



Health Canada Releases Annual Compliance and Enforcement Report for Fiscal Year 2015-2016

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In October 2016, the Consumer Product Safety Program (CPSP), a division of Health Canada, released its annual [Compliance and Enforcement Report](#) for fiscal year 2015-2016. The Report highlights CPSP's activities for 2015-2016:

1. CPSP disclosed its reporting, recall and border admissibility statistics by product category. Notably, of the 1,693 health and safety incident reports received, 223 (13%) resulted in the posting of a recall. The most frequently reported categories were Appliances and most frequently recalled were Sports, Recreation and Hobby products;
2. CPSP disclosed data detailing its targeted inspection activities for 13 product categories, leading to 87 findings of non-compliance and 35 resultant product recalls;
3. The posting of 114 joint US-Canada recalls of primarily, by category, Appliances, Children's Products, Sports, Recreation and Hobby products, Electronics and Housewares. CPSP also posted six tri-national recalls with its US and Mexican sister agencies. This signals the steady increase in the number of joint North American recalls under the joint US-Canada recall initiative; and
4. CPSP's pilot of the "establishment inspection approach," with the inspection of 15 establishments. This approach aims to evaluate and improve both industry compliance to record-keeping and reporting requirements and the effectiveness of manufacturers' product safety regimes.

CPSP is responsible for the administration and application of legislative requirements pertaining to consumer products and cosmetics after they reach the consumer market; in accordance with that mandate, CPSP identifies, assesses, manages, and communicates risks to human health or safety posed by these products in Canada. It does so by reviewing industry and consumer reports and by monitoring the marketplace through (i) domestic and international information gathering with respect to injuries, emerging issues and new science related to consumer product safety; (ii) routine post-market sampling and testing of products in the marketplace; and (iii) collaboration with the Canada Border Services Agency (CBSA) (as well as other domestic and international regulators) to confirm the compliance of consumer products and cosmetics being imported into Canada.

Disclosure of 2015-2016 Reporting and Recall Statistics by Product Category

In 2015-2016, 1,693 reports were received by CPSP (738 from consumers and 955 from industry). CPSP disclosed data breaking down such reports by product category along with each category's percentage of the total for 2015-2016:

Most frequent product categories reported and their percentage of the total for 2015-16

Product category	Percent
Appliances	25%
Housewares	23%
Children's Products	13%
Electronics	12%
Home and Automotive Maintenance	8%
Grooming Products and Accessories	6%
Outdoor Living	5%
Clothing, Textiles and Accessories	4%
Sports, Recreation and Hobby	4%

Of the 1,693 reports received, 223 (13%) resulted in the posting of a recall. CPSP disclosed data detailing the most frequent product categories recalled as a result of reports and each category's percentage of the total for 2015-2016:

Most frequent product categories recalled as a result of complaints and incident reports and their percentage of the total for 2015-16

Product category	Percent
Sports, Recreation and Hobby	22%
Electronics	18%
Children's Products	17%

Most frequent product categories recalled as a result of complaints and incident reports and their percentage of the total for 2015-16

Product category	Percent
Housewares	16%
Appliances	14%
Home and Automotive Maintenance	6%
Clothing, Textiles and Accessories	5%
Outdoor Living	1%
Grooming Products and Accessories	1%

It is worth noting that while Sports, Recreation and Hobby products were the least frequently reported category at 4% of total products reported, they were the most frequently recalled category at 22% of total products recalled.

CPSP has also disclosed that of the approximately 2,600 referrals it received from the CBSA flagging product shipments as potentially non-compliant with regulatory requirements and requiring input from CPSP, nearly half were cosmetics. Further, more than half of the 654 shipments eventually recommended for refusal were also cosmetics.

Disclosure of 2015-2016 Targeted Product Inspection Activities

CPSP disclosed a summary of its targeted product inspection activities for 2015-2016. Over the course of the year, projects for 13 different product categories were completed, totaling 324 inspections. These inspections resulted in 87 separate findings of non-compliance (a 27% non-compliance rate), which in turn led to 35 product recalls (an 11% recall rate).

Summary of the 13 product inspection activities for 2015-2016

Project	Number of Inspections	Evaluation Means (and applicable legislation)	Findings of Non-compliance	Recalls
Presence of asbestos in mineral kits	32	Visual examination	6	3

Summary of the 13 product inspection activities for 2015-2016

Project	Number of Inspections	Evaluation Means (and applicable legislation)	Findings of Non-compliance	Recalls
		(Asbestos Products Regulations)		
Labelling of cooking charcoal	24	Visual examination (Charcoal Regulations)	16	5
Protective packaging and hazard labelling of household chemicals	51	Visual examination and documentation review (Consumer Chemicals and Containers Regulations, 2001)	27	6
Flammability of cellulose insulation building material	10	Documentation review (Cellulose Fibre Insulation Regulations)	0	0
Overall safety of strollers	6	Sampling and testing (Carriages and Strollers Regulations)	6	0
Presence of lead and cadmium in children's jewellery	20	Sampling and testing (Children's Jewellery Regulations)	1	0

Summary of the 13 product inspection activities for 2015-2016

Project	Number of Inspections	Evaluation Means (and applicable legislation)	Findings of Non-compliance	Recalls
Flammability of adult clothing and accessories	21	Sampling and testing (<i>Textile Flammability Regulations</i>)	1	0
Overall safety of playpens	11	Sampling and testing (<i>Playpens Regulations</i>)	2	0
Presence of hazardous chemicals in polyurethane toys	21	Sampling and testing (<i>Item 16, Schedule 2, CCPSA</i>)	1	1
Flammability of bedding materials	20	Sampling and testing (<i>Textile Flammability Regulations</i>)	0	0
Small parts dislodging from toys	19	Sampling and testing (<i>Toys Regulations</i>)	5	3
Presence of certification marks on electrical power-bars	50	Visual examination (<i>Sections 7 & 8, CCPSA</i>)	0	0
Compliance of seasonal lights with Canadian Electrical Code	39	Sampling and testing (<i>Sections 7 & 8, CCPSA</i>)	22	17

Charcoal, household chemical products, seasonal lights and strollers had the highest levels of non-compliance with CPSP and *Food and Drugs Act* regulatory requirements, though no strollers posed a risk significant enough to warrant a recall. Conversely, the majority of instances of non-compliance with

respect to seasonal lights did pose such a risk, leading to the recall of over 3 million strings of seasonal lights from October 2015 to January 2016.

Increased Collaboration with the United States

In 2015-2016, 114 joint recalls, broken down by product category below, were posted by CPSP and the US Consumer Product Safety Commission (US CPSC), representing an almost 50% increase in the number of joint recalls posted in 2014-2015.

Product category	Percent
Appliances	23%
Children's Products	18%
Sports, Recreation and Hobby	17%
Electronics	16%
Housewares	14%
Clothing	6%
Outdoor Living	5%
Home and Automotive Maintenance	1%
Grooming Products and Accessories	<1%

This illustrates the rising level of collaboration, particularly over the past four years, between CPSP and its US sister agency, resulting in more recalls taking place on both sides of the border at the same time and on the same products. CPSP and the US CPSC are also actively working toward increasing collaboration with the Mexico's consumer Protection Federal Agency (Profeco). To that end, the three regulators have posted six tri-national product recalls over 2015-2016, up from only one in 2014-2015.

Establishment Inspection Approach Pilot Program

Over the course of 2015-2016, CPSP piloted inspections of 15 "establishments" in order to evaluate compliance with record keeping, mandatory reporting and other legislative requirements. This new approach, the authority for which is derived under CPSP's broad power under the CCPSA to enter, at any reasonable time, any place (or vehicle) in which they have reasonable grounds to believe that a consumer product is manufactured, imported, packaged, stored, advertised, sold, labeled, tested or

transported (s.21(1)), is designed to assist CPSP in evaluating companies' internal product safety quality systems. CPSP has determined that this approach can be effective in assisting companies to satisfy compliance obligations and in identifying establishments at a higher risk of non-compliance, which will result in those companies becoming more likely to be selected as targets for product inspections. CPSP plans to expand the use of the establishment inspection approach over the next two years.

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