NOTIFICATION

Addendum

The following communication, dated 31 October 2018, is being circulated at the request of the delegation of Canada.

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Prohibition of Asbestos and Products Containing Asbestos Regulations

The proposed Prohibition notified in G/TBT/N/CAN/541 (dated 16 January 2018) was adopted 17 October 2018 as the Prohibition of Asbestos and Products Containing Asbestos Regulations.

These Regulations come into force on 30 December 2018.

The Regulations prohibit the import, sale, and use of processed asbestos fibres. The Regulations also prohibit the manufacture, import, sale, and use of products containing processed asbestos fibres, and of consumer products containing asbestos in greater than trace amounts, with a limited number of exclusions. In addition to the exclusions listed in the proposed regulations, the following exclusions and permit provisions have been revised or added:

* an exclusion until 31 December 2029 for the import and use of asbestos in the chlor-alkali industry;
* an exclusion until 31 December 2022 for the import, sale and use of products containing asbestos to service equipment in nuclear facilities if no technically or economically feasible asbestos-free alternative is available;
* an exclusion until 31 December 2022 for the import, sale and use of products containing asbestos to service military equipment if there is no technically or economically feasible asbestos-free alternative available;
* an ongoing exclusion for the import, sale and use of military equipment serviced with a product  containing asbestos while it was outside of Canada for the purpose of a military operation if no technically or economically feasible asbestos-free alternative is available;
* an ongoing exclusion for the re-use of asbestos in existing road infrastructure into new road infrastructure or in asbestos mining site restoration;
* An ongoing exclusion for the transfer of physical possession or control of asbestos or a product containing asbestos to allow its disposal.

In most cases, people performing an excluded activity, and permit holders, are subject to reporting and record-keeping requirements, and must implement an asbestos management plan. A statement indicating that no technically or economically feasible asbestos-free alternative was available is required for the time-limited exclusions for the import, sale, and use of products containing asbestos to service military equipment and equipment in a nuclear facility.

Starting January 1, 2023, the Regulations also include permit provisions for the import and use of replacement parts containing asbestos to service equipment in a nuclear facility and military equipment when no technically or economically feasible asbestos-free alternative is available. Permits issued will be valid for three years and the permit holder will be subject to reporting requirements.

These Regulations do not apply to asbestos or a product containing asbestos that is in transit through Canada, from a place outside Canada to another place outside Canada.

The full text of the adopted measure can be downloaded from the Internet addresses below:

[<http://gazette.gc.ca/rp-pr/p2/2018/2018-10-17/html/sor-dors196-eng.html>](file:///C%3A%5CUsers%5CGreenleaves%5CAppData%5CLocal%5CMicrosoft%5CWindows%5CINetCache%5CIE%5CWPENZ769%5C%3Ca%20class%3D%27document-link%27%20target%3D%27_blank%27%20href%3D%27http%3A%5Cgazette.gc.ca%5Crp-pr%5Cp2%5C2018%5C2018-10-17%5Chtml%5Csor-dors196-eng.html%27%3Ehttp%3A%5Cgazette.gc.ca%5Crp-pr%5Cp2%5C2018%5C2018-10-17%5Chtml%5Csor-dors196-eng.html%3C%5Ca%3E) (English)

[<http://gazette.gc.ca/rp-pr/p2/2018/2018-10-17/html/sor-dors196-fra.html>](file:///C%3A%5CUsers%5CGreenleaves%5CAppData%5CLocal%5CMicrosoft%5CWindows%5CINetCache%5CIE%5CWPENZ769%5C%3Ca%20class%3D%27document-link%27%20target%3D%27_blank%27%20href%3D%27http%3A%5Cgazette.gc.ca%5Crp-pr%5Cp2%5C2018%5C2018-10-17%5Chtml%5Csor-dors196-fra.html%27%3Ehttp%3A%5Cgazette.gc.ca%5Crp-pr%5Cp2%5C2018%5C2018-10-17%5Chtml%5Csor-dors196-fra.html%3C%5Ca%3E) (French)

or requested from:

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