



JUL 21 2008

To: The Border Commercial Consultative Committee

Dear committee members:

In the spirit of our continued commitment to a collegial, open dialogue with the Border Commercial Consultative Committee (BCCC), the Canada Border Services Agency (CBSA) would like to provide an update on the movement of marine containers earmarked for testing and ventilation of fumigants prior to CBSA examination. This collaboration is important to the CBSA and as a result, it is of equal importance that the following information be shared.

The CBSA acknowledges the marine container examination backlog that has resulted from a safety study assessing the level of risk of harmful vapours to our employees involved in the examination of fumigated marine containers. Since chemical fumigants are widely used in the shipping industry to kill invasive alien species in cargo loads, the CBSA was directed by Human Resources and Social Development Canada (HRSDC) to develop protective measures in order to minimize the risk to our employees as a result of exposure to solvents and various fumigants.

The new procedures affect the movement and release of containers, and the Agency recognizes the impact this has on the BCCC community at large. Our challenge is to effectively balance the requirements of personal safety with the free flow of goods. To provide context, we have provided the safety procedures that must be adhered to by every employee assigned to a container examination:

- if a container tests positive for a fumigant, it is considered to be hazardous and must only be opened by persons outfitted with respiratory protection;
- the container must be ventilated for a minimum of six hours with the use of a ventilation fan, or a minimum of 12 hours without the use of a ventilation fan. Once ventilation is complete, the container doors must be closed for a minimum of 15 minutes before re-testing takes place. It is necessary to re-test containers for all fumigants/solvents that previously showed positive results;
- if testing shows negative results, the container is safe to be examined and CBSA employees can safely enter the container; and,

- if a positive result shows after ventilation, the CBSA is responsible for the continued ventilation of the container and for making the container safe to enter. These ventilation and re-testing procedures will be repeated until the container is deemed safe to enter.

These procedures are essential to the health and safety of our employees. Nonetheless, the Agency recognizes the impact this has on its commercial stakeholders and is working to minimize the delays without jeopardizing the health and safety of our employees. Subsequently, the Agency has introduced the following measures:

- a) new detection technology is being purchased to expedite the testing process – the ongoing deployment of the new units is expected to be completed by this fall;
- b) the CBSA is researching new ventilation equipment to expedite the ventilation process. Ventilation systems are presently undergoing testing at sites across Canada;
- c) the CBSA has moved to 24-hour operations at all major marine operations to expedite the testing and ventilation processes;
- d) the CBSA is consulting with Health Canada and HRSDC (Labour Program) to help streamline the testing and ventilation processes; and,
- e) CBSA scientists will continue to test and refine technical procedures as the Agency learns more about this evolving health and safety issue.

The CBSA is committed to continued consultations and communications with the BCCC as the new measures take effect. The Agency is also working actively to rectify the existing container examination backlog.

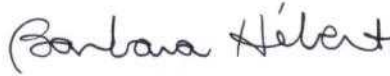
The CBSA will be holding an information session for the BCCC on July 30, 2008. We will be advising the BCCC on the details of the session in due course. Furthermore, for more information on this issue and our procedures, we encourage you to visit our Web site at <http://www.cbsa-asfc.gc.ca> or contact us through the usual point of contact.

Once again, on behalf of the CBSA, we appreciate your continued support and cooperation.

Yours sincerely,



Kimber Johnston  
Vice-President  
Enforcement Branch



Barbara Hébert  
Vice-President  
Operations Branch