

RETURN BIDS TO:
RETOURNER LES SOUMISSIONS À:
Bid Receiving - PWGSC / Réception des soumissions -
TPSGC
11 Laurier St. / 11, rue Laurier
Place du Portage, Phase III
Core 0A1 / Noyau 0A1
Gatineau, Québec K1A 0S5
Bid Fax: (819) 997-9776

SOLICITATION AMENDMENT
MODIFICATION DE L'INVITATION

The referenced document is hereby revised; unless otherwise indicated, all other terms and conditions of the Solicitation remain the same.

Ce document est par la présente révisé; sauf indication contraire, les modalités de l'invitation demeurent les mêmes.

Comments - Commentaires

Vendor/Firm Name and Address
Raison sociale et adresse du
fournisseur/de l'entrepreneur

Issuing Office - Bureau de distribution
Electrical & Electronics Products Division
11 Laurier St./11, rue Laurier
6B1, Place du Portage, Phase III
Gatineau, Québec K1A 0S5

Title - Sujet RFI # WIRELESS HANDHELD TECHNOLOGY	
Solicitation No. - N° de l'invitation 47054-124136/A	Amendment No. - N° modif. 001
Client Reference No. - N° de référence du client 1000304136	Date 2012-05-29
GETS Reference No. - N° de référence de SEAG PW-\$\$HN-460-60422	
File No. - N° de dossier hn460.47054-124136	CCC No./N° CCC - FMS No./N° VME
Solicitation Closes - L'invitation prend fin at - à 02:00 PM on - le 2012-06-08	
F.O.B. - F.A.B. Plant-Usine: <input type="checkbox"/> Destination: <input type="checkbox"/> Other-Autre: <input type="checkbox"/>	
Address Enquiries to: - Adresser toutes questions à: Guertin, Benoit	Buyer Id - Id de l'acheteur hn460
Telephone No. - N° de téléphone (819) 956-4479 ()	FAX No. - N° de FAX () -
Destination - of Goods, Services, and Construction: Destination - des biens, services et construction:	

Instructions: See Herein

Instructions: Voir aux présentes

Delivery Required - Livraison exigée	Delivery Offered - Livraison proposée
Vendor/Firm Name and Address Raison sociale et adresse du fournisseur/de l'entrepreneur	
Telephone No. - N° de téléphone Facsimile No. - N° de télécopieur	
Name and title of person authorized to sign on behalf of Vendor/Firm (type or print) Nom et titre de la personne autorisée à signer au nom du fournisseur/ de l'entrepreneur (taper ou écrire en caractères d'imprimerie)	
Signature	Date

This amendment (1) is raised to remove all references to CRA from this RFI and extend the end date to 2012-06-08.

1) Delete the RFI in its Entirety and replace with the following:

PART 1 - INTRODUCTION

A Request for Information (RFI) is used when detailed information and feedback are required from suppliers. Such requests might outline a potential requirement and request suppliers to describe their ability to satisfy the requirement.

The Canada Border Services Agency (CBSA) is seeking feedback from industry, and in particular Wireless Technology Vendors, with respect to information on Wireless Handheld devices that have border management related technology capabilities; such as image capturing/reading abilities and identity document reader functionality to assist in traveller and vehicular processing. The Wireless Handheld Devices would have self contained screens and be powered by a rechargeable battery.

Canada does not intend to award a contract on the basis of this notice or otherwise pay for the information solicited. Responders may submit commercial-in-confidence documents / information / data collected and the Government of Canada reserves the right to use the information submitted to assist in preparing technical and contractual plans/requirements and budgetary estimates for CBSA.

It is understood and agreed that PWGSC and CBSA will, during and after the period of the RFI, treat as confidential and not divulge, unless authorized in writing by the Respondent, any information obtained from the Respondent that has been identified by Respondents as "confidential" or "proprietary", within their written response to this RFI.

This is not a bid solicitation. A contract will not result from this activity.

This RFI will not necessarily result in any procurement action. This RFI is for informational purposes only and does not constitute a commitment by Canada. Responses to this RFI will not constitute a commitment from the industry provider. Canada will not reimburse any expenses incurred for the preparation of responses to this RFI.

PART 2 - VENDOR INSTRUCTIONS

1. Responses are to be submitted to the PWGSC Bid Receiving Unit:

RFI no. 47054-124136/A

Bid Receiving - PWGSC

11 Laurier Street, Place du Portage, Phase III, Core 0A1

Gatineau, Québec K1A 0S5

Tel.: (819) 956-3366

2. Due to the nature of the RFI, it is requested that responses are not submitted by facsimile (fax) or electronic mail (email), but rather only in hardcopy format, submitted to the Bids Receiving Unit address above.

3. Please submit two (2) identical copies of the response

1 copy will be given to CBSA and 1 copy will remain with the Contracting Authority (PWGSC).

Any response submitted will become the sole property of Canada and will not be returned to the supplier. The response will be used to assist Canada in further analyzing the presented requirement and, as such, may be used in the development of a future solicitation process to be posted on Merx.

4. Response required by:

May 31, 2012 at 14h DST

5. Inquiries

Please address all inquiries about this **RFI** to the Contracting Authority:

Benoit Guertin

Public Works and Government Services Canada - Place du Portage, Phase III

11 Laurier Street, Gatineau, Quebec Canada K1A 0S5

Telephone: (819) 956-4479

Email: benoit.guertin@tpsgc-pwgsc.gc.ca

PART 3 - PROPOSED REQUIREMENTS

The key objectives of this RFI are to:

1. Collect information on market readiness and industry capabilities specific to Wireless Handheld Technology with respect to border processing;
2. Receive responses from the Vendor community about their product(s); and

3. Solicit Vendors to provide an interactive demonstration of how their product(s) address the listed questions, and to discuss their product(s) in detail.

PRODUCT QUESTIONS:

For the purposes of this section, "system" is defined as Wireless Handheld related software and/or hardware and/or camera(s). Please provide technical answers

Criteria	Question / Item
1	Describe your system's ability to capture, recognize, read and interpret vehicle licence plate and identity document data. Indicate where proprietary solutions or components are used, and where industry, or common standards are leveraged.
2	Describe the architecture and design of your system and its components. Does your product operate as a peripheral, an independent computing platform, or both?
3	Describe the implementation of your system, protocols supported, and its components.
4	Provide all specifications for the device, including the expandability of the device (additional storage space, additional memory, etc). What type of operating system(s) does your device use? Describe and list the physical attributes of the device including dimensions and weight.
5	Do you provide a software interface to your system (API(s)/SDK)? Is the software/firmware on the devices upgradeable? How is this done?
6	Is the software interface bilingual (English and French)?
7	For any software running on the device itself, what development platforms are supported? Are any development tools provided with the device?
8	Describe the auditing / journaling capabilities of your system (e.g. can it store every plate and identity document data?).
9	In the worst case, how quickly can your system match a single template in a 250,000-enrollee database (~500,000 templates)? Please provide performance specifications.
10	Can your system provide access to any/all stored vehicle licence plate images (in a non-proprietary form (e.g. JPEG)? If so, how?
11	How are backups and restores handled by your system?
12	What type of cameras does your system support? What is the resolution? What type of illumination mechanism (flash) is used in low light conditions?
13	Describe your system's security features (other than counter measures), if any (e.g. encryption of wireless traffic to prevent eavesdropping, authentication, digital signing, self-erasing internal memory, ability to restrict user privileges). Does your device have the ability to delete the contents of the memory and storage remotely?
14	Describe the wireless communication connectivity functionality (e.g. 802.11 a/b/g/i). What data transfer encryption type/certification is it capable of? What is the data transfer speed capability and range of operation from a receiving device?

Criteria	Question / Item
15	How do you license your system? (e.g. types of users, by servers, by CPU, concurrent users, enterprise-wide)
16	Who owns the patents on the camera, identity document reader, and any other associated technology used in your system?
17	Explain and illustrate how your device is able to support and/or is interoperable with various authentication software/hardware types, vendors, standards? Explain how your device supports and/or is interoperable with the following: <ul style="list-style-type: none"> * PKI certificate * Entrust * Strong 2 factor I/A with smartcard technology * Biometric technology – including fingerprints 1 to 1, 1 to many and iris scan technology
18	Describe your warranty, maintenance and support offerings (e.g. pre-deployment, post-deployment, consulting, after-hours support (perhaps by pre-arrangement), 7/24 on-call support, shipping, hot swap turn-around time, etc.) for the Wireless Handheld device.
19	Can all Wireless Handheld technical support be provided directly to CBSA by the Vendor (no third-parties)?
20	What are the results of tests, if any, that have been conducted to evaluate the performance of your system?
21	How long will the device operate on a fully charged battery? What is the average life span of the battery? Is the battery able to be reconditioned? Is there an option to use a battery with extended life? Does the device allow automatic sleep capability to minimize battery usage? Can the battery be detached from the device in order to recharge? Does the device have a quick swap battery provided? How long does it take to charge the battery? Do you provide Rapid Chargers for all batteries?
22	Do you provide disposal methods for the batteries and the handheld devices? Describe your disposal methods.
23	What is the size of the screen? Does it have touch screen functionality? What is the touch screen technology (e.g. Resistive, Capacitive). Can the touch screen be operated with gloves (e.g. cotton, latex, leather)? Describe its illumination capabilities. What is the optical screen resolution? Is the device equipped with anti-glare for the screens?
24	Does your device have GPS functionality for location identifying and tracking capabilities?
25	What are the types of identity bar codes formats that the device is able to read/capture (e.g. 1D, 2D, MRZ)?

Criteria	Question / Item
26	Does your device have RFID type reading technology built in or can it be connected to this type of device? Does the device have the ability to read RFID proximity contactless chips and RFID vicinity contactless chips? What is the vicinity contactless chip reading range?
27	Identify specific RFID feature support: RFID standards, read filters for anti-collision and multiple tags, protocols, configurability, RFID middleware.
28	Can the device be used as a two way communication device (e.g. voice data exchange)?
29	Is your device able to be hooked up to a printer? Does it have USB type connectors?
30	From what height can the device be dropped without damage to the device and/or functionality?
31	What temperature range will the device operate under? Are the devices weatherproofed (e.g. rain, snow, block sunlight)? List the functionality that is affected by moisture (ie. Fingerprints not captured, misread scans, etc)?
32	Does your device allow for wireless Bluetooth capabilities? (e.g. microphone/ear set)?
33	Would your company be interested in demonstrating its Wireless Handheld technology solution? On-site at CBSA, or Remote - outside of Ottawa? (e.g. utilizing audio and/or video conferencing) See "Interactive Demonstration Sessions" below for more details.
34	Can your device be modified to accommodate new functionality (new technology, or applications)?
35	Is the internal memory removable?
36	Can the device be easily held in an adult hand, taking into account gender issues concerning varying hand sizes, allowing the other hand to manipulate objects or enter data?
37	How much effort/resources are required to manage the security resources?
38	Does your encryption software conform to 'Canada's Cryptography Policy' (http://www.ic.gc.ca/eic/site/ecic-ceac.nsf/eng/h_gv00120.html) by Industry Canada, and Standards Council of Canada - National Standards System accrediting to 'Standards Development' and 'Certification Standards'?
39	Is the device manufactured with toxic substances / materials which are not approved by the Canadian Government [Appendix B - Canadian Environmental Protection Act, 1999 (CEPA 1999), and Appendix C -Canada Consumer Product Safety Act (CCPSA)]?
40	How long has your company been developing and deploying Handheld technology?

PART 4 - RFI POST-SUBMISSION

In the event that a response is not sufficiently clear, CBSA reserves the right to seek additional information at their sole discretion.

CBSA may at its sole discretion entertain meetings with interested respondents to provide them with the opportunity for a follow-up to their written response to present/ demonstrate/ discuss their capabilities in relation to this RFI. An Invite Agenda along with specific questions or areas of interest to be covered during the session will be provided to the interested respondents.

The demonstration will be located in the National Capital Region. The exact location and timeframe will be detailed in the Invite Agenda. However, at no time will the session exceed 4 hours in length. Vendors will also be asked to provide an electronic version of their presentation. The Vendor must provide a contact name, email address and telephone number when submitting their response.

The Vendor session will cover specific technical and Wireless Handheld device details. As such, representatives attending the session must include Subject Matter Expert(s) in these areas in order to meaningfully respond to questions at the session. CBSA personnel with extensive experience in IT and Wireless Handheld technology will attend the presentation.

Vendors are advised to clearly identify which portions of their response are proprietary. The confidentiality of each Vendor's response will be maintained. Due to the nature of RFI activity, respondents must be aware that aspects (that have not been labelled confidential) of their responses may be used as a basis as CBSA prepares for any future procurement.

All Vendors participating in the demonstration must provide, for a period of up to three months, a fully-functional system for further examination by CBSA personnel.

Information provided in response to this RFI will be divulged only to individuals authorized to participate in this pre-procurement activity.

Responses to this RFI will not be used to pre-qualify or otherwise restrict participation in any future RFP. Responses will not be formally evaluated.

CBSA will not reimburse any expenditure incurred in preparing responses, providing systems and participating in the demonstration sessions related to this RFI.

The issuance of a future solicitation will be at Canada's discretion.

Please see attached Glossery and Appendices for more information.

Glossary and Acronyms

Term or Acronym	Definition
AD	Active Directory
AMD	Advanced Micro Devices
API	Application Programming Interface
ATM	Asynchronous Transfer Mode
Border Management Related Technology	Border Management Technology assists the processing of travellers documentation and vehicles license plates at ports of entry upon entering Canada.
CBSA	Canada Border Services Agency
CPU	Computer Processing Unit
CRA	Canada Revenue Agency
DCE	Distributed Computing Environment
DSL	Digital subscriber line
eBCI	Electronic Business Computing Infrastructure
GPS	Global Positioning System
IBM	Manufactures and sells computer software/hardware
Id	Identification Number
IPSec	Internet Protocol Security
JPEG	Joint Photographic Experts Group - commonly used method of lossy compression for digital photography (image).
MPLS	Multiprotocol Label Switching
MRZ	Machine Readable Zone
PKI	Public Key Information
RCNet	A Private Wide Area Network
RFI	Request for Information
RFID	Radio Frequency Identification
RFP	Request for Proposal
SDK	Software Development Kit
SPARC-based	Scalable Processor Architecture sun based technology
SRA	Secure Remote Access
Strong 2 factor I/A	establish the validity of a transmission,

	message, or originator, or a mean(s) of verifying an individual's authorization to receive specific categories of information
TSP	Terminal Services Platform
UNIX platform	Sun/Solaris platform, known internally as Electronic Business Computing Infrastructure
VPN	Virtual Private Network
zOS	zSeries Operating system
1D	One Dimensional Barcode
2D	Two Dimensional Barcode

Appendix A

** This section is provided for information purposes only. **

Current CBSA Technical Infrastructure

(Last update: April 14, 2009)

1. Network Environment

CBSA uses private Wide Area Network (RCNet) that extends to approximately 400 sites across Canada. Multi-protocol routers are installed in each building to interconnect user backbone and common access rings/segments within the buildings, and to provide connectivity to the RCNet. The majority of the buildings are inter-connected via frame relay circuits or Asynchronous Transfer Mode (ATM) circuits, although others are connected via IPsec VPN over Internet (DSL, cable, satellite). The majority of the buildings are either connected at 512kbps or T1 speed. Only a few of the buildings are connected at speed higher than T1.

Transitioning the frame relay and ATM circuits to Multiprotocol Label Switching (MPLS) is currently underway. The MPLS speeds will range from T1 to 10Mbps for most sites.

2. Windows Environment

The Distributed Computing Environment (DCE) is a multi-tier infrastructure. The DCE infrastructure consists of Windows based servers, desktops and laptops with MS Active Directory (AD) providing directory services (version information is provided in section 6).

Components of the distributed environment are found in approximately 400 sites, interconnected by RCNet. There are various site configurations, ranging from single workstations to sites with file/print servers, an MS Exchange mail server, and a number of locally networked desktops.

The Terminal Services Platform (TSP) using Citrix Presentation Server was also implemented. This platform consists of central servers, located in the National Capital

Region, hosting a variety of Windows applications for a select group of end-users. These end users may be at a networked desktop, laptop or a Windows terminal (thin client device). In any of these cases, the user is not in the same site as the TSP servers that are hosting the applications.

The TSP platform also accommodates Secure Remote Access (SRA) users who may not be on RCNet and are connecting to the DCE via alternative access methods (e.g. Public ISP's). The SRA Platform is a subset of the DCE and is also based on the Windows Client operating systems. The remote connections are secured by Entrust using the Nortel Virtual Private Network client for connectivity.

The underlying hardware for the Windows environment consists of servers based on AMD and Intel architectures using multi core and multi processor technology. Desktops and laptops are also based on AMD and Intel architectures, using both single or multi core processors.

3. UNIX Environment

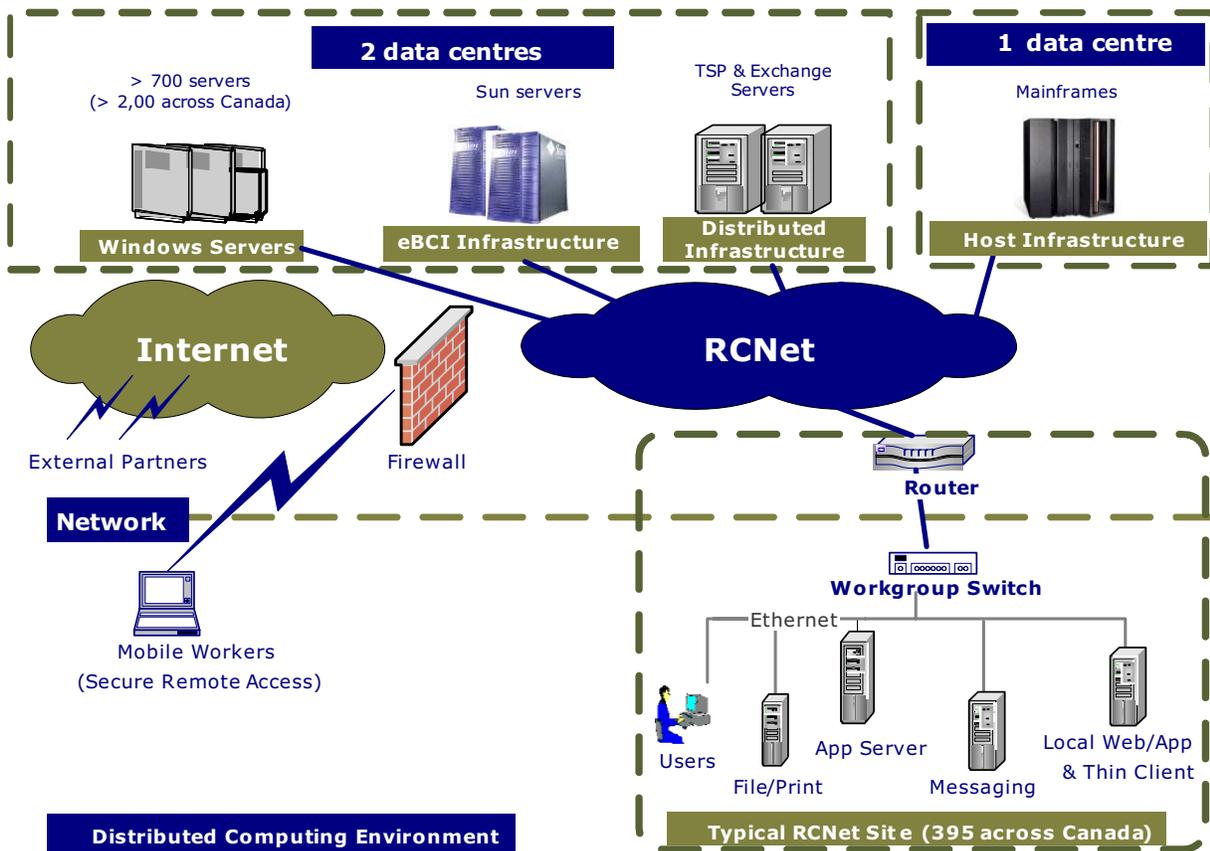
The Sun/Solaris based UNIX platform (known internally as the Electronic Business Computing Infrastructure (eBCI)) hosts web based services and other applications including commercial off the shelf software.

The underlying hardware on this platform is SPARC-based, running Sun Solaris operating system and supporting partitionable domains and shareable computing hardware resources.

4. Mainframe Environment

Although an IBM mainframe platform is operated and supported across two data centres in Ottawa, the CBSA mainframe environment runs out of a single data centre. The CBSA mainframe environment consists of multiple z990s and z10s running zSeries Operating system (zOS) and deployed in a sysplex configuration.

5. High level view of the Computing Infrastructure (as used by the CBSA):



Appendix B

** This section is provided for information purposes only. **

List of Toxic Substances Managed Under CEPA (Schedule 1)

The List of Toxic Substances in Schedule 1 of the *Canadian Environmental Protection Act, 1999* (CEPA 1999) includes substances that are considered to be toxic as defined in Section 64 of the Act. The Government of Canada has the authority to regulate and authorize other instruments to prevent or control the use and/or release of these substances. Substances are added to Schedule 1 of CEPA 1999 by the Government of Canada based on the Ministers of Environment and Health's recommendation.

To reduce the impact of Schedule 1 substances on the environment and human health, Environment Canada and Health Canada are responsible for developing and implementing regulations or other instruments that will prevent or control their use and/or release.

- [\(4-Chlorophenyl\)cyclopropylmethanone, O-\[\(4-nitrophenyl\)methyl\]oxime](#)
- [1,1,1-Trichloroethane](#)
- [1,2-Dichloroethane](#)
- [1,3-Butadiene](#)

- [2-Butoxyethanol](#)
- [2-Methoxyethanol](#)
- [3,3'-Dichlorobenzidine](#)
- [Acetaldehyde](#)
- [Acrolein](#)
- [Acrylonitrile](#)
- [Ammonia dissolved in water](#)
- [Asbestos](#)
- [Benzenamine, N-phenyl-, Reaction Products with Styrene and 2,4,4-Trimethylpentene \(BNST\)](#)
- [Benzene](#)
- [Benzidine and benzidine dihydrochloride](#)
- [Bis\(2-ethylhexyl\) phthalate](#)
- [Bis\(chloromethyl\) ether](#)
- [Bromochlorodifluoromethane](#)
- [Bromochloromethane](#)
- [Bromofluorocarbons](#)
- [Bromotrifluoromethane](#)
- [Carbon dioxide, which has the molecular formula CO₂](#)
- [Chlorinated wastewater effluents](#)
- [Chlorobiphenyls](#)
- [Chlorofluorocarbon](#)
- [Chloromethyl methyl ether](#)
- [Creosote-impregnated waste materials from creosote-contaminated sites](#)
- [Dibenzofuran](#)
- [Dibenzo-para-dioxin](#)
- [Dibromotetrafluoroethane](#)
- [Dichlorodiphenyltrichloroethane \(DDT\)](#)
- [Dichloromethane](#)
- [Dodecachloropentacyclo \[5.3.0.0^{2,6}.0^{3,9}.0^{4,8}\] decane \(Mirex\)](#)
- [Effluents from pulp mills using bleaching](#)
- [Effluents from textile mills that use wet processing](#)
- [Ethylene oxide](#)
- [Formaldehyde](#)
- [Four New Fluorotelomer-based Substances](#)
- [Fuel containing toxic substances that are dangerous goods within the meaning of section 2 of the Transportation of Dangerous Goods Act, 1992](#)
- [Gaseous ammonia](#)
- [Hexachlorobenzene](#)
- [Hexachlorobutadiene](#)
- [Hexavalent chromium compounds](#)
- [Hydrobromofluorocarbons](#)
- [Hydrochlorofluorocarbons](#)
- [Hydrofluorocarbons that have the molecular formula C_nH_xF_{\(2n+2-x\)} in which 0 < n < 6](#)
- [Inorganic arsenic compounds](#)
- [Inorganic cadmium compounds](#)
- [Inorganic chloramines](#)
- [Inorganic fluorides](#)
- [Lead](#)

- [Mercury](#)
- [Methane which has the molecular formula of CH₄](#)
- [Methyl Bromide](#)
- [Nitric oxide, which has the molecular formula NO](#)
- [Nitrogen dioxide, which has the molecular formula NO₂](#)
- [Nitrous oxide, which has the molecular formula N₂O](#)
- [N-Nitrosodimethylamine](#)
- [Nonylphenol and its ethoxylates](#)
- [Oxidic, sulphidic, and soluble inorganic nickel compounds](#)
- [Ozone](#)
- [Particulate matter containing metals that is released in emissions from copper smelters or refineries, or from both](#)
- [Particulate matter containing metals that is released in emissions from zinc plants](#)
- [Pentachlorobenzene \(QCB\)](#)
- [Perfluorocarbons which have the molecular formula C_nF_{2n+2} in which 0 < n < 7](#)
- [Perfluorooctane Sulfonate \(PFOS\), Its Salts and Its Precursors](#)
- [Polybrominated Biphenyls](#)
- [Polybrominated Diphenyl Ethers \(PBDEs\)](#)
- [Polychlorinated dibenzodioxins](#)
- [Polychlorinated Dibenzofurans](#)
- [Polychlorinated Terphenyls](#)
- [Polycyclic aromatic hydrocarbons](#)
- [Refractory ceramic fibres](#)
- [Respirable particulate matter less than or equal to 10 microns](#)
- [Sulphur dioxide](#)
- [Sulphur hexafluoride, which has the molecular formula SF₆](#)
- [Tetrabutyltin](#)
- [Tetrachlorobenzenes \(TeCBs\)](#)
- [Tetrachloroethylene](#)
- [Tetrachloromethane, Carbon Tetrachloride](#)
- [Tributyltetradecylphosphonium chloride](#)
- [Tributyltins](#)
- [Trichloroethylene](#)
- [Vinyl Chloride](#)
- [Volatile organic compounds that participate in atmospheric photochemical reactions](#)

Substances Recommended for Addition to Schedule 1 of CEPA 1999

- [Chlorinated Alkanes](#)
- [Hexabromocyclododecane \(HBCD\)](#)
- [Road Salts](#)
- [Long-Chain \(C₉-C₂₀\) Perfluorocarboxylic Acids \(PFCAs\), their Salts and their Precursors](#)
- [Perfluorooctanoic Acid \(PFOA\), its Salts and its Precursors](#)
- [Polychlorinated Naphthalenes \(PCNs\)](#)

Resources

Full version of CEPA can be located at:

Environment Canada

<http://www.ec.gc.ca/toxiques-toxics/default.asp?lang=En&n=98E80CC6-1>

Appendix C

** This section is provided for information purposes only. **

Canada Consumer Product Safety Act

S.C. 2010, c. 21

Assented to 2010-12-15

An Act respecting the safety of consumer products

Preamble

Whereas the Parliament of Canada recognizes the objective of protecting the public by addressing dangers to human health or safety that are posed by consumer products;

Whereas the Parliament of Canada recognizes that the growing number of consumer products that flow across the borders of an increasingly global marketplace make the realization of that objective a challenge;

Whereas the Parliament of Canada recognizes that along with the Government of Canada, individuals and suppliers of consumer products have an important role to play in addressing dangers to human health or safety that are posed by consumer products;

Whereas the Parliament of Canada wishes to foster cooperation within the Government of Canada, between the governments in this country and with foreign governments and international organizations, in particular by sharing information, in order to effectively address those dangers;

Whereas the Parliament of Canada recognizes that, given the impact activities with respect to consumer products may have on the environment, there is a need to create a regulatory system regarding consumer products that is complementary to the regulatory system regarding the environment;

Whereas the Parliament of Canada recognizes that a lack of full scientific certainty is not to be used as a reason for postponing measures that prevent adverse effects on human health if those effects could be serious or irreversible;

And whereas the Parliament of Canada recognizes that the application of effective measures to encourage compliance with the federal regulatory system for consumer products is key to addressing the dangers to human health or safety posed by those products;

Now, therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

SHORT TITLE

Short title

1. This Act may be cited as the [*Canada Consumer Product Safety Act*](#).

INTERPRETATION

Definitions

2. The following definitions apply in this Act.

“advertisement” includes a representation by any means for the purpose of promoting directly or indirectly the sale of a consumer product.

“analyst” means an individual designated as an analyst under section 29 or under section 28 of the [Food and Drugs Act](#).

“article to which this Act or the regulations apply” means

- (a) a consumer product;
- (b) anything used in the manufacturing, importation, packaging, storing, advertising, selling, labelling, testing or transportation of a consumer product; or
- (c) a document that is related to any of those activities or a consumer product.

“confidential business information” — in respect of a person to whose business or affairs the information relates — means business information

- (a) that is not publicly available;
- (b) in respect of which the person has taken measures that are reasonable in the circumstances to ensure that it remains not publicly available; and
- (c) that has actual or potential economic value to the person or their competitors because it is not publicly available and its disclosure would result in a material financial loss to the person or a material financial gain to their competitors.

“consumer product” means a product, including its components, parts or accessories, that may reasonably be expected to be obtained by an individual to be used for non-commercial purposes, including for domestic, recreational and sports purposes, and includes its packaging.

“danger to human health or safety” means any unreasonable hazard — existing or potential — that is posed by a consumer product during or as a result of its normal or foreseeable use and that may reasonably be expected to cause the death of an individual exposed to it or have an adverse effect on that individual's health — including an injury — whether or not the death or adverse effect occurs immediately after the exposure to the hazard, and includes any exposure to a consumer product that may reasonably be expected to have a chronic adverse effect on human health.

“document” means anything on which information that is capable of being understood by a person, or read by a computer or other device, is recorded or marked.

“government” means any of the following or their institutions:

- (a) the federal government;
- (b) a corporation named in Schedule III to the [Financial Administration Act](#);
- (c) a provincial government or a public body established under an Act of the legislature of a province;
- (d) an aboriginal government as defined in subsection 13(3) of the [Access to Information Act](#);
- (e) a government of a foreign state or of a subdivision of a foreign state; or
- (f) an international organization of states.

“import” means to import into Canada.

“inspector” means an individual designated as an inspector under subsection 19(2).

“manufacture” includes produce, formulate, repackage and prepare, as well as recondition for sale.

“Minister” means the Minister of Health.

“person” means an individual or an organization as defined in section 2 of the [Criminal Code](#).

“personal information” has the same meaning as in section 3 of the [Privacy Act](#).

“prescribed” means prescribed by regulation.

“review officer” means an individual designated as a review officer under section 34.

“sell” includes offer for sale, expose for sale or have in possession for sale — or distribute to one or more persons, whether or not the distribution is made for consideration — and includes lease, offer for lease, expose for lease or have in possession for lease.

“storing” does not include the storing of a consumer product by an individual for their personal use.

Misleading claims — advertise or sell

10. No person shall advertise or sell a consumer product that they know is advertised, packaged or labelled in a manner referred to in section 9.

False or misleading information

11. No person shall knowingly provide the Minister with false or misleading information in relation to a matter under this Act or the regulations.

TESTS, STUDIES AND COMPILATION OF INFORMATION

12. The Minister may, by written notice, order any person who manufactures or imports a consumer product for commercial purposes to

(a) conduct tests or studies on the product in order to obtain the information that the Minister considers necessary to verify compliance or prevent non-compliance with this Act or the regulations;

(b) compile any information that the Minister considers necessary to verify compliance or prevent non-compliance with this Act or the regulations; and

(c) provide him or her with the documents that contain that information and the results of the tests or studies in the time and manner that the Minister specifies.

PREPARING AND MAINTAINING DOCUMENTS

Requirement

13. (1) Any person who manufactures, imports, advertises, sells or tests a consumer product for commercial purposes shall prepare and maintain

(a) documents that indicate

(i) in the case of a retailer, the name and address of the person from whom they obtained the product and the location where and the period during which they sold the product, and

(ii) in the case of any other person, the name and address of the person from whom they obtained the product or to whom they sold it, or both, as applicable; and

(b) the prescribed documents.

Period for keeping documents

(2) The person shall keep the documents until the expiry of six years after the end of the year to which they relate or for any other period that may be prescribed.

Keeping and providing documents in Canada

(3) The person shall keep the documents at their place of business in Canada or at any prescribed place and shall, on written request, provide the Minister with them.

Exemption — outside Canada

(4) The Minister may, subject to any terms and conditions that he or she may specify, exempt a person from the requirement to keep documents in Canada if the Minister considers it unnecessary or impractical for the person to keep them in Canada.

Importation

(5) A person who imports a consumer product for commercial purposes shall, no later than at the time of the product's importation, provide the Minister with those documents referred to in paragraph (1)(b) that are specified in the regulations.

DUTIES IN THE EVENT OF AN INCIDENT

Definition of "incident"

14. (1) In this section, "incident" means, with respect to a consumer product,

(a) an occurrence in Canada or elsewhere that resulted or may reasonably have been expected to result in an individual's death or in serious adverse effects on their health, including a serious injury;

(b) a defect or characteristic that may reasonably be expected to result in an individual's death or in serious adverse effects on their health, including a serious injury;

(c) incorrect or insufficient information on a label or in instructions — or the lack of a label or instructions — that may reasonably be expected to result in an individual's death or in serious adverse effects on their health, including a serious injury; or

(d) a recall or measure that is initiated for human health or safety reasons by

(i) a foreign entity,

(ii) a provincial government,

(iii) a public body that is established under an Act of the legislature of a province,

(iv) an aboriginal government as defined in subsection 13(3) of the [Access to Information Act](#), or

(v) an institution of an entity referred to in subparagraphs (ii) to (iv).

Requirement to provide information

(2) A person who manufactures, imports or sells a consumer product for commercial purposes shall provide the Minister and, if applicable, the person from whom they received the consumer product with all the information in their control regarding any incident related to the product within two days after the day on which they become aware of the incident.

Report

(3) The manufacturer of the consumer product, or if the manufacturer carries on business outside Canada, the importer, shall provide the Minister with a written report — containing information about the incident, the product involved in the incident, any products that they manufacture or import, as the case may be, that to their knowledge could be involved in a similar incident and any measures they propose be taken with respect to those products — within 10 days after the day on which they become aware of the incident or within the period that the Minister specifies by written notice.

PURPOSE

Purpose

3. The purpose of this Act is to protect the public by addressing or preventing dangers to human health or safety that are posed by consumer products in Canada, including those that circulate within Canada and those that are imported.

APPLICATION

Consumer products

4. (1) This Act applies to consumer products with the exception of those listed in Schedule 1. Tobacco products

(2) This Act applies to tobacco products as defined in section 2 of the [Tobacco Act](#) but only in respect of their ignition propensity.

Natural health products

(3) For greater certainty, this Act does not apply to natural health products as defined in subsection 1(1) of the [Natural Health Products Regulations](#) made under the [Food and Drugs Act](#).

PROHIBITIONS

Consumer products in Schedule 2

5. No person shall manufacture, import, advertise or sell a consumer product listed in Schedule 2.

Products that do not meet regulatory requirements

6. No person shall manufacture, import, advertise or sell a consumer product that does not meet the requirements set out in the regulations.

Manufacturer and importer

7. No manufacturer or importer shall manufacture, import, advertise or sell a consumer product that

(a) is a danger to human health or safety;

(b) is the subject of a recall order made under section 31 or such an order that is reviewed under section 35 or is the subject of a voluntary recall in Canada because the product is a danger to human health or safety; or

(c) is the subject of a measure that the manufacturer or importer has not carried out but is required to carry out under an order made under section 32 or such an order that is reviewed under section 35.

Advertising and selling

8. No person shall advertise or sell a consumer product that they know

(a) is a danger to human health or safety;

(b) is the subject of a recall order made under section 31 or such an order that is reviewed under section 35 or is the subject of a voluntary recall in Canada because the product is a danger to human health or safety; or

(c) is the subject of a measure that has not been carried out but is required to be carried out under an order made under section 32 or such an order that is reviewed under section 35.

Misleading claims — package or label

9. No person shall package or label a consumer product

(a) in a manner — including one that is false, misleading or deceptive — that may reasonably be expected to create an erroneous impression regarding the fact that it is not a danger to human health or safety; or

(b) in a manner that is false, misleading or deceptive regarding its certification related to its safety or its compliance with a safety standard or the regulations.

Misleading claims — advertise or sell

10. No person shall advertise or sell a consumer product that they know is advertised, packaged or labelled in a manner referred to in section 9.

False or misleading information

11. No person shall knowingly provide the Minister with false or misleading information in relation to a matter under this Act or the regulations.

TESTS, STUDIES AND COMPILATION OF INFORMATION

Tests, studies and information

12. The Minister may, by written notice, order any person who manufactures or imports a consumer product for commercial purposes to

(a) conduct tests or studies on the product in order to obtain the information that the Minister considers necessary to verify compliance or prevent non-compliance with this Act or the regulations;

(b) compile any information that the Minister considers necessary to verify compliance or prevent non-compliance with this Act or the regulations; and

(c) provide him or her with the documents that contain that information and the results of the tests or studies in the time and manner that the Minister specifies.

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(3) The manufacturer of the consumer product, or if the manufacturer carries on business outside Canada, the importer, shall provide the Minister with a written report — containing information about the incident, the product involved in the incident, any products that they manufacture or import, as the case may be, that to their knowledge could be involved in a similar incident and any measures they propose be taken with respect to those products — within 10 days after the day on which they become aware of the incident or within the period that the Minister specifies by written notice.

SCHEDULE 1

(Subsection 4(1) and paragraph 37(1)(c))

1. Explosives within the meaning of section 2 of the [Explosives Act](#).
2. Dosmetics within the meaning of section 2 of the [Food and Drugs Act](#).
3. Devices within the meaning of section 2 of the [Food and Drugs Act](#).
4. Drugs within the meaning of section 2 of the [Food and Drugs Act](#).
5. Food within the meaning of section 2 of the [Food and Drugs Act](#).
6. Pest control products within the meaning of subsection 2(1) of the [Pest Control Products Act](#).

7. Vehicles within the meaning of section 2 of the [Motor Vehicle Safety Act](#) and a part of a vehicle that is integral to it — as it is assembled or altered before its sale to the first retail purchaser — including a part of a vehicle that replaces or alters such a part.
8. Feeds within the meaning of section 2 of the [Feeds Act](#).
9. Fertilizers within the meaning of section 2 of the [Fertilizers Act](#).
10. Vessels within the meaning of section 2 of the [Canada Shipping Act, 2001](#).
11. Firearms within the meaning of section 2 of the [Criminal Code](#).
12. Ammunition within the meaning of subsection 84(1) of the [Criminal Code](#).
13. Cartridge magazines within the meaning of subsection 84(1) of the [Criminal Code](#).
14. Cross-bows within the meaning of subsection 84(1) of the [Criminal Code](#).
15. Prohibited devices within the meaning of paragraphs (a) to (d) of the definition “prohibited device” in subsection 84(1) of the [Criminal Code](#).
16. Plants within the meaning of section 3 of the [Plant Protection Act](#), except for Jequirity beans (*abrus precatorius*).
17. Seeds within the meaning of section 2 of the [Seeds Act](#), except for Jequirity beans (*abrus precatorius*).
18. Controlled substances within the meaning of subsection 2(1) of the [Controlled Drugs and Substances Act](#).
19. Aeronautical products within the meaning of subsection 3(1) of the [Aeronautics Act](#).
20. Animals within the meaning of subsection 2(1) of the [Health of Animals Act](#).

SCHEDULE 2

(Section 5 and paragraph 37(1)(c))

1. Jequirity beans (*abrus precatorius*) or any substance or article that is made from or that includes jequirity beans in whole or in part.
2. Spectacle frames that, in whole or in part, are made of or contain cellulose nitrate.
3. Baby walkers that are mounted on wheels or on any other device permitting movement of the walker and that have an enclosed area supporting the baby in a sitting or standing position so that their feet touch the floor, thereby enabling the horizontal movement of the walker.
4. Products for babies, including teething rings, pacifiers and baby bottle nipples, that are put in the mouth when used and that contain a filling that has in it a viable micro-organism.
5. Structural devices that position feeding bottles to allow babies to feed themselves from the bottle while unattended.

6. Disposable metal containers that contain a pressurizing fluid composed in whole or in part of vinyl chloride and that are designed to release pressurized contents by the use of a manually operated valve that forms an integral part of the container.
7. Liquids that contain polychlorinated biphenyls for use in microscopy, including immersion oils but not including refractive index oils.
8. Kites any part of which is made of uninsulated metal that is separated from adjacent conductive areas by a non-conductive area of less than 50 mm and that either
 - (a) has a maximum linear dimension in excess of 150 mm, or
 - (b) is plated or otherwise coated with a conductive film whose maximum linear dimension exceeds 150 mm.
9. Kite strings made of a material that conducts electricity.
10. Products made in whole or in part of textile fibres, intended for use as wearing apparel, that are treated with or contain tris (2,3 dibromopropyl) phosphate as a single substance or as part of a chemical compound.
11. Any substance that is used to induce sneezing, whether or not called "sneezing powder", and that contains
 - (a) 3,3'-dimethoxybenzidine (4,4'-diamino-3,3'-dimethoxybiphenyl) or any of its salts;
 - (b) a plant product derived from the genera *Helleborus* (hellebore), *Veratrum album* (white hellebore) or *Quillaia* (Panama Wood);
 - (c) protoveratrine or veratrine; or
 - (d) any isomer of nitrobenzaldehyde.
12. Cutting oils and cutting fluids, that are for use in lubricating and cooling the cutting area in machining operations, and that contain more than 50 µg/g of any nitrite, when monoethanolamine, diethanolamine or triethanolamine is also present.
13. Urea formaldehyde-based thermal insulation, foamed in place, used to insulate buildings.
14. Lawn darts with elongated tips.
15. Polycarbonate baby bottles that contain 4,4'-isopropylidenediphenol (bisphenol A).

Resources

Full version of the Canada Consumer Product Safety Act (CCPSA) can be located at:
Department of Justice
<http://laws-lois.justice.gc.ca/eng/acts/C-1.68/index.html>