



For Immediate Release: April 1, 2009

Contact: Jason Bourque, CAE  
Program Manager  
j.bourque@ciph.com

## Ontario Announces New Regulation for Electrical Products

CIPH has been made aware that today marks the first day manufacturers of electrical product who supply Ontario can register with Ontario's Electrical Safety Authority (ESA). Registration is ongoing until August 30, 2009. The registration requirement will cost \$350 and is related to a new regulation in Ontario, regulation 438/07. Here are key observations:

- This new regulation is targeted at counterfeit and counterfeit labeled products, any unsafe electrical products including any certified products that no longer meet the certification requirements (non-compliant) or any electrical product without a recognized certification label.
- This regulation gives the Ontario Electrical Safety Authority (ESA) the power of product seizure, recall and fines when unsafe electrical products are discovered in the Ontario market.
- The regulation was created because appliances were catching on fire and the manufacturer did not remove them voluntarily. The province had no authority to remove the product from the market. The manufacturer finally pulled their product after several homes had burned, but the damage had been done.
- In reaction, the Fire Marshall's office, the ESA, and Consumer Associations, with the support of the Ministry of Energy and all three political parties, drafted the regulation.
- The regulation guidelines came out in 2007 and underwent public review.
- The regulation is now law in Ontario.
- The inspections and enforcement of the regulation has been assigned to the provincial Electrical Safety Authority. The funding for the regulation's compliance will be shared among all manufactures of electrical products. This keeps the cost to \$350 per manufacturer.
- There are substantial benefits to the regulation:
  - It protects public safety.
  - It fills the health and safety gap that exists between the codes and standards system in Canada and the market, protecting the entire manufacturing industry against the damage that can be done by a single player who refuses to voluntarily pull product.
  - It creates a level playing field for all manufacturers of electrical product because it gives the province the ability to remove non-certified, non-compliant, and counterfeit products from the market.
- Registration applies only to manufacturers - it does not apply to wholesale distributors. An authorized manufacturer's representative may apply for registration and is defined as someone within the corporate structure of the manufacturer who is authorized to take corrective action on behalf of the manufacturer as it relates to product safety issues. This includes the authorization to issue product recalls, public notification as well as any other corrective action required by ESA.

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295 The West Mall, Suite 330, Toronto, Ontario M9C 4Z4.

info@ciph.com, Fax. 416-695-0450, www.ciph.com, Tel. 1-888-ASK-CIPH (275-2474), 416-695-0447.



- Registration is for any company that produces:
  - Consumer electrical products;
  - Commercial electrical products;
  - Electrical medical devices;
  - Industrial electrical products;
  - Wiring devices and products;
  - Battery operated products used in hazardous locations;
  - External power supplies used for recharging purposes which could be used with a battery operated product;
  - Hard wiring and plug-in feature product used for a life safety and/or protection function (e.g., smoke detector, CO detector)
  - Certified components used in any of the above
- Manufactures pay only one fee regardless of how many products or product lines they carry.

This regulation is tied indirectly to federal bill C-6 (Consumer Product Safety Act). It is anticipated that this Ontario-specific regulation will become a federal initiative, removing the risk of having several Canadian jurisdictions all requiring a similar registration of electrical products. It is also anticipated that once bill C-6 is approved by parliament, a similar system to ensure public safety of gas and plumbing products will follow in time.

For more information, manufacturers may visit [http://www.esasafe.com/pdf/product\\_safety/faq\\_manufacturers.pdf](http://www.esasafe.com/pdf/product_safety/faq_manufacturers.pdf), and wholesale distributors may visit [http://www.esasafe.com/pdf/product\\_safety/faq\\_industry.pdf](http://www.esasafe.com/pdf/product_safety/faq_industry.pdf).

For more information on how to register, please visit [http://www.esasafe.com/product\\_safety/index.php](http://www.esasafe.com/product_safety/index.php)

CIPH encourages you to attend the April 23<sup>rd</sup> Ontario Region Business Meeting where Normand Breton, General Manager Product Safety, at the Electrical Safety Authority will speak to CIPH members on this issue and answer questions. To register for this event, please visit: <http://www.ciph.com/Downloads/regions/ONrgnBUSmtgREGupdateOCT08.pdf>

The Canadian Institute of Plumbing & Heating is a not-for-profit trade association. Founded in 1933, the Institute is a vibrant organization committed to providing members with the tools for success in today's competitive environment. More than 260 companies are members of this influential Canadian industry association. They are the manufacturers, wholesaler distributors, master distributors, manufacturers' agents and allied companies who manufacture and distribute plumbing, hydronic heating, industrial PVF, waterworks and other mechanical products. CIPH wholesalers operate more than 700 warehouses and showrooms across Canada. CIPH members employ more than 10,000 Canadians and are an integral part of the Canadian economy. Total industry sales exceed \$4.6 billion annually.



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