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Transportation of **Dangerous Goods**



TDG Bulletin

Consignor's Certification

RDIMS # 11829346
N° SGDDI 12031901
August 2017

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This bulletin explains the consignor's certification requirements. It does not change, create, amend or suggest deviations to the Transportation of Dangerous Goods (TDG) Regulations. For specific details, consult Part 3 of the TDG Regulations.

Consignor's Certification

A consignor's certification is required on every shipping document accompanying dangerous goods. Essentially, the consignor's certification is a statement which certifies that the dangerous goods transported are properly classified, packaged and display the appropriate safety marks. In other words, the statement certifies that the shipment is in compliance with the TDG Regulations.

Acronyms

The following abbreviations apply to this document.

- **TDG:** Transportation of Dangerous Goods.
- **49 CFR:** Title 49 of the Code of Federal Regulations. This regulation is administered by the US Department of Transport (US DOT).
- **ICAO Technical Instructions:** International Civil Aviation Organization Technical Instructions. The official name of the publication is "Technical Instructions for the Safe Transport of Dangerous Goods by Air", but is commonly referred as the ICAO TI or the ICAO Technical Instructions.
- **IMDG Code:** International Maritime Dangerous Goods Code, published by the International Maritime Organization (IMO).
- **UN Recommendations:** United Nations Recommendations on the Transport of Dangerous Goods - Model Regulations.

Frequently Asked Questions (FAQ)

On a shipping document, what exact wording is required for the consignor's certification?

[Section 3.6.1](#) of the TDG Regulations requires the following wording:

"I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, are properly classified and packaged, have dangerous goods safety marks properly affixed or displayed on them, and are in all respects in proper condition for transport according to the Transportation of Dangerous Goods Regulations."

There are also several other options listed under Paragraphs 3.6.1 (b) to (d). An individual may use the certification set out in sections:

- 172.204 of 49 CFR;
- 5;4.1.6 of the ICAO Technical Instructions;
- 5.4.1.6 of the IMDG Code; or
- 5.4.1.6 of the UN Recommendations.

Who must make the consignor's certification? Does it need to be the person who prepared the shipment?

The consignor certification must be made by an individual who is the consignor or by an individual acting on behalf of the consignor. Transport Canada realizes that most consignors are companies with several employees. Therefore, the individual who makes the certification is anyone who:

- prepares the shipment; or
- is responsible for ensuring the shipment complies with the TDG Regulations.

Subsection 3.6.1(2) states "*The certification must be made by an individual who is the consignor or by an individual acting on behalf of the consignor*". Does this mean the company's name (ABC Inc) can be considered the individual?

No, a company's name cannot be listed as the individual who makes the consignor's certification. The shipping document must bear the name of an individual.

Is a signature required on the consignor's certification?

No. Only the name of the individual is required.

Can a signature be used to identify the individual's name in the consignor certification?

If the signature is **easily legible** and it **clearly identifies the individual's name**, the signature is acceptable. However, if the signature is not legible, then a signature cannot be used. In this case, the name would also need to be printed to clearly identify the individual who made the consignor's certification.

Is the consignor certification required for shipments imported into Canada? What about shipments exported from Canada?

Currently, the certification statement is NOT required on imported shipments. However, in the future, Parts 9 and 10 of the TDG Regulations will be modified to include this requirement when shipments are imported by road or rail from the United States.

It should be noted that a consignor's certification may be required by the:

- IMDG Code for international marine shipments;
- ICAO Technical Instructions for air shipments; and
- 49 CFR.

What happens when the consignor can't fully certify that the entire contents of the shipment are compliant? For example, a carrier supplies the tank and the consignor supplies the dangerous good.

While Transport Canada realizes that consignors often do not prepare all parts of a shipment, a consignor's certification is still required and the consignor must take all necessary measures to ensure the shipment is compliant. This may require the consignor to contact:

- the dangerous goods manufacturer about the correct dangerous goods classification; and/or
- the original vendor to ensure the packages comply with the regulatory requirements.

When a carrier decides to consolidate the shipments and shipping documents from several different consignors into one new shipping document, is the consignor's certification still required?

Yes. If a carrier wants to avoid creating the consignor's certification, he would need to carry the original shipping documents or copies of it, with the shipment. In this instance, copies of each consignor certification would be attached to the newly created shipping document that accompanies the dangerous goods.

When dangerous goods shipments travel across different modes of transportation (e.g. ship to truck to rail to truck), should the original consignor certification follow the shipment)?

If shipment leaves from a point in Canada, the consignor's certification must appear on the shipping document and must be compliant with the TDG Regulations. Since these regulations are multimodal, the original consignor's certification (or a copy) must remain with the dangerous goods, regardless of the mode of transport.

Can a notation on the shipping document, which is sometimes required by Subsection 9.4(2) of the TDG Regulations, also serve as the consignor's certification?

No. When a consignment of dangerous goods is imported into Canada and then re-shipped in Canada, a notification is required on the shipping document when the safety marks (i.e. labels) differ from the ones required in Part 4 of the TDG Regulations. This notification cannot replace the consignor's certification and the consignor's certification cannot serve as the notification that is required by Subsection 9.4(2).

May a carrier put his name in the consignor's certification when the shipping document is prepared by the consignor (i.e. shipper)?

If a carrier is acting on behalf of the consignor and therefore, puts his name in the consignor's certification, he/she must be aware of the responsibilities being delegated by the consignor and must be able to vouch that the requirements indicated in the consignor certification have been met.

It is important to note that, if the consignor delegates the responsibility of the consignor's certification to an employee or other individual, the consignor is still required to comply with all of the responsibilities prescribed by the TDG Regulations (i.e., classification, safety marks, etc.). In other words, the consignor gives "permission" to an individual to certify and sign the consignor's certification **on his behalf**. It does NOT relieve the consignor from his responsibilities.

If a carrier puts his name in the consignor's certification, what are the full ramifications of doing so?

If a consignor delegates the responsibility of the consignor's certification to an employee or another individual acting on his behalf (e.g., truck driver), he/she (the consignor) must ensure that the individual making the certification on his behalf is someone who has a sound knowledge (i.e., adequately trained as per Part 6 of the TDG Regulations) of the following requirements:

- Classification of dangerous goods (Part 2, Schedules 1 & 3);
- Safety marks to be displayed (Part 4); and
- Selection and use of the proper means of containment (Part 5).

The individual making the certification on behalf of the consignor must also be trained in respect to any other requirements to ensure that the dangerous goods are in proper condition for transport.

Therefore, an individual that is not trained in all of these fields will not be able to certify the shipment and will not be permitted to act on behalf of the consignor.

Both the consignor and the individual acting on behalf of the consignor must be aware of their responsibilities.

When dangerous goods are only re-shipped by a warehouse and the dangerous goods are not re-packaged or re-labeled, is the consignor's certification still required?

Yes. Even though consignors are not always involved in the entire process of shipments, a consignor's certification is still required and the consignor (warehouse) must take all necessary measures to ensure that the shipment is compliant. This may require the consignor to contact:

- the dangerous goods manufacturer about the correct dangerous goods classification; or
- the original vendor, to ensure the packages comply with the regulatory requirements.

Must the consignor's certification be in French when the consignment originates from or is destined for Quebec?

No. In Canada, the consignor's certification and the shipping document can be in either English or French, regardless of the province you ship it from.

When a shipping document has several pages, does the consignor's certification need to be on each page? Also, if the shipping document is only one page, but there is not enough room for the consignor's certification on the 1st page, may I split the consignor's certification over two pages?

The consignor's certification does NOT need to be on each page of a multi-paged shipping document. However, it MUST appear after the information required under Section 3.5 of the TDG Regulations. Finally, if there isn't enough room on the 1st page, you may split the consignor's certification over two pages or you can place it all on the second page.

Where should the individual's name appear on the shipping document? Does it have to be right before or after the certification or could it be it at the end of the shipping document?

Essentially, the shipping document must be clear as to who is making the consignor's certification and the certification wording must be identical to those required by Section 3.6.1. Best practice would be to display the individual's name right after the consignor's certification. Please note that the individual's name CANNOT be part of the consignor's certification, as shown in the example below.

"I, JOHN SMITH, hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, are properly classified and packaged, have dangerous goods safety marks properly affixed or displayed on them, and are in all respects in proper condition for transport according to the Transportation of Dangerous Goods Regulations."

When a driver loads a highway tank at a facility with no consignor employee on site, who certifies that dangerous goods are properly classified, a proper means of containment (MOC) is selected and the correct placards are displayed?

The shipping document must be created by the consignor and must include the consignor's certification. The consignor can be anyone who is named on the shipping document, which could either be the shipper or carrier.

The consignor assumes the full responsibility of the shipment. This includes but is not limited to, properly classifying the dangerous goods. In some scenarios, this may require sampling and testing the product as well, such as in the case of UN1267, PETROLEUM CRUDE OIL.

While Transport Canada realizes that consignors often do not prepare all parts of a shipment, a consignor's certification is still required and the consignor must take all necessary measures to ensure that the shipment is compliant.

This would also include instances whereby the consignor has contracted a third party to load highway tanks and in which case, the contractor may/would be responsible for completing the consignor certification on behalf of the consignor.

Which options does a carrier have if a consignor has not prepared the proper shipping document and properly completed the consignor's certification in compliance with the TDG Regulations?

When a consignor does not prepare the shipping document and the consignor's certification according to Part 3 of the TDG Regulations, a carrier may:

- refuse to transport the shipment; or
- contact the consignor in order to bring the shipping document into full compliance.

Can the consignor's certification be stamped on the shipping document?

The consignor's certification can be stamped on the shipping document as long as it is easy to identify, legible and in indelible print.

Contact Information

Compliance with the Transportation of Dangerous Goods Act and Regulations

Failure to comply with the TDG Act and TDG Regulations may lead to fines and/or imprisonment. For more information, you can visit the TDG website at: www.tc.gc.ca/tdg. If you have any questions about the TDG Regulations, contact a Transport Canada dangerous goods inspector in your region.

Atlantic Region	1-866-814-1477	TDG-TMDAtlantic@tc.gc.ca
Quebec Region	(514) 633-3400	TMD-TDG.Quebec@tc.gc.ca
Ontario Region	(416) 973-1868	TDG-TMDOntario@tc.gc.ca
Prairie & Northern Region	1-888-463-0521	TDG-TMDPNR@tc.gc.ca
Pacific Region	(604) 666-2955	TDGPacific-TMDPacifique@tc.gc.ca

