



Transportation of Dangerous Goods



TRANSPORTING DANGEROUS GOODS SHIPMENTS FROM THE UNITED STATES TO CANADA BY ROAD OR RAIL

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The Transportation of Dangerous Goods (TDG) Regulations allow most shipments of dangerous goods originating outside of Canada to be prepared in accordance with other regulations. However, the TDG Regulations must still be consulted for conditions and limitations.

Road and rail shipments originating in the United States must be prepared in accordance with the Title 49 of the Code of Federal Regulations (CFR) Regulations. These regulations have similar provisions for road and rail shipments originating in Canada that are destined to the United States (see Part 171 for more details). The 49 CFR must be consulted for conditions and limitations.

Parts [9](#) (Road) and [10](#) (Rail) of the TDG Regulations state that dangerous goods that originate in the United States and are transported by road or rail to a destination in Canada or to a destination in the United States through Canada may comply with the classification, marking, labelling, placarding and documentation requirements of 49 CFR. However, the TDG Regulations **must** be complied with in the following cases:

1. The dangerous goods are forbidden for transport by the TDG Regulations but not by 49 CFR;
2. The dangerous goods are regulated by the TDG Regulations but not by 49 CFR; or
3. The dangerous goods are given dangerous goods safety mark or packaging exceptions in 49 CFR that are not permitted by the TDG Regulations.

Note: A person who handles or transports dangerous goods by road or railway vehicle in accordance with an exemption issued under Subpart B of Part 107 of 49 CFR may do so from a place in the United States to a place in Canada or from a place in the United States through Canada to a place outside Canada if the exemption number appears on the shipping document.

The TDG Regulations also allow a person to transport a substance between Canada and the United States by road or railway vehicle in accordance with 49 CFR when the substance is regulated in the United States but not regulated in Canada (see [Section 1.11](#) of the TDG Regulations for more information).

Conditions and Limitations for Road and Rail Dangerous Goods Shipments Originating in the United States and Prepared in Accordance with 49 CFR and Transported into Canada

Documentation

A [shipping document](#) may be prepared in accordance with 49 CFR but must also include:

1. The name and address of the place of business of the consignor (where the consignor is the importer);
2. The classification from the TDG Regulations or the UN Recommendations. However, the domestic shipping name “Consumer commodity” is permitted; and
3. The emergency response assistance plan reference number and activation telephone number when required by the TDG Regulations.

Emergency response assistance plans

What is an [emergency response assistance plan](#)?

The origins of the emergency response assistance plan (ERAP) program may be traced back to the recommendations made by Justice Grange following the enquiry into the Mississauga train derailment of November 1979.

ERAPs are required by the TDG Regulations for certain dangerous goods that require special expertise and response equipment. The plans are intended to assist local emergency responders by providing them with technical experts and specialized equipment at an incident site.

The ERAP explains how specialists and other personnel with knowledge, equipment and skills will be made available at incident sites for the more hazardous dangerous goods. These plans supplement those of the carrier and of the local and provincial authorities, and must be integrated with other organizations to help mitigate the consequences of an incident.

In order to comply with the TDG Regulations, certain dangerous goods require an approved ERAP before entering the transportation system. [Part 7](#) (Emergency Response Assistance Plan) of the TDG Regulations specifies the conditions for which an ERAP is required and the process to follow in order to obtain the approval of an ERAP. When dangerous goods require an ERAP, it is the responsibility of the person who offers for transport or imports these dangerous goods to apply for an ERAP. The reference number will be issued in writing by Transport Canada upon the approval of the ERAP. The reference number and activation telephone number must be displayed on the shipping document accompanying the dangerous goods for which the plan is applicable. In certain instances, a person may use someone else's ERAP. A [sample plan](#) is available to assist in preparing a plan.

Dangerous goods safety marks

[Dangerous Goods Safety Marks](#) are defined in the TDG Regulations as “a label, placard, orange panel, sign, mark, letter, word, number or abbreviation that is used to identify dangerous goods and to show the nature of the danger posed by them”.

When a consignment of dangerous goods is transported from a place outside Canada to a place in Canada and is reshipped within Canada by road vehicle, the dangerous goods safety marks displayed in accordance with the 49 CFR may continue to be displayed. **However**, the placards displayed on the large means of containment must be in accordance with [Part 4](#) of the TDG Regulations.

Note: Transport Canada **does** consider cross-docking (the process of transferring dangerous goods from one vehicle to another before reaching their final destination) as “reshipping”. Therefore, as stated in [Section 9.4](#) of the TDG Regulations, the large means of containment containing dangerous goods must have placards displayed on it in accordance with [Part 4](#) of the TDG Regulations. The carrier may **NOT** transfer American placards to the new vehicle in Canada. However, if the imported dangerous goods remain in the vehicle that crossed the border, and the carrier simply changes the truck-tractor or the driver before continuing to its final destination, the American placards may remain on the vehicle, as stated in [Section 9.1](#) of the TDG Regulations.

Labels and placards that are displayed for Class 2.3, Toxic Gases and Class 6.1, Toxic Substances must be those illustrated in [Part 4](#) (Dangerous Goods Safety Marks) of the TDG Regulations and not 49 CFR. It would be acceptable to display both the applicable Canadian and American dangerous goods safety marks for these classes.

The TDG Regulations also permit the 49 CFR dangerous goods safety marks to remain displayed on small means of containment for dangerous goods that are reshipped in Canada. However, there must be a notation on the shipping document if the dangerous goods safety marks in 49 CFR are different from those required by the TDG Regulations.

Means of containment

The provisions for reciprocity in the TDG Regulations are found in [Part 5](#) (Means of Containment) or in standards referenced in the TDG Regulations. **However, reciprocity is not always possible as exceptions may apply.**

For more information on containers, please visit our website at www.tc.gc.ca/eng/tdg/moc-menu-202.htm

Training

The TDG Regulations require the employer to [issue a training certificate](#) to any person who handles, offers for transport or transports dangerous goods.

[Subsection 6.4\(1\)](#) of the TDG Regulations states that a document issued to the driver of a road vehicle licensed in the U.S. or to a crew member of a train that indicates that the driver or crew member is trained in accordance with sections 172.700 to 172.704 of 49 CFR is a valid training certificate.

Reporting Requirements

When transporting dangerous goods by road or by rail, a report may be required in the case of:

- a release or anticipated release of dangerous goods;
- a loss or theft of dangerous goods; or
- an unlawful interference of dangerous goods.

