BULLETIN

HEALTH & SAFETY

Canadian Paint Manufacturers Association

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ROUTE TO: VI, E.I,

Department		
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BAN ON CERTAIN CONSUMER PRODUCTS CONTAINING ASBESTOS

Executive Summary

Under the Hazardous Products Act, the Department of Consumer and Corporate Affairs has the authority to ban products deemed a hazard to the consuming public.

Recently Item 26 of Part 1 of the schedule to the Hazardous Products Act (the list of banned products) has been amended to include dry-wall joint cements or compounds, and spackling or patching compounds that contain asbestos and are capable of releasing that asbestos.

BACKGROUND

For a number of years airborne asbestos has been determined to be a prime occupational hazard, and has warranted special handling in the workplace. This hazard had been considered to be a long-term, or chronic one, requiring repeated exposures over an extended period of time.

Recently there has been strong indications that even short-term exposures to airborne asbestos can result in adverse health effects. Therefore this concern with asbestos has been extended to persons not occupationally exposed to the material.

In reflecting such a concern, the Federal Department of Consumer and Corporate Affairs has amended the list of banned materials (Item 26 of Part 1 of the schedule to the Hazardous Products Act) to include certain additional asbestos containing products.

ACTION TAKEN

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In the amendment the Department lists the following types of asbestos in defining the asbestos contained in the products;

actinolite
amosite
anthophyllite
chrysotile
crocidolite
cummingtonite
tremolite

A00803

PLAINTIFF'S EXHIBIT
UC-4872

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And as a catch-all, they also state "and any other type of asbestos".

The specific materials that are listed in the amendment, which could relate to products of the paint manufacturing industry are:-

dry-wall joint cements
dry-wall joint compounds
spackling compounds
patching compounds

This action is limited to those that contain asbestos, and are used in construction, repairs or renovation, and meet the criteria as follows.

The banned materials are those that are "made in such a way that airborne asbestos may become separated from the product during the preparation of the products, other than preparation at the manufacturing level, or during the application of the products or at anytime thereafter up to and including the repair and removal of the products;"

By including the statement "other than preparation at the manufacturing level" the Department of Consumer and Corporate Affairs does not ban the manufacture (fabrication) of asbestos containing compounds. Any airborne asbestos levels generated during the manufacturing process would be subject to Provincial occupational health regulations for asbestos.

Further the ban does not extend to patching compounds, spackling compounds and the like that contain asbestos, but the asbestos is so encapsulated in a binder that free asbestos fibres are not generated during the preparation, application or further processing (such as sanding) of the dried material.

The ban does extend to such products as dry mix materials containing asbestos that are sold in a powder form, and are mixed by the user with water, or other components, prior to use. Further the ban would extend to materials in which the asbestos, while supplied wetted, could be considered to become free, and hence airborne, once the material has dried and is subject to abrasion such as scraping or sanding.

A copy of the Trade Communiqué published by the Department is attached. Persons having further quesions should contact the regional offices or the headquarters as shown in the list included in that Communiqué.

Further CPMA has learned that Consumer and Corporate Affairs is investigating all consumer products containing asbestos, and we will keep member companies up-dated in future Health and Safety Bulletins and in Associ-Action.

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