

Regulatory Alert October 2009

Volatile Organic Compound (VOC) Concentration Limits for Architectural Coatings Regulations

Applies to:

Persons manufacturing, importing or selling any product type included in the 53 product categories identified in the regulations.

What do these regulations do?

Set maximum permissible limits of Volatile Organic Compounds (VOC) for each product category. VOC limits apply to the end use-dilutions, not the concentrate.

Product Categories Include:

Paints, Coatings, Primers, Sealers, fire retardant coatings, varnish, mastic coatings are some examples of the 53 different product categories.

Exemptions:

The regulations do not apply to Architectural Coatings that are;

- for application to a product or a component of a product, in or on the premises of a factory or a shop, as part of a manufacturing, processing or repairing activity;
- manufactured, imported, offered for sale or sold to be used in scientific research;
- manufactured, imported, offered for sale or sold to be used as a laboratory sample or analytical standard
- manufactured, imported or sold for export or for shipment to other persons for processing or repackaging
- adhesives
- aerosol coatings — for hand-held application, or use in specialized equipment for the marking of streets, highways, other traffic surfaces including curbs, berms, driveways, parking lots, sidewalks, airport runways
- antifouling coatings — coatings for application to submerged stationary structures and their appurtenances registered under the *Pest Control Products Act*
- wood preservatives — registered under the *Pest Control Products Act*
- VOC limits do not apply, but labelling & record keeping requirements are required for some product categories packaged in 1 Litre or less

When do the regulations take effect?

For Manufacturers & Importers

- September 2010 for most product categories.
- September 2012 & 2014 for a few certain product categories

For Sellers

- September 2010 for most product categories
- September 2014 & 2016 for a few certain product categories

What is required?

Compliance

Products manufactured, imported and sold in Canada must comply with the specific VOC limits set out in the regulations for each applicable product category.

Labeling

The VOC concentration of the product is NOT required on the label, but is permitted. The regulations do require the date of manufacture to be on each the label of each container, as well as specific additional information for a few of the product categories.

Record Keeping

There are specific record keeping requirements for Manufacturers, Importers and Companies that sell to a supplier, wholesaler or retailer. The records must be maintained for at least five years after the day on which the product is manufactured, imported or sold, at the company's principal place of business in Canada or at any other place in Canada where they can be inspected.

***For further information and assistance please contact Joe McCarthy at
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