child-resistant Containers

47. [Sub-categories “very corrosive” and “corrosive”](#)
[Discussion of CCCR, 2001 Section 47](#)

PART 3: FLAMMABLE PRODUCTS

Classification of Flammable Products

48. (1) [Data sources and tests](#)
(2) [Exemption](#)
49. (1) [Sub-categories of hazard category “Category 3, flammable products”](#)

 Health Canada Santé Canada	Reference Manual <i>Consumer Chemicals and Containers Regulations, 2001</i>	Page TOC-5	Manual updated: 2007/06/25
CCCR, 2001 - Table of Contents			

(2) [Flammable liquid in a refillable spray container](#)
[Discussion of CCCR, 2001 Sections 48 and 49](#)

Test Methods

- 50. [Flash point - liquids](#)
- 51. [Flash point - solids, pastes and gels](#)
- 52. [Flame projection and flashback – spray container](#)
[Discussion of CCCR, 2001 Sections 50 to 52 \(updated\)](#)

Very Flammable Products

- 53. [Prohibition and exceptions](#)
[Discussion of CCCR, 2001 Section 53](#)

Required Information

- 54. (1) [Required information - sub-category “very flammable”](#)
- (2) [Required Information - sub-category “flammable”](#)
- (3) [Required Information - sub-category “spontaneously combustible”](#)
- (4) [Required information - sub-category “combustible”](#)
[Discussion of CCCR, 2001 Section 54](#)

PART 4: QUICK SKIN-BONDING ADHESIVES

- 55. [Required instructions and first aid statement](#)
- 56. (1) [Required information](#)
- (2) [Exception - main display panel less than 35 cm²](#)
[Discussion of CCCR, 2001 Sections 55 and 56](#)
- 57. (1) [Child-resistant container](#)
- (2) [Exception - child-resistant packaging](#)
[Discussion of CCCR, 2001 Section 57](#)

PART 5: PRESSURIZED CONTAINERS


- 58. (1) [Application](#)
- (2) [Exceptions](#)
[Discussion of CCCR, 2001 Section 58](#)
- 59. [Required information](#)
[Discussion of CCCR, 2001 Section 59](#)

Transitional Provision

- 60. (1) [Transition period - excluding a retailer](#)
- (2) [Transition period - retailer](#)
- (3) [Definition of “producing”](#)

Repeal

- 61. [Repeal - Consumer Chemicals and Containers Regulations](#)

 Health Canada Santé Canada	Reference Manual <i>Consumer Chemicals and Containers Regulations, 2001</i>	Page TOC-6	Manual updated: 2007/06/25
CCCR, 2001 - Table of Contents			

Coming Into Force

62. [Coming into force](#)
[Discussion of CCCR, 2001 Sections 60 to 62](#)

Schedules

[SCHEDULE 1: TEST FOR DETERMINING THE FLASHBACK AND THE LENGTH OF THE FLAME PROJECTION OF A FLAMMABLE PRODUCT ENCLOSED IN A SPRAY CONTAINER](#)

[SCHEDULE 2: HAZARD SYMBOLS](#)

[SCHEDULE 3: TEST METHOD FOR DETERMINING WHETHER A CONTAINER LEAKS](#)
[Discussion of CCCR, 2001 Schedule 3](#)

[SCHEDULE 4: ILLUSTRATION – STANDARD SANS SERIF TYPE](#)

Index