



Ottawa, January 16, 2009

MEMORANDUM D19-9-3

In Brief

IMPORTATION AND EXPORTATION OF HUMAN REMAINS AND OTHER HUMAN TISSUES

1. This memorandum has been revised to better reflect the *Quarantine Act* and the *Quarantine Regulations* established thereunder.
2. This revision replaces Memorandum D19-9-3, *Importation and Shipment of Bodies, Body Parts and Human Organs into Canada*, dated June 16, 2005.



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MEMORANDUM D19-9-3

IMPORTATION AND EXPORTATION OF HUMAN REMAINS AND OTHER HUMAN TISSUES

The Canada Border Services Agency (CBSA) assists the Public Health Agency of Canada (PHAC) in the administration of the *Quarantine Act* and the *Quarantine Regulations* established thereunder. This memorandum outlines the conditions under which cadavers, other human remains, organs and tissues may be imported into or exported from Canada.

LEGISLATION

Customs Tariff

Tariff item 9832.00.00 of the *Customs Tariff*

Coffins or caskets:

- (a) containing the remains of a person who died abroad; or,
- (b) imported by a funeral director, who does not normally reside in Canada or carry on business in Canada, to transport the remains of a non-resident who died in Canada, where the funeral service and burial or cremation take place outside Canada.

Customs Act

2. (1) In this Act,

“officer” means a person employed in the administration or enforcement of this Act, the *Customs Tariff* or the *Special Import Measures Act* and includes any member of the Royal Canadian Mounted Police;

Quarantine Act

2. The following definitions apply in this Act.

“screening officer” means a person designated as a screening officer under subsection 5(1) or an officer within the meaning of subsection 2(1) of the *Customs Act*.

5. (1) The Minister may designate qualified persons, or classes of qualified persons, as analysts, screening officers or environmental health officers.

(2) The Minister may designate medical practitioners or other qualified health care practitioners, or classes of such persons, as quarantine officers.

44. (1) Every operator carrying a cadaver, a body part or other human remains into Canada shall provide a copy of the death certificate to the screening officer at the entry point.

(2) If the operator does not provide a death certificate or the screening officer has reasonable grounds to suspect that the cadaver, body part or other human remains have or might have a communicable disease or are infested with vectors, the screening officer shall immediately inform a quarantine officer and follow any directive of that officer respecting the matter.

(3) The operator shall comply with any directive of the quarantine officer respecting the cadaver, body part or other human remains.

45. No person shall export a cadaver, a body part or other human remains that have or might have a communicable disease listed in the schedule unless the exportation is in accordance with the regulations or is authorized by the Minister.

46. Sections 44 and 45 do not apply to the import or export of cells, tissues or organs for transplantation that are imported or exported in accordance with the *Food and Drugs Act*.

GUIDELINES AND GENERAL INFORMATION

Definitions

1. Use the following definitions when applying this memorandum:

Cadavers, body parts and other human remains include:

- (a) the body of a deceased person in its entirety;
- (b) part(s) of the human body including: the head, limbs, trunk, appendages, organs, tissue or cells;
- (c) skeletons;
- (d) skulls;
- (e) anthropological or archaeological specimens; and,
- (f) other bones.

Note: Cremated human remains are excluded from the definition. Once declared, cremated human remains can be released.

Communicable disease – diseases of concern are listed in Appendix A, and the schedule at the end of the *Quarantine Act*.

Death certificate – a medical certificate of death that is signed by an authorized person of the jurisdiction where the death occurred, specifying the date, location and cause(s) of death. Each country has laws and/or regulations regarding who is authorized to issue a medical certificate of death. Generally speaking, the attending physician or coroner is authorized to issue a medical certificate of death.

Hermetic seal – an airtight seal. Containers that are hermetically sealed must be made of metal or of other material with metal lining and are constructed so that when closed and fastened is completely airtight.

Screening officer – a border services officer who is an officer within the meaning of subsection 2(1) of the *Customs Act*.

Vector – a pathogenic agent (e.g. an insect or animal) that can act as a potential source of infection.

Importation of Human Remains Into Canada

2. Upon importation, cadavers, body parts and other human remains must be accompanied by a death certificate. If the death certificate is written in a language other than English or French, it would be helpful for the importer or exporter to provide a translation into either official language.

3. Death certificates should be considered valid unless a screening officer suspects that there has been fraud involved. In such cases, a quarantine officer is to be notified. A list of quarantine stations is available in Appendix B.

4. Depending on the presence or absence of a death certificate and the cause(s) of death, screening officers are to follow these protocols:

(a) If the death certificate clearly indicates that the deceased did not have a communicable disease the remains can be released;

(b) If the death certificate does not set out the immediate cause of death or any antecedent causes, if the container is:

(i) hermetically sealed, the remains can be released with an advisory that the container should not be opened; or,

(ii) not hermetically sealed, the screening officer must contact the quarantine officer;

(c) If there is no death certificate accompanying the cadaver, body part or other human remains and if the container is:

(i) hermetically sealed, the remains can be released with an advisory that the container should not be opened; or,

(ii) not hermetically sealed, the screening officer must contact the quarantine officer; or

(d) If the death certificate indicates that the deceased had a communicable disease and if the container is:

(i) hermetically sealed, the remains can be released with an advisory that the container should not be opened; or,

(ii) not hermetically sealed, the screening officer must contact the quarantine officer.

5. A screening officer must also inform a quarantine officer if there are reasonable grounds to suspect that the cadaver, body part or human remains have a communicable disease or arrive in a damaged state (e.g., the hermetic seal appears broken, the container is leaking, the container has been damaged, or appears to have been compromised). This applies whether or not a death certificate has been provided.

6. Communicable diseases of concern do not include HIV/AIDS or hepatitis. A list of these diseases can be found in Appendix A and the schedule at the end of the *Quarantine Act*. Therefore, unless there is another reason why the cadaver, body part or human remains are being detained, the remains should be released.

7. Persons wishing to import a cadaver, body part or other human remains where no death certificate is available can assist the quarantine officer by providing other evidence, such as a letter from a coroner, identifying the cadaver, body part or other human remains and attesting that they are free of vectors. If written in a language other than English or French, it would be helpful for the importer or exporter to provide a translation into either official language.

8. If a quarantine officer is concerned about the potential public health risk posed by the cadaver, body part or human remains, the quarantine officer will issue a directive to the conveyance operator indicating the precautions to be taken in handling and/or transporting the cadaver to its destination.

Importation of Cremated Human Remains Into Canada

9. Cremated human remains, because they do not pose a quarantine risk, do not require a death certificate. However, it is recommended that when transporting the cremated remains that the importer should carry a copy of the death and cremation certificate and ensure that the remains are in a container that can easily be scanned (e.g., cardboard, wood or plastic).

Importation of Human Cells, Organs and Tissues for Transplant Into Canada

10. Human cells, organs and tissues that are imported for transplantation in accordance with the *Food and Drugs Act* are not subject to the above requirements and therefore a

quarantine officer does not need to be called. Because organs for transplantation are transported hospital-to-hospital, it is expected that packaging, transportation, and handling meet universal precautions. The urgent importation of organs and tissues for transplantation should be facilitated as expediently as possible.

11. Cargo control documents are not required for the importation of human cells, organs and tissues. However, where cargo control documents have been issued, they may be acquitted by a reference to this memorandum.

12. For more information regarding the importation of human cells, organs or tissues for research, contact:

Importation and Biosafety Programs
Office of Laboratory Security
Center for Emergency Preparedness and Response
Public Health Agency of Canada
100 Colonnade Road
Ottawa ON K1A 0K9
Fax: 613-941-0596

Exportation of Human Remains and Other Human Tissues From Canada

13. In order to export a cadaver, body part or other human remains where the deceased had a communicable disease, the exporter must obtain permission from the Chief Public Health Officer of Canada at:

Chief Public Health Officer
Public Health Agency of Canada
130 Colonnade Road
A.L. 6501H
Ottawa ON K1A 0K9
Fax: 613-954-8529

Additional Information

14. Information regarding the temporary exportation and re-importation of culturally sensitive archaeological or anthropological human remains can be found in Memorandum D19-4-1, *Export of Controlled Cultural Property (Cultural Property Export and Import Act)*.

15. Information regarding the importation of a casket or coffin containing human remains or the temporary importation a casket or coffin can be found in Memorandum D8-3-11, *Tariff Item No. 9832.00.00 Coffins or Caskets*.

16. Questions concerning the *Quarantine Act* and its administration by the PHAC should be directed to:

Quarantine, Travel Medicine and Migration
Health Programs
Public Health Agency of Canada
100 Colonnade Road
A.L. 6501H
Ottawa ON K1A 0K9
Fax: 613-952-8189

17. Questions concerning the CBSA's administration of these procedures should be directed to:

Health, Safety and Security Unit
Partnerships Division
Admissibility Branch
Canada Border Services Agency
150 Isabella Street, 5th floor
Ottawa ON K1A 0L8
Telephone: 613-946-0240
Fax: 613-946-1520

APPENDIX A**SCHEDULE OF COMMUNICABLE DISEASES OF CONCERN – *QUARANTINE ACT*
(Section 2, subsections 15(2) and 34(2) and sections 45 and 63)**

Please note: At the time of publication this list was accurate; however as this list can be changed from time to time, please consult the schedule at the end of the *Quarantine Act*.

Active pulmonary tuberculosis
Anthrax
Argentine hemorrhagic fever
Bolivian hemorrhagic fever
Botulism
Brazilian hemorrhagic fever
Cholera
Crimean-Congo hemorrhagic fever
Diphtheria
Ebola hemorrhagic fever
Lassa fever
Marburg hemorrhagic fever
Measles
Meningococcal meningitis
Meningococemia
Pandemic influenza type A
Plague
Poliomyelitis
Rift Valley fever
Severe acute respiratory syndrome (SARS)
Smallpox
Tularemia
Typhoid fever
Venezuelan hemorrhagic fever
Yellow fever

APPENDIX B**QUARANTINE STATIONS****Halifax International Airport**

Halifax, Nova Scotia

24/7 Phone Line: 902-873-7659

Office: 902-873-7656

Fax: 902-872-7657

Jurisdiction: Nova Scotia, New Brunswick, Prince Edward Island, Newfoundland and Labrador

Pierre Elliott Trudeau International Airport

Montréal, Quebec

24/7 Phone Line: 514-229-2561

Office: 514-633-3024

Fax: 514-633-3031

Jurisdiction: Quebec

MacDonald-Cartier International Airport

Ottawa, Ontario

24/7 Phone Line: 613-949-1565

Office: 613-949-2050

Fax: 613-949-1566

Jurisdiction: Eastern Ontario

Lester B. Pearson International Airport

Toronto, Ontario

24/7 Phone Line: 416-315-5039

Office: 905-612-5397

Fax: 905-612-7987

Jurisdiction: Western and Northern Ontario, and Nunavut

Calgary International Airport

Calgary, Alberta

24/7 Phone Line: 403-221-3067

QO backup line: 604-317-1730

Office: 403-221-3068

Fax: 403-250-9271

Jurisdiction: Alberta, Saskatchewan, Manitoba and the North West Territories

Vancouver International Airport

Vancouver, British Columbia

24/7 Phone Line: 604-317-1720

QO Back-up Line: 604-317-1730

Office: 604-666-2499

Fax: 604-666-4947

Jurisdiction: British Columbia and the Yukon

Public Health Agency of Canada24/7 Phone Line: **1-800-545-7661**

REFERENCES

<p>ISSUING OFFICE – Health, Safety and Security Unit Partnerships Division Border and Compliance Programs Directorate Admissibility Branch</p>	<p>HEADQUARTERS FILE – 68472-3-1</p>
<p>LEGISLATIVE REFERENCES – <i>Customs Tariff</i> – Tariff Item 9832.00.00 <i>Customs Act</i> – subsection 2. (1) <i>Quarantine Act</i>, sections 2, 5, 44, 45 and 46 <i>Food and Drugs Act</i> <i>Cultural Property Export and Import Act</i></p>	<p>OTHER REFERENCES – D8-3-11, D19-4-1</p>
<p>SUPERSEDED MEMORANDA “D” – D19-9-3, dated June 16, 2005</p>	

Services provided by the Canada Border Services Agency are available in both official languages.

