

Export Control List

SOR/89-202

EXPORT AND IMPORT PERMITS ACT

EXPORT CONTROL LIST

INTERPRETATION

1. The definitions in this section apply in this List.

"Guide" means *A Guide to Canada's Export Controls*, published in December 2005 by the Department of Foreign Affairs and International Trade. (*Guide*)

"Wassenaar Arrangement" means *The Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies* that was reached at the Plenary Meeting of representatives of 33 states in Vienna, Austria on July 11-12, 1996 and is described in the Initial Elements summarizing the conclusions of that meeting. (*Entente de Wassenaar*) SOR/90-440, s. 1; SOR/92-389, s. 1; SOR/93-451, s. 1; SOR/94-530, s. 1; SOR/97-131, s. 1; SOR/2003-52, s. 1; SOR/2006-16 s.1; SOR/2006-196 s.1.

GENERAL

2. The following goods, when intended for export to the destinations specified, are subject to export control for the purposes set out in section 3 of the *Export and Import Permits Act*:

(a) goods referred to in Groups 1, 2, 6 and 7 of the schedule, except for goods set out in items 2-1, 2-2.a. and 2-2.b., 2-3, 2-4.a., 6-1, 6-2, 7-2, 7-3, 7-12 and 7-13 of the Guide, that are intended for export to any destination other than the United States;

(b) goods referred to in Groups 3 and 4 of the schedule and goods set out in items 2-1, 2-2.a. and 2-2.b., 2-3, 2-4.a., 6-1, 6-2, 7-3 and 7-13 of the Guide that are intended for export to any destination;

(c) any good referred to in Group 5 of the schedule that is intended for export to any destination referred to in the item of the schedule in which the good is described; and

(d) any good set out in items 7-2 and 7-12 of the Guide that is intended for export to any destination referred to in the item of the Guide in which the good is described. . SOR/90-440, s. 2; SOR/91-573, s. 1; SOR/92-389, s. 1; SOR/97-131, s. 1; SOR/98-248, s. 1; SOR/2003-52, s. 2; SOR/2006-16 s.2.

SCHEDULE (Section 2)

GROUP 1 DUAL USE

1000. Goods, as described in Group 1 of the Guide, the export of which Canada has agreed to control in accordance with the Wassenaar Arrangement.

GROUP 2 MUNITIONS

2000. Goods, as described in Group 2 of the Guide, the export of which Canada has agreed to control in accordance with the Wassenaar Arrangement.

GROUP 3 NUCLEAR NON-PROLIFERATION

3000. Goods, as described in Group 3 of the Guide,

(a) the export of which Canada has agreed to control under the *Treaty on the Non-Proliferation of Nuclear Weapons* that was signed by Canada at London and Washington on July 23, 1968 and at Moscow on July 29, 1968 and that came into force for Canada on March 5, 1970; and

(b) the export of which Canada is committed to control in accordance with the procedures contained in Information Circular 254/Rev. 2/Part 1 of the International Atomic Energy Agency of October 1995;

(c) [Repealed, SOR/2006-16, s. 3]

(d) [Repealed, SOR/2006-16, s. 3]

GROUP 4 NUCLEAR-RELATED DUAL USE

4000. Goods, as described in Group 4 of the Guide,

(a) the export of which Canada has agreed to control under the *Treaty on the Non-Proliferation of Nuclear Weapons* that was signed by Canada at London and Washington on July 23, 1968 and at Moscow on July 29, 1968 and that came into force for Canada on March 5, 1970; and

(b) the export of which Canada is committed to control in accordance with the procedures contained in Information Circular 254/Rev. 2/Part 2 of the International Atomic Energy Agency of October 1995.

GROUP 5 MISCELLANEOUS GOODS

Medical Products

[SOR/92-657, s. 1(E), SOR/2006-16, s. 4]

5000. [Repealed, SOR/97-19, s. 1]

Pancreas Glands

5001. Pancreas glands of cattle and calves. (*All destinations*)

Human Serum Albumin

5011. Human serum albumin. (*All destinations*)

Forest Products

Logs

5101. Logs of all species of wood. (*All destinations*)

Pulpwood

5102. Pulpwood of all species of wood. (*All destinations*)

Red Cedar

5103. Blocks, bolts, blanks, boards and any other material or product of red cedar that is suitable for use in the manufacture of shakes or shingles. (*All destinations*)

[SOR/2006-16, s. 5]

5104. (1) [Repealed, SOR/2006-16, s. 5]

(2) [Repealed, SOR/2006-16, s. 5]

(a) [Repealed, SOR/2006-16, s. 5]

(b) [Repealed, SOR/2006-16, s. 5]

(3) [Repealed, SOR/2006-16, s. 5]

5105. Softwood lumber products, as follows:

(a) coniferous wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6 mm, that is classified under subheading 4407.10.00 of the *Harmonized Tariff Schedule of the United States (2001)* (United States International Trade Commission Pub. 3378, 19 U.S.C. 1202 (1988)); (*United States*) and

(b) coniferous wood (including strips and friezes for parquet flooring, not assembled), continuously shaped (tongued, grooved, rebated, chamfered, V-jointed, beaded, moulded, rounded or the like) along any of its edges or faces (other than wood mouldings and wood dowel rods), whether or not planed, sanded or finger-jointed, that is classified under subheading 4409.10.10, 4409.10.20 or 4409.10.90 of the *Harmonized Tariff Schedule of the United States (2001)* (United States International Trade Commission Pub. 3378, 19 U.S.C. 1202 (1988)). (*United States*)

Agricultural and Food Products

Peanut Butter SOR/2006-16, s. 6

5201. Peanut butter that is classified under tariff item No. 2008.11.10 in the List of Tariff Provisions set out in the schedule to the *Customs Tariff*. (*All destinations*)

Roe Herring

5202. Roe herring from which the roe has not been extracted and that were caught in those parts of the following areas adjacent to the coast of British Columbia:

(a) the territorial sea of Canada as determined under section 4 of the *Oceans Act*;

(b) the internal waters of Canada as determined under section 6 of that Act; or

(c) the fishing zones of Canada as determined under section 16 of that Act and prescribed by regulations made under paragraph 25(b) of that Act. (***All destinations***) [SOR/2006-196 s.2]

Sugar-containing Products

5203. Sugar-containing products that are classified under subheadings 1701.91.54, 1704.90.74, 1806.20.75, 1806.20.95, 1806.90.55, 1901.90.56, 2101.12.54, 2101.20.54, 2106.90.78 and 2106.90.95 of the *Harmonized Tariff Schedule of the United States (1999)* (United States International Trade Commission Pub. 2831, 19 U.S.C. § 1202 (1988)). (*United States*)

Sugars, Syrups and Molasses

5204. Sugars, syrups and molasses that are classified under subheadings 1701.12.10, 1701.91.10, 1701.99.10, 1702.90.10 and 2106.90.44 of the *Harmonized Tariff Schedule of the United States (1995)* (United States International Trade Commission Pub. 2831, 19 U.S.C. § 1202 (1988)). (*United States and U.S. Foreign Trade Zones*)

5300. [Repealed, SOR/92-389, s. 3]

Foreign Origin Goods

United States Origin Goods

5400. All goods that originate in the United States, unless they are included elsewhere in this List, whether in bond or cleared by the Canada Border Services Agency, other than goods that have been further processed or manufactured outside the United States so as to result in a substantial change in value, form or use of the goods or in the production of new goods. (*All destinations other than the United States*) [SOR/2006-16, s. 12]

Goods in Transit

5401. All goods that originate outside Canada that are included in this List, whether in bond or cleared by the Canada Border Services Agency, other than goods that are in transit in bond on a through journey on a billing that originates outside Canada where the billing [SOR/2006-16, s. 12]

(a) indicates that the ultimate destination of the goods is a country other than Canada; (*All destinations other than the United States*) and

(b) in the case of goods that are shipped from the United States, is accompanied by a certified true copy of the United States *Shipper's Export Declaration* and that Declaration does not contain terms which conflict with those of the billing and is presented to the Canada Border Services Agency. (*All destinations other than the United States*) [SOR/2006-16 s. 7]

(i) [Repealed, SOR/2006-16 s. 7]

(ii) [Repealed, SOR/93-164, s. 1]

(iii) [Repealed, SOR/2006-16 s. 7]

[SOR/2006-16, s. 8]

5500. [Repealed SOR/2006-16, s. 8]

(a) [Repealed SOR/2006-16, s. 8]

(b) [Repealed SOR/2006-16, s. 8]

(c) [Repealed SOR/2006-16, s. 8]

Blinding Laser Weapons

5501. *Laser weapons that are specifically designed, as their sole combat function or as one of their combat functions, to cause permanent blindness to the naked eye or the eye with corrective eyesight devices.* (All destinations) [SOR/2006-16, s. 8]

Nuclear Fusion Reactors

5502. (1) Subject to subitem (2), systems, equipment, material, components, software and technology for use in research, development, design, testing, demonstration or training related to nuclear fusion or the construction and operation of a nuclear fusion reactor, including

(a) reactor assemblies incorporating toroidal and poloidal field coils;

(b) independent electrical and magnet power supply systems;

(c) high-power microwave radio frequency systems; and

(d) feedback, control and data acquisition systems. (*All destinations*)

(2) This item does not apply to data

(a) that is contained in published books or periodicals or that is otherwise available to the public; or

(b) that has been made available without restrictions on its further dissemination.

Anti-personnel Mines

5503. Anti-personnel mines as defined in section 2 of the *Anti-Personnel Mines Convention Implementation Act*. (*All destinations*)

Strategic Goods

5504. (1) In this item, the terms "development", "production", "software", "spacecraft", "technology" and "use" have the same meaning as in the Wassenaar Arrangement. [SOR/2006-16, s. 9.1]

(2) Strategic goods as follows:

(a) goods referred to in Group 1 of the Guide as follows, namely,

(i) global navigation satellite systems receiving equipment referred to in item 1-7.A.5 of the Guide, the associated software referred to in item 1-7.D of the Guide, and the associated technology referred to in item 1-7.E of the Guide, and

(ii) propulsion and space-related equipment referred to in items 1-9.A.4 to 1-9.A.11 of the Guide, the associated software referred to in item 1-9.D of the Guide, and the associated technology referred to in item 1-9.E of the Guide;

(b) software that is specially designed or modified for the development or use of the goods referred to in paragraphs (d) to (j);

(c) technology that is specially designed or modified for the development or production of the goods referred to in paragraphs (d) to (j);

(d) payloads specially designed or modified for spacecraft, and specially designed components therefor, other than payloads or components that are referred to in Group 1 of the Guide; [SOR/2006-16, s. 9.2]

(e) ground control stations for telemetry and tracking and control of space launch vehicles or spacecraft, and specially designed components therefor;

(f) chemiluminescent compounds specially designed or modified for military use, and specially designed components therefor;

(g) radiation-hardened microelectronic circuits that meet or exceed all of the following, and specially designed components therefor, namely:

(i) a total dose of 5×10^5 Rads (SI),

(ii) a dose rate upset of 5×10^8 Rads (SI)/sec,

(iii) a neutron dose of 1×10^{14} N/cm²,

(iv) a single event upset of 1×10^{-7} or less error/bit/day, and

(v) single event latch-up free and having a dose rate latch-up of 5×10^8 Rads (SI)/sec or greater; (*All destinations other than the United States*) [SOR/2006-16, s. 9.3]

(h) nuclear weapons design and test equipment, namely:

(i) any article, material, equipment or device which is specially designed or modified for use in the design, development or fabrication of nuclear weapons or nuclear explosive devices, (*All destinations*)

(ii) any article, material, equipment or device which is specially designed or modified for use in the devising, carrying out or evaluating of nuclear weapons tests or other nuclear explosions; (*All destinations*) and

(j) any other articles not specifically set out in paragraphs (a) to (h) or in Group 2 or Group 6 that are United States origin goods, which have been determined under Parts 120 to 130 of Title 22 of the *International Traffic in Arms Regulations* of the *Code of Federal Regulations* (United States) as having substantial military applicability, and which have been specially designed or modified for military purposes. (*All destinations other than the United States*) [SOR/2006-16, s. 9.4]

Goods for Certain Uses

5505. All goods not listed elsewhere in this List

(a) that are intended for use in

(i) the development, production, handling, operation, maintenance, storage, detection, identification or dissemination of chemical, biological or nuclear weapons, or of materials or equipment that could be used in such weapons,

(ii) the development, production, handling, operation, maintenance or storage of missiles capable of delivering chemical, biological or nuclear weapons, or of materials or equipment that could be used in such missiles, or

(iii) any chemical, biological or nuclear weapons facility or missile facility; or

(b) in respect of which there are reasonable grounds to suspect that the goods are intended for use in

(i) the development, production, handling, operation, maintenance, storage, detection, identification or dissemination of chemical, biological or nuclear weapons, or of materials or equipment that could be used in such weapons,

(ii) the development, production, handling, operation, maintenance or storage of missiles capable of delivering chemical, biological or nuclear weapons, or of materials or equipment that could be used in such missiles, or

(iii) any chemical, biological or nuclear weapons facility or missile facility. (*All destinations other than Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, the Netherlands, New Zealand, Norway, Poland, Portugal, the Republic of Korea, Romania, the Russian Federation, the Slovak Republic, South Africa, Spain, Sweden, Switzerland, Ukraine, the United Kingdom, and the United States; provided that the final destination of the goods is one of these countries*).

GROUP 6 MISSILE TECHNOLOGY CONTROL REGIME

6000. Goods, as described in Group 6 of the Guide, the export of which Canada has agreed to control under bilateral arrangements concluded on April 7, 1987, in accordance with the *Guidelines for Sensitive Missile-Relevant Transfers*, issued by the Missile Technology Control Regime to control the export of missile equipment and technology that could be used in the development of missile systems capable of delivering nuclear weapons.

GROUP 7
CHEMICAL AND BIOLOGICAL WEAPONS NON-PROLIFERATION

7000. Goods, as described in Group 7 of the Guide,

(a) the export of which Canada has agreed to control under a bilateral arrangement concluded December 24, 1992, between Canada and the United States, this arrangement having been made in accordance with the guidelines established by the Australia Group for the purpose of considering ways to limit the proliferation of chemical and biological weapons; and

(b) the export of which Canada has agreed to control under the *Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction*, which was signed at Paris, France, on January 13, 1993. [SOR/2006-16, s. 10]

[Repealed, SOR/2006-16, s. 11]

8000. [Repealed, SOR/2006-16, s. 11]

SOR/90-168, s. 1; SOR/90-440, ss. 3, 4(F), 5(E), 6(F), 7, 8(E), 9 to 11(F), 12, 13(F), 14, 15(F), 16; SOR/91-98, s. 1; SOR/91-491, s. 1; SOR/91-658, s. 1; SOR/91-662, s. 1; SOR/92-389, ss. 2 to 5; SOR/92-657, ss. 1(E), 2; SOR/93-164, s. 1; SOR/93-451, ss. 2, 3; SOR/94-530, s. 2; SOR/95-35, s. 1; SOR/95-73, s. 1; SOR/95-236, s. 1; SOR/95-469, s. 1; SOR/96-175, s. 1; SOR/96-315, s. 1; SOR/97-19, s. 1; SOR/97-131, ss. 2, 3; SOR/98-25, s. 1; SOR/98-248, s. 2; SOR/99-99, s. 1; SOR/99-359, s. 1; SOR/2001-33, s. 1; SOR/2001-121, s. 1; SOR/2002-86, s. 1; SOR/2002-136, s. 1; SOR/2002-153, s. 1, SOR/2006-16, s.1; SOR/2006-196, s.1.