



Memorandum D19-13-5

Ottawa, November 6, 2020

Transportation of Dangerous Goods

In Brief

This memorandum has been updated to:

- (a) reflect the change from Canada Customs and Revenue Agency (CCRA) to the Canada Border Services Agency (CBSA); and,
- (b) modify text and links where necessary to relevant legislation and regulations.

The Canada Border Services Agency (CBSA) has specific responsibilities in assisting [Transport Canada](#) (TC) in administering and enforcing the [Transportation of Dangerous Goods Act, 1992](#) and the [Transportation of Dangerous Goods Regulations](#). This memorandum outlines the legislation, regulations and general guidelines that apply to the transportation of dangerous goods.

Legislation

[Customs Act](#) – Section 101, Section 102

[Transportation of Dangerous Goods Act, 1992](#)

[Transportation of Dangerous Goods Regulations](#)

Guidelines and General Information

Introduction

TC is responsible for administering the [Transportation of Dangerous Goods Act, 1992](#) (hereafter referred to as “the Act”) and the [Transportation of Dangerous Goods Regulations](#) (hereafter referred to as “the Regulations”), which ensure the safe transportation of dangerous goods. The CBSA’s role under the Act and Regulations include the verification of shipping documents to ensure that required information is provided, as well as determining if the [safety marks](#) on the means of containment are present. These marks must be consistent with specific information contained on the shipping document. The information contained in this memorandum relates to CBSA’s role in the administration of the Act and Regulations.

Transportation of Dangerous Goods

1. The purpose of the [Transportation of Dangerous Goods Act, 1992](#) is to establish standards and requirements for the safe transportation of dangerous goods.
2. The [Transportation of Dangerous Goods Regulations](#) requires, among other things, that most shipments of dangerous goods bear the proper safety marks and are accompanied by the proper documentation (refer to the section below titled “Shipping Document Requirements,” as well as the following link for required [safety marks](#) according to class).

3. Dangerous goods, including hazardous wastes, hazardous recyclable material, explosives, and radioactive materials are products that pose a hazard to human health or the environment, and as such, are regulated and require special handling while being transported.

Dangerous Goods

4. The [Transportation of Dangerous Goods Act, 1992](#), and the [Transportation of Dangerous Goods Regulations](#) regulate the following nine classes of dangerous goods. These nine classes are based on the Recommendations developed by the United Nations Committee of experts on the Transportation of Dangerous Goods. The order in which the nine classes are listed is not indicative of the degree of danger:

Class 1 – Explosives (including explosives within the meaning of the [Explosives Act](#))

Class 2 – Gases; which includes Flammable Gases (2.1), Non-flammable Gases (2.2), and Toxic Gases (2.3)

Class 3 – Flammable Liquids

Class 4 – Flammable Solids (4.1); Substances Liable to Spontaneous Combustion (4.2); Substances that on Contact with Water Emit Flammable Gases (Water-reactive Substances) (4.3)

Class 5 – Oxidizing Substances and Organic Peroxides

Class 6 – Toxic (6.1) and Infectious Substances (6.2)

Class 7 – Radioactive Materials (within the meaning of the [Nuclear Safety and Control Act](#), that are radioactive)

Class 8 – Corrosives

Class 9 – Miscellaneous Products, Substances or Organisms

Hazardous Waste and Hazardous Recyclable Material

5. Hazardous waste and hazardous recyclable material are substances or material that can pose potential risks to human health and the environment. Examples are residues from industrial operations, manufacturing processing plants and hospitals or obsolete materials such as waste lubricants and pesticides.
6. Non hazardous waste or recyclable material (e.g. plastics) can be considered hazardous under [the Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations \(EIHWHRMR\)](#) if exported to or transited through a country that defines it hazardous under their national legislation (controls or prohibits its importation). For example, some Southeast Asian countries have recently returned Canadian shipments containing contaminated plastics as these materials are controlled under their national legislation. The EIHWHRMR applies to these materials when they are exported to these countries (e.g. a valid Canadian export permit is required).
7. Hazardous wastes and hazardous recyclable materials are any solid, liquid, gas, sludge or paste substance that also exhibits certain hazardous characteristics such as being toxic, corrosive or flammable. Due to the dangerous properties of these materials, special recycling and disposal operations must be undertaken at authorized facilities to ensure their environmentally sound management and the continued protection of human health. Simply put:
 - (a) hazardous wastes are hazardous substances or material intended for disposal
 - (b) hazardous recyclable materials are hazardous substances or materials destined for recycling
8. Of the nine classes of dangerous goods noted above, all except for Classes 1 and 7 are also regulated by the [Canadian Environmental Protection Act, 1999](#) (CEPA) administered by [Environment and Climate Change Canada](#). For more information on hazardous wastes, refer to [Memorandum D19-7-3, Export and Import of Hazardous Waste and Hazardous Recyclable Material](#).

Explosives

9. 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 [Natural Resources Canada](#). For more information on explosives, refer to [Memorandum D19-6-1, Import, export and in transit requirements of the Explosives Act and Regulations](#).

Atomic Energy “Nuclear Substances”

10. In accordance with section 2 of the [Nuclear Safety and Control Act](#), “nuclear 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, refer to [Memorandum D19-2-1, Administration of the Nuclear Safety and Control Act](#).

Shipping Document Requirements

11. Part 3 of the [Transportation of Dangerous Goods Regulations](#) requires that the proper documentation, which must contain specific information about the dangerous goods, accompany those dangerous goods while being transported. The responsibility to prepare the shipping document lies with the consignor.
12. The [Transportation of Dangerous Goods Regulations](#) does not prescribe a certain form for the shipping document, however, shipments by air, by marine or shipments of hazardous waste and hazardous recyclable material must be accompanied by a shipping document as prescribed by the International Civil Aviation Organization’s (ICAO) Technical Instructions (TI), the International Maritime Dangerous Goods (IMDG) Code, and CEPA, respectively.
- a. Shipments of dangerous goods by air may use this template: [Shipper’s Declaration for Dangerous Goods](#)
 - b. For details on documents that must accompany the shipments of hazardous waste and hazardous recyclable material please refer to [Memorandum D19-7-3, Export and Import of Hazardous Waste and Hazardous Recyclable Material](#)
13. The information required by Part 3 of the Regulations can be included on [Form C11, Canada Customs Invoice](#), or its commercial invoice, a bill of lading, or any other document so long as it meets the requirements of Part 3 of the Regulations.

Information Requirements on a Shipping Document

14. Part 3 requires the following information be found on a shipping document:
- (a) Consignor’s name and address in Canada;
 - (b) Date the shipping document was created;
 - (c) The description of the dangerous goods in the following order:
 - a. UN Number (e.g., UN1230);
 - b. Dangerous goods shipping name (e.g., Methanol);
 - c. Primary class and subsidiary class (e.g., 3(6.1))
 - d. Compatibility group letter, following the primary class, for explosives;
 - e. The packing group in roman numerals (e.g., I, II or III);
 - f. If applicable, the words "toxic by inhalation" or "toxic – inhalation hazard" for dangerous goods subject to [Special Provision 23](#).
 - (d) The quantity in metric measurement (e.g., kg or L) for transport originating in Canada;
 - (e) For Class 1, Explosives, the quantity must be expressed in net explosives quantity (NEQ) in kg. For explosives subject to Special Provision [85](#) or [86](#), it must be expressed in number of articles or NEQ.

- (f) The “24-hour number” of an individual who can provide technical information on the dangerous goods. The [Canadian Transport Emergency Centre’s \(CANUTEC\)](#) twenty-four (24) hour emergency telephone number, (613) 996-6666/ 1-888-CAN-UTEC (226-8832), may be listed provided the consignor is registered with CANUTEC; and
- (g) The consignor’s certification.
- (h) In some cases, you may need to include more information, such as:
 - a. The number of small means of containment (i.e., capacity of 450 L or less) that require labels;
 - b. The technical name of the dangerous goods;
 - c. The statement “not odourized” or “not odorized”; or
 - d. Further information if the means of containment had been fumigated.
- (i) The Emergency Response Assistance Plan (ERAP) number and its telephone number.
Note: An ERAP is only required for certain dangerous goods. To learn more about ERAP, please consult [Part 7](#) of the TDG Regulations.
- (j) The flash point, if the product is a Class 3, Flammable Liquids, and is being transported on a vessel; (e.g., gasoline, diesel, etc.);
- (k) Special instructions, such as the control and emergency control temperatures of Classes 4.1 and 5.2;
- (l) The words “marine pollutant” for dangerous goods that are marine pollutants as per [Section 2.7](#) of [Part 2](#) of the Regulations; and
- (m) For a pesticide that is a marine pollutant transported on a vessel, the name and concentration of the most active substance in the pesticide.

CBSA’s Role

- 15. When the CBSA processes a declared shipment of dangerous goods, and discovers or suspects non-compliance with the [Transportation of Dangerous Goods Act, 1992](#), or *Regulations* (e.g., 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), the CBSA will take all reasonable measures to ensure that the dangerous goods shipment is detained in the most suitable location possible and contact [CANUTEC](#) who will notify the appropriate region for follow up action.
- 16. When the CBSA discovers an undeclared/misdeclared shipment of dangerous goods that have been transported into Canada by air, road, rail or ship, it will take all reasonable measures to ensure that the dangerous goods shipment is detained in the most suitable location possible and report to [CANUTEC](#), who will notify the appropriate region for follow up action.
- 17. Detained shipments will be held in the most suitable location possible pending direction from CBSA or the appropriate Transport Canada Regional Dangerous Goods Office (TCRDGO), or local emergency response agency (e.g., fire department).

Additional Information

- 18. You can access the Border Information Services (BIS) free of charge throughout Canada by calling **1-800-461-9999**. If you are calling from outside Canada, you can access BIS by calling 204-983-3500 or 506-636-5064 (long distance charges will apply). To speak directly to an agent, please call during regular business hours from Monday to Friday (except holidays), 8:00 to 16:00 local time. TTY is also available within Canada: **1-866-335-3237**.

References

Issuing Office	Commercial Programs Policy and Management Division Commercial Programs Directorate Programs Branch
Headquarters File	
Legislative References	<i>Customs Act</i> <i>Transportation of Dangerous Goods Act, 1992</i> <i>Canadian Environmental Protection Act, 1999</i> <i>Explosives Act</i> <i>Nuclear Safety and Control Act</i> <i>Transportation of Dangerous Goods Regulations</i>
Other References	D19-2-1 , D19-6-1 , D19-7-3 Form CI1
Superseded Memorandum D	D19-13-5 dated March 11, 2016