

WHMIS

WHMIS - General

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Important Information

Canada has aligned the Workplace Hazardous Materials Information System (WHMIS) with the Globally Harmonized System of Classification and Labelling of Chemicals (GHS).

This document discusses the WHMIS supplier requirements as regulated by the federal legislation – the *Hazardous Products Act* (HPA) and the *Hazardous Products Regulations* (HPR). This document reflects the Hazardous Products Regulations requirements as of December 15, 2022. The changes introduced in December 2022 are in force. Suppliers are granted a 3-year transition period (to December 15, 2025) to bring product classifications, safety data sheets and labels into compliance with the amendments.

For most workplaces, the most notable impact will be seen in the changes to the flammable gases class, and the new class of chemicals under pressure.

Health Canada is the government body responsible for the overall WHMIS supplier-related laws. WHMIS is also regulated in the workplace by the provinces, territories and federal (for federally regulated workplaces) governments under their occupational health and safety legislation. While these jurisdictions based their WHMIS regulations on a common model, small variations between jurisdictions may exist.

Suppliers and employers must use and follow the WHMIS requirements for labels and safety data sheets (SDSs) for hazardous products sold, distributed, or imported into Canada.

Please refer to the following OSH Answers documents for more information about WHMIS:

- [WHMIS – Pictograms](#)
- [WHMIS – Labels](#)
- [WHMIS – Hazard Classes and Categories](#)
- [WHMIS – Safety Data Sheets \(SDSs\)](#)
- [WHMIS – Education and Training](#)
- [WHMIS – WHMIS Program](#)
- [WHMIS – Glossary](#)
- [WHMIS – Confidential Business Information \(CBI\)](#)
- [WHMIS – Variances](#)
- [WHMIS – Laboratories](#)
- [WHMIS - Information for Suppliers and Importers](#)
- [WHMIS - Legislation](#)

What is WHMIS?

WHMIS stands for the Workplace Hazardous Materials Information System. It is a comprehensive system for providing health and safety information on hazardous products intended for use, handling, or storage in Canadian workplaces.

WHMIS has aligned with the worldwide hazard communication system known as GHS – the Globally Harmonized System of Classification and Labelling of Chemicals. Aligning with GHS provides many benefits, including:

- Hazard classification criteria are more comprehensive which improves the ability to indicate the severity of hazards.

- New hazard classes are included.
 - Physical hazard criteria are consistent with the Transport of Dangerous Goods (TDG) regulations.
 - Standardized language (hazard and precautionary statements).
 - Standardized safety data sheet (SDS) format and more comprehensive requirements.
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What are the main parts of WHMIS?

The main components of WHMIS are hazard identification and product classification, labelling, safety data sheets, and worker education and training.

Is WHMIS law?

Yes. WHMIS first became law in 1988 through a series of complementary federal, provincial and territorial legislation and regulations. This original system is identified as WHMIS 1988.

What is the status of the WHMIS regulations?

Updates to the *Hazardous Products Act* and regulations came into force on December 15, 2022. Suppliers are granted a 3-year transition period (to December 15, 2025) to bring product classifications, safety data sheets and labels into compliance with the amendments.

Note that the federal, provincial, and territorial occupational health and safety WHMIS regulations may also require updating.

Under WHMIS, who is considered to be a supplier, manufacturer, importer, and distributor?

Under WHMIS:

- a supplier is “a person who, in the course of business, sells or imports a hazardous product”
- a manufacturer is “a supplier who, in the course of business in Canada, manufactures, produces, processes, packages or labels a hazardous product and sells it”
- an importer* is “a supplier who brings a hazardous product into Canada, but does not sell the product”, and

- a distributor is “a Canadian supplier to whom a hazardous product was sold, and who then resells the hazardous product without modifying it in any way. If a distributor does modify a hazardous product that they purchased (for example, by repackaging or relabelling it) and subsequently sells it, then the distributor meets the definition of a “manufacturer.”

*If you are an employer who imports a hazardous product only for use in your own workplace, you are considered to be the importer and are responsible for compliance with all WHMIS supplier requirements.

For more information on this topic, see the OSH Answers, [WHMIS - Information for Suppliers and Importers](#).

What products does WHMIS cover?

The *Hazardous Products Regulations* set out specific hazard classification criteria. If a product covered by the *Hazardous Products Act* meets the criteria to be included in a hazard class or category, it is considered to be a “hazardous product”. All hazardous products used in the workplace are covered by the WHMIS regulations, and a WHMIS program, including education and training, must be in place.

Which products are not covered by WHMIS?

The current exclusions under WHMIS are:

- Explosives as defined in the *Explosives Act*.
- Cosmetic, device, drug, or food as defined in the *Food and Drugs Act*.
- Pest control products as defined in the *Pest Control Products Act*.
- Consumer products as defined in the *Canada Consumer Product Safety Act*.
- Wood or products made of wood.
- Nuclear substances within the meaning of the *Nuclear Safety and Control Act*, that are radioactive.
- Hazardous waste is a hazardous product that is sold for recycling or recovery, or is intended for disposal.
- Tobacco and tobacco products as defined in the *Tobacco and Vaping Products Act*.
- Manufactured articles.

Many of these products are covered under other legislation. Note that while a product may be exempt from the requirement to have a WHMIS label and SDS, employers must still provide education and training on health effects, safe use, and storage.

How do I know if a product is considered to be a "hazardous product" under WHMIS?

Suppliers must compare their products against specific criteria as required by the *Hazardous Products Regulations*. If a product meets any of the criteria for a hazard class, it is considered to be a WHMIS-regulated hazardous product. All hazardous products must be labelled according to the *Hazardous Products Regulations* and must have a corresponding safety data sheet provided to the purchaser at the time of sale.

The hazard class and category are provided in Section 2 (Hazard Identification) of the safety data sheet and on the supplier label. Each hazard class or category must use the specified pictograms and other label elements to indicate the hazard that is present, and what precautionary measures must be taken. Employers and workers then use this information provided by the label and safety data sheet to be informed and to know how to safely use, handle, store, and dispose of the hazardous product.

Note: Products in your workplace that do not fall under WHMIS regulations may still have hazards. Employers must understand these hazards and train workers on how to work safely with those products. For example, please see the OSH Answers on [Consumer Chemical Products in the Workplace](#).

What are the roles and responsibilities of suppliers under WHMIS?

Suppliers and importers are responsible for meeting the requirements of the *Hazardous Products Act* and regulations, including:

- Determining the appropriate classification of hazardous products
- Providing labels
- Providing safety data sheets

For more information, including the definition of who is considered a supplier under WHMIS, see the OSH Answers [WHMIS - Information for Suppliers and Importers](#).

What are the roles and responsibilities of employers under WHMIS?

When a hazardous product is used in the workplace, employers are required to:

- [Educate and train](#) workers on the hazards and safe use of products.
- This activity is often incorporated into a workplace's WHMIS program. For information on how to develop a WHMIS program for your workplace, see the OSH Answers [WHMIS Program](#).
- Workers should be able to answer these questions for every hazardous product they work with:
 - What are the hazards of the product?
 - How do I protect myself from those hazards?
 - What do I do in case of an emergency?
 - Where can I get further information?

While the WHMIS worker education and training program needs to be reviewed annually, most jurisdictions across Canada do not specify whether an employer must provide refresher training, nor does retraining need to be done at a required frequency.

- Provide access to up-to-date [safety data sheets](#) to workers.
- Ensure that hazardous products are [properly labelled](#).
- Prepare [workplace labels](#), as needed.
- [Prepare safety data sheets](#), as necessary (e.g., if an employer manufactures a hazardous product that is used on-site). (See "When does an employer need to follow WHMIS supplier requirements?" section for more information.)
- Ensure appropriate [control measures](#) are in place to protect the health and safety of workers.

For suggestions on how to work safely with different hazardous products, see the OSH Answers series [How to work safely with](#).

What are the roles and responsibilities of workers for WHMIS?

Workers must participate in WHMIS education and training programs, take necessary steps to protect themselves and their co-workers, and participate in identifying and controlling hazards. For more information, see the OSH Answers [WHMIS Program](#).

As a worker, what should I do when using a hazardous product?

Always be familiar with the hazards of a product **before** you start using it.

- Always check to see if there is a label on the product before you use it.
 - Each hazard class or category must use specific pictograms and other label elements to indicate the hazard that is present and what precautionary measures must be taken.
- Ask for a new label when the old one is not visible or read properly. Do not use a product that is not labelled or if the label is unreadable.
- Read, understand, and follow the instructions on the label and safety data sheet.
 - Match the name of the product in Section 1 of the safety data sheet to the label.
 - Check that the product is being used in the way the manufacturer intended; if not, the advice provided on the safety data sheet and label may not apply to you, or the protective measures listed may not be adequate. Section 1 of the safety data sheet should describe the typical use of the product and may indicate restrictions.
 - Know the hazards, precautions to take, and what to do in an emergency (Section 2),
 - Understand safe handling and storage instructions (Section 7), and
 - Understand what to do in an emergency (Sections 4, 5 and 6).

When to ask for help

- Ask your supervisor or a health and safety professional for advice if the way you use the product does not match what Section 1 of the safety data sheet lists for intended use of the product.
- While Section 2 of the safety data sheet covers information about the potential hazards of the hazardous product, it may not be specific about the required safe work procedures needed for your particular workplace. For example, the safety data sheet may not specify what type of respirator must be used, just that a respirator is needed. More information can be found by asking your supervisor. These decisions may require the help of a safety professional or someone with chemical safety knowledge.
- Ask your supervisor if you are not sure about how to use or store the product.
- Ask your supervisor if you need a new label for the product.

What happens if consumer products are used in the workplace?

Consumer products are those that can be purchased in a store and are generally intended for use in the home. They often include cleaning products, adhesives, or lubricants. These products are labelled according to other legislation.

A comprehensive chemical safety program would include hazardous products as regulated by WHMIS and any other products that a worker may be exposed to (including consumer products). Workers should still receive education and training for the safe use of these products.

Please see the OSH Answers [Consumer Chemical Products in the Workplace](#) for more information.

Who enforces WHMIS?

WHMIS requirements are implemented through coordinated and interlocking Health Canada and federal, provincial and territorial occupational health and safety laws. WHMIS is enforced by the provincial or territorial government [departments or agencies responsible for health and safety](#), or by the Labour Program for federally regulated workplaces.

For more information on WHMIS legislation and enforcement (including inspections), please see OSH Answers [WHMIS—Legislation](#).

When does an employer need to follow WHMIS supplier requirements?

In a few situations, employers may also be considered as “suppliers” under the Hazardous Products Act (HPA) and the Hazardous Products Regulations (HPR).

Under WHMIS:

- a supplier is “a person who, in the course of business, sells or imports a hazardous product”
- a manufacturer is “a supplier who, in the course of business in Canada, manufactures, produces, processes, packages or labels a hazardous product and sells it”
- an importer* is “a supplier who brings a hazardous product into Canada, but does not sell the product”
- a distributor is “a Canadian supplier to whom a hazardous product was sold, and who then resells the hazardous product without modifying it in any way. If a distributor does modify a hazardous product that they purchased (for example, by repackaging or relabelling it) and subsequently sells it, then the distributor meets the definition of a “manufacturer”

Employers who import hazardous products from a foreign supplier for use in their own workplace in Canada are considered to be suppliers. These employers must follow the requirements of suppliers for labels and safety data sheets, with a few exceptions:

- if the importer (e.g., an employer) obtains a safety data sheet from the foreign supplier, the importer may keep the name, address and telephone number of the foreign supplier on the safety data sheet.
- the importer may keep the name, address and telephone number of the foreign supplier on the label. (Reference: [Part 5 – Exemptions of the Hazardous Products Regulations](#))

Additionally, employers who produce hazardous products within their workplace must follow the WHMIS supplier requirements. In general, if an employer produces a hazardous product at their workplace, and the product is intended to be used within that workplace, the employer must assess and classify the hazards of the product, create and apply a workplace label to the hazardous product or its container, and must prepare a safety data sheet that meets the Hazardous Products Act supplier requirements for safety data sheets. More information about this is provided in the provincial or territorial/federal workplaces' [WHMIS legislation](#).

Check with your [occupational health and safety jurisdiction](#) for more information.

What does it mean when I see a generic chemical identity listed on an SDS?

This listing indicates that the supplier has applied to have the exact ingredients in the hazardous product considered as "confidential business information" (CBI). There is a strict process that must be followed to have an ingredient or ingredients considered as confidential business information, and approval is only granted by Health Canada.

See the OSH Answers [WHMIS - Confidential Business Information \(CBI\)](#) for more information.

Fact sheet last revised: 2025-06-03

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