

MEMORANDUM D19-13-5

Ottawa, January 18, 2001

In Brief

SUBJECT

**TRANSPORTATION OF
DANGEROUS GOODS**

1. This Memorandum outlines the Canada Customs and Revenue Agency's role vis-à-vis the administration of the *Transportation of Dangerous Goods Act, 1992* and Regulations on behalf of Transport Canada.
2. The responsibilities of customs inspectors, on behalf of Transport Canada, with respect to the transportation of dangerous goods, are captured in this Memorandum.
3. Appendix A contains a list of Transport Canada regional offices, and Appendix B, a description of the marks of safety.

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Transport Canada is responsible for administering the *Transportation of Dangerous Goods Act, 1992* (TDGA) and Regulations which protect the public from the hazards of dangerous goods when transported. The Canada Customs and Revenue Agency's (CCRA) role under the Regulations includes the verification of shipping documents to ensure that required information is provided, as well as determining if the safety marks on containers, transport units, etc., are present. These marks must be consistent with certain information on the shipping document. **The information contained in this Memorandum relates to customs' role in the administration of the TDGA and Regulations.**

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Legislation

The *Transportation of Dangerous Goods Act, 1992* and Regulations are administered by the Department of Transport.

GUIDELINES AND GENERAL INFORMATION

1. The purpose of the *Transportation of Dangerous Goods Regulations* is to protect the public from potential hazards of transporting dangerous goods by establishing and regulating safety standards, safety marks, and safety requirements for these products.
2. Dangerous goods, hazardous wastes, explosives, and radioactive materials are examples of products that pose a hazard or risk to human health or the environment, and as such, are regulated and require special handling while being transported.
3. The *Transportation of Dangerous Goods Regulations* require that all shipments of dangerous goods be classified, labeled, placarded, packaged, and documented in a specific manner by the shipper (see the section entitled "Shipping Document Requirements," and Appendix B for safety marks according to class).

DEFINITIONS

Dangerous Goods

4. The TDGA and Regulations control the following nine classes of products, substances, or organisms considered to be dangerous goods:
 - (a) Class 1 – Explosives
 - (b) Class 2 – Gases
 - (c) Class 3 – Flammable liquids
 - (d) Class 4 – Flammable solids; substances liable to spontaneous combustion; substances that on contact with water emit flammable gases (water-reactive substances)
 - (e) Class 5 – Oxidizing substances and organic peroxides
 - (f) Class 6 – Toxic substances and infectious substances
 - (g) Class 7 – Radioactive materials
 - (h) Class 8 – Corrosives
 - (i) Class 9 – Miscellaneous products, substances or organisms

Hazardous Wastes

5. Hazardous wastes generally include dangerous goods **that are no longer used for their original purpose, and that are recyclable materials or intended for treatment or disposal**. Of the nine classes noted above, seven categories (i.e., excluding explosives and radioactives) are also controlled by the *Canadian Environment Protection Act (CEPA)* administered by Environment Canada. For more information on hazardous wastes, see Memorandum D19-7-3, *Importation and Exportation of Hazardous Wastes*.

Explosives

6. Explosives are defined as any substance that is made, manufactured, or used to produce an explosion or detonation or a pyrotechnic effect, and include gunpowder, propellant powders, blasting agents, dynamite, detonating cord, lead azide, detonators, ammunition of all descriptions, rockets, fireworks, firework compositions, safety flares, and other signals. Explosives are also regulated under the *Explosives Act* administered by the Department of Natural Resources. For more information on explosives, see Memorandum D19-6-1, *Explosives Act and Regulations*.

ATOMIC ENERGY “PRESCRIBED SUBSTANCES”

7. In accordance with section 2 of the *Nuclear Safety and Control Act*, “prescribed substances” means uranium, thorium, plutonium, neptunium, deuterium, their respective derivatives and compounds, and any other substances that the Canadian Nuclear Safety Commission (CNSC) may by regulation designate as being capable of releasing atomic energy, or as being requisite for the production, use, or application of atomic energy. For more information related to the *Nuclear Safety and Control Act* and Regulations, see Memorandum D19-2-1, *Atomic Energy Control Act and Regulations*.

Note: For hazardous wastes, explosives, and prescribed substances, import/export permits/licences/authorizations are required. For more information, see the applicable Memoranda.

SHIPPING DOCUMENT REQUIREMENTS

8. The *Transportation of Dangerous Goods Regulations* require carriers to have with them a shipping document containing the specific information outlined below to describe the type of goods being carried. The consignor is responsible for preparing the shipping document.

9. **The shipping document is not a prescribed form other than when accompanying a shipment by air and for shipments of hazardous wastes.** The information can be included on Form CII, *Canada Customs Invoice*, or its commercial invoice, a bill of lading, or any other document.

10. For shipments transported by **air**, the prescribed shipping document is called a *Shipper’s Declaration for Dangerous Goods*. For shipments of **hazardous wastes**, the prescribed shipping document is the Canadian Waste Manifest (see Memorandum D19-7-3).

INFORMATION REQUIREMENTS ON A SHIPPING DOCUMENT

11. The basic description of goods should be listed in the following order:

(a) The **shipping name** is the name of the product.

(b) The **Class of dangerous goods** is one of the nine classes.

(c) **PIN (Product Identification Number)** – It will take the form of a four-digit number preceded by UN (United Nations) or NA (North America) code, and is specific to the product (e.g., gasoline has a PIN of UN1203).

(d) **Packing Group** – Packing Group means the level of hazard inherent to dangerous goods. There are three packing groups: Packing Group I being the most dangerous, Packing Group II being of moderate danger, and Packing Group III being the least dangerous. Class 2, Gases, Class 6.2, Infectious Substances, and Class 7, Radioactive Materials are not assigned any Packing Group. Infectious substances are assigned a risk group.

(e) **Twenty-Four (24) Hour Emergency Telephone Number** – The Canadian Transport Emergency Centre’s (CANUTEC) twenty-four (24) hour emergency telephone number, (613) 996-6666, or the shipper’s number may be listed.

CUSTOMS' ROLE

12. When customs processes a shipment of dangerous goods, and discovers or suspects non-compliance with the *Transportation of Dangerous Goods Act, 1992* or Regulations, for example, the information required under the *Transportation of Dangerous Goods Regulations* does not appear on the shipping document, or the safety marks on the containers/transport units are not consistent with information on the shipping document (see Appendix B for safety marks), but the customs examination reveals **no obvious leakage or spillage**, the officer will:

- (a) take copies of the accompanying dangerous goods shipping documents and forward them with a description of the non-compliance and any additional information (e.g., carrier name, date of importation, the names/addresses of consignor, consignee, description of goods, type of discrepancy) to the appropriate Transport Canada regional office for further action (see Appendix A); and
- (b) allow the shipment to proceed.

13. When a shipment of dangerous goods is processed that is **leaking or spilling**, officers will:

- (a) in collaboration with their superior and Transport Canada authorities (i.e., CANUTEC), take all reasonable measures to ensure that the dangerous goods are detained in the most suitable location possible, inform a local emergency response agency (e.g., fire, police), and, if feasible, retrieve all related shipping documents together with any additional information pertaining to the shipment; and
- (b) provide all relevant information to the appropriate Transport Canada regional office (see Appendix A).

Note: These procedures do not apply to shipments transported by air for subsequent shipment by air, or to hazardous wastes subject to the requirements of the *Canadian Environmental Protection Act* and the *Export and Import of Hazardous Wastes Regulations* (see Memorandum D19-7-3).

AIR SHIPMENTS

14. In addition to the above, when customs discovers a shipment of dangerous goods that have not been identified as dangerous goods but have been transported into Canada **by air for subsequent re-shipment by air** to a final destination, the officer will take all reasonable measures to ensure that the dangerous goods shipment is detained in the most suitable location possible and request direction from the appropriate Transport Canada regional aviation office (see Appendix A) as to the continuing detention, movement, or disposal of the shipment.

HIGH RISK SHIPMENTS

15. Shipments which have been targeted will be detained in the most suitable location possible pending direction from customs authorities and/or the appropriate Transport Canada regional office (see Appendix A), or a local emergency response agency (e.g., fire department).

16. If a situation occurs where a shipment requires examination and customs officers are concerned about performing the investigation for health and safety reasons, they should first discuss the issue(s) with their superior, and, as required, may seek expert advice from CANUTEC at (613) 996-6666. Based on this expert information, customs officers, in consultation with their superior, will make an informed decision to examine the shipment, and/or request the assistance of outside professional agencies qualified and equipped to handle the goods. Generally, for health and safety reasons, customs officers are not to open any packages or take samples of dangerous goods, hazardous wastes, radioactive materials, or explosives.

MIXED LOADS

17. In the case of mixed loads that require customs examination (i.e., dangerous and non-dangerous goods), it is the responsibility of the carrier to present the goods for examination. If customs officers are concerned about performing an examination for health and safety reasons, they should first discuss the issue(s) with their superior, and as required, seek expert advice from CANUTEC at (613) 996-6666. Based on this expert information, customs officers, in consultation with their superior, will make an informed decision to examine the shipment, and/or request the assistance of outside professional agencies who are qualified and equipped to handle the goods.

MAIL SHIPMENTS

18. Shipments of dangerous goods that have been discovered in the mail are to be referred to Canada Post authorities.

ADDITIONAL INFORMATION

19. For more information, please contact us:

Interdepartmental Programs
Admissibility Programs Division
Trade Policy and Interpretation Directorate
10th floor
Sir Richard Scott Building
191 Laurier Avenue West
Ottawa ON K1A 0L5
Telephone: (613) 954-7031

APPENDIX A

TRANSPORT CANADA REGIONAL OFFICES

Air Transport

Atlantic Region

Dangerous Goods Aviation
Commercial and Business Aviation
Transport Canada
Heritage Court
P.O. Box 42
Moncton NB E1C 8K6

Telephone: (506) 851-7247 or 7557
Facsimile: (506) 851-7190

Quebec Region

Dangerous Goods Aviation
Commercial and Business Aviation
Transport Canada
Jean-Lesage International Airport
Suite 2022, 500 Principale Street
Ste-Foy QC G2E 5W1

Telephone: (418) 564-4479
Facsimile: (418) 640-2680

Ontario Region

Dangerous Goods Aviation
Commercial and Business Aviation
Transport Canada
Suite 300, 4900 Yonge Street
Willowdale ON M2N 6A5

Telephone: (416) 952-0024
Facsimile: (416) 952-0050

Prairie and Northern Region

Dangerous Goods Aviation
Commercial and Business Aviation
Transport Canada
19th floor, 333 Main Street
Winnipeg MB R3C 0P6

Telephone: (204) 983-1399
Facsimile: (204) 983-1734

or

Transport Canada
1100 Canada Place
9700 Jasper Avenue
Edmonton AB T5J 4E6

Telephone: (780) 495-5278
Facsimile: (780) 495-4622

Pacific Region

Dangerous Goods Aviation
Commercial and Business Aviation
Transport Canada
800 Burrard Street
P.O. Box 220
Vancouver BC V6Z 2J8

Telephone: (604) 666-5655
Facsimile: (604) 666-0682

Marine Transport

Atlantic Region

Transport Canada
Marine Safety
10 Barter's Hill Cabot Place, Tower 2
P.O. Box 1300
St. John's NF A1C 6H8

Telephone: (709) 772-5166
Facsimile: (709) 772-0210

Transport Canada
Marine Safety
9th floor, 45 Alderney Drive
P.O. Box 1013
Dartmouth NS B2Y 4K2

Telephone: (902) 426-2060
Facsimile: (902) 426-6657

Quebec Region

Transport Canada
Marine Safety
Gare Maritime Champlain
4th floor, 901 Cap Diamant
Québec QC G1K 4K1

Telephone: (418) 648-4166
Facsimile: (418) 648-3790

Ontario Region

Transport Canada
Marine Safety
100 Front Street South
Sarnia ON N7T 2M4

Telephone: (519) 383-1826
Facsimile: (519) 383-1997

Prairie and Northern Region

Transport Canada
Marine Safety
14th floor, 330 Sparks Street
Ottawa ON K1A 0N5

Telephone: (613) 991-6004
Facsimile: (613) 991-4818

Pacific Region

Transport Canada
Marine Safety
Suite 620, 800 Burrard Street
Vancouver BC V6Z 2J8

Telephone: (604) 666-5300
Facsimile: (604) 666-5444

SURFACE**Atlantic Region**

Transport Dangerous Goods
Queen Square Building
Suite 1415, 45 Alderney Drive
Dartmouth NS B2Y 2N6

Telephone: (902) 426-9351
Facsimile: (902) 426-6921

Quebec Region

Transport Dangerous Goods
Room 638, 800 René-Lévesque Blvd. West
Montréal QC H3B 1X9

Telephone: (514) 283-0303
Facsimile: (514) 283-8234

Ontario Region

Transport Dangerous Goods
Suite 600, 6th floor, 20 Toronto Street
Toronto ON M5C 2B8

Telephone: (416) 973-9820
Facsimile: (416) 973-9907

Prairie and Northern Region

Transport Dangerous Goods
Federal Building
Room 305, 101 22nd Street East
Saskatoon SK S7K 0E1

Telephone: (306) 975-5059
Facsimile: (306) 975-4555

or

Transport Canada Centre
Transport Dangerous Goods
Transport Canada
4th floor, 344 Edmonton Street
Winnipeg MB R3C 0P6

Telephone: (204) 983-5969

Facsimile: (204) 983-8992

Pacific Region

Transport Dangerous Goods
Suite 225, 625 Agnes Street
New Westminster BC V3M 5Y4

Telephone: (604) 666-2955

Facsimile: (604) 666-7747

APPENDIX B

**LABELS AND PLACARDS
THE MARKS OF SAFETY**

(English version)

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**LABELS AND PLACARDS
THE MARKS OF SAFETY**

(English version)

REFERENCES

ISSUING OFFICE –

Trade Policy and Interpretation Directorate

LEGISLATIVE REFERENCES –

Customs Act, sections 101 and 102

HEADQUARTERS FILE –

7619-0

SUPERSEDED MEMORANDA “D” –

N/A

OTHER REFERENCES –

D19-7-3, D19-6-1, D19-2-1

2000 Emergency Response Guidebook (A guidebook for first responders during the initial phase of a hazardous materials/dangerous goods incident. One copy is to be kept in each customs office.)

Services provided by the Canada Customs and Revenue Agency are available in both official languages.

This Memorandum is issued under the authority of the Commissioner of Customs and Revenue.