

Registration

SOR/2010-273 November 26, 2010

HAZARDOUS PRODUCTS ACT

## Consumer Products Containing Lead (Contact with Mouth) Regulations

P.C. 2010-1484 November 25, 2010

His Excellency the Governor General in Council, on the recommendation of the Minister of Health, pursuant to section 5 ([see footnote a](#)) of the *Hazardous Products Act*, ([see footnote b](#)) hereby makes the annexed *Consumer Products Containing Lead (Contact with Mouth) Regulations*.

### CONSUMER PRODUCTS CONTAINING LEAD (CONTACT WITH MOUTH) REGULATIONS

#### INTERPRETATION

##### Definitions

1. The following definitions apply in these Regulations.

"accessible part" « *partie accessible* »

"accessible part" means any part of a consumer product containing lead that may be touched, licked, mouthed or swallowed in the course of the reasonably foreseeable use of the product.

"consumer product containing lead" « *produit de consommation contenant du plomb* »

"consumer product containing lead" means any of the following products containing lead:

(a) products, other than kitchen utensils, that are brought into contact with the user's mouth in the course of normal use;

(b) products intended for use in play or learning by children under three years of age.

It does not include any of the following:

(c) jewellery referred to in item 42 of Part I of Schedule I to the *Hazardous Products Act*;

(d) products subject to the application of the *Glazed Ceramics and Glassware Regulations*.

#### AUTHORIZATION

##### Product

2. (1) Subject to subsection (2), the advertising, sale and importation of a consumer product containing lead are authorized if each accessible part of the product does not contain more than 90 mg/kg of lead.

##### Exception

(2) An accessible part may contain more than 90 mg/kg of lead if

(a) lead is necessary to produce an essential characteristic of the part;

(b) no alternative part containing less lead is available; and

(c) the part does not release more than 90 mg/kg of lead when tested in accordance with standard EN 71-3: 1994/A1: 2000/AC: 2002 of the European Committee for Standardization entitled *Safety of toys – Part 3: Migration of certain elements*, approved December 13, 1994, amended March 11, 2000 and corrected July 24, 2002.

#### COMING INTO FORCE

Registration

3. These Regulations come into force on the day on which they are registered.

**N.B. The Regulatory Impact Analysis Statement for these Regulations appears following [SOR/2010-272](#).**

[Footnote a](#)

S.C. 2004, c. 9, s. 2

[Footnote b](#)

R.S., c. H-3