

WHMIS – 2023 Year in Review



FEDERAL

LAWS & ANNOUNCEMENTS

Dec 15: From now through Feb. 23, Health Canada will field [public comments](#) on a proposal to require suppliers and employers to provide WHMIS hazard and safety information on use of consumer products in the workplace. Because they're excluded from the *Hazardous Products Act*, consumer products aren't currently subject to WHMIS requirements. Health Canada wants to change that.

Action Point: Implement a [WHMIS Training Compliance Game Plan](#) at your workplace

Feb 23: Health Canada ended [public comments](#) on a proposal to require suppliers and employers to provide WHMIS hazard and safety information on use of consumer products in the workplace. Because they're excluded from the *Hazardous Products Act*, consumer products aren't currently subject to WHMIS requirements. Health Canada wants to change that.

Action Point: Implement a [WHMIS Training Compliance Game Plan](#) at your workplace.

Apr 1: Newly effective WHMIS [rules](#) took effect although you won't have to comply with them until Jan. 4, 2026. Among the key changes is dividing Flammable Gases – Category 1 (extremely flammable gases) into subcategory 1A to include pyrophoric gases (which were not addressed in the fifth

edition of the “Purple Book” and chemically unstable gases and Subcategory 1B for flammable gases that aren’t pyrophoric or chemically unstable, but have a lower flammability hazard than those of Subcategory 1A.

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Apr 1: New WHMIS [rules](#) change the classification for “Flammable Aerosols” with categories for very flammable, less flammable and a new third category for non-flammable aerosols; they also create a new “Chemicals Under Pressure” class. Deadline to comply: Jan. 1, 2026.

Apr 1: Newly effective WHMIS SDS [requirements](#) took effect. The changes impact the information that must be listed in SDS Section 9, Physical Properties, and Section 14, Transport Information. The good news is that there’s a 3-year phase-in, meaning you don’t have to comply with the new rules until Jan. 1, 2026.

Jun 8: The Assembly is debating [Bill C-33](#), which would authorize the federal government to implement new regulations for imposing administrative monetary penalties for *Transportation of Dangerous Goods Act* violations.

Action Point: Find out [how to comply with TDGA emergency response requirements](#)

Nov 26: Newly proposed [regulations](#) harmonize the *Transportation of Dangerous Goods Regulations* with the most recent versions of U.S. and international dangerous goods transportation rules, except where Canadian requirements are more stringent, such as with regard to use of cylinders and aerosol containers.

Action Point: Find out how to [ensure safe road transport of compressed gases](#) under the TDGR

BRITISH COLUMBIA

LAWS & ANNOUNCEMENTS

Jan 20: WorkSafeBC wrapped up [public consultations](#) on proposed ACGIH TLV exposure limits for 22 substances, including new or revised exposure limits for 2 substances: Cyclohexene and Methyl isobutyl carbinol. The agency is proposing to retain the current exposure limits for 20 other substances.

Action Point: Implement a [WHMIS Training Compliance Game Plan](#) at your workplace.

Nov 15: From now through Jan. 20, WorkSafeBC will be holding [public consultations](#) on proposed ACGIH TLV exposure limits for 22 substances, including new or revised exposure limits for 2 substances: Cyclohexene and Methyl isobutyl carbinol. The agency is proposing to retain the current exposure limits for 20 other substances.

Commission in-house counsel Sarah Lugtig to carry out the full review of the Accessibility for Manitobans Act required by the law, starting in March. Ms. Lugtig is expected to publish her report before the end of 2023.

CASES

WHMIS: Gas Company Penalized Over \$365,000 for Multiple OHS Violations at 3 Sites

WorkSafeBC hit a natural oil and gas company with \$365,140 worth of administrative monetary penalties after inspectors discovered high-risk and repeat OHS violations at 3 of its sites. The citations included unsafe excavation work, failure to furnish SDS' and PPE and not implementing an exposure control plan for demolition work at a site containing lead paint [Canadian Natural Resources Limited].

Action Point: Implement a [WHMIS Training Compliance Game Plan](#) at your workplace

QUÉBEC

LAWS & ANNOUNCEMENTS

Jan 10: CNESST published proposed [annual revisions](#) to permissible exposure levels for 80 different contaminants listed in Schedule I of the OHS Regulation based on revised ACGIH Threshold Limit Values (TLVs) for those substances.

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