

Part	OHS Code	Intent	P	C	Risk	Guideline Statement
Part 29 Workplace Hazardous Materials Information System (WHMIS)	<p>Application</p> <p>395(1) Subject to subsections (3), (4) and (5), this Part applies to controlled products at a work site.</p> <p>395(2) An employer must ensure that a controlled product is used, stored, handled or manufactured at a work site in accordance with this Part.</p> <p>395(3) This Part does not apply if the controlled product is</p> <ul style="list-style-type: none"> (a) wood or a product made of wood, (b) tobacco or a tobacco product, (c) a hazardous waste, or (d) a manufactured article, <ul style="list-style-type: none"> (i) that is formed to a specific shape or design during manufacture, (ii) that has a shape or design that determines its use in whole or in part, and (iii) that, under normal use, will not release or otherwise cause a person to be exposed to chemicals emanating from it. <p>395(4) Except for section 407, this Part does not apply if the controlled product is a <i>dangerous good</i>, under the <i>Dangerous Goods Transportation and Handling Act</i>, to the extent that its handling, offering for transport or transport is subject to that Act.</p> <p>395(5) Sections 398, 403, 404, 405, 406, 407 and 408 do not apply if the controlled product is</p> <ul style="list-style-type: none"> (a) an explosive governed by the <i>Explosives Act</i> (Canada), 	Improper storage and handling of hazardous materials and “controlled products” can cause injury and long term health effects.	L	H	M	<p>Employers must ensure that a controlled product is used, stored, and handled properly in accordance with the WHMIS specifications.</p> <p>AgSafe should develop training around the handling and storage of hazardous products for farmers and ranchers.</p>

	<p>(b) a cosmetic, device, drug or food governed by the <i>Food and Drug Act</i> (Canada),</p> <p>(c) a product governed by the <i>Pest Control Products Act</i> (Canada),</p> <p>(d) a nuclear substance governed by the <i>Nuclear Safety and Control Act</i> (Canada), or</p> <p>(e) a product, material or substance packaged</p> <p>(i) as a consumer product, and</p> <p>(ii) in a quantity normally used by a member of the general public.</p>					
	<p>Hazardous waste</p> <p>396 If a controlled product is a hazardous waste generated at the work site, an employer must</p>	<p>Improper storage and handling of hazardous materials</p>	<p>L</p>	<p>M</p>	<p>L</p>	<p>If hazardous waste is generated at the farm, employers must ensure it</p>

	<p>ensure that it is stored and handled safely using a combination of</p> <ul style="list-style-type: none"> (a) any means of identification, and (b) instruction of workers on the safe handling of the hazardous waste. 	<p>and “controlled products” can cause injury and long term health effects.</p>				<p>is properly handled, labeled and stored and employees are trained in proper identification and safe handling of the hazardous material</p>
	<p>Training</p> <p>397(1) An employer must ensure that a worker who works with or near a controlled product or performs work involving the manufacture of a controlled product is trained in</p> <ul style="list-style-type: none"> (a) the content required to be on a supplier label and a work site label and the purpose and significance of the information on the label, (b) the content required to be on a material safety data sheet and the purpose and significance of the information on the material safety data sheet, (c) procedures for safely storing, using and handling the controlled product, (d) if applicable, the procedures for safely manufacturing the controlled product, (e) if applicable, the methods of identification referred to in section 402, (f) the procedures to be followed if there are fugitive emissions, and (g) the procedures to be followed in case of an emergency involving the controlled product. <p>397(2) An employer must develop and implement the procedures referred to in subsection (1) in consultation with the joint</p>	<p>Employees trained in identification and safe handling of controlled substances will be a lower risk of injury.</p>	L	L	L	<p>Employers must ensure employees are properly trained and procedures developed for the safe handling of controlled products.</p> <p>AgSafe should develop training around the handling and storage of hazardous products for farmers and ranchers.</p>

	work site health and safety committee if there is one.					
	<p>Label required</p> <p>398(1) Subject to subsection (4), an employer must ensure that a controlled product or its container at a work site has a supplier label or a work site label on it.</p> <p>398(2) An employer must not remove, modify or alter a supplier label on a container in which a controlled product is received from a supplier if any amount of the controlled product remains in the container.</p> <p>398(3) If the supplier label on a controlled product or its container is illegible or is removed or detached, an employer must immediately replace the label with another supplier label or a work site label.</p> <p>398(4) Despite section 395(2), an employer may store a controlled product that does not have a supplier label or a work site label on it for not more than 120 days if the employer</p> <p>(a) is actively seeking the supplier label or the information required for a work site label,</p> <p>(b) posts a placard that complies with section 401, and</p> <p>(c) ensures that a worker who works with or in proximity to the stored controlled product</p> <p>(i) knows the purpose of the placard and the significance of the information on it,</p> <p>(ii) is trained in the procedures to be followed if there are fugitive emissions, and</p>	<p>Proper labeling and identification of controlled substances will ensure they are handled safely, and employees who are aware of the hazards of working in the proximity of controlled substances will reduce incidents of injury due to exposure, explosions, etc.</p> <p>For example, a worker welding in proximity to an explosive material without realizing it increases the risk of serious injury due to explosions.</p>	M	M	M	<p>Employers must ensure controlled substances are properly labelled and that employees are trained in the identification and meaning of labels, including potential hazards related to working in proximity to controlled products.</p> <p>Material safety information sheets must be made available to employees and emergency procedures developed if an accident occurs with a controlled product.</p> <p>Never mislabel a controlled substance or use a container for a different product or substance.</p> <p>AgSafe should develop training around the handling and storage of hazardous products for farmers and ranchers.</p>

	<p>(iii) is trained in the procedures to be followed in case of an emergency involving the controlled product.</p> <p>398(5) If a controlled product is received at a work site in a multi-container shipment and the individual containers do not have supplier labels on them, the employer must apply to each individual container a work site label.</p> <p>398(6) If a controlled product imported under section 23 of the <i>Controlled Products Regulations</i> (Canada) (SOR/88-66) is received at a work site without a supplier label, the employer must apply a label disclosing the information and displaying the hazard symbols referred to in paragraph 13(b) of the <i>Hazardous Products Act</i> (Canada).</p> <p>398(7) If a bulk shipment of a controlled substance is received at a work site, the employer must</p> <p>(a) if a supplier label is provided, apply the supplier label to the controlled product or its container, or</p> <p>(b) if a material safety data sheet or a statement in writing is transmitted in accordance with section 15 of the <i>Controlled Products Regulations</i> (SOR/88-66) and a supplier label is not provided, apply a work site label to the controlled product or its container.</p>					
	<p>Production or manufacture</p> <p>399 If an employer produces or manufactures a controlled product for use at a work site, the employer must ensure that the controlled</p>	<p>Proper labeling of controlled products manufactured or produced on farm will reduce potential</p>	L	L	L	<p>If a controlled product is produced on farm, employers must ensure that product is properly identified and labelled.</p>

	product or its container has, at a minimum, a work site label on it.	injury from exposure to that product.				
	<p>Decanted products</p> <p>400(1) If a controlled product is decanted at a work site into a container other than the container in which it was received from a supplier, the employer must ensure that a work site label is applied to the container.</p> <p>400(2) Subsection (1) does not apply to a portable container that is filled directly from a container that has a supplier label or a work site label if all of the controlled product is required for immediate use and the controlled product is</p> <p>(a) under the control of and used exclusively by the worker who filled the portable container,</p> <p>(b) used only during the shift during which the portable container is filled, and</p> <p>(c) the contents of the portable container are clearly identified on the container.</p>	When a product is decanted at the farm into another container, proper labeling of the new container will reduce risk of injury or unnecessary exposure to that product.	L	L	L	Employees must ensure containers are properly labeled following decanting or if storing a controlled product (if it is not being immediately used).
	<p>Placards</p> <p>401(1) Sections 398, 399 and 400 do not apply if an employer posts a placard respecting a controlled product that</p> <p>(a) is not in a container,</p> <p>(b) is in a container or in a form intended for export from Canada, or</p> <p>(c) is in a container that</p> <p>(i) is intended to contain the controlled product for sale or other disposition, and</p> <p>(ii) is labelled, or is about to be labelled, in an appropriate manner having regard to the intended disposition.</p>	Proper placement of placards ensure workers are aware of a controlled product when working with them.	L	M	M	Employers must ensure placards on controlled products are visible and easily identified by workers
						AgSafe to clarify protocols.

	<p>401(2) A placard referred to in subsection (1) must</p> <p>(a) have the information required to be on a work site label printed large enough to be read by workers,</p> <p>(b) be big enough to be conspicuous, and</p> <p>(c) be located in a conspicuous place at the work area where the controlled product is stored.</p>					
	<p>Transfer of controlled products</p> <p>402 Sections 398, 399 and 400 do not apply to a controlled product at a work site if</p> <p>(a) the controlled product is contained or transferred in</p> <p>(i) a piping system that includes valves,</p> <p>(ii) a reaction vessel, or</p> <p>(iii) a tank car, tank truck, ore car, conveyor belt or similar conveyance, and</p> <p>(b) the employer identifies the controlled product by using colour coding, labels, placards or some other means of effective identification.</p>	<p>Exemptions for transfer of controlled products</p>				<p>Employers may not need to identify and place placards if certain products are in transit and adhere to the code conditions</p>
	<p>Laboratory samples</p> <p>403(1) Section 398 does not apply to a controlled product in a laboratory sample if</p> <p>(a) the sale or importation of the controlled product is exempt from the application of paragraph 13(a) or (b) or paragraph 14(a) or (b) of the <i>Hazardous Products Act (Canada)</i> by the <i>Controlled Products Regulations (Canada)</i> (SOR/88-66), and</p> <p>(b) the container for the laboratory sample is labelled in accordance with paragraph 10(b) or</p>	<p>Lab samples can present minimal risk and therefore can be exempt from labeling requirements under certain conditions</p>	L	L	L	<p>If employers are handling lab samples, they should be aware of labelling guidelines and exemptions to prevent unnecessary lost productivity due to mislabelling.</p>

	<p>17(b) of the <i>Controlled Products Regulations</i> (Canada) (SOR/88-66).</p> <p>403(2) An employer must ensure that a laboratory sample brought into the laboratory is packaged in a container that has a label with the following information printed on it:</p> <ul style="list-style-type: none">(a) the product identifier;(b) the chemical identity or generic chemical identity of an ingredient of the controlled product referred to in paragraph 13(a) of the <i>Hazardous Products Act</i> (Canada), if it is known to the supplier or the employer;(c) the name of the supplier or other person providing the sample;(d) the emergency telephone number of the person providing the sample;(e) the statement "Hazardous Laboratory Sample. For hazard information or in an emergency call", followed by the emergency telephone number of the person providing the sample. <p>403(3) An employer must ensure that using the emergency telephone number required under subsection (2)(d) provides</p> <ul style="list-style-type: none">(a) the user with hazard information in respect of the controlled product, and(b) a medical professional with information in respect of the controlled product that<ul style="list-style-type: none">(i) is referred to in paragraph 13(a) of the <i>Hazardous Products Act</i>					
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	<p>(Canada) and in the possession of the person who is providing the laboratory sample, and</p> <p>(ii) may be required for a medical diagnosis or treatment in an emergency.</p> <p>403(4) Where a controlled product is in a container other than the container in which it was received from the supplier, the employer is exempt from section 400 if the controlled product is used in a laboratory and is clearly identified.</p> <p>403(5) Where a controlled product is manufactured and used in a laboratory, the employer is exempt from section 399 if the controlled product is clearly identified.</p> <p>403(6) Where a controlled product is produced at the work site and is in a container for the sole purpose of use, analysis, testing or evaluation in a laboratory, the employer is exempt from section 400 if the controlled product is clearly identified and the provisions of section 397 are complied with.</p>					
	<p>Material safety data sheet — supplier</p> <p>404(1) An employer who acquires a controlled product for use at a work site must obtain a supplier material safety data sheet for that controlled product unless the supplier is exempted from the requirement to provide a material safety data sheet by section 9 or 10 of the Controlled Products Regulations (Canada) (SOR/88-66) and complies with that section.</p> <p>404(2) Despite section 395(2), an employer may store a controlled product for which there is no</p>	<p>Material safety data sheets are important to ensure workers are aware of the hazards of handling controlled products and the safe procedures to handle those products.</p>	L	M	M	<p>Employers should ensure material safety data sheets are readily available when acquiring controlled products.</p> <p>AgSafe to clarify protocols.</p>

	supplier material safety data sheet for not more than 120 days if the employer is actively seeking the supplier material safety data sheet.					
	<p>Material safety data sheet — employer</p> <p>405(1) An employer must prepare a material safety data sheet for a controlled product produced or manufactured at a work site. Occupational Health and Safety Code 2009 Part 29 29-7</p> <p>405(2) Subsection (1) does not apply to a fugitive emission or an intermediate product undergoing reaction within a reaction vessel.</p> <p>405(3) An employer may provide a material safety data sheet in a format different from the supplier material safety data sheet or containing additional hazard information if</p> <p>(a) the supplier material safety data sheet is available at the work site, and</p> <p>(b) the material safety data sheet, subject to section 408,</p> <p>(i) includes the information required for a supplier material safety data sheet, and</p> <p>(ii) states that the supplier material safety data sheet is available at the work site.</p>	Material safety data sheets are important to ensure workers are aware of the hazards of handling controlled products and the safe procedures to handle those products.	L	M	M	Employers must prepare and make available a material safety data sheet if a controlled product is produced on the farm. AgSafe to clarify protocols.
	<p>Information current</p> <p>406(1) If the most recent supplier material safety data sheet for a controlled product at a work site is 3 years from its latest revision, an employer must, if possible, obtain an up-to-date supplier's material safety data sheet for the controlled product.</p>	Material safety data sheets for controlled products should be current to ensure employee safety	L	L	L	Employers should review material safety data sheets every 3 years and update them if required.

	<p>406(2) If an employer is unable to obtain a supplier's material safety data sheet that is less than 3 years old, the employer must review, and revise if necessary, the existing supplier's material safety data sheet on the basis of the ingredients disclosed on the sheet.</p> <p>406(3) An employer must update a material safety data sheet referred to in section 405(1) (a) not more than 90 days after new hazard information becomes available to the employer, and (b) at least every 3 years.</p>					
	<p>Availability of material safety data sheet</p> <p>407 An employer must ensure that the material safety data sheet required by this Part is readily available at a work site to workers who may be exposed to a controlled product and to the joint work site health and safety committee if there is one.</p>	<p>If a material safety data sheet is not readily available for controlled products, workers are at increased risk if they need to handle the controlled products.</p>	L	L	L	<p>Employers must ensure material safety data sheets (including e-versions) are readily available on site for controlled products and employees are aware of their location.</p> <p>AgSafe to develop communications.</p>
	<p>Claim for disclosure exemption</p> <p>408 An employer may file a claim with the Hazardous Materials Information Review Commission that the following information is confidential business information and should be exempt from disclosure on a label or a material safety data sheet required under this Part:</p> <p>(a) the chemical identity or concentration of an ingredient of a controlled product;</p>	<p>It is important to protect privacy of sensitive business information.</p>	n/a	n/a	n/a	<p>An employer may make a claim to exempt them from displaying business information on a label of material safety data sheet</p> <p>If a controlled product is produced on farm, employers must disclose material safety data sheet as quickly as possible to a</p>

	<p>(b) the name of a toxicological study that identifies an ingredient of a controlled product;</p> <p>(c) the chemical name, common name, generic name, trade name or brand name of a controlled product;</p> <p>(d) information that could be used to identify a supplier of a controlled product.</p> <p>Interim non-disclosure</p> <p>409(1) Subject to subsection (2), an employer who claims an exemption from the Hazardous Materials Information Review Commission may,</p> <p>(a) delete the information that is the subject of the claim for exemption from the material safety data sheet for the controlled product, and</p> <p>(b) remove a supplier label and replace it with the work site label that complies with this Part.</p> <p>409(2) An employer may delete confidential business information and remove the documents from the date the employer files the claim for exemption until its determination by the Commission, if the employer discloses on the material safety data sheet, and where applicable, on the label of the product or its container,</p> <p>(a) the date on which the claim for exemption was filed, and</p> <p>(b) the registry number assigned to the claim for exemption under the Hazardous Materials Information Review Act (Canada).</p> <p>409(3) An exemption is valid for three years after the date the Commission determines the</p>					<p>concerned worker or a safety officer.</p>
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	<p>information is confidential business information.</p> <p>Exemption from disclosure</p> <p>410(1) If an employer is notified by the Hazardous Materials Information Review Commission that a claim for exemption under section 408 is valid, the employer may, subject to subsection (2),</p> <p>(a) remove the supplier label and replace it with a work site label that complies with this Part, and</p> <p>(b) delete the confidential business information from the material safety data sheet for the controlled product.</p> <p>410(2) An employer may delete confidential business information from a controlled product's material safety data sheet label if the employer includes on its material safety data sheet and, if applicable, on its label or the container in which it is packaged,</p> <p>(a) a statement that an exemption from disclosure has been granted,</p> <p>(b) the date of the Hazardous Materials Information Review Commission's decision granting the exemption, and</p> <p>(c) the registry number assigned to the claim for exemption under the Hazardous Materials Information Review Act (Canada).</p> <p>410(3) The information referred to in subsection (2) must be included for a period of 3 years</p>					
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	<p>beginning not more than 30 days after the final disposition of the claim for exemption.</p> <p>Duty to disclose information</p> <p>411(1) An employer who manufactures a controlled product must give, as quickly as possible under the circumstances, the source of toxicological data used in preparing a material safety data sheet on request to</p> <p>(a) an officer, (b) a concerned worker at the work site, (c) the joint work site health and safety committee, or (d) if there is no joint work site health and safety committee, a representative of concerned workers at the work site.</p> <p>411(2) The Hazardous Materials Information Review Act (Canada), applies to the disclosure of information under subsection (1).</p>					
	<p>Information – confidential</p> <p>412(1) If an officer or other official working under the authority of the Hazardous Products Act (Canada) obtains information from the Hazardous Materials Information Review Commission under paragraph 46(2)(e) of the Hazardous Materials Information Review Act (Canada), the officer or other official</p> <p>(a) must keep the information confidential, and (b) must not disclose it to any person except in accordance with this Part and for the purposes of the administration or enforcement of the</p>	<p>Confidential information obtained by an OH&S officer must not be shared without permission to protect business and owner privacy.</p>	<p>n/a</p>	<p>n/a</p>	<p>n/a</p>	<p>Employers may be able to claim exemption of providing sensitive business information on labels and material safety data sheets.</p>

	<p>Hazardous Products Act (Canada) or the Occupational Health and Safety Act.</p> <p>412(2) A person to whom information is disclosed under subsection (1)(b)</p> <p>(a) must keep the information confidential, and</p> <p>(b) must not disclose it to any person except in accordance with this Part and for the purposes of the administration or enforcement of the Hazardous Products Act (Canada) or the Occupational Health and Safety Act.</p>					
	<p>Information to medical professional</p> <p>413(1) An employer must give information that the employer has, including confidential business information exempted from disclosure under this Part, to a medical professional for the purpose of making a medical diagnosis or treating a worker in an emergency.</p> <p>413(2) A person to whom confidential business information is given under subsection (1) must not give the information to another person except for the purpose of treating a worker in an emergency.</p> <p>413(3) A person to whom confidential business information is given under subsection (2) must keep the information confidential.</p>	<p>Information about a controlled product is very important for medical professionals to properly diagnose or treat a worker in an emergency.</p>	n/a	n/a	n/a	Employers must provide <u>all</u> information, including confidential business information to a medical professional to treat workers in an emergency.
	<p>Limits on disclosure</p> <p>414(1) A person must not use or disclose confidential business information exempted from disclosure under this Part except in accordance with sections 412 and 413.</p> <p>414(2) Subsection (1) does not apply to a person who makes a claim for exemption or to a person acting with that person's consent.</p>	<p>To protect privacy, sensitive business information should not be shared without permission.</p>	n/a	n/a	n/a	Don't share confidential information without permission.