

PRODUCT SAFETY

A QUICK REFERENCE* FOR VENDORS

Background

Health Canada, Consumer Product Safety is responsible for products intended for use by consumers. The mandate of Consumer Product Safety is to regulate and monitor compliance of the advertisement, sale and importation of hazardous or possibly hazardous consumer products, and to provide consumers with safety information.

Legislation

The *Canada Consumer Product Safety Act* (“**CCPSA**”) and *Food and Drugs Act* (“**FDA**”) are federal laws that currently prohibit or restrict some consumer goods from being sold, offered for sale or given away to consumers in Canada. Vendors should consult the official acts and regulations for legal interpretations.

Given that exhibition and fair vendors typically sell a limited number of products and, in some cases, only a single product for the entire length of the exhibition, it is extremely important that any issues with compliance be resolved prior the start of the event. Failure to meet Canadian regulatory requirements may result in the removal or seizure of non-compliant products, as well as other enforcement actions.

It is important to remember that there are specific regulations in place to protect Canadian consumers from product hazards and that these regulations typically differ from regulations that are in place in other countries such as the United States or Europe. Products that are acceptable for sale in other countries may not be acceptable for sale in Canada.

In the past, the majority of product compliance issues that have been observed were a result of the failure of an exhibitor to research and understand the specific Canadian requirements for their product prior to importation and sale. The simple belief or declaration by a vendor that a product is not hazardous for use does not make it so. The determination of a hazard and the responsibilities of a vendor are defined by the regulations. As such, it is recommended that exhibitors contact Health Canada if there are questions about the regulatory status of their products in Canada.

* This document is designed solely as a guide to assist vendors. It is not comprehensive and is not a legal document. Vendors should consult the official acts and regulations for legal interpretations.

Exhibition Product Issues

Several product specific compliance violations were observed during previous exhibitions. These violations include, but are not limited to the following.

- Chemicals and chemical products that have not been assessed for hazards prior to sale as required by the *Consumer Chemicals and Containers Regulations, 2001* (“**CCCR**”)
- Chemicals and chemical products that are deemed hazardous under the **CCCR**, but do not display the proper labelling information, specifically hazard symbols and warnings.
- Chemicals and chemical products that display USA or EU hazard symbols and/or warnings that do not meet the Canadian standards under the **CCCR**
- Chemicals and chemical products, including quick skin-bonding adhesives, that are sold without a child resistant container when required by the **CCCR**
- Toys that are intended for use by a child under the age of three and that contain separable small parts that do not meet the requirements of the *Toys Regulations*
- Cosmetic products that have not been registered with Health Canada through the cosmetics notification system as required under the *Cosmetics Regulations*.
- Cosmetic products that do not meet Canadian labelling requirements. These requirements include, but are not limited to:
 - Product identity, in both English and French
 - Net quantity
 - Name and address of manufacturer
 - Avoidable hazards and cautions, in both English and French
 - Ingredients listed according to the INCI system and as required by the regulations
- Cosmetic products that make therapeutic claims or that claim to treat a physical condition. These include products that claim to treat or cure acne, rosacea, wrinkles, eczema, dandruff, dark skin spots, circulatory conditions, fatigue, pain or that claim to act on the body in any way at the cellular level.
- Cosmetic products with SPF or sun protective claims or that claim to kill germs or pathogens, unless registered as a drug or natural health product.
- Cigarette and utility lighters that have not been tested and approved for use in Canada or that do not meet the Canadian packaging and labelling requirements.
- Jewellery that is primarily intended for use by children under the age of 15 and that contains unacceptable levels of lead.
- Children’s sleepwear and robes that do not meet Canadian flammability standards.
- Childcare articles, including cribs, cradles, bassinets, playpens, car seats or strollers that do not meet Canadian safety requirements.

Contact Information

If you are planning to sell a regulated product at an exhibition or fair in British Columbia, you must review the regulatory requirements for that product. Specific questions related to the Canadian regulations or to your products should be directed to:

Health Canada
Consumer Product Safety, BC Region
Phone: 604-666-5003
E-mail: bby.prodsafe@hc-sc.gc.ca