CONCENTRATION OF PHOSPHORUS IN CERTAIN CLEANING PRODUCTS REGULATIONS [FEDERAL]

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NON-APPLICATION OF SECTION 117 OF THE CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999
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  2. Prescribed nutrients

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HOUSEHOLD DISH-WASHING COMPOUNDS
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NON-APPLICATION OF SECTION 117 OF THE CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Section 117 of the Canadian Environmental Protection Act, 1999 does not apply to a cleaning product that is in transit through Canada, from a place outside Canada to another place outside Canada.

SOR/2019-90, s. 1.
PRESCRIBED NUTRIENTS

Prescribed nutrients

2. For the purpose of paragraph 118(1)(a) of the Canadian Environmental Protection Act, 1999, phosphorus and its compounds are nutrients.

SOR/2000-106.
LAUNDRY DETERGENTS

(Sub) The concentration of phosphorus...
Jul 01/10

3. The concentration of phosphorus in any household laundry detergent must not exceed 1.1% by weight expressed as phosphorus pentoxide or 0.5% by weight expressed as elemental phosphorus.

SOR/2009-178, s. 3

(Add) The concentration of phosphorus...
Jul 01/10

4. The concentration of phosphorus in any commercial or industrial laundry detergent must not exceed 5% by weight expressed as phosphorus pentoxide or 2.2% by weight expressed as elemental phosphorus.
5. The concentration of phosphorus in any household dish-washing compound must not exceed 1.1% by weight expressed as phosphorus pentoxide or 0.5% by weight expressed as elemental phosphorus.

SOR/2009-178, s. 3
6. The concentration of phosphorus in any household cleaner, other than a laundry detergent, dish-washing compound, metal cleaner or de-greasing compound, must not exceed 1.1% by weight expressed as phosphorus pentoxide or 0.5% by weight expressed as elemental phosphorus.

SOR/2009-178, s. 3.
7. Any analysis performed to determine the concentration of phosphorus for the purposes of these Regulations must be performed by a laboratory that meets the following conditions at the time of the analysis:
   (a) it is accredited
      (i) under the International Organization for Standardization standard ISO/IEC 17025, entitled *General requirements for the competence of testing and calibration laboratories*, by an accrediting body that is a signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Arrangement, or
      (ii) under the *Environment Quality Act*, CQLR, c. Q-2; and
   (b) the scope of its accreditation includes the analysis performed to determine the concentration of phosphorus.

SOR/2009-178, s. 3; SOR/2019-90, s. 2.
RECORD KEEPING

(ADD) Every person...

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8.  (1) Every person who, during any year, manufactures for use or sale in Canada or imports any laundry detergent, household dish-washing compound or household cleaner within the meaning of section 6 containing phosphorus must maintain records containing the following:

(a) respecting the manufacture for use or sale
   (i) the brand name of each laundry detergent, household dish-washing compound or household cleaner containing phosphorus,
   (ii) the name and civic address of the principal place of business of the manufacturer,
   (iii) the quantity of each of the cleaning products shipped from each manufacturing plant; and
   (iv) the name and civic address of the recipient of each cleaning product that was shipped or sold;

(b) respecting the import
   (i) the brand name of each laundry detergent, household dish-washing compound or household cleaner containing phosphorus,
   (ii) the name and civic address of the principal place of business of the importer,
   (iii) the port of entry where each cleaning product is imported,
   (iv) the name and civic address of the sender of each cleaning product,
   (v) the date of import,
   (vi) the Harmonized Commodity Description and Coding System number for the cleaning product that is imported, and
   (vii) the importer number for the shipment of the cleaning product that is imported.

(2) The records must be kept for a period of five years after the day on which the records are made, at the person's principal place of business in Canada or at any other place in Canada where they can be inspected. If the records are kept at any place other than the person's principal place of business, the person must provide the Minister with the civic address of the place where they are kept.

SOR/2009-178, s. 3.