

# Canadian Product Safety Pledge

for Consumer Products and Cosmetics

## GUIDANCE FOR SIGNATORIES



Health Canada Santé Canada

Canada

Health Canada is the federal department responsible for helping the people of Canada maintain and improve their health. Health Canada is committed to improving the lives of all of Canada's people and to making this country's population among the healthiest in the world as measured by longevity, lifestyle and effective use of the public health care system.

Également disponible en français sous le titre :

*Engagement canadien en matière de sécurité des produits pour les produits de consommation et les cosmétiques*

*Directives à l'intention des signataires*

To obtain additional information, please contact:

Health Canada

Address Locator 0900C2

Ottawa, ON K1A 0K9

Tel.: 613-957-2991

Toll free: 1-866-225-0709

Fax: 613-941-5366

TTY: 1-800-465-7735

E-mail: [publications-publications@hc-sc.gc.ca](mailto:publications-publications@hc-sc.gc.ca)

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# INTRODUCTION

The global e-commerce landscape has seen a significant and rapidly growing number of Canadians using Online Marketplaces for purchasing goods which offer consumers a range of benefits including convenience, greater product variety and choice of Seller.

[Health Canada](#) recognizes that the increasing popularity of online shopping by Canadians may bring with it an increase in the availability of Unsafe Products and the serious risks to users that these Products may pose.

Product safety is a shared responsibility, and online businesses play an important role in shaping and enhancing product safety compliance in the digital economy to help keep consumers living in Canada safe.

The [Canada Consumer Product Safety Act](#) (CCPSA) is administered and enforced by Health Canada's Consumer Product Safety Program. Its purpose is to protect the public by addressing or preventing dangers to human health or safety that are posed by Consumer Products in Canada. The CCPSA prescribes responsibilities that apply to suppliers of Consumer Products, including manufacturers, importers, Sellers, or advertisers, including entities that operate in these capacities via Online Marketplaces.

The Consumer Product Safety Program is also responsible for the safety of Cosmetics that are regulated under the [Food and Drugs Act](#) (FDA) and its [Cosmetic Regulations](#) (CR). The FDA and its CR apply to the manufacture, import for sale, or sale of Cosmetics in Canada, including entities that operate in these capacities via Online Marketplaces.

The owners and operators of Online Marketplaces are ideally positioned to play a significant role in helping to keep Canadians safe by:

- ensuring that Recalled, Prohibited or Non-Compliant Products are not sold in their Online Marketplace;
- ensuring that health or safety concerns related to their Products are promptly and adequately addressed;
- promoting awareness of Canadian product safety requirements amongst their own organization, Sellers and consumers; and
- co-operating with Health Canada in identifying product Supply Chains or intervening when Sellers, regardless of the geographical location(s) of their operations, are non-responsive to requests by Health Canada.

*For the purpose of this Canadian Product Safety Pledge, "Products" include both Consumer Products and Cosmetics. A full lexicon in the next section provides important clarification of the terms used throughout this document.*

## LEXICON

**Consumer Product:** (As defined in the CCPSA) 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.

**Corrective Action:** Action to eliminate or mitigate a detected non-compliance or other undesirable situations.

**Cosmetic:** (As defined in the FDA) Any substance or mixture of substances, manufactured, sold or represented for use in cleansing, improving or altering the complexion, skin, hair or teeth and includes deodorants and perfumes.

**Cosmetic Notification Form:** An online form which provides specific details about a Cosmetic that must be submitted to Health Canada at the latest 10 days after the manufacturer or importer first sells a Cosmetic in Canada (CR, s.30).

**Danger to Human Health or Safety:** (As defined in the CCPSA) 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.

**Evidence of Compliance:** Information that can be used to verify compliance or prevent non-compliance with: (1) the CCPSA and its regulations or (2) the FDA and its CR.

**Health Canada Consumer Product Safety Program:** Canadian Federal Government program with the mandate of preventing, detecting and responding to health or safety risks posed by Consumer Products and Cosmetics. Its mandate is carried out through the authorities of the CCPSA and its Regulations, and the FDA and its CR.

**Ingredients prohibited or restricted for use in Cosmetics:** Ingredients listed on the [Cosmetic Ingredient Hotlist](#), including synonyms, salts and related compounds, which should not be present in Cosmetics sold in Canada (prohibited) or which are permitted only if the conditions of use and/or cautionary statement(s) are met as outlined in the hotlist (restricted).

**Online Marketplace:** A type of online sales platform that facilitates online transactions between Third-party Sellers and consumers.

**Products:** Consumer Products and Cosmetics.

**Prohibited or Non-Compliant Product:** A Consumer Product that does not comply with the CCPSA and its regulations or a Cosmetic that does not comply with the FDA and its CR, including a Product listed in [Schedule 2 of the CCPSA](#) and a Consumer Product listed in [Table 3—Notice of Danger to Human Health or Safety](#)<sup>1</sup> that does not comply with the relevant “Acceptable Performance Criteria” outlined in the table.

**Recall:** Any Corrective Action, communicated to a consumer, taken post production to address consumer health or safety issues associated with a product.

**Recalled Product:** A product that has been removed from the Canadian market by a party in the Supply Chain and the removal has been communicated to a consumer to address consumer health or safety issues associated with the product.

**Reportable Incident:** With respect to a Consumer Product under the CCPSA (s.14):

- 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 initiated for human health or safety reasons by: a foreign entity, a provincial government, a public body established under a provincial legislature’s act, an aboriginal government as defined in subsection 13(3) of the [Access to Information Act](#) or an institution of any of these entities.

**Sellers:** Third-party Sellers or suppliers of Products.

**Signatories:** The owners or operators of Online Marketplaces who have signed the Canadian Product Safety Pledge.

**Stop Sale:** Action by the Seller to halt further sale of the affected product and, if applicable, to contact businesses in the Supply Chain they distributed the product to, and instruct them to remove it from sale.

**Supply Chain:** The network of organizations, people, or entities involved in the production, distribution and sale of Products to a consumer.

**Third-party Sellers:** Domestic and foreign parties that use Online Marketplaces (which they do not own or operate) to advertise and sell their goods.

**Unsafe Product:** A Recalled Product or Prohibited or Non-Compliant Product.

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<sup>1</sup> Table 3 can be found online in “Information for Regulated Parties on the Enforcement Approach for the General Prohibitions under the CCPSA” at <https://www.canada.ca/en/health-canada/services/consumer-product-safety/legislation-guidelines/guidelines-policies/information-regulated-parties-enforcement-approach-general-prohibitions.html>

## ABOUT THE PLEDGE

The Canadian Product Safety Pledge (Pledge) is a commitment made voluntarily to Health Canada by Signatories reflecting a commitment to strengthen and improve product safety online through a combination of preventative and Corrective Actions, and annual reporting on the outcomes and effectiveness of the Signatories' product safety initiatives. It is the first of its kind in Canada and is modelled on guidance by the Organisation for Economic Cooperation and Development (OECD) and product safety pledges that exist in the European Union, the Republic of Korea and Australia.

Health Canada is undertaking this initiative acknowledging the increasing popularity of online shopping and the importance of improving the safety of Products sold online in Canada. The Pledge will be assessed one year after its initial implementation and regularly thereafter. Key reporting requirements and performance indicators will be used to assess each Signatory's success, as well as the success of the Pledge itself, which may be adjusted or expanded, as appropriate.

The Pledge has 14 commitments that are grouped into four parts:

- Detecting and preventing the sale of Unsafe Products
- Co-operating with Health Canada
- Raising product safety awareness amongst Sellers
- Empowering consumers on product safety issues

The commitments, actioned together, work to efficiently recognize, prevent, take action against and inform the assessment of serious risks to the health and safety of consumers.

This document provides guidance for Signatories on each of the commitments and describes ways that they could be met, along with key performance indicators (KPIs) that outline the information that is to be reported on annually to Health Canada. It also describes the support and resources Health Canada will provide to Signatories. Informed by this guidance, Signatories are encouraged to look at their own operations and processes to identify the best and most appropriate way they can fully implement each of the 14 commitments of the Pledge.

Signatories' participation in this project and their fulfilment of the commitments of this voluntary Pledge do not automatically imply or demonstrate that the Signatory is in compliance with applicable Canadian laws and regulations. Health Canada will publish the names of Signatories, and Signatories are welcome to advertise their participation in this Pledge, however, it is important they do not give the impression that their participation equates to compliance with applicable Canadian laws and regulations.


**Note:** While the commitments of this voluntary Pledge complement what is already established in the applicable legislation, it is important to note that they are not intended to substitute for, supersede or limit the existing requirements set out in legislation in any way. In case of any discrepancy between this document and the legislation, the legislation will prevail. This voluntary initiative does not preclude Health Canada from taking immediate compliance and enforcement action when there is a reason to believe that a product poses a Danger to Human Health or Safety or is non-compliant with the legislation or its regulations.




# Canadian Product Safety Pledge

## For Consumer Products and Cosmetics


### DETECTING AND PREVENTING THE SALE OF UNSAFE PRODUCTS

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1. Establish systems to keep aware of Recalled, Prohibited or Non-Compliant Products that are communicated by Health Canada.
  2. Implement measures aimed at proactively preventing the listing of Recalled, Prohibited or Non-Compliant Products.
  3. Conduct internal compliance verification projects or post-listing audits to assess if products listed in the Signatory's Online Marketplace are Recalled, Prohibited or Non-Compliant Products. Take swift action to remove from sale the Unsafe Products identified in the projects or audits.
  4. Implement measures aimed at identifying and sanctioning Third-party Sellers who repeatedly and intentionally sell Recalled, Prohibited or Non-Compliant Products in the Signatory's Online Marketplace.
  5. Evaluate and take appropriate action on Product issues identified by consumers through direct reports or online reviews when the issues relate to consumer health or safety risks.
  6. Regularly assess and explore new innovations, processes and systems to improve on all commitments of this Pledge.


### CO-OPERATING WITH HEALTH CANADA

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7. Establish and provide a clear contact point(s) to be responsive to Health Canada.
  8. Remove a Recalled, Prohibited or Non-Compliant Product from sale within two business days of the dedicated contact point receiving information from Health Canada that the product is a Recalled, Prohibited or Non-Compliant Product.
  9. Provide Health Canada with the name and contact information of the Third-party Seller of a Recalled, Prohibited or Non-Compliant Product within 5 business days of the dedicated contact point receiving a request for this information from Health Canada.
  10. Assist Health Canada with obtaining a response from a Third-party Seller if the Third-party Seller is non-responsive to Health Canada's requests for information.

### RAISING PRODUCT SAFETY AWARENESS AMONGST SELLERS

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11. Implement measures to facilitate Sellers' compliance to Canadian product safety laws.

### EMPOWERING CONSUMERS ON PRODUCT SAFETY ISSUES

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12. Provide an accessible mechanism for consumers to report product concerns or issues related to health or safety to Health Canada and the Signatory.
  13. Inform consumers about Recalls on products they purchased in the Signatory's Online Marketplace.
  14. Maintain product listing systems which permit Third-party Sellers to provide clear and accurate product descriptions in their product listings. Publish the business name or username of the Third-party Seller of every third-party product offered for sale in the Signatory's Online Marketplace.

*Pledge Commitments 1–8 and 11–14 do not cover technical compliance matters not posing serious risks to the health and safety of consumers.*

# THE CANADIAN PRODUCT SAFETY PLEDGE— GUIDANCE FOR SIGNATORIES

## Part 1: Detecting and preventing the sale of Unsafe Products

The purpose of Part 1 is to improve the detection of Unsafe Products by keeping up-to-date on information provided by Health Canada, and to prevent the sale of these products by establishing internal systems to identify and take action on them. These commitments will enable Signatories to play an important role in improving the safety and compliance of the products sold in their Online Marketplace by taking timely preventative action on Unsafe Products.

### 1. Establish systems to keep aware of Recalled, Prohibited or Non-Compliant Products that are communicated by Health Canada.

*Health Canada continually communicates information to industry and the public on products that are deemed to be unsafe for consumers because they are Prohibited or Non-Compliant or are Recalled for other safety reasons. The regular monitoring by Signatories of communications from Health Canada relating to these Unsafe Products is a critical step in detecting Unsafe Products in their Online Marketplaces.*

The following are ways in which this Pledge commitment could be fulfilled. (Signatories may choose to fulfil this Pledge commitment in other ways):

- Establish systems to keep aware of and up-to-date on Recalled, Prohibited or Non-Compliant Products that are communicated by Health Canada through the following sites:
  - [Canadian Recalls and Safety Alerts](#)
  - [Schedule 2 items under CCPSA](#)
  - [Health Canada's Table 3—Notices of Dangers to Human Health or Safety](#)
  - [Canadian Cosmetic Ingredient Hotlist: Prohibited and Restricted Ingredients](#)
  - [Health Canada's Consumer Product Enforcement Summary Reports](#)
  - [OECD Global Portal on Product Recalls](#)<sup>2</sup>

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<sup>2</sup> Use the hyperlink to the recall on the Canadian Recalls and Safety Alerts page provided in the OECD posting to access the most complete information on product recalls in Canada.

## 2. Implement measures aimed at proactively preventing the listing of Recalled, Prohibited or Non-Compliant Products.

*Sellers may unknowingly (or knowingly) list Recalled, Prohibited or Non-Compliant Products for sale, putting Canadians at risk. Signatories can be instrumental in mitigating this risk by putting in place systems to prevent the listing of these Unsafe Products.*

The following are ways in which this Pledge commitment could be fulfilled. (Signatories may choose to fulfil this Pledge commitment in other ways):

- Establish and maintain systems that use the information in [Commitment #1](#) and other relevant information (as needed) to prevent Recalled, Prohibited or Non-Compliant Products from being listed for sale in Canada.
  - Put measures in place to prevent the re-listing and sale of a previously de-listed Unsafe Product by the same Seller (under their own name or a different name), or by other Sellers.
- At the time of product listing, request and collect applicable certification information related to safety (e.g., safety standards that the product has been certified to, the name of the certification body, the certification number).
- Request and collect Evidence of Compliance (e.g., test reports, evidence of safety) with the CCPSA and its regulations, or with the FDA and its CR.
- Request labels for Cosmetics and submit a [Cosmetic Notification Form](#), or request Sellers to do so, if applicable.

## 3. Conduct internal compliance verification projects or post-listing audits to assess if products listed in the Signatory's Online Marketplace are Recalled, Prohibited or Non-Compliant Products. Take swift action to remove from sale the Unsafe Products identified in the projects or audits.

*With high numbers of new products and Sellers continuously being introduced to the online market, the systems put in place to identify and prevent the listing of Unsafe Products may not be absolute in their effectiveness. Regular compliance verification projects or post-listing audits on known product categories of concern will further help to detect Unsafe Products and keep them out of the hands of Canadians.*

The following are ways in which this Pledge commitment could be fulfilled. (Signatories may choose to fulfil this Pledge commitment in other ways):

- Conduct compliance verification projects. For example, sample and test; or request and verify test reports, certification information, and/or labels from Sellers on products that are:
  - regulated under the CCPSA;
  - [listed](#) by Health Canada as a Danger to Human Health or Safety; or
  - regulated under the FDA and its CR.
- Conduct regular automated surveillance or post-listing audits using, for example, block filters and algorithms or manual filtering using keywords/identifiers to check for Recalled, Prohibited or Non-Compliant Products that may have not been captured at the time of listing.
- Conduct regular manual audits to check for Recalled, Prohibited or Non-Compliant Products that may have not been captured at the time of listing.

**4. Implement measures aimed at identifying and sanctioning Third-party Sellers who repeatedly and intentionally sell Recalled, Prohibited or Non-Compliant Products in the Signatory's Online Marketplace.**

Certain Third-party Sellers may repeatedly and intentionally sell Unsafe Products more than others. Signatories are in a position to recognize and put actions in place to deter or prevent such activities from these Third-party Sellers.

- Put in place a system to identify, and sanction or deter Third-party Sellers who repeatedly and intentionally attempt to sell Unsafe Products or circumvent the Signatory's product safety policies. This could include Third-party Sellers who:
  - attempt to re-list an Unsafe Product after the product was de-listed;
  - have a history of selling Unsafe Products; or
  - have repeatedly and intentionally breached the Signatory's product safety policies.

**5. Evaluate and take appropriate action on Product issues identified by consumers through direct reports or online reviews when the issues relate to consumer health or safety risks.**

*Product issues related to health or safety risks are often first detected by the consumers who have purchased and are using the product. Signatories are well placed to use information provided via complaints and online reviews to proactively mitigate the risks to Canadians posed by Unsafe Products.*

The following are ways in which this Pledge commitment could be fulfilled. (Signatories may choose to fulfil this Pledge commitment in other ways):

- Put in place systems for the compilation, surveillance and analysis of consumer complaints or consumer reviews both reported directly and posted publicly to detect existing health or safety issues, concerning trends or emerging issues.
- Assess the risk to health or safety associated with the issue being reported by taking into consideration factors including, but not limited to:
  - the severity and likelihood of the health or safety issue
  - the number of similar complaints about the product
  - complaints about similar products manufactured by the same source
- Take appropriate action as soon as a product issue related to health or safety is identified. Actions could include:
  - [reporting](#), or encouraging the Sellers to report the concern to Health Canada if the issue is deemed a [Reportable Incident](#) under the CCPSA or is identified as a potential health and safety event related to a Cosmetic;
  - removing listings of products being investigated until issue is determined not to be serious;
  - recalling the product;
  - continue monitoring the issue and re-evaluate if further events are reported.
- Send Sellers formal consumer complaints and [Health Canada Consumer Incident Reports](#) that relate to specific products they have listed for sale in the Signatory's Online Marketplace. Encourage Sellers to take appropriate action on the complaints and [Health Canada Consumer Incident Reports](#).

**6. Regularly assess and explore new innovations, processes and systems to improve on all commitments of this Pledge.**

*The number of online consumers, Sellers and products available to Canadians continues to increase with the rapid growth of e-commerce. Signatories should look to not only maintain, but improve effectiveness and efficiencies in processes and systems, leveraging new technologies where possible.*

The following are ways in which this Pledge commitment could be fulfilled. (Signatories may choose to fulfil this Pledge commitment in other ways):

- Regularly assess and plan for continuous improvement in the efficacy of the systems and processes put in place to meet the commitments of this Pledge.
- Use automated digital tools, including artificial intelligence enabled image detection, or other technologies to assist with the commitment actions listed in this Pledge.
- Regularly update and validate any automated tools (e.g., keyword filters, image detection) to detect new products of concern, such as Recalled, Prohibited or Non-Compliant Products, and to prevent Sellers from circumventing detection by using new descriptions or images to re-list Unsafe Products that have already been removed from sale.

## Part 2: Co-operating with Health Canada

The purpose of Part 2 is to strengthen the partnership between Signatories and Health Canada and to facilitate swift and effective action when a product safety issue poses a risk to the health or safety of Canadians. Signatories are in a good position to take action in situations involving Unsafe Products.

### 7. Establish and provide a clear contact point(s) to be responsive to Health Canada.

*A dedicated contact point enables efficient and reliable communication and is a cornerstone to effective cooperation between the Signatory and Health Canada.*

- The contact point should have the ability to receive and quickly action requests from authorities. These requests could include:
  - removing the listings and stopping the sale of Recalled, Prohibited or Non-Compliant Products;
  - providing information about a reported product safety issue, Seller or Product;
  - sharing information with Health Canada on emerging product safety trends; and
  - providing information to Health Canada relating to commitments under the Pledge.
- The contact point should be knowledgeable in Canadian laws and regulations related to product safety, including the roles of federal, provincial and territorial regulatory bodies in regulating the safety of different types of products in Canada.
- If the contact point is away or no longer holds the same position, an alternate contact should be provided to Health Canada through an out of office message or through direct communication with the program.

### 8. Remove a Recalled, Prohibited or Non-Compliant Product from sale within two business days of the dedicated contact point receiving information from Health Canada that the product is a Recalled, Prohibited or Non-Compliant Product.

*Given the popularity and reach that Online Marketplaces have, the removal of Recalled, Prohibited or Non-Compliant Product listings as soon as possible is crucial to quickly limiting the further sale of an Unsafe Product.*

*Sections 5, 6, 7 and 8 of the CCPSA prohibits the manufacture, import, advertisement or sale of Recalled, Prohibited or Non-Compliant Products. This commitment is intended to reinforce the provisions of the CCPSA and does not in any way preclude the Signatories that manufacture, import, advertise or sell a Consumer Product from meeting their legal obligations under the CCPSA.*

A Signatory will remove the listing of a Recalled, Prohibited or Non-Compliant Product within two business days of the dedicated contact point receiving a complete standard form Stop Sale request<sup>3</sup> from Health Canada or, where available, a submission through the Signatory's regulatory portal:

- Where the request is particularly urgent, Health Canada will liaise with the Signatory to discuss options for an expedited removal of the listing.
- The main Signatory contact point should send confirmation to Health Canada once the product has been removed from sale.
- If the information provided in the completed Stop Sale request form to remove the Product from sale does not contain enough information for the Signatory to identify the product or to identify whether the Product is Recalled, Prohibited or Non-Compliant, the Signatory will respond to the request within two business days indicating what specific information is missing in order to action the request. Once all the necessary information is received, it is expected that the Signatory will remove the Product from sale within two business days.

**9. Provide Health Canada with the name and contact information of the Third-party Seller of a Recalled, Prohibited or Non-Compliant Product within 5 business days<sup>4</sup> of the dedicated contact point receiving a request for this information from Health Canada.**

*It is necessary for Health Canada to have accurate Third-party Seller information to take the appropriate enforcement action. Signatories are well placed to provide accurate and relevant information needed by Health Canada.*

- Provide Health Canada with the name and contact information (e.g., email address, business address and any alternative contact details that may not be publicly available) of the Third-party Seller of a Recalled, Prohibited or Non-Compliant Product within 5 business days of the dedicated contact point receiving a request for this information from Health Canada.
- The request by Health Canada will contain information to help the signatory identify the correct name and contact information of the Third-party Seller (e.g. the user ID, unique item number, ASIN number, product listing URL, etc.).
- Where the request is particularly urgent, Health Canada will liaise with the Signatory to discuss options to provide information in an expedited manner.

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<sup>3</sup> A standard stop sale request template has been developed to be used by Health Canada to submit a stop sale request to Signatories regarding a Recalled, Prohibited or Non-Compliant Product.

<sup>4</sup> If the request involves more than five Third-party Sellers, the response time by the Signatory could be longer than 5 days.



Section 13(2) of the CCPSA includes record keeping requirements for anyone who manufactures, imports, advertises, sells or tests a Consumer Product for commercial purposes. The intent of these requirements is to ensure that Consumer Products are able to be traced throughout the Supply Chain at all times for the purposes of reporting and Recalls. This commitment is intended to reinforce the provisions of the CCPSA and does not in any way: (1) preclude the Signatories that manufacture, import, advertise, sell or test a Consumer Product for commercial purposes from meeting their legal obligations under the CCPSA or (2) impose new legal, record-keeping obligations on Signatories.

**10. Assist Health Canada with obtaining a response from a Third-party Seller if the Third-party Seller is non-responsive to Health Canada's requests for information.**

*Health Canada often requires information on products in order to carry out its mandate as a regulator (for example, to make classification decisions, determine compliance to regulations, conduct risk assessments, etc.). In cases where Third-party Sellers are non-responsive to Health Canada requests, Signatories are able to assist by intervening to obtain a response from the Third-party Seller.*

- If the Third-party Seller responsible for a product is non-responsive to Health Canada's requests for information, the Signatory will step in to take appropriate action by assisting Health Canada in obtaining a response from the Third-party Seller.

## Part 3: Raising product safety awareness amongst Sellers

The purpose of Part 3 is to enhance Sellers' awareness of Canadian product safety laws regardless of the geographical location(s) of the Seller's operations.

### 11. Implement measures to facilitate sellers' compliance to Canadian product safety laws.

*Providing Sellers with information regarding their responsibilities under the CCPSA or the FDA will help them to engage as a responsible partner in Canadian product safety.*

The following are ways in which this Pledge commitment could be fulfilled. (Signatories may choose to fulfil this Pledge commitment in other ways):

- Make sure that Sellers are aware of and have access to information about [product safety laws](#)<sup>5</sup> in Canada and their responsibilities.
- Promote Sellers' awareness of and access to Canadian product safety websites that publish listings of Recalled, Prohibited or Non-Compliant Products, as well as Ingredients prohibited or restricted for use in Cosmetics.
- Share any relevant educational material developed by Health Canada with Sellers.

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<sup>5</sup> "Selling consumer products and cosmetics online: Information for online marketplaces and online sellers"  
<https://www.canada.ca/en/health-canada/services/consumer-product-safety/legislation-guidelines/guidelines-policies/selling-consumer-products-cosmetics-online.html>

## Part 4: Empowering consumers on product safety issues

The purpose of Part 4 is to make sure that consumers have the information and tools needed to make informed product purchase decisions related to their health or safety and to facilitate the reporting of product safety issues.

### 12. Provide an accessible mechanism for consumers to report product concerns or issues related to health or safety to Health Canada and the Signatory.

*Product issues related to health or safety risks are often first detected by the consumers who have purchased and are using the product. Making sure that they are aware of where they should report these events can be the first step in identifying products that may be unsafe and require action.*

The following are ways in which this Pledge commitment could be fulfilled (Signatories may choose to fulfil this Pledge commitment in other ways):

- Make sure that consumers are made aware of an easy and accessible means to report product issues related to health or safety to:
  - Health Canada (e.g., by publishing a link to the [Submit a Consumer Report](#) webpage on a customer-facing help page); and
  - the Signatory.
- Promptly investigate and take action on such notifications as described in Pledge [Commitment 5](#).
- Provide prompt responses to consumer reports where appropriate.

### 13. Inform consumers about Recalls on products they purchased in the Signatory's Online Marketplace.

*Signatories are ideally positioned to mitigate the risk associated with the use of Recalled Products by directly informing purchasers that a product they purchased has been recalled and ensuring that the consumer has the information needed to protect their health or safety.*

- In the event of a product Recall, promptly contact consumers who have purchased that product to ensure that they are aware of any actions they should take to protect their health or safety by providing them with a link to the posting on [Health Canada’s recall website](#). If product purchaser details are stored only by the Seller, promptly direct the Seller to contact the consumer.
- In the event that a Third-party Seller refuses or is non-responsive to Health Canada’s requests to recall the product, work with Health Canada to control the Unsafe Product and communicate the risk to consumers, by:
  - removing the product listing;
  - providing to Health Canada information that is known by the Signatory about the product and its sale on their Online Marketplace to assist in the creation of a notice to consumers to be posted on the [Canadian Recalls and Safety Alerts site](#) communicating the safety risk to consumers who have purchased that product. [Note: The Signatory will not be listed as the manufacturer, importer, distributor, advertiser or Seller of a third-party product in the posting, unless the Signatory legally qualifies as such under applicable legislation]; and
  - informing consumers about the Recalled Product.

**14. Maintain product listing systems which permit Third-party Sellers to provide clear and accurate product descriptions in their product listings. Publish the business name or username of the Third-party Seller of every third-party product offered for sale in the Signatory’s Online Marketplace.**

*Product safety is a shared responsibility. Providing consumers with the information they need to make safe buying decisions not only promotes safer product purchases, but advances product safety literacy.*

- Publish the business name or username of the Third-party Seller of every third-party product offered for sale in the Signatory’s Online Marketplace
- Maintain product listing systems which enable Third-party Sellers to provide clear and accurate product descriptions, good quality product images, ingredient lists, labels, instructions for safe use, warnings and certification information as applicable. This may include the use of templates, completion instructions and mandatory fields. These systems should also allow Third-party Sellers to create product listings in English and French, or alternatively, allow consumers to view the product listings in English or French, according to their preference.

# HEALTH CANADA SUPPORT TO SIGNATORIES OF THE PLEDGE

Health Canada will support Signatories in fulfilling the Pledge commitments by:

- Training Signatories on the expectations of the Pledge commitments and reporting requirements.
- Facilitating regular meetings with Signatories' contact points to discuss product safety and get feedback on the Pledge.
- Maintaining and updating Health Canada's website with product safety [concerns](#), [trends](#) and [surveillance](#) results.
- Using appropriate channels to submit removal and data/information requests.
- Providing as much relevant information as possible to Signatories to facilitate the removal of listings and for data/information requests.
- Providing a variety of [industry guides](#) on Canada's product safety laws and regulations for Signatories to share with Sellers.
- Providing a Health Canada contact point for Signatories to interface with regarding the Pledge.
- Preserving the integrity of the Pledge by removing Signatories that do not adhere to the conditions of the Pledge.

# ANNUAL PLEDGE REPORT

Fulfillment of the Pledge Commitments will be measured by the quantitative and qualitative KPIs listed below. Once per year, each Signatory will submit a Pledge report to Health Canada which includes the KPIs listed below for the previous 12-month reporting period. Pledge reports should not contain financial, commercial, scientific or technical information that is confidential information. Pledge reports from Signatories will not be made public. However, following collection of individual reports from signatories, Health Canada will aggregate the information and publish an annual Pledge report with anonymized information that outlines the outcomes attained by all Signatories during the previous 12 month reporting period.

## 1. Quantitative KPI

- i) Pledge Commitment #13
  - Total number of Recalls which were communicated to consumers by the Signatory for for Products listed in the Signatory's Online Marketplace.

## 2. Quantitative and Qualitative KPIs

- i) Pledge Commitment #3
  - Total number of internal compliance verification projects or automated surveillance, post-listing or manual audits conducted by the Signatory to assess if Products listed in the Signatory's Online Marketplace were Unsafe Products.
    - Number of Products removed as a result of these projects or as a result of automated surveillance, post-listing or manual audits.
  - Alternatively, explain how post-listing audits were used to assess if Products listed in the Signatory's Online Marketplace were Unsafe Products.
- ii) Pledge Commitment #8
  - Total number of Recalled, Prohibited or Non-Compliant Products listed for sale in the Signatory's Online Marketplace that were:
    - removed from sale as a result of a Stop Sale Request (A); and
    - removed from sale within two business days of receipt of a Stop Sale Request (B).<sup>6</sup>
  - Implementation ratio (%) = (B/A).
  - If the implementation ratio is not 100%, explain any issues that prevented the Signatory from removing a Recalled, Prohibited or Non-Compliant Product subject to a removal request within two business days of receipt of the Stop Sale Request.

## 3. Qualitative KPI

- i) Pledge Commitments #1–2, 4–6, 9–12 and 14
  - Provide a narrative with details and/or examples explaining how the Pledge Commitment was satisfied.

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<sup>6</sup> The calculation of business days begins on the day after receipt of a complete Stop Sale Request. For example, if a Signatory receives a complete Stop Sale Request on a Monday, the Signatory must remove the product subject to the Stop Sale Request by the end of business hours on the Wednesday.