Canada’s mandatory PFAS reporting deadline: Be cautious relying on prior compliance

January 21, 2025

The deadline for meeting reporting requirements of the Notice with respect to certain per- and polyfluoroalkyl substances issued by Environment Canada and Climate Change (ECCC) is Jan. 29, 2025 (the Notice). The reporting obligations and other details about the Notice can be found in our other article found here.

With the deadline to respond around the corner, companies captured under the Notice such as users, importers, and manufacturers, as well as those up the supply chain, may be seeking confirmation from vendors and suppliers that they independently comply with the Notice in place of carrying out the inquiry mandated by the Notice. Companies responding to such requests should carefully consider whether they actually comply with the Notice, especially if their answer is predicated on their compliance with another country’s requirements. Indeed, companies should not assume a blanket compliance with the Notice on such basis as PFAS requirements vary between countries like Canada and the United States.

What you need to know

- The definition of “PFAS” is different between countries.
- The listed substances under the Notice are different than those identified by other countries.
- No testing is required to respond to the Notice, however, companies are expected to provide reasonably accessible information such as documents in their possession, or to which they have access including Safety Data Sheets and product data sheets to quantify the presence of listed substances.

Reporting obligations will vary by country

The Notice was issued by ECCC pursuant to section 71(1)(b) of the *Canadian Environmental Protection Act*, 1999. The purpose of the Notice is to gather information on PFAS substances, either alone, in mixtures, products, or manufactured in Canada for the year 2023. At present, there are 312 listed substances which require reporting under the Notice. The information gathered by ECCC will be used to establish baseline commercial use data and support future activities related to the class of PFAS.

The Schedule 1 substances are identified by Chemical Abstracts Service (CAS) Registry Numbers (also known as CAS RN or CAS Numbers). While other countries have applied a similar approach, the chemical substances are not identical based on a comparison of CAS RNs listed under the Notice and reporting requirements for the United States under the *Toxic Substances Control Act* and *Emergency Planning and Community Right-to-Know Act*. Accordingly, companies who are being requested to confirm compliance with the Notice by their customers should carefully consider whether they comply before responding to such request, especially if the basis of a response is their compliance with another country's PFAS reporting obligations.

How BLG can help

BLG can assist in determining whether the Notice applies to your operations, requesting extensions (if needed), and responding to the Notice, if needed. We have also assisted companies up the supply chain who have been fielding inquiries by those potentially caught by the Notice. Please reach out to any of the authors or key contacts below.

By

Rick Williams, Gabrielle K. Kramer, Franz Martin Lopez

Expertise

Environmental, Environmental Disputes, Products Law

BLG | Canada's Law Firm

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 800 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

blg.com

BLG Offices

Calgary
Centennial Place, East Tower
520 3rd Avenue S.W.
Calgary, AB, Canada
T2P 0R3

T 403.232.9500
F 403.266.1395

Ottawa
World Exchange Plaza
100 Queen Street
Ottawa, ON, Canada
K1P 1J9

T 613.237.5160
F 613.230.8842

Vancouver
1200 Waterfront Centre
200 Burrard Street
Vancouver, BC, Canada
V7X 1T2

T 604.687.5744
F 604.687.1415

Montréal

1000 De La Gauchetière Street West
Suite 900
Montréal, QC, Canada
H3B 5H4

T 514.954.2555
F 514.879.9015

Toronto

Bay Adelaide Centre, East Tower
22 Adelaide Street West
Toronto, ON, Canada
M5H 4E3

T 416.367.6000
F 416.367.6749

The information contained herein is of a general nature and is not intended to constitute legal advice, a complete statement of the law, or an opinion on any subject. No one should act upon it or refrain from acting without a thorough examination of the law after the facts of a specific situation are considered. You are urged to consult your legal adviser in cases of specific questions or concerns. BLG does not warrant or guarantee the accuracy, currency or completeness of this publication. No part of this publication may be reproduced without prior written permission of Borden Ladner Gervais LLP. If this publication was sent to you by BLG and you do not wish to receive further publications from BLG, you may ask to remove your contact information from our mailing lists by emailing unsubscribe@blg.com or manage your subscription preferences at blg.com/MyPreferences. If you feel you have received this message in error please contact communications@blg.com. BLG's privacy policy for publications may be found at blg.com/en/privacy.

© 2026 Borden Ladner Gervais LLP. Borden Ladner Gervais LLP is an Ontario Limited Liability Partnership.