

SAFEGUARDS

CONSUMER GOODS AND RETAIL

CONSUMER PRODUCTS

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CANADA CONTROLS PRODUCTS CONTAINING MERCURY

In late 2014, Canada implemented measures to regulate mercury in consumer products. The new law provides certain exemptions for specific products. The enforcement date is dependent on the nature of the product and will start on 7 November 2015.

In March¹ and October² 2013, we informed you about initiatives by China and the European Union to restrict mercury in electrical and electronic products.

In November 2014, the Canadian Government published the '**Products Containing Mercury Regulations**' (SOR/2014-254) in the Canada Gazette to reduce mercury content in consumer products³.

The new law places a general ban on mercury in products and also:

1. Provides a list of essentially electrical and electronic components; many of which have specific threshold limits and some with specific expiry dates. Details on product categories, maximum concentrations of mercury and expiry dates can be found under 'SCHEDULE' in the Regulation.
2. Provides a list of specific exemptions including:
 - Surface coating materials under Surface Coating Materials Regulations or a surface coating material on toys under Toys Regulations
 - Button cell batteries incorporated into medical devices and intended to remain in the body for at least 30 consecutive days (1 January 2016 until 31 December 2019 inclusive)
3. Mandates the use of IEC 62321-4:2013 'Determination of Certain Substances in Electrotechnical Products – Part 4: Mercury in Polymers, Metals and Electronics by CV-AAS, CV-AFS, ICP-OES and ICP-MS as amended from time to time for electrotechnical products.
4. Requires a product containing mercury to submit an application for a permit. The application is obliged to contain details of applicant and product as well as evidence to demonstrate that there is no alternative. The permit is valid for three years and is renewable.
5. Requires labelling for products containing mercury (essentially electrical and electronic components in point 1 above). The label is to be stamped or labelled with certain information in both English and French, including:



¹ [SGS-SafeGuards 046/13](#)

² [SGS-SafeGuardS 194/13](#)

³ [Products Containing Mercury Regulations \(SOR/2014-254\)](#)

- 'Contains mercury / Contient du mercure'
- Safe handling procedures and measures to be taken for accidental breakages
- Options available for disposal and recycling of product
- 6. Requires certain products or components in point 1 above to have the Hg symbol (mercury symbol) on the product or on an external surface of the product.

The enforcement of the new law is dependent on the nature of the product and will start on 7 November 2015 (one year after Registration in the Canada Gazette). Highlights of the new law are summarised in Table 1.

TABLE 1.

PRODUCTS CONTAINING MERCURY REGULATIONS (SOR 2014-254)				
SUBSTANCE	SCOPE	REQUIREMENT (HOMOGENEOUS MATERIAL)	METHOD	ENFORCEMENT DATE
Mercury	Consumer products	≤ 1000 mg/kg (0.1%)	IEC 62321-4:2013 for electrotechnical products	7 November 2015
	Battery other than button cell battery	≤ 5 mg/kg (0.0005%)		
	Button cell battery	≤ 5 mg/kg (0.0005%)		1 January 2016

Throughout our global network of laboratories, we are able to provide a range of services, including analytical testing and consultancy, for mercury and other restricted substances in consumer products for Canada and international markets. Please do not hesitate to contact us for further information.



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