

Posted April 22nd, 2008

## **Proposed Amendments Hazardous Materials Information Review Commission (HMIRC)**

The Hazardous Materials Information Review Commission (HMIRC) has proposed amendments to the Hazardous Materials Information Review Regulations and Hazardous Materials Information Review Act Appeal Board Procedures. The Workplace Hazardous Materials Information System (WHMIS) requires that manufacturers provide information to employees about the hazards of their products manufactured or used within Canadian workplaces. This information is provided by means of Material Safety Data Sheets (MSDSs) and labels. If deemed hazardous according to the Controlled Products Regulations, a products' MSDS must fully disclose all hazardous ingredients (and non-hazardous if listed on the Ingredient Disclosure List). If a manufacturer would like to protect confidential ingredient information, they have the opportunity to apply to HMIRC for trade secret status.

The proposed amended regulations were published in the Canada Gazette, Part I on Saturday April 12, 2008. This also included a Regulatory Impact Analysis Statement (RIAS) outlining the rationale for these amendments. The publication can be found on pages 1065 to 1083 at the address shown below:

<http://canadagazette.gc.ca/partI/2008/20080412/pdf/g1-14215.pdf>

The government hopes that these changes will reduce the time required to review claims for exemption from disclosure of confidential business information, speed up the correction of the information workers need in order to handle hazardous materials safely as well as expedite and improve the appeal process.

The proposed regulatory amendments include but are not limited to the following:

- ❖ Permitting claimants to provide a less detailed summary of the information supporting their claim
- ❖ Allowing claimants to voluntarily bring the material safety data sheet (MSDS) and/or product label accompanying their claim into compliance
- ❖ Permitting the electronic filing of claims once the Commission has the ability of accepting the secure transmission of claims electronically

