

# Code of Practice for Responsible Distribution®

*As a condition of membership, the member companies of the Canadian Association of Chemical Distributors are committed to Responsible Distribution®<sup>1</sup>. This Code of Practice governs member company actions to meet the guiding principles as they relate to all aspects of the distribution of chemicals, chemical products, and chemical services.*

## Purpose

Practice of this Code is intended to result in:

- Continual reduction of incidents that may result in or threaten injury to people or damage to the environment
- Ongoing cooperation with users, manufacturers, distributors, importers, operators of warehouses and/or terminals, carriers, and government agencies to reduce risks
- Effective emergency response to distribution incidents to minimize injury to people and damage to the environment
- Continued assurance that the policies, standards, and procedures for Responsible Distribution are in place and functioning effectively
- Enhanced confidence in the distribution of chemicals, chemical products, and chemical services

## Application

This code applies to all activities related to the distribution of chemicals, chemical products, and chemical services.

*Transportation is always a part of distribution.*

*Distribution* is defined as all activities in which member companies are involved, in relation to the transfer of chemicals, chemical products and chemical services from their source through to their end-use, in all geographic jurisdictions.

This code applies to member owned and contracted premises.

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<sup>1</sup> Responsible Distribution® is an industry-wide program designed to further improve the performance of the Canadian chemical distribution industry in the fields of health, safety, the environment, and in all communication interfaces with its publics. It is a registered trademark of the Canadian Association of Chemical Distributors.

# Guiding Principles

*The following guiding principles are committed to as a condition of membership by all member companies of The Canadian Association of Chemical Distributors*

## The member company shall:

- i) Distribute chemicals, chemical products, and provide services in a manner which protects people and the environment
- ii) Provide information about the hazards and associated risks of chemicals, chemical products and services distributed to customers, enabling them to use and dispose of these chemicals and chemical products in a responsible manner
- iii) Provide information about the hazards and associated risk of distribution activities to employees, contractors, transporters, visitors, sub-distributors and resellers, interested members of the community and emergency first responders
- iv) Make Responsible Distribution an early and integral part of the planning process leading to the introduction of new products
- v) Apply this code to existing, modified and new chemicals, chemical products, services and facilities
- vi) Comply with all legal requirements, which affect its operations and products
- vii) Be responsive and sensitive to community concerns
- viii) Require, with due diligence, that sub-distributors meet the standards of this code of practice

# Code of Practice

*The member company shall have an active and effective program to govern all aspects of the Responsible Distribution of chemicals, chemical products, and chemical services. The program will address how companies manage risk, communicate information, comply with legal requirements, interact with selected organizations, governments and communities, manage sub-distributors, and manage suppliers, as they relate to distribution activities.*

## 1. General

*The member company shall have written policies, standards and procedures to govern all aspects of the responsible distribution of chemicals, chemical products, and chemical services.*

The program, which includes these policies, standards and procedures, shall meet or exceed all applicable laws and regulations in letter and in spirit. Responsibility for generating, implementing, auditing, and updating the program, and for taking corrective action when necessary, shall be clearly defined. Member companies shall audit and update the components of this program on a regularly scheduled basis.

Chemicals, chemical products, and chemical services will not be offered unless it can be done in accordance with this code of practice.

## 2. Manage Risk

*The member company shall have an active program to continually improve safety and environmental performance. The member company shall:*

2.1 Identify and evaluate, on a regular scheduled basis, hazards and associated risks related to the storage and handling of chemicals and chemical products both at owned and contracted premises

2.2 Monitor and measure safety and health performance with the objective to identify and minimize actual or potential occupational safety and health problems

2.3 Establish written standards for the proper siting and ongoing security of distribution facilities

2.4 Establish written standards and procedures for bulk and packaged storage and handling, including, but not limited to, the following:

- containment and mitigation of spills
- segregation of products
- operation and maintenance of on-premise vehicles
- selection, labelling and management of containers and shipping vehicles
- packaging and labelling of chemicals and chemical products in liquid, solid or gaseous form

*The protection of people and the environment is accomplished through risk analysis, hazard reduction, facility inspection, education, training, and the use of personal protective equipment.*

## 2. Manage Risk

Continued...

2.5 Provide employees and contractors with information pertaining to the hazards and risk associated with distribution activities, including:

- handling of chemicals and chemical products
- cleaning of tanks and drums
- managing self-generated waste and empty containers
- transferring goods from one container to another, including bulk to smaller containers
- packaging of chemicals and chemical products

2.6 Establish criteria for selecting carriers and where appropriate, routes

2.7 Maintain emergency response capability and provide support to incidents involving its chemical, chemical products, and chemical services

2.8 Include customers and suppliers in a risk management process

## 3. Communicate information

*The member company shall have a program to communicate information to employees, customers, contractors, sub-distributors and suppliers. The member company shall:*

3.1 Obtain, understand and provide up-to-date material safety data sheets (MSDS) to the customer's designated representative before or accompanying the initial shipment of all chemicals and chemical products, including samples

3.2 Provide pertinent information on the management of waste and empty containers to interested parties

3.3 Provide any supplementary information to the customer and/or supplier that the member believes to be vital to the health and safety of the end-user and the environment, and with **due diligence**, require communication of this information to the end-user as a condition of sale

3.4 Communicate the principles of Responsible Distribution to company employees, customers, contractors, sub-distributors, and suppliers

**Due diligence:**  
"Take all precautions reasonable in the circumstances".

## 4. Comply with Legal Requirements

*The member company shall have a program to comply with legal requirements and to ensure employees work in accordance with the law. The member company shall:*

4.1 Identify and meet (or exceed) all legal requirements related to the distribution of chemicals, chemical products, services, and information

4.2 Ensure actions of employees demonstrably meet or exceed the legal requirements. For example either or all of the following approaches may be effective:

- establish procedures that will ensure legal compliance when followed
- train employees so they have a working knowledge of the applicable laws and ensure they understand what action they personally should take to comply and ensure consequences of departing from specified procedures is made known
- develop and implement other method as defined by member company

4.3 Establish a process to review changes to legislation for applicability to the business, and to train employees and/or update procedures as appropriate, and to periodically evaluate compliance with relevant legal requirements

## 5. Interact with Interested Parties

*The member company shall implement a program to assist and work with interested parties (employees, organizations, governmental and community bodies) to identify issues and set standards for the continual improvement of chemical distribution. The member company shall:*

- 5.1 Interact with the specified publics to promote and educate them on existing industry practises and planned improvements, and respond to concerns as they relate to chemical distribution
- 5.2 Inform, educate, and continually update employees on applicable chemical distribution practises and standards with a goal of improved public understanding and perception of the chemical distribution industry
- 5.3 Influence chemical distribution public policies, standards and legislation that reflect changing environmental, community, government, industry, and distribution activities

## 6. Manage Sub-Distributors

### **Sub-distributor:**

*“A company independent and separate to the member company utilizing their services and with whom the member company has a supply relationship for the purpose of independent secondary product distribution and or sale to the marketplace.”*

*The member company may have an oral or written contract outlining the terms and conditions for the distribution and/or sale of the product where there is no change to the product, package and or labeling as originally supplied by the member. The member company shall implement a program to educate, assist, and assess all sub-distributors. The member company shall:*

- 6.1 Identify the standards of this Distribution Code of Practice that apply to the sub-distributor
- 6.2 Assist in educating the sub-distributor on the applicable standards
- 6.3 Define criteria against which the sub-distributor will be measured to ensure compliance with the applicable standards
- 6.4 Identify deficiencies in the sub-distributors ability to meet the applicable standards, and communicate these to the sub-distributor for corrective action
- 6.5 Define the action to be taken should the sub-distributor fail to comply with the applicable standards within an allotted time frame, including but not limited to suspension and/or termination of the sub-distribution agreement
- 6.6 Comply with requests for information and/or assistance from sub-distributors as it pertains to member company products

## 7. Manage Suppliers

*The member company shall have a Supplier Policy as part of Responsible Distribution®.*

*The member company shall implement a program to educate, assist, assess, and approve suppliers of chemicals, chemical products and chemical services to encourage compliance with the Code of Practice. The member company shall:*

- 7.1 Identify the standards of the Distribution Code of Practice that apply to suppliers of chemicals and chemical-related products and services
- 7.2 Define criteria to assess and select suppliers that takes into account their capability to meet the applicable standards
- 7.3 Assess the suppliers' performance against the criteria on a regularly scheduled basis
- 7.4 Define the action to be taken should the supplier fail to comply with the

applicable standards within an allotted time frame, including but not limited to suspension and/or termination of the supply agreement

# Milestones & Commitment

Members of the Canadian Association of Chemical Distributors are "...committed to taking every practical precaution towards ensuring that products and services do not present an unacceptable level of risk to its employees, customers, the public or the environment."<sup>2</sup>

## Schedule of Commitment to Milestones

*Interim progress reports on Milestone 3 are required on a six-month basis after Milestone 2 has been met.*

**Milestone 1:** 60 days after signature date

- Distributor Code of Practice Coordinator has been designated

**Milestone 2:** 180 days after signature date or first available course thereafter

- Designated coordinator has attended a distributor code (orientation) training workshop

**Milestone 3:** Three years after signature date

- Requirements of the code have been reviewed with management
- Plan of action to meet the code has been developed and implemented
- Successfully complete Manual Verification (Phase 1 of the Responsible Distribution Process) evidenced by an independent third party audit firm approved by CACD
- Successfully completed On-Site Verification (Phase 2 of Responsible Distribution Process) evidenced by an independent third party audit firm approved by CACD

## Responsible Distribution Commitment

I have reviewed the Canadian Association of Chemical Distributors Statement of Policy of Responsible Distribution dated June 10, 2004. The signature below attests to corporate support for this policy statement and the guiding principles as embodied in the accompanying Distribution Code of Practice within the target dates specified on this signed document.

Signed on behalf of \_\_\_\_\_  
Company Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Position

\_\_\_\_\_  
Date (dd/mmm/yy)

### Send to:

The Managing Director

Canadian Association of Chemical Distributors

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<sup>2</sup> Excerpted from the Canadian Association of Chemical Distributors "Statement Of Policy On Responsible Distribution", 2004