

ENVIRONMENT AND CLIMATE CHANGE CANADA

Program: Ozone Depleting Substances
and Halocarbon Alternatives

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Implementation of the CBSA Single Window Initiative (SWI)

Certain industrially-produced chemicals, containing chlorine or bromine, are damaging the earth's protective stratospheric ozone layer – this results in ozone depletion.

The objective of the Ozone Layer Protection (OLP) program is to protect the ozone layer by providing regulatory, policy and information management of ozone-depleting substances (ODS). Certain ozone-depleting substances such as chlorofluorocarbons (CFCs) and hydrochlorofluorocarbons (HCFCs) are also powerful greenhouse gases.

Ozone-depleting substances generally contain chlorine, fluorine, bromine, carbon, and hydrogen in varying proportions and are often described by the general term “halocarbons”. Chlorofluorocarbons (CFCs), carbon tetrachloride, and methyl chloroform are important human-produced ozone-depleting gases that have been used in many applications such as refrigeration, air conditioning, foam blowing, cleaners and solvents. Another important group of halocarbons are halons which have been mainly used as fire extinguishers.

Products containing ODS must be controlled because they do not break down in the lower atmosphere, and can remain in the atmosphere for 120 years or more. They are not “washed” back to Earth by rain or destroyed by other chemicals, which means they drift up into the stratosphere, where ultraviolet radiation breaks up the molecules into chlorine (such as from CFCs, methyl chloroform, or carbon tetrachloride) or bromine (such as halons or methyl bromide) which, in turn, break up ozone.

CBSA works with Environment and Climate Change Canada to ensure that products containing ODS are properly identified, documented, tracked and controlled at the time of import to ensure that importers have permits to import these controlled substances within authorized quantities.

Under the SWI, release requests will be submitted utilizing a new Integrated Import Declaration (IID) that allows custom brokers to submit and obtain electronic release for goods also regulated by participating departments and agencies. Release requests for ODS-containing products may be provided to the CBSA electronically.

There are three possible types of LPCO that could apply to import of substances regulated by the ODSR:

1. OLPEC Permit
2. OLPEC Allowance
3. OLPEC Allowance Transfer (allows companies to apply for a transfer of consumption allowance)

OLPEC Permits are specific to:

- The company
- The substance (commodity)

OLPEC Allowances are specific to:

- The company
- Hydrochlorofluorocarbons (HCFCs)

Permits issued under the ODSR are valid until December 31 of the year for which they are issued. Consumption allowances are issued prior to the start of a calendar year and are valid through December 31 of the year for which they are issued. Consumption allowance holders are automatically informed of their allowances for the following year.

A copy of the permit and the consumption allowance, or the letter of acknowledgement must be provided by the exporter or importer, as the case may be, to the customs office where the substance or the product is required to be reported under section 12 or 95 of the Customs Act.

Note: Under SWI, information requirements will remain the same. There are no additional data requirements for the import process.

Harmonized System (HS) Codes

The most common headings for ODS include goods of headings: 2903, 3824, and 3808. A list of HS codes applicable to goods that may be regulated by Environment and Climate Change Canada (ODS Program) are found in **D19-7-2** Appendix A and B at: <https://www.cbsa-asfc.gc.ca/publications/dm-md/d19/d19-7-2-eng.html#AB>.

Data Element Rationales

The following data element rationales provide additional information of the specific data element requirements required under the Single Window Initiative

CAS Number	The CAS number assists in identifying the controlled substance
Generator per Part A of Movement Document (invoice level)	Information is used to track shipments of hazardous waste or recyclable material as ECCC must know the origin of the shipment and who has ownership at the shipping site. This information can be provided at the invoice level or commodity level.
ECCC Document Type	The document type assists in confirming that the importer has an LPCO (permit, allowance or allowance transfer) as required under the Regulations. The document type is related to the document reference number. To import the controlled substances, the importer must have such a document and it must be presented for inspection when the substance crosses the border.
Document Reference Number	The format of the document reference number will confirm that it is a valid document and that it has not expired.
Name of Regulated Substance	This is the actual name of the controlled substance. The information will allow Ozone Layer Protection Programs to confirm that the substance imported is the substance authorized by the LPCO.
Ingredient Quantity	This is the amount of the controlled substance authorized by the LPCO. An import at the commodity level will be compared to ensure the import quantity does not exceed the authorized quantity.

Electronic Commerce Client Requirements Document (ECCRD)

The following table provides the specific rules and conditions associated to each of the data elements for ECCC Declarations. The data elements are: Mandatory (M), Conditional (C) or Optional (O)

Data element name	PGA element definition	Data element status	Data element rules and conditions
Commodity Identifier	CAS Number	C	Ozone-depleting substances, ozone-depleting products and HFCs can be identified through their CAS number. The qualifier for Chemical Abstracts Service (CAS) Registry Number should be provided in element, 7402, 2 when available.

Document Type (License , Permit, Certificate, Other) (Commodity level)	EC Document Type	C	<p>If the commodity contains an ozone-depleting substance, ozone-depleting product or HFC that is regulated by Environment and Climate Change Canada, one or more of the applicable document types must be provided at the commodity line level.</p> <p>Acceptable documents types are:</p> <ul style="list-style-type: none"> • OLPEC Permit • OLPEC Allowance • OLPEC Allowance Transfer
Document Reference Number (Commodity level)	Document Reference Number	O	<p>For each document type provided at the commodity level, an associated reference number related to that document must be provided.</p> <p>See Appendix A for Document Types and associated Reference Numbers.</p> <p>Permits, allowances and allowance transfers are only valid for the calendar year for which they are issued.</p>
Component/Ingredient Details	Name of Regulated Substance	C	<p>If the commodity contains an ozone-depleting substance, ozone depleting product or HFC that is regulated by Environment and Climate Change Canada, the name of the substance contained in the product (as written on the LPCO) must be reported on this commodity line.</p> <p>Provide qualifier ODS in element 7505, the country of origin of the substance in element 1131, and the name of the regulated substance in element 7506.</p>
Component/Ingredient Details	Ingredient Quantity	C	<p>If the commodity contains an ozone-depleting substance or HFC that is regulated by Environment and Climate Change Canada, the actual amount of the substance contained within this commodity line must be provided using the same unit of measure as the authorized LPCO quantity.</p> <p>This amount must be provided using one of the following units of measure in element 6411:</p> <ul style="list-style-type: none"> • Milligrams (MGM) • Grams (GRM) • Kilograms (KGM) • Milligrams ODP Weighted (ODM) • Grams ODP Weighted (ODG) • Kilograms ODP Weighted (ODK)

Additional resources

Regulated Commodities: Reference Code Tables

Legislative References:

Under the [Canadian Environmental Protection Act, 1999 \(CEPA 1999\)](#) the [Ozone-depleting Substances and Halocarbon Alternatives Regulations](#), came into force in June, 2016.

Specifically, Paragraphs 74 (3) and (4) state:

(3) Every person who imports or exports a substance or a product containing or designed to contain a substance must provide to the customs office where the substance or product is required to be reported under section 12 or 95 of the [Customs Act](#) a copy of their permit or the Minister's written confirmation of their consumption allowance.

Substances in transit — information to be provided:

(4) Every person who ships a substance into or out of Canada for the purpose of transit must provide to the customs office where the substance is required to be reported under section 12 or 95 of the [Customs Act](#) a copy of the acknowledgement of their notice of shipment in transit referred to in subsection 67(2).

Customs Memoranda:

Requirements Concerning the Importation and Exportation of Ozone-depleting Substances and Halocarbon Alternatives and certain Products Containing or Designed to Contain these Substances are found in [Memorandum D19-7-2](#).

Appendix A: Document Types and associated Reference Numbers

Document Type(s)	Reference Number
OLPEC Permit	Permit Number Format: ODSHA-PER-YY###
OLPEC Allowance	Allowance Number Format: ODSHA-ALL-YY#####
OLPEC Allowance Transfer	Allowance Transfer Number Format: ODSHA-TRA-YY###

Note: In the Reference Number format above, "YY" represents the two-digit calendar year.

Contact Livingston

Have questions or need help with your SWI imports?

Contact your Livingston client services representative.

Write to us at: clientserviceCanada@livingstonintl.com or give us a call at **1-855-225-5544**.