



Canada Seeking Comments on Proposed Regulation Amending Surface Coating Materials Regulations

Health Canada is proposing the *Regulations Amending Certain Regulations Made under the Canada Consumer Product Safety Act (Surface Coating Materials)* to modify the *Surface Coating Materials Regulations*. The changes would provide clarification, greater consistency across regulations, reduced exposure to the regulated elements, as well as reduced industry compliance burden.

Canada expects that most products on the Canadian market already comply with the proposed amendments. The proposal would benefit industry by improving aligning with the US regulations, thereby, reducing regulatory testing.

Key changes include:

- Expands the meaning of a surface coating to include surface coating materials that do not “dry” on application, such as powder coatings that are applied electrostatically, and other decorative surface coating materials that may be applied to products during manufacture, such as stickers, decals or films that can be removed from the surface.
- Expands the 90 mg/kg total lead limit in surface coating materials applied, to all furniture, not just children’s furniture as currently required. This will align with the US requirement of 16 CFR 1303.
- Removes the heavy metal restriction on inaccessible materials.
- Removes the soluble heavy metal test method and allows the use of ASTM F963 or EN71-3 test method.
- Provides clarity that the *Surface Coating Materials Regulations* apply to *Expansion Gates and Expandable Enclosures Regulations*.
- Provide consistency regarding the *Surface Coating Materials Regulations* across the *Toys Regulations*, the *Expansion Gates and Expandable Enclosures Regulations*, the *Cribs, Cradles and Bassinets Regulations* and the *Playpens Regulations*.

Health Canada is proposing that the regulations come into force on the 180th day after the regulations are published in the Canada Gazette, Part II.

Comments regarding the proposed regulations will be accepted until July 3, 2021 using the below link.

Link to the proposed regulation and background information:

<https://www.gazette.gc.ca/rp-pr/p1/2021/2021-04-24/html/reg1-eng.html>

Link to submit comments:

<https://www.gazette.gc.ca/rp-pr/p1/2021/2021-04-24/html/reg1-eng.html>

How Does this Impact You? Contact Us to Discuss

If you have any questions, please contact your customer service representative or email:

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