

Compliance Alert: COVID-19 Cleaners from U.S. Temporarily Exempt from WHMIS



It's imperative to have ample supplies of Health Canada approved COVID-19 cleaning and disinfecting products in your workplace. But with domestic products in short supply, you may have to rely on U.S. imports. But what if these products don't have a proper WHMIS product label and/or Safety Data Sheet (SDS)?

Health Canada Temporarily Relaxes WHMIS Rules

The good news is that in June, Health Canada announced that until further notice, COVID-19 cleaning and disinfection products from the U.S. don't have to meet WHMIS labelling or SDS rules as long as they meet equivalent U.S. OSHA standards. The 3 things you must know to comply:

1. Products Covered

The waiver applies to U.S. products used mainly to clean, bleach or scour surfaces, as well as laundry and dishwashing products used mainly to clean. It does **not** apply to products used to polish, protect or improve the appearance of surfaces, nor to fabric softeners and other such products.

2. U.S. SDS Requirements

The product must have an SDS meeting U.S. hazcom requirements, which are similar to but not identical to WHMIS. Use this Checklist to vet whether a U.S. SDS complies:

SDS Requirement	Yes	No
Section 1. Identification		
(a) Label's product identifier		
(b) Other identification		
(c) Use/restrictions on use		
(d) Responsible Party's name, address, telephone		
(e) Emergency phone number		
Section 2. Hazard Identification		

- (a) GHS chemical classification
- (b) Signal word, hazard statement(s), symbol(s), precautionary statement
- (c) Identified hazards that aren't classified
- (d) If a mixture not tested as a whole, percentage of mixture for any ingredient of unknown acute toxicity that's 1% or greater concentration

Section 3. Composition/Ingredients (For Substances)*

- (a) Chemical name
- (b) Common name + synonyms
- (c) CAS number/other unique identifier
- (d) Impurities + stabilizing additives classified + contributing to substance's classification

Section 3. Composition/Ingredients (For Mixtures)*

- (a) Information (a) to (d) required above for substances
- (b) Chemical name + concentration percentage or range for health hazard classified ingredients exceeding cut-off/concentration limits or presenting health risk below cut-off/concentration limit
- (c) Concentration percentage (range is permissible if varies by batch or for substantially similar mixtures with similar chemical composition)

Section 4. First Aid Measures

- (a) Measures listed according to route of exposure
- (b) Acute + delayed symptoms/effects
- (c) Indication of whether immediate medical attention or special treatment needed

Section 5. Firefighting Measures

- (a) Suitable (and unsuitable) extinguishing media
- (b) Specific hazards arising from chemical
- (c) Firefighters' protective equipment + precautions

Section 6. Accidental Release Measures

- (a) PPE, precautions, emergency procedures
- (b) Containment + clean-up methods/materials

Section 7. Handling & Storage

- (a) Safe handling measures
- (b) Safe storage conditions + incompatibilities

Section 8. Exposure Controls/Personal Protection

- (a) OSHA's PEL, ACGIH TLV + other SDS preparer-recommended or used limits
- (b) Engineering controls
- (c) PPE + other individual protection measures

Section 9. Physical & Chemical Properties

- (a) Appearance
- (b) Odor
- (c) Odor threshold
- (d) pH
- (e) Melting point/freezing point

- (f) Initial boiling point/boiling range
- (g) Flash point
- (h) Evaporation rate
- (i) Flammability
- (j) Upper/lower flammability or explosive limits
- (k) Vapor pressure
- (l) Vapor density
- (m) Relative density
- (n) Solubility(ies)
- (o) Partition coefficient; n-octanol/water
- (p) Auto-ignition temperature
- (q) Decomposition temperature
- (r) Viscosity

Section 10. Stability & Reactivity

- (a) Reactivity
- (b) Chemical stability
- (c) Possibility of hazardous reactions
- (d) Conditions to avoid (e.g., vibration)
- (e) Incompatible materials
- (f) Hazardous decomposition products

Section 11. Toxicological Information

- (a) Likely route of exposure
- (b) Symptoms related to the physical, chemical + toxicological characteristics
- (c) Immediate, delayed, chronic effects of short or long-term exposure
- (d) Numerical measures of toxicity (such as acute toxicity estimates)
- (e) Whether listed as carcinogen in NTP Report or potential carcinogen in latest edition of IARC Monograph or OSHA

Section 12. Ecological Information (voluntary to list)

Section 13. Disposal Considerations (voluntary to list)

Section 14. Transport Information (voluntary to list)

Section 15. Regulatory Information (voluntary to list)

Section 16. Other: Preparation or Revision Date

SDS preparation/latest revision date

**If composition/ingredients are a trade secret, will list statement 'that the specific chemical identity and/or exact percentage (concentration) of composition has been withheld as a trade secret'*

3. U.S. Label Requirements

U.S. rules require that hazardous products have a product label listing:

- **A product identifier**, i.e., a hazardous chemical name or number;
- **Signal words** like 'danger' for more severe hazards or 'warning' for less severe ones;
- **Hazard statement(s)** assigned to a hazard class and category describing the

nature of the hazard(s) of a chemical and, where appropriate, degree of hazard;

- **Pictogram(s)** in a square set at a point that include a black hazard symbol on a white background with a red frame wide enough to be clearly visible;
- **Precautionary statement(s)** describing recommended measures to minimize or prevent adverse effects of exposure, improper storage or handling; and
- **Name, address and phone number** of the manufacturer, importer or other responsible party.