

chapter Q-2, r. 30

Regulation to prohibit the sale of certain dishwashing detergents

Environment Quality Act
(chapter Q-2, ss. 46 and 95.1).

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation
(chapter M-11.6, ss. 30 and 45).

O.C. 544-2008; I.N. 2019-12-01; S.Q. 2022, c. 8, s. 1.

TABLE OF CONTENTS

1. This Regulation applies to dishwashing detergents for domestic use.

O.C. 544-2008, s. 1.

2. In this Regulation, “phosphorus” means elemental phosphorus.

O.C. 544-2008, s. 2.

3. As of 1 July 2010, no dishwashing detergent may be offered for sale, sold, distributed or otherwise made available to consumers unless

- (1) it contains less than 0.5% phosphorus by weight; and
- (2) the package indicates the percentage by weight of the phosphorus content of the product.

The phosphorus content indicated on the package is determined by a laboratory accredited by the Minister of Sustainable Development, Environment and Parks under section 118.6 of the Environment Quality Act (chapter Q-2). If the detergent is manufactured outside Québec, the phosphorus content is determined by a laboratory whose analyzes are made in compliance with

- (1) a standard method of the American Society for Testing and Materials; or
- (2) a Canadian or international standard method recognized by the Standards Council of Canada.

O.C. 544-2008, s. 3; O.C. 937-2010.

3.1. A monetary administrative penalty of \$750 in the case of a natural person or \$3,500 in other cases may be imposed on any person who fails to determine the phosphorus content of a dishwashing detergent in accordance with the second paragraph of section 3.

O.C. 669-2013, s. 1.

3.2. A monetary administrative penalty of \$1,500 in the case of a natural person or \$7,500 in other cases may be imposed on any person who offers for sale, sells, distributes or otherwise makes available to consumers a dishwashing detergent that does not meet any of the conditions prescribed by the first paragraph of section 3.

O.C. 669-2013, s. 1.

4. Every person who contravenes the second paragraph of section 3 commits an offence and is liable, in the case of a natural person, to a fine of \$4,000 to \$250,000 or, in other cases, to a fine of \$12,000 to \$1,500,000.

O.C. 544-2008, s. 4; O.C. 669-2013, s. 2.

4.1. Every person who, pursuant to this Regulation, makes a declaration, communicates information or files a document that is false or misleading commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$15,000 to \$3,000,000.

O.C. 669-2013, s. 2.

4.2. Every person who contravenes the first paragraph of section 3 commits an offence and is liable, in the case of a natural person, to a fine of \$8,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, or, in other cases, to a fine of \$24,000 to \$3,000,000.

O.C. 669-2013, s. 2.

5. *(Omitted).*

O.C. 544-2008, s. 5.

UPDATES

O.C. 544-2008, 2008 G.O. 2, 2122

O.C. 937-2010, 2010 G.O. 2, 2987

O.C. 669-2013, 2013 G.O. 2, 1778

