

Export Control List

SOR/89-202

EXPORT AND IMPORT PERMITS ACT

Export Control List

EXPORT CONTROL LIST

INTERPRETATION

1. The definitions in this section apply in this List.

"Guide" means *A Guide to Canada's Export Controls*, published in September 1996 by the Department of Foreign Affairs and International Trade. (*Guide*)

"Wassenaar Arrangement" means *The Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies* that was reached at the Plenary Meeting of representatives of 33 states in Vienna, Austria on July 11-12, 1996 and is described in the Initial Elements summarizing the conclusions of that meeting. (*Entente de Wassenaar*) SOR/90-440, s. 1; SOR/92-389, s. 1; SOR/93-451, s. 1; SOR/94-530, s. 1; SOR/97-131, s. 1.

GENERAL

2. The following goods, when intended for export to the destinations specified, are subject to export control for the purposes set out in section 3 or 3.1 of the *Export and Import Permits Act*:

(a) goods referred to in Groups 1, 2, 6 and 8 of the schedule, other than the chemicals Ephedrine (item 8011.1) and Pseudoephedrine (item 8011.6) of Group 8 of the Guide, that are intended for export to any destination other than the United States;

(b) goods referred to in Groups 3 and 4 of the schedule, goods set out in any of items 7001 to 7006 and 7011 of Group 7 of the Guide and the chemicals Ephedrine (item 8011.1) and Pseudoephedrine (item 8011.6) of Group 8 of the Guide, that are intended for export to any destination; and

(c) goods referred to in Group 5 of the schedule and goods set out in any of items 7012, 7021 and 7022 of Group 7 of the Guide, that are intended for export to any destination referred to in the item in which the goods are described. SOR/90-440, s. 2; SOR/91-573, s. 1; SOR/92-389, s. 1; SOR/97-131, s. 1; SOR/98-248, s. 1.

SCHEDULE

(Section 2)

GROUP 1

DUAL USE

1000. Goods, as described in Group 1 of the Guide, the export of which Canada has agreed to control in accordance with the Wassenaar Arrangement.

GROUP 2
MUNITIONS

2000. Goods, as described in Group 2 of the Guide, the export of which Canada has agreed to control in accordance with the Wassenaar Arrangement.

GROUP 3
NUCLEAR NON-PROLIFERATION

3000. Goods, as described in Group 3 of the Guide,
(a) the export of which Canada has agreed to control under the *Treaty on the Non-Proliferation of Nuclear Weapons* that was signed by Canada at London and Washington on July 23, 1968 and at Moscow on July 29, 1968 and that came into force for Canada on March 5, 1970;
(b) the export of which Canada is committed to control in accordance with the procedures contained in Information Circular 254/Rev. 2/Part 1 of the International Atomic Energy Agency of October 1995;
(c) the export of which Canada has agreed to control under the *Exchange of Letters between the European Atomic Energy Community (Euratom) and the Government of Canada amending the Agreement between the European Atomic Energy Community (Euratom) and the Government of Canada for cooperation in the peaceful uses of atomic energy of 6 October 1959*, concluded on July 15, 1991; and
(d) the export of which Canada has agreed to control under bilateral Nuclear Co-operation Agreements concluded with the countries or organizations set out in column I of an item of the Table to this group on the dates set out in column II of that item, which agreements came into force on the dates set out in column III of that item.

TABLE
NUCLEAR CO-OPERATION AGREEMENTS

Item	Column I Country or Organization	Column II Date Agreement Concluded	Column III Date Agreement Came into Force
1.	Argentina	June 21, 1994	July 24, 1996
2.	Australia	March 9, 1981	March 9, 1981
3.	Colombia	July 23, 1986	June 3, 1988
4.	Czech Republic	February 22, 1995	February 22, 1995
5.	Egypt	May 17, 1982	November 8, 1982
6.	European Atomic Energy	October 6, 1959	November 18, 1959

Community

7.	Germany	December 11, 1957	December 18, 1957
8.	Hungary	November 27, 1987	January 12, 1988
9.	Indonesia	July 12, 1982	July 14, 1983
10.	International Atomic Energy Agency	March 24, 1959	March 24, 1959
11.	Iran	January 7, 1972	April 10, 1973
12.	Japan	July 2, 1959	July 27, 1960
13.	Mexico	November 16, 1994	February 24, 1995
14.	People's Republic of China	November 7, 1994	November 7, 1994
15.	Philippines	June 19, 1981	April 14, 1983
16.	Republic of Korea	January 26, 1976	January 26, 1976
17.	Romania	October 24, 1977	June 14, 1978
18.	Russia	November 20, 1989	November 20, 1989
19.	Spain	July 7, 1975	April 21, 1976
20.	Sweden	September 27, 1977	November 17, 1978
21.	Switzerland	December 22, 1987	June 13, 1989
22.	Turkey	June 18, 1985	July 14, 1986
23.	United States	June 15, 1955	July 21, 1955

GROUP 4
NUCLEAR-RELATED DUAL USE

4000. Goods, as described in Group 4 of the Guide,
(a) the export of which Canada has agreed to control under the *Treaty on the Non-Proliferation of Nuclear Weapons* that was signed by Canada at London and Washington on July 23, 1968 and at Moscow on July 29, 1968 and that came into force for Canada on March 5, 1970; and
(b) the export of which Canada is committed to control in accordance with the procedures contained in Information Circular 254/Rev. 2/Part 2 of the International Atomic Energy Agency of October 1995.

GROUP 5
MISCELLANEOUS GOODS

Wild Fauna and Flora and Medical Products

Specimens of Species of Endangered Wild Fauna or Flora

[SOR/92-657, s. 1(E)]

5000. [Repealed, SOR/97-19, s. 1]

Pancreas Glands

5001. Pancreas glands of cattle and calves. (*All destinations*)

Human Serum Albumin

5011. Human serum albumin. (*All destinations*)

Forest Products

Logs

5101. Logs of all species of wood. (*All destinations*)

Pulpwood

5102. Pulpwood of all species of wood. (*All destinations*)

Red Cedar

5103. Blocks, bolts, blanks, boards and any other material or product of red cedar that is suitable for use in the manufacture of shakes or shingles. (*All destinations*)

Softwood Lumber Products

5104. (1) The definition in this subsection applies in this item.

"province of first manufacture" means the province where the mill at which a softwood lumber product was first manufactured into such a product is situated, whether or not that product is further processed (for example, by planing or kiln-drying) or is transformed from one softwood lumber product into another such product (for example, a remanufactured product) in another province. (*province de première transformation*)

(2) Softwood lumber products, as follows:

(a) coniferous wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6 mm, that is classified under subheading 4407.10.00 of the *Harmonized Tariff Schedule of the United States (1996)* (United States International Trade Commission Pub. 2937, 19 U.S.C. 1202 (1988)) and in respect of which the province of first manufacture is the Province of Ontario, the Province of Quebec, the Province of British Columbia or the Province of Alberta; (*United States*) and

(b) coniferous wood (including strips and friezes for parquet flooring, not assembled), continuously shaped (tongued, grooved, rebated, chamfered, V-jointed, beaded, moulded, rounded or the like) along any of its edges or faces (other than wood mouldings and wood dowel rods), whether or not planed, sanded or finger-jointed, that is classified under subheading 4409.10.10, 4409.10.20 or 4409.10.90 of the *Harmonized Tariff Schedule of the United States (1996)* (United States International Trade Commission Pub. 2937, 19 U.S.C. 1202 (1988)) and in respect of which the province of first manufacture is the Province of Ontario, the

Province of Quebec, the Province of British Columbia or the Province of Alberta.
(*United States*)

(3) This item ceases to be in force on March 31, 2001.

5105. Softwood lumber products, as follows:

(a) coniferous wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6 mm, that is classified under subheading 4407.10.00 of the *Harmonized Tariff Schedule of the United States (2001)* (United States International Trade Commission Pub. 3378, 19 U.S.C. 1202 (1988)); (*United States*) and

(b) coniferous wood (including strips and friezes for parquet flooring, not assembled), continuously shaped (tongued, grooved, rebated, chamfered, V-jointed, beaded, moulded, rounded or the like) along any of its edges or faces (other than wood mouldings and wood dowel rods), whether or not planed, sanded or finger-jointed, that is classified under subheading 4409.10.10, 4409.10.20 or 4409.10.90 of the *Harmonized Tariff Schedule of the United States (2001)* (United States International Trade Commission Pub. 3378, 19 U.S.C. 1202 (1988)).
(*United States*)

Agricultural and Food Products

5201. Peanut butter that is classified under tariff item No. 2008.11.10 in the List of Tariff Provisions set out in the schedule to the *Customs Tariff*. (*All destinations*)

Roe Herring

5202. (1) In this item,

"fishing zones of Canada" has the same meaning as in subsection 4(1) of the *Territorial Sea and Fishing Zones Act*; (*zone de pêche du Canada*)

"internal waters of Canada" has the same meaning as in subsection 3(2) of the *Territorial Sea and Fishing Zones Act*; (*eaux intérieures du Canada*)

"territorial sea of Canada" has the same meaning as in subsection 3(1) of the *Territorial Sea and Fishing Zones Act*; (*mer territoriale du Canada*)

"unprocessed roe herring" means roe herring from which the roe has not been extracted. (*hareng rogué non traité*)

(2) Unprocessed roe herring that are caught in

(a) those parts of the territorial sea of Canada that are adjacent to the coast of British Columbia;

(b) those parts of the internal waters of Canada that are adjacent to the coast of British Columbia; or

(c) those parts of the fishing zones of Canada that are adjacent to the coast of British Columbia. (*All destinations*)

Sugar-containing Products

5203. Sugar-containing products that are classified under subheadings 1701.91.54, 1704.90.74, 1806.20.75, 1806.20.95, 1806.90.55, 1901.90.56, 2101.12.54, 2101.20.54, 2106.90.78 and 2106.90.95 of the *Harmonized Tariff Schedule of the*

United States (1999) (United States International Trade Commission Pub. 2831, 19 U.S.C. § 1202 (1988)). (*United States*)

Sugars, Syrups and Molasses

5204. Sugars, syrups and molasses that are classified under subheadings 1701.12.10, 1701.91.10, 1701.99.10, 1702.90.10 and 2106.90.44 of the *Harmonized Tariff Schedule of the United States (1995)* (United States International Trade Commission Pub. 2831, 19 U.S.C. § 1202 (1988)). (*United States and U.S. Foreign Trade Zones*)

5300. [Repealed, SOR/92-389, s. 3]

Foreign Origin Goods

United States Origin Goods

5400. All goods that originate in the United States, unless they are included elsewhere in this List, whether in bond or cleared by Canadian Customs, other than goods that have been further processed or manufactured outside the United States so as to result in a substantial change in value, form or use of the goods or in the production of new goods. (*All destinations other than the United States*)

Goods in Transit

5401. All goods that originate outside Canada that are included in this List, whether in bond or cleared by Canadian Customs, other than goods that are in transit in bond on a through journey on a billing that originates outside Canada where the billing

- (a) indicates that the ultimate destination of the goods is a country other than Canada; (*All destinations other than the United States*) and
- (b) in the case of goods that are shipped from the United States,
 - (i) is accompanied by a certified true copy of the United States *Shipper's Export Declaration*, where the export declaration does not contain terms which conflict with those of the billing and is presented to the Canadian Collector of Customs,
 - (ii) [Repealed, SOR/93-164, s. 1]
 - (iii) cites a summary Authorization Number or Symbol, assigned to the United States exporter by the United States Bureau of the Census. (*All destinations other than the United States*)

Prohibited Weapons

5500. Prohibited weapons, as follows:

- (a) any prohibited weapon described in paragraph (c) or (e) of the definition "prohibited weapon" in subsection 84(1) of the *Criminal Code*;
- (b) any component of a prohibited weapon referred to in paragraph (a) that is an assembly or subassembly that contains one or more parts described in paragraph (c); and
- (c) any part that is a piece of the action of a prohibited weapon referred to in paragraph (a), including the bolt or bolt-carrier, and that is designed to enable the prohibited weapon to discharge bullets in rapid succession during one pressure of

the trigger, whether or not the part permits the discharge to be limited to a single bullet for each such pressure. (*All destinations*)

5501. Blinding laser weapons as described in Protocol IV to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, as amended from time to time. The Convention was signed by Canada at Geneva, Switzerland on October 10, 1980, was ratified by Canada on June 24, 1994 and entered into force for Canada on December 24, 1994. Protocol IV was adopted by the Conference of the States Parties to the Convention on October 13, 1995, was ratified by Canada on January 5, 1998 and entered into force for Canada on July 30, 1998. (*All destinations*)

Nuclear Fusion Reactors

5502. (1) Subject to subitem (2), systems, equipment, material, components, software and technology for use in research, development, design, testing, demonstration or training related to nuclear fusion or the construction and operation of a nuclear fusion reactor, including

- (a) reactor assemblies incorporating toroidal and poloidal field coils;
- (b) independent electrical and magnet power supply systems;
- (c) high-power microwave radio frequency systems; and
- (d) feedback, control and data acquisition systems. (*All destinations*)

(2) This item does not apply to data

- (a) that is contained in published books or periodicals or that is otherwise available to the public; or
- (b) that has been made available without restrictions on its further dissemination.

Anti-personnel Mines

5503. Anti-personnel mines as defined in section 2 of the *Anti-Personnel Mines Convention Implementation Act*. (*All destinations*)

Strategic Goods

5504. (1) In this item the terms "development", "production", "software", "spacecraft", "technology" and "use" have the same meaning as in the "Definitions for Terms in Groups 1 and 2" of the Guide.

(2) Strategic goods as follows:

(a) goods controlled by Group 1 of the Guide as follows:

- (i) Global navigation satellite systems receiving equipment controlled by item 1071.5 of the Guide, the associated software controlled by item 1074 of the Guide, and the associated technology controlled by item 1075 of the Guide, and
 - (ii) propulsion and space-related equipment controlled by items 1091.4 to 1091.11 of the Guide, the associated software controlled by item 1094 of the Guide, and the associated technology controlled by item 1095 of the Guide;
- (b) software that is controlled by Group 1 of the Guide and that is specially designed or modified for the development or use of the goods controlled by paragraphs (d) to (i);

- (c) technology that is controlled by Group 1 of the Guide and that is specially designed or modified for the development or production of the goods controlled by paragraphs (d) to (i);
- (d) payloads specially designed or modified for spacecraft, and specially designed components therefor, other than payloads or components that are controlled by paragraph (a) or not controlled elsewhere by Group 1 of the Guide;
- (e) ground control stations for telemetry and tracking and control of space launch vehicles or spacecraft, and specially designed components therefor;
- (f) chemiluminescent compounds specially designed or modified for military use, and specially designed components therefor;
- (g) radiation-hardened microelectronic circuits that meet or exceed all of the following, and specially designed components therefor, namely:
 - (i) a total dose of 5×10^5 Rads (SI),
 - (ii) a dose rate upset of 5×10^8 Rads (SI)/sec,
 - (iii) a neutron dose of 1×10^{14} N/cm²,
 - (iv) a single event upset of 1×10^{-7} or less error/bit/day, and
 - (v) single event latch-up free and having a dose rate latch-up of 5×10^8 Rads (SI)/sec or greater;
- (h) nuclear weapons design and test equipment, namely:
 - (i) any article, material, equipment or device which is specially designed or modified for use in the design, development or fabrication of nuclear weapons or nuclear explosive devices, (*All destinations*)
 - (ii) any article, material, equipment or device which is specially designed or modified for use in the devising, carrying out or evaluating of nuclear weapons tests or other nuclear explosions; (*All destinations*) and
- (i) any other articles not specifically set out in paragraphs (a) to (h) or in Group 2 or Group 6 that are United States origin goods, which have been determined under Parts 120 to 130 of Title 22 of the *International Traffic in Arms Regulations* of the *Code of Federal Regulations* (United States) as having substantial military applicability, and which have been specially designed or modified for military purposes.

Goods for Certain Uses

5505. All goods not listed elsewhere in this List

- (a) that are intended for use in
 - (i) the development, production, handling, operation, maintenance, storage, detection, identification or dissemination of chemical, biological or nuclear weapons, or of materials or equipment that could be used in such weapons,
 - (ii) the development, production, handling, operation, maintenance or storage of missiles capable of delivering chemical, biological or nuclear weapons, or of materials or equipment that could be used in such missiles, or
 - (iii) any chemical, biological or nuclear weapons facility or missile facility; or
- (b) in respect of which there are reasonable grounds to suspect that the goods are intended for use in
 - (i) the development, production, handling, operation, maintenance, storage, detection, identification or dissemination of chemical, biological or nuclear weapons, or of materials or equipment that could be used in such weapons,

(ii) the development, production, handling, operation, maintenance or storage of missiles capable of delivering chemical, biological or nuclear weapons, or of materials or equipment that could be used in such missiles, or
(iii) any chemical, biological or nuclear weapons facility or missile facility. (*All destinations other than Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, the Netherlands, New Zealand, Norway, Poland, Portugal, the Republic of Korea, Romania, the Russian Federation, the Slovak Republic, South Africa, Spain, Sweden, Switzerland, Ukraine, the United Kingdom, and the United States; provided that the final destination of the goods is one of these countries*).

GROUP 6 MISSILE TECHNOLOGY CONTROL REGIME

6000. Goods, as described in Group 6 of the Guide, the export of which Canada has agreed to control under bilateral arrangements concluded on April 7, 1987, in accordance with the *Guidelines for Sensitive Missile-Relevant Transfers*, issued by the Missile Technology Control Regime to control the export of missile equipment and technology that could be used in the development of missile systems capable of delivering nuclear weapons.

GROUP 7 CHEMICAL AND BIOLOGICAL WEAPONS NON-PROLIFERATION

7000. Goods, as described in Group 7 of the Guide,
(a) the export of which Canada has agreed to control under a bilateral arrangement concluded December 24, 1992, between Canada and the United States, this arrangement having been made in accordance with the guidelines established by the Australia Group for the purpose of considering ways to limit the proliferation of chemical and biological weapons; and
(b) the export of which Canada has agreed to control under the *Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction*, as amended from time to time pursuant to Article XV of that Convention, which was signed at Paris, France, on January 13, 1993.

GROUP 8 CHEMICALS FOR THE PRODUCTION OF ILLICIT DRUGS

8000. Goods, as described in Group 8 of the Guide
(a) the export of which Canada has agreed to control under the *United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances* that was signed by Canada at Vienna, Austria on December 20, 1988 and that came into force for Canada on November 11, 1990; and
(b) the export of which Canada is committed to control under the communication of the Secretary-General of the United Nations, dated June 2, 1995, informing Canada of the notification by the United States to the Secretary-General of the United Nations, requesting that the provisions of Article 12, paragraph 10 of the Convention referred to in paragraph (a) apply in respect of the exportation to the

United States of the chemicals Ephedrine (item 8011.1) and Pseudoephedrine (item 8011.6) of Group 8 of the Guide.

SOR/90-168, s. 1; SOR/90-440, ss. 3, 4(F), 5(E), 6(F), 7, 8(E), 9 to 11(F), 12, 13(F), 14, 15(F), 16; SOR/91-98, s. 1; SOR/91-491, s. 1; SOR/91-658, s. 1; SOR/91-662, s. 1; SOR/92-389, ss. 2 to 5; SOR/92-657, ss. 1(E), 2; SOR/93-164, s. 1; SOR/93-451, ss. 2, 3; SOR/94-530, s. 2; SOR/95-35, s. 1; SOR/95-73, s. 1; SOR/95-236, s. 1; SOR/95-469, s. 1; SOR/96-175, s. 1; SOR/96-315, s. 1; SOR/97-19, s. 1; SOR/97-131, ss. 2, 3; SOR/98-25, s. 1; SOR/98-248, s. 2; SOR/99-99, s. 1; SOR/99-359, s. 1; SOR/2001-33, s. 1; SOR/2001-121, s. 1; SOR/2002-86, s. 1; SOR/2002-136, s. 1; SOR/2002-153, s. 1.