



5 January 2023

(23-0158)

Page: 1/2

Committee on Technical Barriers to Trade

Original: English/French

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1. Notifying Member: <u>CANADA</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2. Agency responsible: Environment and Climate Change Canada Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: Canada's Notification Authority and Enquiry Point Technical Barriers and Regulations Division Global Affairs Canada 111, promenade Sussex Drive Ottawa, Ontario, K1A 0G2 Canada Tel: (343) 203-4273 Fax: 613-943-0346 E-mail: enquiry@international.gc.ca
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], 3.2 [], 7.2 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Mercury-containing products, including but not limited to the following: Lamps, Batteries, Dental Amalgam, Thermostats, Switches and relays, Thermometers, Other Measuring Devices, Tire Balancers (ICS: 11.060, 17.020, 17.200, 29.120, 29.140, 29.220, 43.040)
5. Title, number of pages and language(s) of the notified document: Proposed <i>Regulations amending the Products Containing Mercury Regulations</i> ; (49 page(s), in English), (49 page(s), in French)
6. Description of content: The proposed <i>Regulations amending the Products Containing Mercury Regulations</i> (the proposed Amendments) would make changes to the <i>Products Containing Mercury Regulations</i> (the Regulations) to align with the requirements under the Minamata Convention on Mercury. The Regulations, which came into force in 2015, prohibit the manufacture, import and sale of products containing mercury, with some exemptions for essential products which have no viable alternatives (for example lamps, certain health, safety and research applications and dental amalgam). The proposed Amendments would: <ul style="list-style-type: none">• Lower the allowable mercury content limits of three lamp products that are exempt from the general mercury prohibition, including straight fluorescent lamps for general lighting purposes, cold cathode fluorescent lamps, and external electrode fluorescent lamps;

<ul style="list-style-type: none"> • Add prohibition dates for certain mercury-containing products and for replacement lamps after a transitional period; • Remove other exemptions for products no longer in use in Canada and products whose exemption period has expired. <p>Other amendments to the Regulations are proposed to clarify some provisions of the regulatory text, such as those related to labelling, testing, reporting, and recordkeeping.</p>
<p>7. Objective and rationale, including the nature of urgent problems where applicable: Protection of the environment and human health</p>
<p>8. Relevant documents:</p> <p><i>Canada Gazette</i>, Part I, December 24, 2022, pages 6175-6223, https://gazette.gc.ca/rp-pr/p1/2022/2022-12-24/pdf/q1-15652.pdf (available in English and French)</p> <p><i>Products Containing Mercury Regulations</i> : https://laws-lois.justice.gc.ca/eng/regulations/SOR-2014-254/FullText.html</p> <p><i>Canadian Environmental Protection Act, 1999</i>, sub-section 93(1): https://laws-lois.justice.gc.ca/eng/acts/C-15.31/</p>
<p>9. Proposed date of adoption: Normally within 18 months of publication in the <i>Canada Gazette</i>, Part I.</p> <p>Proposed date of entry into force: The proposed Amendments would come into force 3 months after the date of registration. However, the proposed Amendments would provide for a three-year transition period during which industry would be allowed to adjust to the new requirements.</p>
<p>10. Final date for comments: 75 days from publication in <i>Canada Gazette</i>, Part I – 9 March 2023</p>
<p>11. Texts available from: National enquiry point [X] or address, telephone and fax numbers and email and website addresses, if available, of other body:</p> <p>The electronic version of the regulatory text can be found at: https://www.gazette.gc.ca/rp-pr/p1/2022/2022-12-24/html/reg1-eng.html (English) https://www.gazette.gc.ca/rp-pr/p1/2022/2022-12-24/html/reg1-fra.html (French)</p>