

Canada Publishes Composite Wood Formaldehyde Emissions Regulation

Canada to begin regulating formaldehyde emissions on January 7th, 2023

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The Canadian Government published its Formaldehyde Emissions from Composite Wood Products Regulations in the *Canada Gazette*, Part II¹ on July 7, 2021, meaning these Regulations will take effect 18 months after this date (January 2023). The Regulations' requirements are very similar to the U.S. EPA TSCA Title VI² formaldehyde emissions regulation implemented in 2017.

The Canadian Regulations maintain the same formaldehyde emission limits set in TSCA Title VI, and apply to the same composite wood products, laminated products, and finished goods covered under the U.S. regulation. Both regulations share essentially identical test protocols and frequencies, and both include a requirement for third party certification, although they differ in how they convey the specifics. Canada's Regulations do not include an intricate third-party certification framework like in TSCA Title VI, opting instead for a separate guidance document outlining the role of certifiers.³ The particulars of the Canadian Regulations' testing protocols are also outlined in a separate Directive.⁴

Instances where Canada's Regulations differ from the U.S. include:

- 1.) **Record retention period:** 5-year requirement, compared to the U.S.'s 3-year requirement.
- 2.) **TSCA Labeling:** TSCA compliance statement must be in English and French: "TSCA Title VI compliant / conforme au titre VI de la TSCA" or "TSCA Title VI certified / certifié conformément au titre VI de la TSCA"
- 3.) **Reporting:** Manufacturers and importers of composite wood products, laminated products, component parts, and finished goods have specific reporting requirements to Canada's Minister of Environment
- 4.) **Laminated Products:** Certification requirements for laminated product producers take effect January 7, 2028, compared to the U.S.'s March 22nd, 2024. After this date, laminated product producers who use a formaldehyde-containing adhesive (other than phenol formaldehyde) must be certified as hardwood plywood manufacturers

While there are several differences in the regulations, Canada is allowing some reciprocity with TSCA Title VI: TSCA-certified manufacturers **do not** need to also certify to the Canadian Regulations. Manufacturers may produce a "declaration of certification" for their products if they can demonstrate TSCA Title VI certification. Additionally, if their product's TSCA compliance statement is presented in English and French, no additional labeling is required. TSCA-certified manufacturers should still familiarize themselves with the Canadian Regulations, as they are ultimately responsible for complying with the differences in recordkeeping, labeling, and reporting noted above.

References

¹[Formaldehyde Emissions from Composite Wood Products Regulations: SOR/2021-148](#)

²[U.S. EPA TSCA Title VI Formaldehyde Emission Standards for Composite Wood Products](#)

³[Third Party Certifiers Guidance Document](#)

⁴[Directive Concerning Testing for Formaldehyde Emissions](#)