

# WHMIS SDS – Know The Laws of Your Province



The Workplace Hazardous Materials Information System (WHMIS) Safety Data Sheet (SDS) is a vital document that provides essential information about hazardous products used in workplaces. An SDS includes details on product composition, potential hazards, safe handling instructions, emergency procedures, and disposal guidelines. Updated regularly, SDSs are crucial for maintaining workplace safety, as they help employees understand and manage risks associated with hazardous substances.

Employers are required to make SDSs accessible to all employees, ensuring that everyone can take proper precautions and respond effectively to incidents.

## FEDERAL

### **General:**

1. Employer must, if possible, obtain an SDS for a hazardous substance or hazardous product that's stored, handled, or used in the workplace from the supplier and keep it readily available for examination by employees in any form, as determined in consultation with the policy committee or, if there is no policy committee, the work place JHSC or safety rep (*COHS Regs*, Sec. 10.28);

2. Employer may replace the generic name of the hazardous product with the brand name, chemical name, common name, or trade name, if the hazardous product: (a) is present in the work place; (b) was received from a supplier; and (c) is one of the following “exception products” (our term, not the Regulation’s): (i) a hazardous product, other than wood or a product made of wood, listed in Schedule 1 to the *Hazardous Products Act*, (ii) a nuclear substance, as defined in section 2 of the *Nuclear Safety and Control Act*, that’s radioactive (*COHS Regs*, Sec. 10.31(1)); and
3. Employer may store a hazardous product received from a supplier without a supplier label or SDS: (a) while the employer actively seeks a supplier label and a supplier safety data sheet for the hazardous product; and (b) if labelling affixed to the container of the hazardous product containing information on the hazardous product isn’t removed, defaced, modified or altered (*COHS Regs*, Sec. 10.31(2)).

### **Supplier SDS:**

1. Employer must, without delay, obtain a supplier SDS for a hazardous product (other than an exception product) it receives, unless the employer already has a supplier SDS that: (a) is for a hazardous product that both has the same product identifier and is from the same supplier; (b) discloses information that’s current at the time that the hazardous product is received; and (c) was prepared and dated less than 3 years before the day on which the hazardous product is received;
2. If the supplier SDS is 3 years old or more, the employer must, if feasible, obtain a current supplier SDS from the supplier;
3. If it’s not feasible to obtain a current supplier SDS, the employer must update the hazard information on the most recent supplier SDS that it’s received, on the

basis of the product's disclosed ingredients and any significant new data that becomes available to the employer; and

4. **Exception:** The employer is exempt from the requirements of subsection (1) if a laboratory sample of a hazardous product is received in the workplace from a supplier who's exempt from the *Hazardous Products Regulations* requirement to provide an SDS for that product (*COHS Regs*, Sec. 10.32).

### **Workplace SDS:**

1. Employer must prepare a workplace SDS for any hazardous product it produces in the workplace, other than a fugitive emission or intermediate product undergoing reaction within a reaction or process vessel, or imports into Canada and brings it into the work place;
2. An employer may prepare a workplace SDS and use it instead of the supplier SDS it's received if: (a) the workplace SDS discloses at least the information the supplier SDS discloses; (b) the information disclosed on the workplace SDS doesn't disclaim or contradict the information disclosed on the supplier SDS; (c) the supplier SDS is readily available for examination by employees in any form, as determined in consultation with the policy committee or, if there is no policy committee, JHSC or safety rep; and (d) the workplace SDS discloses that the supplier SDS is available in the workplace;
3. Employer shall review the accuracy of the information disclosed on a workplace SDS and update it as soon as feasible after new hazard information or significant new data becomes available to it; and
4. If the information required to be disclosed on the workplace SDS is not available or not applicable to the hazardous product, the employer must, in place of the information, insert the words "not available" or "not

applicable”, as the case may be, in the English version and “non disponible” or “sans objet”, as the case may be, in the French version, of the workplace SDS (*COHS Regs*, Sec. 10.33).

### **Availability of SDS:**

1. Employer must keep readily available in any workplace in which an employee is likely to handle or be exposed to a hazardous product, a copy of the workplace SDS or supplier safety SDS, in English and French, for examination by employees and any policy committee, JHSC or safety rep; and
2. The workplace SDS and supplier SDS must be made available in any form, as determined in consultation with the policy committee or, if there is no policy committee, JHSC or safety rep (*COHS Regs*, Sec. 10.34).

## **ALBERTA**

### **Supplier SDS:**

1. Employer must obtain a supplier SDS for any hazardous product it acquires for use at a worksite unless the supplier is exempt from the *Hazardous Products Regulations (Canada)* requirement to provide an SDS;
2. Employer may store a hazardous product for which there's no supplier SDS for no more than 120 days if the employer is actively seeking the supplier SDS (*OHS Code*, Sec. 404);
3. Employer must ensure that the SDS for a hazardous product received at the time of purchase from the supplier is the most current version; and
4. Employer must update the supplier SDS if significant new data are provided to the employer from the supplier regarding the SDS content as soon as reasonably practicable, and, in any case, no more than 90 days after significant new data are provided to the employer

(OHS Code, Sec. 406).

### **Employer/Alternative SDS:**

1. Employer must prepare an SDS for a hazardous product produced or manufactured at a worksite other than a fugitive emission or intermediate product undergoing reaction within a reaction vessel;
2. Employer may also provide an SDS in a format different from the supplier safety data sheet or containing additional hazard information if: (a) the supplier SDS is available at the work site, and (b) the employer SDS: (i) includes the information required for a supplier SDS, and (ii) states that the supplier SDS is available at the worksite (OHS Code, Sec. 405).

**Availability of SDS:** Employer must ensure that the SDS is readily available at a worksite to workers who may be exposed to a hazardous product and to the JHSC or safety rep, if there is one (OHS Code, Sec. 407).

## **BRITISH COLUMBIA**

### **Supplier SDS:**

1. Employer must obtain a supplier SDS for any hazardous product it acquires for use, handling, or storage at a workplace, unless the supplier is exempt from the *Hazardous Products Regulations* requirement to provide an SDS for the product;
2. If the supplier SDS is 3 years old, the employer must obtain from the supplier an up-to-date supplier SDS for the product from the supplier unless: (a) it receives written confirmation from the supplier that (i) the SDS hasn't changed, or (ii) the up-to-date supplier SDS doesn't apply to the hazardous product, or (b) it's not practicable for the employer to obtain the up-to-date SDS or written confirmation; and

3. If the employer can't obtain an updated SDS, it must add to the existing supplier SDS any significant new data or new hazard information applicable about the hazardous product that the employer is aware of, or ought reasonably to be aware of, based on the ingredients disclosed in that document (*OHS Reg*, Secs. 5.14(1) to (4)).

#### **Employer/Alternative SDS:**

1. Employer may provide at a workplace an SDS in a format different from the format provided by the supplier or containing additional hazard information as long as: (a) the employer SDS contains no less content than the supplier SDS, and (b) the supplier SDS is available at the workplace and the employer-provided SDS indicates that fact (*OHS Reg*, Sec. 5.14(5));
2. Employer must prepare an SDS for any hazardous product that it produces in the workplace—"produce" doesn't include the escape of a hazardous product from equipment or from another product nor intermediate products undergoing reaction within a reaction or process vessel;
3. Employer must update the SDS as soon as practicable after significant new data or new hazard information becomes available to it (*OHS Reg*, Sec. 5.15); and
4. An employer that manufactures a hazardous product in a workplace must disclose as quickly as practicable the source of any toxicological data used in preparing the SDS required by section 5.15(1), at the request of any concerned worker at the workplace, the JHSC or safety rep or a representative of the workers at the workplace if there is no JHSC or safety rep (*OHS Reg*, Sec. 5.16.1).

#### **Availability of SDS:**

1. Employer must ensure that a copy of the supplier or workplace SDS is made readily available at the workplace

to workers who may be exposed to the hazardous product, and to the JHSC or safety rep; and 2. Employer must consult with JHSC or safety rep on how best to achieve SDS accessibility in the workplace (*OHS Reg*, Sec. 5.16).

## **MANITOBA**

### **Supplier SDS:**

1. Employer must obtain a supplier SDS for any hazardous product it acquires for use, handling, or storage at a workplace unless the supplier is exempt from the *Hazardous Products Regulations* requirement to provide an SDS for the product (*WSH Reg*, Sec. 35.13(1) + (2)); and
2. If significant new data in respect for a hazardous product present in a workplace is received from the supplier in an appendix or revision to the applicable SDS, or if significant new data becomes available to the employer, the employer must, as soon as reasonably practicable: (a) ensure that the existing SDS for the hazardous product maintained by the employer: (i) has the significant new data appended to it in written form, or (ii) is replaced with the revised SDS that contains the significant new data; (b) update the label on the container containing the hazardous product by adding the applicable significant new data to it; and (c) provide training to the workers who work with or may be exposed to the hazardous product on the significant new data (*WSH Reg*, Sec. 35.16).

### **Employer/Alternative SDS:**

1. Employer may provide an SDS in a format that differs from the supplier SDS format or that contains additional hazard information if: (a) the employer SDS contains no less content or information than the supplier SDS; and (b) the supplier SDS is available at the workplace and the employer SDS indicates that availability (*WSH Reg*,

Sec. 35.13(3)); and

2. Employer must prepare an SDS for a hazardous product produced at a workplace other than a fugitive emission or intermediate product undergoing reaction in a reaction or process vessel (*WSH Reg*, Sec. 35.14); and
3. If significant new data becomes available for a hazardous product produced at a workplace, the employer must, (a) as soon as reasonably practicable, (i) provide training to the workers who work with or may be exposed to the hazardous product on the significant new data, (ii) append the significant new data, in written form, to the SDS for the hazardous product, and (iii) update the label on a container containing the hazardous product, by adding the applicable significant new data to it; and (b) within 90 days, ensure that the existing SDS for the hazardous product is replaced with an SDS that contains the significant new data (*WSH Reg*, Sec. 35.17).

#### **Availability of SDS:**

1. Employer must ensure that workers who work with or may be exposed to a hazardous product, and the workplace JHSC or safety rep can readily access the supplier or employer SDS by having a physical copy of it that can be handled or an electronic copy of it that can be accessed present in an appropriate place at all times; and
2. Employer must keep the SDS for at least 30 years after it was received from the supplier or prepared by the employer (*WSH Reg*, Sec. 35.15).

### **NEW BRUNSWICK**

#### **Supplier SDS:**

1. Employer must obtain a supplier SDS for any hazardous product it acquires for use, handling, or storage at a place of employment unless the supplier is exempt from



- the *Hazardous Products Regulations* requirement to provide an SDS for the product;
2. If employer can't obtain an up-to-date supplier SDS, it must add any significant new data on the hazardous product to the most recent supplier SDS obtained on the basis of the hazardous product's ingredients disclosed in that supplier SDS (*OHS Gen Reg*, Secs. 14(1) to (3)); and
  3. If a hazardous product is received at a laboratory from a laboratory supply house or is a laboratory sample, employer must ensure that any SDS provided by the supplier is made available to employees in the laboratory (*OHS Gen Reg*, Sec. 14(5)).

**Employer/Alternative SDS:**

1. Employer may provide an SDS in a format that differs from the supplier SDS format or that contains additional hazard information if: (a) the employer SDS discloses no less information than the supplier SDS does; (b) the supplier SDS is readily available at the workplace; and (c) the employer SDS indicates that availability (*OHS Gen Reg*, Sec. 14(4));
2. Employer must prepare an SDS for a hazardous product produced at a workplace other than a fugitive emission or intermediate product undergoing reaction in a reaction or process vessel;
3. If a hazardous product is received or produced at a laboratory and the employer has prepared an SDS, the employer must ensure that the SDS is made available to employees in the laboratory;
4. Employer must update an employer SDS as soon as practical and no later than 90 days after significant new data becomes available to it; and
5. Employer must, upon request, disclose the source of any toxicological data used in preparing an employer SDS to: (a) an employee; (b) an OHS officer, and (c) a member of

the JHSC or safety rep (*OHS Gen Reg*, Sec. 15).

**Availability of SDS:** Employer must ensure that: (a) a copy of the supplier or employer SDS is readily available to employees who may be exposed to the hazardous product and to the JHSC or safety rep; and (b) the JHSC or safety rep is consulted on the means to best achieve SDS accessibility in the place of employment (*OHS Gen Reg*, Sec. 16).

## **NEWFOUNDLAND & LABRADOR**

### **Supplier SDS:**

1. Employer must obtain a supplier SDS for any hazardous product it acquires for use, handling or storage at a workplace unless the supplier is exempt from the *Hazardous Products Regulations* requirement to provide an SDS for the product;
2. If the supplier SDS is 3 or more years old, the employer must, where possible, obtain an up-to-date supplier SDS from the supplier unless: (a) the supplier advises the employer that the new SDS no longer applies to the original product; or (b) the employer has obtained written confirmation from the supplier that the SDS for the product hasn't changed;
3. If the employer can't obtain an updated SDS, it must add significant new data about the hazardous product that it is or should be aware of to the existing supplier SDS; and
4. Where a hazardous product is received at a laboratory and the supplier has provided an SDS, the employer must ensure that a copy of the SDS is readily available to the workers in that laboratory (*WHMIS Regs*, Secs. 13(1) to (4), (7)).

### **Employer/Alternative SDS:**

1. Employer may provide a workplace SDS in a format

different from the supplier SDS if: (a) the employer SDS complies with section 18 of the Reg. dealing with confidential business information or discloses less information than is required on the supplier SDS and is approved by the JHSC or safety rep; and (b) the supplier SDS is available at the workplace and the employer SDS indicates that it's available;

2. Where a hazardous product is received or produced at a laboratory and the employer has prepared an SDS, the employer must ensure that the SDS is readily available to workers in the laboratory (*WHMIS Regs*, Secs. 13(5) + (8));
3. Employer must prepare an SDS for every hazardous product it produces in the workplace, which doesn't include a fugitive emission or intermediate products undergoing reaction within a reaction or process vessel; and
4. Employer must update the SDS prepared in accordance with subsection 3 as soon as practical but no later than 90 days after significant new data becomes available to the employer (*WHMIS Regs*, Sec. 14).

### **Availability of SDS:**

1. Employer must ensure that: (a) a copy of the supplier or employer SDS is made readily available at a workplace; to employees who may be exposed to the hazardous product and to the JHSC or safety rep; (b) a copy of the supplier or employer SDS is made readily available to the JHSC or safety rep; and (c) the JHSC or safety is consulted on how to best achieve accessibility of SDS' in the workplace; and
2. Employer must notify the workers and JHSC or safety rep of significant new data regarding a hazardous product as soon as possible after the supplier advises the employer or the employer becomes aware of the significant new data (*WHMIS Regs*, Secs. 15 + 16).

## **NOVA SCOTIA**

### **Supplier SDS:**

1. Employer must obtain a supplier SDS for any hazardous product it acquires for use, handling, or storage at a workplace unless the supplier is exempt from the *Hazardous Products Regulations* requirement to provide an SDS for the product;
2. If the supplier SDS is 3 or more years old, the employer must, if possible, obtain an up-to-date supplier SDS from the supplier unless the supplier advises the employer that: (a) the new SDS doesn't apply to the original product; or (b) there's been no change to the information on the original SDS;
3. If the employer can't obtain an updated SDS, it must add significant new data about the hazardous product that it is or should be aware of to the existing supplier SDS; and
4. Where a hazardous product is received at a laboratory and the supplier has provided an SDS, the employer must ensure that a copy of the SDS is readily available for viewing by an employee who may be exposed to the hazardous product and by the JHSC or safety rep (*WHS Regs*, Sec. 3.12).

### **Employer/Alternative SDS:**

1. Employer may provide an SDS in a format different from the supplier SDS or that contains additional hazard information if the employer SDS: (a) doesn't contain less information than the supplier SDS or does contain less information and this is accepted by the JHSC or safety rep; (b) the supplier SDS is available at the workplace and the employer SDS indicates that it's available (*WHS Regs*, Sec. 3.12(5));
2. Where a hazardous product is received or produced at a laboratory and the employer has prepared an SDS, the

employer must ensure that the SDS is readily available for viewing by a worker who may be exposed to the hazardous product, and by the JHSC or safety rep (*WHS Regs*, Sec. 3.12(8)).

### **Availability of SDS:**

1. Employer must consult the JHSC or safety rep on the most appropriate means to make a supplier or employer SDS readily available in the workplace; and
2. Employer must ensure that a copy of the SDS is made readily available to an employee who may be exposed to a hazardous product and the JHSC or safety rep (*WHS Regs*, Sec. 3.14).

## **NORTHWEST TERRITORIES & NUNAVUT**

### **Supplier SDS:**

1. Employer must obtain a supplier SDS for any hazardous product it acquires for use, handling or storage unless the supplier is exempt from the *Hazardous Products Regulations* requirement to provide an SDS for the product;
2. If a supplier SDS is more than 3 years old, the employer must, if possible, obtain an up-to-date supplier SDS from the supplier;
3. If an employer can't obtain an up-to-date supplier SDS, it must add any significant new hazard information or new data about the hazardous product to the existing SDS or label based on the ingredients disclosed in the existing supplier SDS or label (*OHS Regs*, Sec. 333).

### **Employer/Alternative SDS:**

1. Employer may provide a workplace SDS in a different format or that contains additional hazard information from the supplier SDS if: (a) the employer SDS contains no less information than the supplier SDS or does

contain less information and is acceptable to the JHSC or safety rep, or a worker representative if there is no JHSC or safety rep at the workplace; and (b) the supplier SDS is available at the place of employment and the employer SDS indicates that it's available (*OHS Regs*, Sec. 333(4));

2. Employer must prepare an SDS for every hazardous product it produces in a place of employment, which doesn't include a fugitive emission or intermediate products undergoing reaction within a reaction vessel or process vessel;
3. Employer must update the SDS prepared in accordance with subsection 2 as soon as possible if significant new data becomes available to the employer, but no later than 90 days after significant new data becomes available; and
4. Employer who produces a hazardous product in a workplace must disclose the source of any toxicological data used in preparing an SDS upon the request of an OHS inspector, a concerned worker, the JHSC, safety rep or a worker representative if there is no JHSC or safety rep (*OHS Regs*, Sec. 334).

### **Availability of SDS:**

1. Employer must ensure that a copy of the supplier or employer SDS is made readily available to: (a) workers who may be exposed to the hazardous product; and (b) the JHSC or safety rep;
2. If a hazardous product is received or produced at a laboratory and the supplier has provided an SDS, employer must ensure that the SDS is readily available in the laboratory to workers;
3. If a hazardous product is received or produced at a laboratory and the employer has produced an SDS, it must ensure that the SDS is readily available in the laboratory to workers; and
4. Employer may make an SDS available on a computer

terminal if it: (a) keeps the terminal in active working order; (b) makes the SDS readily available on the request of a worker; and (c) provides training in accessing computer-stored SDS' to workers, JHSC members or the safety rep (*OHS Regs*, Sec. 335).

## **ONTARIO**

### **General:**

1. Employer must obtain or prepare a current SDS for all hazardous materials (not just hazardous products) present in the workplace and ensure that a hazardous material is not used, handled, or stored at a workplace unless the SDS and other WHMIS requirements are met; and
2. Employer must advise an OHS Director in writing if, after making reasonable efforts, it can't obtain the required SDS or label (*OHS Act*, Sec. 37).

### **Supplier SDS:**

1. Employer must obtain a supplier SDS for any hazardous product it receives from the supplier for use, handling, or storage at a workplace unless the supplier is exempt from the *Hazardous Products Regulations* requirement to provide an SDS for the product; and
2. Employer must update the supplier SDS as soon as practicable after significant new data about the product is provided by the supplier or otherwise becomes available to the employer (*WHMIS Regs*, Secs. 17(1) + (2)).

### **Employer/Alternative SDS:**

1. Employer may provide an SDS in a format different from the supplier SDS or that contains additional hazard information if: (a) the employer SDS contains no less content than the supplier SDS; (b) the supplier SDS is available at the workplace and the employer SDS

- indicates that fact (*WHMIS Regs*, Sec. 17(3));
2. Employer must prepare an SDS for any hazardous product it produces at a workplace;
  3. An employer who affixes a WHMIS label to and who is unable to obtain a supplier SDS for the hazardous product, must prepare an SDS for the product;
  4. No SDS is required for a hazardous product that is a laboratory sample produced by the employer at the workplace; and 5. Employer must update the employer SDS required under subsection 2 as soon as practicable but no later than 90 days after significant new data about the hazardous product becomes available to the employer (*WHMIS Regs*, Sec. 18).

#### **Availability of SDS:**

1. A copy of every current SDS required for hazardous materials (not just hazardous products) in a workplace must be: (a) made available by the employer in the workplace so as to allow examination by the workers; (b) furnished by the employer to JHSC or safety rep or, if there is no JHSC or safety rep, to a worker selected by the workers to represent them; (c) furnished by the employer on request or, if required by regulation, to the medical officer of health of the health unit in which the workplace is located; (d) furnished by the employer on request or, if required by regulation, to the fire department which serves the location in which the workplace is located; and (e) filed by the employer with a Director on request or as required by regulation;
2. Employer must make a copy of the SDS readily available to workers who may be exposed to the hazardous material to which it relates;
3. A "copy" required by these rules includes a copy of an SDS in an electronic format;
4. Employer must consult with the JHSC or safety rep on making SDS available in the workplace or furnishing them



as required (*OHS Act*, Sec. 37).

## **PRINCE EDWARD ISLAND**

### **Supplier SDS:**

1. Employer must obtain a supplier SDS for any hazardous product it acquires for use, handling or storage at a workplace unless the supplier is exempt from the Hazardous Products Regulations requirement to provide an SDS for the product; and
2. Employer must update the supplier SDS with any significant new data about the hazardous product as soon as reasonably practicable after the data or information is provided by the supplier or otherwise becomes available to the employer (*OHS Act Gen Regs*, Sec. 13).

### **Employer/Alternative SDS:**

1. Employer may provide an SDS in a different format or containing additional hazard information if the employer SDS: (a) contains no less content than the supplier SDS; and (b) the supplier SDS is available at the workplace and the employer SDS indicates that it's available (*OHS Act Gen Regs*, Sec. 13(3));
2. Employer must prepare an SDS for every hazardous product it produces in the workplace, which doesn't include a fugitive emission or intermediate product undergoing reaction within a reaction vessel or process vessel;
3. Employer must update the SDS prepared in accordance with subsection 2 as soon as practicable but no later than 90 days after significant new data becomes available to the employer (*OHS Act Gen Regs*, Sec. 14); and
4. Employer must disclose as soon as practicable any source of toxicological data used in preparing an SDS for a hazardous product manufactured at a workplace, at the request of: (a) an OHS officer; (b) a worker or the JHSC or safety rep; or (c) a person representing the workers

at the workplace where there is no JHSC or safety rep (OHS Act Gen Regs, Sec. 15).

### **Availability of SDS:**

1. Employer must ensure that a copy of the supplier or employer SDS is readily available to: (a) each worker who works with the hazardous product or may be exposed to the hazardous product in the course of the worker's work activities; and (b) the JHSC or safety rep; and
2. Employer must consult with the JHSC or safety rep on the best means of making SDS' readily available (OHS Act Gen Regs, Sec. 16).

## **QUÉBEC**

### **Workplace SDS:**

1. Employer must prepare a workplace SDS on a hazardous product if: (a) the employer obtains the product from a supplier who doesn't provide a supplier's SDS when such an SDS is required under the Hazardous Products Regulations (in which case, the employer may only store the product until the supplier gives it the required SDS or the employer prepares a workplace SDS), or (b) the employer manufactures such a product (Hazardous Products Info Regs, Sec. 17);
2. A workplace SDS must contain information for each of the following information headings: (a) identification; (b) hazard identification; (c) composition/information on ingredients; (d) first-aid measures; (e) fire-fighting measures; (f) accidental release measures; (g) handling and storage; (h) exposure controls/personal protection; (i) physical and chemical properties; (j) stability and reactivity; (k) toxicological information; (l) ecological information; (m) disposal considerations; (n) transport information; (o) regulatory information; and (p) other information;

3. Each information column must contain, as a minimum, the information listed in Schedule 1 to the Hazardous Products Regulations, but the employer isn't required to provide information relating to items l, m, n, or o;
4. If no information can be given for a specific information element in an information column, the employer must list: (a) "not applicable", if there is no relevant information for that heading; or (b) "not available", if there is no information available for the product; and
5. If information concerning toxicological data for a hazardous product is or appears to be contradictory, the SDS must explicitly state the source and the references for the studies from which the information was drawn (Hazardous Products Info Regs, Sec. 18).

#### **Availability of SDS:**

1. Employer must keep an SDS for each hazardous product present in the workplace, in a place that's known to the workers and for as long as the hazardous product remains present in that workplace;
2. Employer may keep the SDS on the medium of its choice, including a technology-based medium, to the extent that the SDS is easily legible and rapidly available in hard copy to a worker likely to be exposed to a hazardous product;
3. Other than for updating, an SDS may not be modified or altered so long as the hazardous product remains present in the workplace;
4. Employer must immediately replace a lost, destroyed, illegible or unusable SDS;
5. Employer must, as soon as possible after being informed by a supplier of significant new data regarding a hazardous product or on becoming otherwise aware of such data, send a notice to the workers and JHSC or safety rep; and

6. Employer must update the SDS within 90 days of becoming aware of such data (Hazardous Products Info Regs, Secs. 20 to 23).

## **SASKATCHEWAN**

**General:** Employer must make an SDS available to its workers for each hazardous product in the place of employment that discloses: (a) if the hazardous product is a pure substance, its biological or chemical identity and, if the hazardous product isn't a pure substance, the biological or chemical identity and concentration of any ingredient that's a hazardous product; (b) the biological or chemical identity and concentration of any ingredient of the hazardous product that the employer has reasonable grounds to believe may be harmful to a worker; (c) the biological or chemical identity and concentration of any ingredient of the hazardous product of which the toxicological properties are not known to the employer and the concentration; and (d) any other information for the hazardous product required by regulation (*Sask Employment Act*, Sec. 3-48(e)).

### **Supplier SDS:**

1. Employer must obtain a supplier SDS for any hazardous product it acquires for use, handling or storage at a workplace unless the supplier is exempt from the *Hazardous Products Regulations* requirement to provide an SDS for the product;
2. If a hazardous product that's used in a workplace is 3 years old, the employer must, if possible, obtain an up-to-date supplier SDS from the supplier;
3. If an employer can't obtain an up-to-date supplier SDS, it must add any significant new data of which it's aware or ought to be aware to the existing supplier SDS (*OHS Regs*, Secs. 22-11(1) to (3)).

### **Employer/Alternative SDS:**

1. Employer may provide a workplace SDS in a different format or that contains additional hazard information from the supplier SDS if: (a) the employer SDS contains no less information than the supplier SDS or does contain less information and is acceptable to the JHSC or safety rep, or a worker representative if there is no JHSC or safety rep at the workplace; and (b) the supplier SDS is available at the place of employment and the employer SDS indicates that it's available (*OHS Regs*, Sec. 22-11(4));
2. Employer must prepare an SDS for every hazardous product it produces in the workplace, which doesn't include a fugitive emission or intermediate products undergoing reaction within a reaction vessel or process vessel;
3. Employer must update the SDS prepared in accordance with subsection 2 as soon as possible but no later than 90 days after significant new data becomes available to the employer; and
4. Employer who produces a hazardous product in a workplace must disclose the source of any toxicological data used in preparing an SDS upon the request of an OHS inspector, a concerned worker, the JHSC, safety rep or a worker representative if there is no JHSC or safety rep (*OHS Regs*, Sec. 22-12).

### **Availability of SDS:**

1. Employer must ensure that a copy of an SDS is made readily available to any of the following who are consulted on how best to achieve safety data accessibility in the workplace: (a) workers who may be exposed to the hazardous product; (b) the JHSC; (c) the safety rep; and/or (d) a worker representative, if there is no JHSC or safety rep; and (c) the JHSC or safety is consulted on how to best achieve accessibility of SDS' in the workplace; and
2. If a hazardous product is received or produced at a

laboratory and the employer has produced an SDS, it must ensure that the SDS is readily available to any worker in the laboratory (*OHS Regs*, Sec. 22-13).

## **YUKON**

### **Supplier SDS:**

1. Employer must obtain a supplier SDS for any hazardous product it acquires for use, handling, or storage at the workplace unless the supplier is exempt from the *Hazardous Products Regulations* requirement to provide an SDS for the product;
2. If a hazardous product used in the workplace is 3 years old, the employer must, if possible, obtain an up-to-date supplier SDS from the supplier; and
3. An employer that can't obtain an up-to-date supplier SDS must add any significant new hazard information or new data about the hazardous product of which it is or ought to be aware to the existing supplier SDS; (*WHMIS Regs*, Secs. 12(1) to (3)).

### **Employer/Alternative SDS:**

1. Employer may provide a workplace SDS in a different format or that contains additional hazard information from the supplier SDS if: (a) the employer SDS contains no less information than the supplier SDS or does contain less information and is acceptable to the JHSC or safety rep; and (b) the supplier SDS is available at the workplace and the employer SDS indicates that it's available (*WHMIS Regs*, Sec. 12(4));
2. Employer must prepare an SDS for every hazardous product it produces in a workplace, which doesn't include a fugitive emission or intermediate products undergoing reaction within a reaction or process vessel;
3. Employer must update the SDS prepared in accordance with subsection 2 as soon as practicable if significant new

data becomes available to the employer, and no later than 90 days after that time; and

4. If a hazardous product is received or produced at a workplace that's a laboratory and the employer has produced an SDS for that hazardous product, the employer must ensure that the SDS is readily available to workers in the workplace (*WHMIS Regs*, Secs. 12(6) + 13).

**Availability of SDS:** Employer must ensure that a copy of the supplier or employer SDS is readily available to: (a) a worker who may be exposed to the hazardous product; (b) the JHSC or safety rep; or (c) a first-aid attendant or health professional who's providing treatment to a worker who may have been exposed to the hazardous product (*WHMIS Regs*, Sec. 14).