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Workplace Hazardous Materials Information System

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WHMIS Transition

WHMIS 2015 transition timelines for compliance have recently been updated in the information below to reflect the extensions that were granted on May 19 2017.

The *Hazardous Products Act* (HPA) has been amended, and the WHMIS requirements for hazard classification and communication set out in the *Controlled Product Regulations* (CPR) and the Ingredient Disclosure List repealed and replaced with new regulations, the *Hazardous Products Regulations* (HPR). This modified WHMIS is referred to as WHMIS 2015. The HPA and HPR regulate suppliers of hazardous products (defined as persons who, in the course of business, sell or import a hazardous product) while federal, provincial and territorial (FPT) occupational health and safety (OHS) authorities regulate the employer requirements of WHMIS in workplaces.

To fully implement WHMIS 2015, changes to the FPT OSH requirements for hazard communication (labels and safety data sheets (SDSs)) are required. The interlocking nature of the FPT WHMIS requirements requires that the timing of implementation and the transition approach be coordinated across Canada. As each jurisdiction follows an independent legislative process, there may be a lag between the coming-into-force of the HPA and HPR and the timing of amendments to PT legislation.

To address this issue, PT OSH authorities have agreed to support a synchronized coming-into-force and transition across Canada until necessary changes are made to their legislation. Once finalized, each jurisdiction will communicate to its stakeholders what measures will be acceptable to ensure worker health and safety in workplaces.

To give suppliers, employers and workers time to adjust to the new system, implementation of the Globally Harmonized System of Classification and Labelling of Chemicals (GHS) ([WHMIS 2015](#)) will take place over a three-stage transition period that is synchronized nationally across federal, provincial and territorial jurisdictions.

The purpose of the transition period is to enable:

- time for partners and stakeholders to make the necessary legislative, regulatory and system adjustments;
- old labels and material safety data sheets (MSDS) to be moved out of the supply chain and workplaces in a predictable manner;
- increased employer and worker awareness and understanding of changes to hazard classification and communication in WHMIS 2015; and,
- consistency across Canada through coordination and alignment between federal, provincial and territorial jurisdictions.

During the initial phase, suppliers must comply with the requirements of either [WHMIS 1988](#) (repealed CPR/old HPA) or WHMIS 2015 (HPR/new HPA). The classification, label and (M)SDS must comply fully with the specific law and regulation chosen, and not a

combination of the two WHMIS systems. See chart below.

This approach is similar to the approach adopted by the United States (U.S.) Occupational Safety and Health Administration to implement the *Hazard Communication Standard* (2012), which implemented the GHS in the U.S.

An (M)SDS and label that is compliant with the U.S. *Hazard Communication Standard* (2012) may not be sufficient for compliance in Canada. Suppliers and employers must be compliant with the Canadian requirements.

Transition Phases

Phases	Timing	Suppliers		Employers ¹
		Manufacturers and Importers	Distributors	
Phase 1	From coming-into-force to May 31, 2018	Comply with CPR or HPR requirements	Comply with CPR or HPR requirements	Consult FPT OSH regulator
Phase 2	From June 1, 2018 to August 31, 2018	Comply with HPR requirements	Comply with CPR or HPR requirements	Comply with CPR or HPR requirements
Phase 3	From September 1, 2018 to November 30, 2018	Comply with HPR requirements	Comply with HPR requirements	Comply with CPR or HPR requirements
Completion	December 1, 2018	Comply with HPR requirements	Comply with HPR requirements	Comply with HPR requirements

¹ Consult appropriate [FPT OHS regulator](#) to confirm requirements and transition timing.

During transition a hazardous product that is found to be non-compliant with the CPR must be voluntarily brought into compliance with the CPR, or the supplier will be required to comply with the HPR, no matter which transitional phase applies at the time.

With respect to exemptions from disclosure of confidential business information (CBI), a [transitional schedule](#) will apply to hazardous products for which a claim for exemption has or will be filed with Health Canada under the *Hazardous Materials Information Review Act*.

In this topic

- Explanation of Transition Phases
- E-courses to Facilitate Transition to the GHS
- Confidential Business Information - Transition to WHMIS 2015

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Date Modified: 2017-05-24


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