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September 27, 2016  
Vietnam Buyers Training



# ***THE CANADA CONSUMER PRODUCT SAFETY ACT (CCPSA): WHAT YOU NEED TO KNOW***

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Canada The wordmark for Canada, with a small red maple leaf icon above the letter 'a'.





# Purpose

The purpose of this presentation is to provide an overview of:

- The Canada Consumer Product Safety Act (CCPSA)
- Industry's responsibilities under the CCPSA





# KEY LEGISLATION

## ***Canada Consumer Product Safety Act (CCPSA)***

- Addresses **dangers to human health or safety** that are posed by consumer products in Canada
  - “General Prohibition” against the supply of consumer products that pose a danger to human health or safety
  - “Danger to human health or safety” means
    - any unreasonable hazard — existing or potential — that is posed by a consumer product during or as a result of its normal or foreseeable use and
    - may reasonably be expected to cause the death of an individual exposed to it or have an adverse effect on that individual’s health (e.g injury)
  - 35 regulations under the CCPSA
  - No premarket certification requirements under CCPSA
- 



# AUTHORITIES

- Inspect locations where regulated activities, such as manufacturing, import and sale take place
- Seize product, documents or materials
- Order suppliers to:
  - conduct tests or studies on a product to verify compliance;
  - stop manufacturing, importation, sale, etc. of a product; and/or
  - carry out recalls and to take other corrective actions.
- Apply Administrative Monetary Penalties or Prosecute criminal offences
- Disclose personal or business information necessary to identify or address a serious danger to human health or safety



# SUPPLIER RESPONSIBILITIES

- Onus is on suppliers to ensure products they bring to market comply with the Act and its regulations.
- CCPSA establishes responsibilities for manufacturers, importers, advertisers, and retailers of consumer products, including:
  - Mandatory Incident Reporting
  - Record-keeping to allow traceability of products within the distribution chain



# Prohibitions

- Prohibited from supplying products that:
  - are a danger to human health or safety
  - do not comply with the applicable Regulations
  - are listed in Schedule 2 of the Act (e.g. baby walkers, lawn darts)
  - have been recalled
  - require corrective measures
  - are packaged or labelled with misleading claims (health-related)
- Obstructing, hindering or making a false or misleading statement to an inspector is also prohibited.
- Contravening any of these prohibitions is an offence under the Act subject to criminal prosecution.



# Mandatory Reporting

- Industry **MUST** report to Health Canada after a health or safety **incident** involving its consumer product occurs. (s.14 CCPSA)
- Industry must also notify the person from whom they received the product (where applicable).
- Timelines for reporting an incident.
  - A company must report to Health Canada and the company from whom they received the product within 2 days after the day they became AWARE [Section 14(2)].
  - Manufacturers and importers have an additional reporting obligation to provide an additional follow-up report to Health Canada within 10 days after the day upon which they became AWARE with any further information they may have including proposed corrective measures if necessary [Section 14(3)].



# Record-Keeping

- Anyone who manufactures, imports, advertises, sells or tests a consumer product for commercial purposes must prepare and maintain certain records. (s.13 CCPSA)
  - **Retailers (only)** are required to prepare and maintain documents that indicate the name and address of the person from whom they obtained the product, the location where they sold the product and the period during which they sold the product.
  - **Anyone else** who manufactures, imports, advertises, sells or tests a consumer product **is required to prepare and maintain documents** that indicate the name and address of the person from whom they obtained the product or the person to whom they sold it, or both.
- The intent of these requirements is to ensure that consumer products are able to be traced throughout the supply chain at all times for the purposes of reporting and recalls.



# Key Differences



- **General Prohibition**
  - In Canada, the “General Prohibition” applies to any consumer product posing a danger to human health or safety.
- **Testing**
  - Unlike the U.S., Canada does not require third party testing/certification



# Resources

## Complete copy of the CCPSA and its 35 Regulations

- <http://laws-lois.justice.gc.ca/eng/acts/C-1.68/index.html>

## CCPSA Quick Reference Guide

- [http://www.hc-sc.gc.ca/cps-spc/pubs/indust/ccpsa\\_ref-lcspc/index-eng.php](http://www.hc-sc.gc.ca/cps-spc/pubs/indust/ccpsa_ref-lcspc/index-eng.php)

## Other Industry Guides

- [www.hc-sc.gc.ca/cps-spc/pubs/indust/index-eng.php](http://www.hc-sc.gc.ca/cps-spc/pubs/indust/index-eng.php)

## Report a product

- [www.healthcanada.gc.ca/reportaproduct](http://www.healthcanada.gc.ca/reportaproduct)

## Join our newsletter

- <http://www.hc-sc.gc.ca/cps-spc/legislation/acts-lois/ccpsa-lcspc/subscribe-abonnement/index-eng.php>



# Thank You

**Canada**<sup>🇨🇦</sup>  
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<http://www.hc-sc.gc.ca/cps-spc/index-eng.php>