Canada Gazette, Part I, Volume 152, Number 50: GOVERNMENT NOTICES

December 15, 2018

DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Notice of intent to amend the Domestic Substances List *under subsection 87(3) of the* Canadian Environmental Protection Act, 1999 *to indicate that subsection 81(3) of that Act applies to the substance hexanoic acid, 2-ethyl-, calcium salt, also known as calcium 2-ethylhexanoate*

Whereas the substance calcium 2-ethylhexanoate (Chemical Abstracts Service [CAS] Registry No. 136-51-6) is specified on the *Domestic Substances List*; [a]

Whereas the Minister of the Environment and the Minister of Health (the ministers) have conducted a screening assessment of calcium 2-ethylhexanoate under subsection 73(1) of the *Canadian Environmental Protection Act, 1999* [b] and, on March 25, 2017, published in the *Canada Gazette*, Part I, for a 60-day public comment period, the draft screening assessment;

And whereas the ministers suspect that the information concerning a significant new activity in relation to calcium 2-ethylhexanoate may contribute to determining the circumstances in which the substance is toxic or capable of becoming toxic within the meaning of section 64 of the *Canadian Environmental Protection Act*, *1999*,

Therefore, notice is hereby given that the Minister of the Environment intends to amend the *Domestic Substances List* pursuant to subsection 87(3) of the *Canadian Environmental Protection Act, 1999* to indicate that subsection 81(3) of that Act applies to any significant new activities relating to calcium 2-ethylhexanoate, as set out in this Notice.

Public comment period

Any person may, within 60 days of publication of this Notice, file with the Minister of the Environment comments with respect to this proposal. All comments must cite the *Canada Gazette*, Part I, and the date of publication of this Notice and be sent by mail to the Executive Director, Program Development and Engagement Division, Department of the Environment, Gatineau, Quebec K1A 0H3, by fax to 819-938-5212, or by email to eccc.substances.eccc@canada.ca (mailto:eccc.substances.eccc@canada.ca).

The final screening assessment document for the substances may be obtained from the Canada.ca (Chemical Substances) website (http://www.canada.ca/en/health-canada/services/chemical-substances.html).

In accordance with section 313 of the *Canadian Environmental Protection Act, 1999*, any person who provides information in response to this Notice may submit with the information a request that it be treated as confidential.

Nancy Hamzawi
Assistant Deputy Minister
Science and Technology Branch

On behalf of the Minister of the Environment

ANNEX

1. Part 1 of the *Domestic Substances List* is proposed to be amended by deleting the following:

136-51-6

2. Part 2 of the *Domestic Substances List* is proposed to be amended by adding the following in numerical order:

Column 1 **Substance**	**Column 2** **Significant new activity for which substance is subject to subsection 81(3) of the Act**
136-51-6 S′	1. In relation to the substance in Column 1, opposite to this section: (a) the use of the substance in the manufacture of any of the following products, in such a manner that the substance is present in a concentration that is greater than 0.1% by weight: (i) a consumer product to which the *Canada Consumer Product Safety Act* applies, other than paint or another surface coating material that dries to a solid film if the substance is present in the paint or surface coating material in a concentration that is less than or equal to 0.5% by weight, (ii) a cosmetic, as defined in section 2 of the *Food and Drugs Act*; (b) any activity involving the use of the substance in any of the following products in which the substance is present in a concentration that is greater than 0.1% by weight, if the total quantity of the substance involved in the activity during any one calendar year is greater than 10 kg: (i) a consumer product to which the *Canada Consumer Product Safety Act* applies, other than paint or another surface coating material that dries to a solid film if the substance is present in the paint or surface coating material in a concentration that is less than or equal to 0.5% by weight,

(ii) a cosmetic, as defined in section 2 of the *Food and Drugs Act*.

2. Despite section 1, the use of the substance as a research and development substance or a site-limited intermediate substance as those expressions are defined in subsection 1(1) of the *New Substances Notification Regulations (Chemicals and Polymers)*, or in a consumer product or cosmetic that is intended for export only is not a significant new activity.

3. For each proposed significant new activity, the following information must be provided to the Minister at least 90 days before the commencement of the proposed significant new activity:

(a) a description of the significant new activity in relation to the substance;

(b) the anticipated annual quantity of the substance to be used in relation to the significant new activity;

(c) the information specified in items 3 to 7 of Schedule 4 to the *New Substances Notification Regulations (Chemicals and Polymers)*;

(d) the information specified in paragraphs 2(d) to (f) and 8(f) and (g) of Schedule 5 of those Regulations;

(e) a description of the consumer product or cosmetic that contains the substance, the intended use of that consumer product or cosmetic and the function of the substance in that consumer product or cosmetic;

(f) a description of how the consumer product or cosmetic is intended to be used or applied;

(g) the total quantity of the consumer product or cosmetic expected to be sold in Canada in a calendar year by the person undertaking the significant new activity;

(h) a summary of all other information or test data in respect of the substance that are in the possession of the person proposing the significant new activity, or to which they may reasonably be expected to have access, and that permit the identification of hazards of the substance to the environment and human health and the degree of environmental and public exposure to the substance;

(i) the identification of every other government agency, either outside or within Canada, that the person proposing the significant new activity has notified of the substance and, if known, the agency's file number and the outcome of the assessment by the department or agency and, if any, the risk management actions in relation to the substance imposed by the department or agency;

(j) the name, civic and postal addresses, telephone number and, if any, fax number and email address of the person proposing the significant new activity and, if they are not resident in Canada, of the person resident in Canada who is authorized to act on their behalf;

(k) a certification that the information is accurate and complete, dated and signed by the person proposing the significant new activity if they are resident in Canada or, if not, by the person resident in Canada authorized to act on their behalf.

4. The information above will be assessed within 90 days after the day on which it is received by the Minister.

COMING INTO FORCE

3. The Order would come into force on the day on which it is registered.

EXPLANATORY NOTE

(This explanatory note is not part of the Notice of Intent.)

Description

The Notice of Intent (NOI) is an opportunity for the public to comment on the proposed amendment to the *Domestic Substances List* (DSL) to apply the Significant New Activity (SNAc) provisions of the *Canadian Environmental Protection Act, 1999* (CEPA) [1] to the substance hexanoic acid, 2-ethyl-, calcium salt (also known as calcium 2-ethylhexanoate, Chemical Abstracts Service [CAS] Registry No. 136-51-6), pursuant to subsection 87(3) of that Act.

Within 60 days of publication of the NOI, any person may submit comments to the Minister of the Environment. These comments will be taken into consideration during the development of the Order amending the DSL to apply the SNAc provisions to this substance.

The DSL amendment is not in force until the Order is adopted by the Minister pursuant to subsection 87(3) of CEPA. The Order will be published in the *Canada Gazette*, Part II.

Information-gathering methods other than the use of the SNAc provisions were considered, including adding the substance to voluntary or mandatory surveys under CEPA, reporting to the National Pollutant Release Inventory, and the periodic market surveillance of products through the analysis of safety data sheets (SDS). [2] However, these tools would collect information after the substance may have been used in products available to consumers, which could potentially lead to exposures of concern.

Applicability of the proposed Order

It is proposed that the Order amending the DSL require any person (individual or corporation) engaging in a significant new activity in relation to calcium 2-ethylhexanoate to submit a significant new activity notification (SNAN) containing all of the information prescribed in the Order at least 90 days prior to the import, manufacture, or use of the substance for the significant new activity.

To address human health concerns, the Order would target the use of the substance in consumer products to which the *Canada Consumer Product Safety Act (http://laws-lois.justice.gc.ca/eng/acts/C-1.68/FullText.html)* (CCPSA) applies and in cosmetics within the meaning of section 2 of the *Food and Drugs Act (http://laws-lois.justice.gc.ca/eng/acts/F-27/FullText.html)*.

For the manufacture of such products, notification would be required when the concentration of the substance in the product is greater than 0.1% by weight, other than in a paint or coating that would require notification if the concentration of the substance is greater than 0.5% by weight.

For any other activity related to consumer products and cosmetics other than a paint and a coating, notification would be required when the concentration of the substance in the product is greater than 0.1% by weight, and the total quantity of the substance in the product that is used during a calendar year is greater than 10 kg. For any other activity in relation to a paint or coating, notification would be required when the concentration of the substance in the paint or coating is greater than 0.5% by weight and the total quantity of the substance in the product that is used during a calendar year is greater than 10 kg.

For example, notification would be required if a company plans to import a product to be used by consumers that is not a paint or coating where the concentration of the substance in the product is greater than 0.1% by weight and there is more than 10 kg of the substance involved in a calendar year. Examples of products of concern would include, but would not be limited to, cosmetics and do-it-yourself products such as sealants. Therefore, the import, manufacture, or use of the substance for such products as defined in the Order would require notification. Calcium 2-ethylhexanoate is known to be currently used in paints in Canada at concentrations below 0.5% by weight.

Activities not subject to the proposed Order

The manufacture of consumer products and cosmetics that contain the substance would not be subject to the Order if the concentration of the substance in the product is less than 0.1% by weight. Any other activity involving the use of the substance in a consumer product or cosmetic would not be subject to the Order if the total quantity of the substance involved in the activity is 10 kg or less in a calendar year. For activities involving more than 10 kg of the substance in a calendar year, the Order would not apply if the concentration of the substance in the consumer product or cosmetic involved in the activity is less than 0.1% by weight.

The proposed Order would not apply to products to which the CCPSA does not apply such as food and drugs, with the exception of cosmetics within the meaning of section 2 of the *Food and Drugs Act.* It would also not apply to uses of the substance that are regulated under the Acts of Parliament listed in Schedule 2 of CEPA, including the *Pest Control Products Act*, the *Fertilizers Act* and the *Feeds Act*. The Order would also not apply to transient reaction intermediates, impurities, contaminants, partially unreacted intermediates or in some circumstances to items such as wastes, mixtures or manufactured items. However, it should be noted that individual components of a mixture may be subject to notification under the Order. See subsection 81(6) and section 3 of CEPA and section 3 of the *Guidelines for the Notification and Testing of New Substances: Chemicals and Polymers (http://publications.gc.ca/site/eng/280464/publication.html)* for additional information on the activities and conditions described above.

The use of calcium 2-ethylhexanoate as a research and development substance, a site-limited intermediate substance, or to manufacture an export-only product would not require the submission of a SNAN, as these activities are not expected to result in exposure to the general population in Canada. The terms “research and development substance” and “site-limited intermediate substance” are defined in subsection 1(1) of the *New Substances Notification Regulations (Chemicals and Polymers) (http://laws-lois.justice.gc.ca/eng/regulations/SOR-2005-247/FullText.html)*. An export-only product manufactured with the substance is one destined solely for foreign markets.

Information to be submitted

The NOI sets out the proposed requirements for information that would have to be provided to the Minister 90 days before the day on which the substance is imported, manufactured or used for a significant new activity. The Department of the Environment and the Department of Health will use the information submitted in the SNAN and other information to conduct human health and environmental assessments within 90 days after the complete information is received.

The information requirements in the proposed Order relate to general information in respect to the substance, details surrounding its use, and to exposure information. Some of the proposed information requirements are set out in the *New Substances Notification Regulations (Chemicals and Polymers)*.

Additional guidance on preparing a SNAN can be found in section 4 of the *Guidelines for the Notification and Testing of New Substances: Chemicals and Polymers.*

Compliance

When assessing whether or not a substance is subject to SNAc provisions, [3] a person is expected to make use of information in their possession or to which they may reasonably be expected to have access. This means information in any of the notifier's offices worldwide or other locations where the notifier can reasonably have access to the information. For example, manufacturers are expected to have access to their formulations, while importers or users of a substance, mixture, or product are expected to have access to import records, usage information and the relevant safety data sheets (SDS).

Although an SDS is an important source of information on the composition of a purchased product, it should be noted that the goal of the SDS is to protect the health of workers in the workplace from specific hazards of chemical products. Therefore, an SDS may not list all product ingredients that may be subject to an order due to human health or environmental concerns. Any person requiring more detailed information on product composition is encouraged to contact their supplier.

If any information becomes available that reasonably supports the conclusion that the substance calcium 2-ethylhexanoate is toxic or capable of becoming toxic, the person who is in possession of or has knowledge of the information, and is involved in activities with the substance is obligated, under section 70 of CEPA, to provide that information to the Minister without delay.

A company can submit a SNAN on behalf of its clients. For example, in cases where a person takes possession and control of a substance from another person, they may not be required to submit a SNAN, under certain conditions, if the activities were covered by the original SNAN. The Substances Management Advisory Note, "Clarification in relation to the submission of Significant New Activity Notifications in application of the *Canadian Environmental Protection Act*, 1999 (http://www.ec.gc.ca/subsnouvelles-newsubs/default.asp?lang=En&n=CC526AE6-1)," provides more detail on this subject.

Any person who transfers the physical possession or control of a substance subject to an order should notify all persons to whom the physical possession or control is transferred of the obligation to comply with the Order, including the obligation to notify the Minister of any significant new activity and to provide all the required information outlined above.

A pre-notification consultation (PNC) is recommended for notifiers who wish to consult during the planning or preparation of their SNAN to discuss any questions or concerns they have about the prescribed information and test plans.

Where a person has questions concerning their obligations to comply with an order, believes they may be out of compliance, or would like to request a PNC, they are encouraged to discuss their particular circumstances by contacting the Substances Management Information Line. [4]

CEPA is enforced in accordance with the publicly available Compliance and Enforcement Policy for the *Canadian Environmental Protection Act*, 1999 (http://www.ec.gc.ca/alef-ewe/default.asp?lang=En&n=Af0C5063-1). In instances of non-compliance, consideration is given to the following factors when deciding which enforcement measure to take: nature of the alleged violation, effectiveness in achieving compliance with CEPA and its regulations and consistency in enforcement.

DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Notice of intent to amend the Domestic Substances List *under subsection 87(3) of the* Canadian Environmental Protection Act*, 1999 to indicate that subsection 81(3) of that Act applies to the 14 substances set out in this Notice*

Whereas the 14 substances set out in this Notice are specified on the *Domestic Substances List*; [c]

Whereas the Minister of the Environment and the Minister of Health (the ministers) have conducted rapid screening assessments of each of the 14 substances set out in this Notice under section 68 or 74 of the *Canadian Environmental Protection Act, 1999* [d] and, on October 27, 2018, published in the *Canada Gazette*, Part I, the final screening assessment report;

And whereas the ministers suspect that the information concerning a significant new activity in relation to any of the 14 substances set out in this Notice may contribute to determining the circumstances in which these substances are toxic or capable of becoming toxic within the meaning of section 64 of the *Canadian Environmental Protection Act, 1999*,

Therefore, notice is hereby given that the Minister of the Environment intends to amend the *Domestic Substances List* pursuant to subsection 87(3) of the *Canadian Environmental Protection Act, 1999* to indicate that subsection 81(3) of that Act applies to any significant new activities relating to the 14 substances, as set out in this Notice.

Public comment period

Any person may, within 60 days of publication of this Notice, file with the Minister of the Environment comments with respect to this proposal. All comments must cite the *Canada Gazette*, Part I, and the date of publication of this Notice and be sent by mail to the Executive Director, Program Development and Engagement Division, Department of the Environment, Gatineau, Quebec K1A 0H3, by fax to 819-938-5212, or by email to eccc.substances.eccc@canada.ca (mailto:eccc.substances.eccc@canada.ca).

The rapid screening assessment report for the 14 substances may be obtained from the Canada.ca (Chemical Substances) website (http://www.canada.ca/en/health-canada/services/chemical-substances.html).

In accordance with section 313 of the *Canadian Environmental Protection Act, 1999*, any person who provides information in response to this Notice may submit with the information a request that it be treated as confidential.

Nancy Hamzawi
Assistant Deputy Minister
Science and Technology Branch
On behalf of the Minister of the Environment

ANNEX

1. Part 1 of the *Domestic Substances List* is proposed to be amended by deleting the following:

74-88-4
98-88-4
100-00-5
101-90-6
118-96-7
121-14-2
126-99-8
271-89-6
556-52-5
630-20-6
632-99-5
2475-45-8
68953-80-0

2. Part 2 of the *Domestic Substances List* is proposed to be amended by adding the following in numerical order:

Column 1 **Substance**	**Column 2** **Significant new activity for which substance is subject to subsection 81(3) of the Act**
74-88-4 S′ 98-88-4 S′ 100-00-5 S′ 101-90-6 S′ 118-96-7 S′ 121-14-2 S′ 126-99-8 S′ 271-89-6 S′ 556-52-4 S′ 630-20-6 S′ 632-99-5 S′	1. In relation to any substance in Column 1, opposite to this section: (a) the use of the substance in the manufacture of any of the following products containing the substance at a concentration equal to or greater than 0.1% by weight: (i) a consumer product to which the *Canada Consumer Product Safety Act* applies, or (ii) a cosmetic, within the meaning of section 2 of the *Food and Drugs Act*; (b) any activity involving the use of the substance in the following products, containing the substance at a concentration equal to or greater than 0.1% by weight, if the total quantity of the substance involved in the activity during any one calendar year is greater than 10 kg: (i) a consumer product to which the *Canada Consumer Product Safety Act* applies, or (ii) a cosmetic, within the meaning of section 2 of the *Food and Drugs Act*; 2. Despite item 1, the use of the substance as a research and development substance or as a site-limited intermediate substance as these expressions are defined in subsection 1(1) of the *New Substances Notification Regulations (Chemicals and Polymers)*, or in a consumer product that is intended for export only is not a significant new activity.

2475-45-8 S′ 68953-80-0 S′	3. For each proposed significant new activity, the following information must be provided to the Minister at least 90 days before the commencement of the proposed new activity: (a) a description of the proposed significant new activity in relation to the substance; (b) the anticipated annual quantity of the substance to be used in relation to the significant new activity; (c) the information specified in items 3 to 6 and paragraphs 7(a) and (b) of Schedule 4 to the *New Substances Notification Regulations (Chemicals and Polymers)*; (d) the information specified in paragraphs 2(d) to (f) and 8(f) and (g) of Schedule 5 to those Regulations; (e) a description of the consumer product or cosmetic that contains the substance, the intended use of that consumer product or cosmetic and the function of the substance in that consumer product or cosmetic; (f) a description of how the consumer product or cosmetic is intended to be used or applied; (g) the total quantity of the consumer product or cosmetic expected to be sold in Canada in a calendar year by the person undertaking the significant new activity; (h) a summary of all other information and test data in respect of the substance that are in the possession of the person proposing the significant new activity, or to which they may reasonably be expected to have access, and that permit the identification of hazards to the environment and human health and the degree of environmental and public exposure to the substance; (i) the identification of every other government agency, either outside or within Canada, that the person proposing the significant new activity has notified of the substance and, if known, the agency's file number, the outcome of the assessment and the risk management actions in relation to the substance imposed by those agencies; (j) the name, civic and postal addresses, telephone number and, if any, fax number and email address of the person proposing the significant new activity and, if they are not resident in Canada, of the person resident in Canada who is authorized to act on their behalf; and (k) a certification stating that the information is accurate and complete, dated and signed by the person proposing the significant new activity, if they are resident in Canada or, if not, by the person resident in Canada who is authorized to act on their behalf. 4. The information above will be assessed within 90 days after the day on which it is received by the Minister.

3. Part 1 of the *Domestic Substances List* is proposed to be amended by deleting the following:

95-54-5

4. Part 2 of the *Domestic Substances List* is proposed to be amended by adding the following in numerical order:

Column 1 **Substance**	**Column 2** **Significant new activity for which substance is subject to subsection 81(3) of the Act**
95-54-5 S'	1. In relation to the substance in Column 1, opposite to this section:

(a) the use of the substance in the manufacture of a consumer product to which the *Canada Consumer Product Safety Ac*t applies that contains the substance at a concentration greater than 0.1% by weight; or

(b) any activity involving the use of the substance in a quantity greater than 10 kg in a calendar year in a consumer product to which the *Canada Consumer Product Safety Act* applies that contains the substance at a concentration greater than 0.1% by weight.

2. Despite item 1, the use of the substance as a research and development substance or as a site-limited intermediate substance as these expressions are defined in subsection 1(1) of the *New Substances Notification Regulations (Chemicals and Polymers)*, or in a consumer product that is intended for export only is not a significant new activity.

3. For each proposed significant new activity, the following information must be provided to the Minister at least 90 days before the commencement of the proposed new activity:

(a) a description of the proposed significant new activity in relation to the substance;

(b) the anticipated annual quantity of the substance to be used in relation to the significant new activity;

(c) the information specified in items 3 to 6 and paragraphs 7(a) and (b) of Schedule 4 to the *New Substances Notification Regulations (Chemicals and Polymers)*;

(d) the information specified in paragraphs 2(d) to (f) and 8(f) and (g) of Schedule 5 to those Regulations;

(e) a description of the consumer product that contains the substance, the concentration of the substance in the consumer product, the intended use of that consumer product and the function of the substance in that consumer product;

(f) a description of how the consumer product is intended to be used or applied;

(g) the total quantity of the consumer product expected to be sold in Canada in a calendar year by the person proposing the significant new activity;

(h) a summary of all other information and test data in respect of the substance that are in the possession of the person proposing the significant new activity, or to which they may reasonably be expected to have access, and that permit the identification of hazards of the substance to the environment and human health and the degree of environmental and public exposure to the substance;

(i) the identification of every other government agency, either outside or within Canada, that the person proposing the significant new activity has notified of the substance and, if known, the agency’s file number, the outcome of the assessment and the risk management actions in relation to the substance imposed by those agencies;

(j) the name, civic and postal addresses, telephone number and, if any, the fax number and email address of the person proposing the significant new activity and, if they are not resident in Canada, of the person resident in Canada who is authorized to act on their behalf; and

(k) a certification that the information is accurate and complete, dated and signed by the person proposing the significant new activity, if they are resident in Canada or, if not, by the person resident in Canada who is authorized to act on their behalf.

4. The information above will be assessed within 90 days after the day on which it is received by the Minister.

COMING INTO FORCE

5. This Order would come into force on the day on which it is registered.

EXPLANATORY NOTE

(This explanatory note is not part of the Notice of Intent.)

Description

The Notice of Intent (NOI) is an opportunity for the public to comment on the proposed amendments to the *Domestic Substances List* (DSL) to apply the Significant New Activity (SNAc) provisions of the *Canadian Environmental Protection Act, 1999* (CEPA) [5] to the 14 substances listed in Table 1, pursuant to subsection 87(3) of that Act.

Within 60 days of publication of the NOI, any person may submit comments to the Minister of the Environment. These comments will be taken into consideration during the development of the Order amending the DSL to apply the SNAc provisions to the 14 substances listed in Table 1.

The DSL amendments are not in force until the Order is adopted by the Minister pursuant to subsection 87(3) of CEPA. The Order must be published in the *Canada Gazette*, Part II.

A number of other SNAc instruments that will also target consumer products are to be published in the near future. As a result, stakeholder input provided in response to the consumer product language proposed in this NOI may not be reflected in upcoming NOIs due to publication timelines. However, the input will be taken into consideration during the development of all related notices and orders that pertain to consumer products.

Information-gathering mechanisms other than the SNAc provisions of CEPA were considered, including the publication of a notice under section 71 of CEPA, and additions to monitoring and biomonitoring programs. However, these tools would collect information after the substance may have been used in products, including cosmetics, available to consumers, which could potentially lead to exposures of concern.

Applicability of the proposed Order

At this time, it is proposed that the Order amending the DSL require any person (individual or corporation) engaging in a significant new activity in relation to any of the 14 substances listed in Table 1 to submit a significant new activity notification (SNAN) containing all of the information prescribed in the Order at least 90 days prior to the import, manufacture or use of the substance for the significant new activity.

Table 1: List of substances that would be subject to the proposed Order

74-88-4
100-00-5
121-14-2
556-52-5
2475-45-8
95-54-5

101-90-6
126-99-8
630-20-6
68953-80-0
98-88-4
118-96-7
271-89-6
632-99-5

To address human health concerns, the Order would target the use of the substances listed in Table 1 in consumer products to which the *Canada Consumer Product Safety Act (http://laws-lois.justice.gc.ca/eng/acts/C-1.68/FullText.html)* (CCPSA) applies, as well as in cosmetics (with the exception of 1,2-benezenediamine [Chemical Abstracts Service Registry Number (CAS RN) 95-54-5]), as these are defined in section 2 of the *Food and Drugs Act (http://laws-lois.justice.gc.ca/eng/acts/F-27/FullText.html)* (FDA). Consumer products and cosmetics are potential sources of direct and significant human exposure to these substances. For the manufacture of such products with the substance, notification would be required when the concentration of the substance in the consumer product or cosmetic is equal to or greater than 0.1% by weight.

For any other activity related to the substance in consumer products or cosmetics, notification would be required when the concentration of any substance listed in Table 1 in the consumer product or cosmetic is 0.1% by weight or more, and the total quantity of the substance involved in the activity during a calendar year is greater than 10 kg. For example, notification would be required if a company planned to import a product to be used by consumers where the concentration of the substance in the product were 0.1% or greater by weight, and where there were more than 10 kg of the substance involved in a calendar year. The import, manufacture, or use of the substance in such products would require notification.

Activities not subject to the proposed Order

In relation to the substances listed in Table 1, the manufacture of consumer products or cosmetics that contain any of the substances at a concentration less than 0.1% by weight would be excluded from the application of the proposed Order. Similarly, any other activity involving the substance in a consumer product or a cosmetic would not be subject to the Order if the total quantity of the substance involved in the activity is 10 kg or less in a calendar year. For activities involving more than 10 kg of the substance in a calendar year, the Order would not apply if the concentration of the substance in the consumer product or cosmetic involved in the activity is less than 0.1% by weight for each substance. Activities relating to the use of 1,2-benezenediamine (CAS RN 95-54-5) in cosmetics would also not be subject to the Order as the substance is identified on Health Canada's Cosmetic Ingredient Hotlist as prohibited for use in cosmetic products sold in Canada.

The proposed Order would not apply to uses of these substances that are regulated under the Acts of Parliament listed in Schedule 2 of CEPA, including the *Pest Control Products Act*, the *Fertilizers Act* and the *Feeds Act*. The Order would also not apply to transient reaction intermediates, impurities, contaminants, or partially unreacted intermediates, or in some circumstances to items such as wastes, mixtures or manufactured items. However, it should be noted that individual components of a mixture may be subject to

notification under the Order. See subsection 81(6) and section 3 of CEPA, and section 3 of the *Guidelines for the Notification and Testing of New Substances: Chemicals and Polymers (http://publications.gc.ca/site/eng/280464/publication.html)* for additional information.

The use of the substance as a research and development substance, a site-limited intermediate substance, or in a consumer product intended for export-only would not require the submission of a SNAN as these activities are not expected to result in exposure to the general population in Canada. The terms “research and development substance” and “site-limited intermediate substance” are defined in subsection 1(1) of the *New Substance Notification Regulations (Chemicals and Polymers) (http://laws-lois.justice.gc.ca/eng/regulations/SOR-2005-247/FullText.html)*. A consumer product that is intended for export-only is one that is manufactured or imported in Canada and destined solely for foreign markets.

Information to be submitted

The NOI sets out the proposed requirements for information that would have to be provided to the Minister 90 days before the day on which the substances are imported, manufactured or used for a significant new activity. The Department of the Environment and the Department of Health will use the information submitted in the SNAN and other information to conduct human health and environmental assessments within 90 days after the complete information is received.

The information requirements in the proposed Order relate to general information in respect of the substances, to details surrounding their use, and to exposure information. Some of the proposed information requirements are set out in the *New Substances Notification Regulations (Chemicals and Polymers)*.

Additional guidance on preparing a SNAN can be found in section 4 of the *Guidelines for the Notification and Testing of New Substances: Chemicals and Polymers*.

Compliance

When assessing whether or not a substance is subject to SNAc provisions, [6] a person is expected to make use of information in their possession or to which they may reasonably be expected to have access. This means information in any of the notifier’s offices worldwide or other locations where the notifier can reasonably have access to the information. For example, manufacturers are expected to have access to their formulations, while importers or users of a substance, mixture, or product are expected to have access to import records, usage information and the relevant safety data sheet (SDS). [7]

Although an SDS is an important source of information on the composition of a purchased product, it should be noted that the goal of the SDS is to protect the health of workers in the workplace from specific hazards of chemical products. Therefore, an SDS may not list all product ingredients that may be subject to an order due to public health or environmental concerns. Any person requiring more detailed information on product composition is encouraged to contact their supplier.

If any information becomes available that reasonably supports the conclusion that any of the substances identified in this proposed Order is toxic or capable of becoming toxic, the person who is in possession or has knowledge of the information and is involved in activities with the substance is obligated, under section 70 of CEPA, to provide that information to the Minister without delay.

A company can submit a SNAN on behalf of its clients. For example, in cases where a person takes possession and control of a substance from another person, they may not be required to submit a SNAN, under certain conditions, if their activities were covered by the original SNAN. The Substances Management Advisory Note, "Clarification in relation to the submission of Significant New Activity Notifications in application of the *Canadian Environmental Protection Act, 1999* (http://www.ec.gc.ca/subsnouvelles-newsubs/default.asp?lang=En&n=CC526AE6-1)," provides more detail on this subject.

Any person who transfers the physical possession or control of a substance subject to an order should notify all persons to whom the physical possession or control is transferred of the obligation to comply with the order, including the obligation to notify the Minister of any significant new activity and to provide all the required information outlined above.

A pre-notification consultation (PNC) is recommended for notifiers who wish to consult during the planning or preparation of their SNAN to discuss any questions or concerns they have about the prescribed information and test plans.

Where a person has questions concerning their obligations to comply with a notice or order, believes they may be out of compliance, or would like to request a PNC, they are encouraged to discuss their particular circumstances by contacting the Substances Management Information Line. [8]

CEPA is enforced in accordance with the publicly available Compliance and Enforcement Policy for the *Canadian Environmental Protection Act, 1999* (https://www.ec.gc.ca/alef-ewe/default.asp?lang=en&n=AF0C5063-1). In instances of non-compliance, consideration is given to the following factors, when deciding which enforcement measure to take: nature of the alleged violation, effectiveness in achieving compliance with CEPA and its regulations and consistency in enforcement.

DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Order 2018-87-07-02 Amending the Non-domestic Substances List

Whereas, pursuant to subsection 87(5) of the *Canadian Environmental Protection Act, 1999* [e], the Minister of the Environment has added the substances referred to in the annexed Order to the *Domestic Substances List* [f];

Therefore, the Minister of the Environment, pursuant to subsection 87(5) of the *Canadian Environmental Protection Act, 1999* [a], makes the annexed *Order 2018-87-07-02 Amending the Non-domestic Substances List*.

Gatineau, December 4, 2018

Catherine McKenna
Minister of the Environment

Order 2018-87-07-02 Amending the Non-domestic Substances List

Amendment

1 Part I of the *Non-domestic Substances List* [9] is amended by deleting the following:

69009-90-1
1310362-57-2

Coming into Force

2 This Order comes into force on the day on which *Order 2018-87-07-01 Amending the Domestic Substances List* comes into force.

DEPARTMENT OF THE ENVIRONMENT
DEPARTMENT OF HEALTH

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Publication of final decision after screening assessment of two substances — hexanoic acid, 2-ethyl-, calcium salt (calcium 2-ethylhexanoate), CAS RN [1] 136-51-6, and hexanoic acid, 2-ethyl-, 2-ethylhexyl ester (2-ethylhexyl 2-ethylhexanoate), CAS RN 7425-14-1 — specified on the Domestic Substances List (paragraphs 68(b) and (c) or subsection 77(6) of the Canadian Environmental Protection Act, 1999*)*

Whereas calcium 2-ethylhexanoate is a substance identified under subsection 73(1) of the *Canadian Environmental Protection Act, 1999*; [10]

Whereas a summary of the final screening assessment conducted on 2-ethylhexyl 2-ethylhexanoate pursuant to paragraphs 68(b) and (c) of the Act and on calcium 2-ethylhexanoate pursuant to section 74 of the Act is annexed hereby;

Whereas it is concluded that 2-ethylhexyl 2-ethylhexanoate meets one or more of the criteria set out in section 64 of the Act;

And whereas it is concluded that calcium 2-ethylhexanoate does not meet any of the criteria set out in section 64 of the Act,

Notice is hereby given that the Minister of the Environment and the Minister of Health (the ministers) propose to recommend to Her Excellency the Governor in Council that 2-ethylhexyl 2-ethylhexanoate be added to Schedule 1 to the Act.

Notice is furthermore given that the ministers have released a risk management approach document for 2-ethylhexyl 2-ethylhexanoate to continue discussions with stakeholders on the development of risk management actions.

Notice is furthermore given that the ministers propose to take no further action on calcium 2-ethylhexanoate at this time under section 77 of the Act.

Notice is also hereby given that the Minister of the Environment intends to amend the *Domestic Substances List* pursuant to subsection 87(3) of the *Canadian Environmental Protection Act, 1999* to indicate that subsection 81(3) of that Act applies with respect to calcium 2-ethylhexanoate.

Catherine McKenna
Minister of the Environment

Ginette Petitpas Taylor
Minister of Health

ANNEX

Summary of the final screening assessment of calcium 2-ethylhexanoate and 2-ethylhexyl 2-ethylhexanoate

Pursuant to sections 68 and 74 of the *Canadian Environmental Protection Act, 1999* (CEPA), the Minister of the Environment and the Minister of Health have conducted a screening assessment of calcium 2-ethylhexanoate and 2-ethylhexyl 2-ethylhexanoate. These substances were identified as priorities for assessment, as they met the categorization criteria under subsection 73(1) of CEPA or were considered a priority on the basis of other human health concerns. Their Chemical Abstracts Service Registry Numbers (CAS RNs), their *Domestic Substances List* (DSL) names and their common names are listed in the table below.

Substances in this assessment

CAS RN	DSL name	Common name
136-51-6	Hexanoic acid, 2-ethyl-, calcium salt	Calcium 2-ethylhexanoate
7425-14-1 [a]	Hexanoic acid, 2-ethyl-, 2-ethylhexyl ester	2-Ethylhexyl 2-ethylhexanoate

[a] This substance was not identified under subsection 73(1) of CEPA, but was included in this assessment as it was considered as a priority on the basis of other human health concerns.

In 2011, there were no reports of manufacture of calcium 2-ethylhexanoate above the reporting threshold of 100 kg, but between 10 000 and 100 000 kg of calcium 2-ethylhexanoate were imported into Canada. There were no reports of manufacture or import of 2-ethylhexyl 2-ethylhexanoate above the reporting threshold of 100 kg for the same year. Calcium 2-ethylhexanoate is used predominantly as an additive in interior and exterior paints. It is also reported to be used in the manufacture of food packaging materials. 2-Ethylhexyl 2-ethylhexanoate is an ingredient in cosmetics.

The ecological risks of calcium 2-ethylhexanoate and 2-ethylhexyl 2-ethylhexanoate were characterized using the ecological risk classification of organic substances (ERC). The ERC is a risk-based approach that employs multiple metrics for both hazard and exposure based on weighted consideration of multiple lines of evidence for determining risk classification. Hazard profiles based primarily on metrics regarding mode of toxic action, chemical reactivity, food web–derived internal toxicity thresholds, bioavailability, and chemical and biological activity are established. Metrics considered in the exposure profiles include potential emission rate, overall persistence, and long-range transport potential. A risk matrix is then used to assign a low, moderate or high level of potential concern for substances based on their hazard and exposure profiles. The ERC identified calcium 2-ethylhexanoate and 2-ethylhexyl 2-ethylhexanoate as having a low potential to cause ecological harm.

Considering all available lines of evidence presented in this screening assessment, there is a low risk of harm to the environment from calcium 2-ethylhexanoate and 2-ethylhexyl 2-ethylhexanoate. It is concluded that calcium 2-ethylhexanoate and 2-ethylhexyl 2-ethylhexanoate do not meet the criteria under paragraph 64(a) or (b) of CEPA, as they are not entering the environment in a quantity or concentration or under conditions that have or may have an immediate or long-term harmful effect on the environment or its biological diversity or that constitute or may constitute a danger to the environment on which life depends.

In Canada, calcium 2-ethylhexanoate may be present in certain food packaging materials. 2-Ethylhexyl 2-ethylhexanoate was reported as a volatile component in a limited number of food samples collected outside of Canada, with very low concentrations. Exposure of the general population to calcium 2-ethylhexanoate and 2-ethylhexyl 2-ethylhexanoate from food is expected to be negligible.

Dermal exposure to calcium 2-ethylhexanoate may occur from the use of interior and exterior household paints, and to 2-ethylhexyl 2-ethylhexanoate from the use of certain cosmetics, including foot lotion and face makeup. Substance-specific health effects data for the relevant route and durations of exposure were not identified. However, 2-ethylhexanoic acid (2-EHA) was selected as an analogue for the characterization of potential health effects of both substances. Laboratory studies of exposure via the oral route identified liver and developmental effects. The margins of exposure between critical effect levels in laboratory studies and the estimates of dermal exposure to calcium 2-ethylhexanoate were considered adequate to address uncertainties in the health effects and exposure databases. The margins of exposure between critical effect levels in laboratory studies and the estimates of dermal exposure to 2-ethylhexyl 2-ethylhexanoate were considered potentially inadequate to address uncertainties in the health effects and exposure databases.

On the basis of available information, it is concluded that calcium 2-ethylhexanoate does not meet the criteria under paragraph 64(c) of CEPA, as it is not entering the environment in a quantity or concentration or under conditions that constitute or may constitute a danger in Canada to human life or health.

On the basis of available information, it is concluded that 2-ethylhexyl 2-ethylhexanoate meets the criteria under paragraph 64(c) of CEPA, as it is entering or may enter the environment in a quantity or concentration or under conditions that constitute or may constitute a danger in Canada to human life or health.

Overall conclusion

It is concluded that calcium 2-ethylhexanoate does not meet any of the criteria set out in section 64 of CEPA and that 2-ethylhexyl 2-ethylhexanoate meets one or more of the criteria set out in section 64 of CEPA.

2-Ethylhexyl 2-ethylhexanoate meets the bioaccumulation criteria but not the persistence criteria as set out in the *Persistence and Bioaccumulation Regulations* of CEPA.

Consideration for follow-up

Because calcium 2-ethylhexanoate is listed on the *Domestic Substances List* (DSL), its import and manufacture in Canada are not subject to notification under the *New Substances Notification Regulations (Chemicals and Polymers)* made pursuant to subsection 81(1) of CEPA. Given the hazardous properties of this substance, there is concern that new activities that have not been identified or assessed could lead to this substance meeting the criteria set out in section 64 of the Act. Therefore, the Government of Canada intends to amend the DSL, under subsection 87(3) of the Act, to indicate that the significant new activity (SNAc) provisions under subsection 81(3) of the Act apply with respect to this substance.

A significant new activity can include an activity that is not currently occurring or an existing activity involving a different quantity or concentration, or occurring in different circumstances, that could affect the exposure pattern of the substance. The SNAc provisions trigger an obligation for a person (individual or corporation) to provide, and for the Government to assess, specific information about a substance when a person proposes to use the substance in a significant new activity. The ministers will assess the information provided by the notifier and other information available to them to determine whether the substance, if used in the proposed new activity, could pose a risk to the environment or human health, and if so, whether risk management is required.

The screening assessment for these substances and the risk management approach document for 2-ethylhexyl 2-ethylhexanoate are available on the Canada.ca (Chemical Substances) website (https://www.canada.ca/en/health-canada/services/chemical-substances.html).

DEPARTMENT OF THE ENVIRONMENT
DEPARTMENT OF HEALTH

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Publication of final decision after screening assessment of 88 substances specified on the Domestic Substances List *(paragraphs 68(b) and 68(c) or subsection 77(6) of the* Canadian Environmental Protection Act, 1999*)*

Whereas 69 of the 88 substances annexed hereby are substances identified under subsection 73(1) of the *Canadian Environmental Protection Act, 1999*;

Whereas a summary of the screening assessment conducted on 19 substances pursuant to paragraphs 68(b) and (c) and on 69 substances pursuant to section 74 of the Act is annexed hereby;

And whereas it is concluded that these substances do not meet any of the criteria set out in section 64 of the Act,

Notice therefore is hereby given that the Minister of the Environment and the Minister of Health (the ministers) propose to take no further action at this time under section 77 of the Act for the 69 substances identified under subsection 73(1) of the Act.

Notice is further given that the ministers propose to take no further action on the remaining 19 substances at this time.

Notice is further given that the Minister of the Environment intends to amend the *Domestic Substances List*, under subsection 87(3) of the Act, to indicate that subsection 81(3) of the Act applies with respect to 14 substances, as specified in the annexes below.

Catherine McKenna
Minister of the Environment

Ginette Petitpas Taylor
Minister of Health

ANNEX I

Summary of the screening assessment of 88 substances specified on the *Domestic Substances List*

On the basis of available information, 171 substances for which potential for direct exposure to humans was not anticipated were identified and were therefore considered to be candidates for a rapid screening approach. These 171 substances met the categorization criteria under subsection 73(1) of the *Canadian Environmental Protection Act, 1999* (CEPA) or were considered a priority because of other human health or ecological concerns.

For this rapid screening analysis, the approach for the human health component has been updated from past rapid screening approaches to incorporate elements of Health Canada's threshold of toxicological concern (TTC)-based approach. Rather than a volume cut-off based on the commercial status of the substances, a twofold approach was used to determine exposure for the general population of Canada. The initial screening was based on the potential for direct exposure as outlined in previous rapid screening publications. If no direct exposure was identified, rather than using a volume cut-off based on quantities of the substance in commerce, as in most previous rapid screening approaches, the potential for indirect human exposure from environmental media (e.g. air, water, or soil) was determined using an approach based on Health Canada's TTC approach.

On the basis of this approach, direct and indirect exposure to the general population of Canada is expected to be negligible for 99 of the 171 substances. Direct and/or indirect exposure potential was identified for the remaining 72 substances and, as a result, these substances will undergo further assessment to evaluate risk to human health.

The ecological risks of 89 of the 99 substances identified in this rapid screening assessment as having negligible exposure to the general population were characterized using the ecological risk classification of organic substances (ERC). The ERC is a risk-based approach that employs multiple metrics for assessing both hazard and exposure on the basis of weighted consideration of various lines of evidence to determine risk classification. Hazard profiles are established based primarily on metrics regarding mode of toxic action, chemical reactivity, food web–derived internal toxicity thresholds, bioavailability, and chemical and biological activity. Metrics considered in the exposure profiles include potential emission rate, overall persistence, and long-range transport potential. A risk matrix is used to assign a low, moderate or high level of potential concern for substances on the basis of their hazard and exposure profiles. Three of the 99

substances have previously been determined not to be of ecological concern through rapid screening evaluations. The ecological risks of 7 of the 99 substances remain to be evaluated. As a result of these approaches, 88 of the 99 substances were identified as being of moderate or low ecological concern.

When the results of the human health exposure analysis and the ERC are considered together, 88 of the 99 substances for which human exposure is considered to be negligible were identified as not being of concern to human health or the environment. The remaining 11 substances, although considered to be of low concern to human health, require further assessment because of potential ecological concerns. The results supporting low risk to human health for these 11 substances may form the basis, in conjunction with other relevant information that becomes available after publication of this document, for conclusions made under section 68 or 74 of CEPA at a later time.

Considering all available lines of evidence presented in this screening assessment, there is a low risk of harm to the environment from the 88 substances listed in Annex II. It is concluded that these 88 substances do not meet the criteria under paragraph 64(a) or (b) of CEPA, as they are not entering the environment in a quantity or concentration or under conditions that have or may have an immediate or long-term harmful effect on the environment or its biological diversity or that constitute or may constitute a danger to the environment on which life depends.

On the basis of the information presented in this screening assessment, it is concluded that these 88 substances listed in Annex II do not meet the criteria under paragraph 64(c) of CEPA, as they are not entering the environment in a quantity or concentration or under conditions that constitute or may constitute a danger in Canada to human life or health.

Conclusion

It is concluded that the 88 substances identified in Annex II do not meet any of the criteria set out in section 64 of CEPA.

The screening assessment for these substances is available on the Canada.ca (Chemical Substances) website (https://www.canada.ca/en/health-canada/services/chemical-substances.html).

Consideration for follow-up

Because the 14 substances specified in Annex II below are listed on the *Domestic Substances List* (DSL), their import and manufacture in Canada are not subject to notification under the *New Substances Notification Regulations (Chemical and Polymers)* under subsection 81(1) of CEPA. However, since these 14 substances are considered to have human health effects of concern, there is suspicion that new activities that have not been identified or assessed could lead to these substances meeting the criteria set out in section 64 of CEPA. Therefore, the Government of Canada is proposing to amend the DSL, under subsection 87(3) of the Act, to indicate that the significant new activity (SNAc) provisions under subsection 81(3) of the Act apply with respect to 14 substances, as specified in Annex II below.

A significant new activity can include an activity that is not currently occurring or an existing activity involving a different quantity or occurring in different circumstances that could affect the exposure pattern of the substance. The SNAc provisions trigger an obligation for a person (individual or corporation) to provide, and for the Government to assess, specific information about a substance when a person proposes to use the substance in the proposed new activity. The ministers will assess the information provided by the

notifier and other information available to them to determine whether the substance, if used in a significant new activity, could pose a risk to the environment or human health and, if so, whether risk management is required.

ANNEX II

Substances identified as not meeting the criteria under section 64 of the *Canadian Environmental Protection Act, 1999*

CAS RN [a]	Chemical name
74-88-4 [b]	Methane, iodo-
78-21-7	Morpholinium, 4-ethyl-4-hexadecyl-, ethyl sulfate
90-93-7	Methanone, bis[4-(diethylamino)phenyl]-
91-66-7 [c]	Benzenamine, *N*,*N*-diethyl-
95-54-5 [b]	1,2-Benzenediamine
98-88-4 [b]	Benzoyl chloride
100-00-5 [b], [c]	Benzene, 1-chloro-4-nitro-
101-90-6 [b], [c]	Oxirane, 2,2′[1,3-phenylenebis(oxymethylene)]bis-
112-90-3	9-Octadecen-1-amine, (*Z*)-
118-96-7 [b]	Benzene, 2-methyl-1,3,5-trinitro-
121-14-2 [b], [c]	Benzene, 1-methyl-2,4-dinitro-
126-99-8 [b], [c]	1,3-Butadiene, 2-chloro-
134-09-8	Cyclohexanol, 5-methyl-2-(1-methylethyl)-, 2-aminobenzoate
271-89-6 [b], [c]	Benzofuran
556-52-5 [b], [c]	Oxiranemethanol

[a] The Chemical Abstracts Service Registry Number (CAS RN) is the property of the American Chemical Society, and any use or redistribution, except as required in supporting regulatory requirements and/or for reports to the Government of Canada when the information and the reports are required by law or administrative policy, is not permitted without the prior, written permission of the American Chemical Society.

[b] This substance is one of the 14 substances identified to have human health effects of concern.

[c] This substance was not identified under subsection 73(1) of CEPA, but was included in this assessment as it was considered a priority based on other human health concerns or ecological concerns.

630-20-6 [b], [c]	Ethane, 1,1,1,2-tetrachloro-
632-99-5 [b], [c]	Benzenamine, 4-[(4-aminophenyl)(4-imino-2,5-cyclohexadien-1-ylidene)methyl]-2-methyl-, monohydrochloride
647-42-7	1-Octanol, 3,3,4,4,5,5,6,6,7,7,8,8,8-tridecafluoro-
1533-45-5	Benzoxazole, 2,2′-(1,2-ethenediyldi-4,1-phenylene)bis-
2387-03-3	1-Naphthalenecarboxaldehyde, 2-hydroxy-, [(2-hydroxy-1-naphthalenyl)methylene]hydrazone
2422-91-5	Benzene, 1,1′,1″-methylidynetris[4-isocyanato-
2475-45-8 [b], [c]	9,10-Anthracenedione, 1,4,5,8-tetraamino-
2478-20-8	1*H*-Benz[de]isoquinoline-1,3(2*H*)-dione, 6-amino-2-(2,4-dimethylphenyl)-
3426-43-5	Benzenesulfonic acid, 2,2′-(1,2-ethenediyl)bis[5-[[4-methoxy-6-(phenylamino)-1,3,5-triazin-2-yl]amino]-, disodium salt
4035-89-6	Imidodicarbonic diamide, *N*,*N*′,2-tris(6-isocyanatohexyl)-
4051-63-2	[1,1′-Bianthracene]-9,9′,10,10′-tetrone, 4,4′-diamino-
4151-51-3	Phenol, 4-isocyanato-, phosphorothioate (3:1) (ester)
4378-61-4	Dibenzo[*def*,*mno*]chrysene-6,12-dione, 4,10-dibromo-
5521-31-3 [c]	Anthra[2,1,9-*def*:6,5,10-*d′e′f′*]diisoquinoline-1,3,8,10(2*H*,9*H*)-tetrone, 2,9-dimethyl-
5718-26-3	1*H*-Indole-5-carboxylic acid, 2-[(1,5-dihydro-3-methyl-5-oxo-1-phenyl-4*H*-pyrazol-4-ylidene)ethylidene]-2,3-dihydro-1,3,3-trimethyl-, methyl ester
7576-65-0	1*H*-Indene-1,3(2*H*)-dione, 2-(3-hydroxy-2-quinolinyl)-
7789-36-8	Bromic acid, magnesium salt, hexahydrate
8021-39-4	Creosote, wood
12068-03-0	Benzenesulfonic acid, methyl-, sodium salt
13676-91-0	9,10-Anthracenedione, 1,8-bis(phenylthio)-

[a] The Chemical Abstracts Service Registry Number (CAS RN) is the property of the American Chemical Society, and any use or redistribution, except as required in supporting regulatory requirements and/or for reports to the Government of Canada when the information and the reports are required by law or administrative policy, is not permitted without the prior, written permission of the American Chemical Society.

[b] This substance is one of the 14 substances identified to have human health effects of concern.

[c] This substance was not identified under subsection 73(1) of CEPA, but was included in this assessment as it was considered a priority based on other human health concerns or ecological concerns.

13680-35-8	Benzenamine, 4,4′-methylenebis[2,6-diethyl-
16294-75-0	14*H*-Anthra[2,1,9-*mna*]thioxanthen-14-one
18917-89-0 [c]	Magnesium, bis(2-hydroxybenzoato-O^1,O^2)-, (*T*-4)-
19286-75-0	9,10-Anthracenedione, 1-hydroxy-4-(phenylamino)-
21564-17-0	Thiocyanic acid, (2-benzothiazolylthio)methyl ester
24448-20-2	2-Propenoic acid, 2-methyl-, (1-methylethylidene)bis(4,1-phenyleneoxy-2,1-ethanediyl) ester
25428-43-7	3-Cyclohexene-1-methanol, α,4-dimethyl-α-(4-methyl-3-pentenyl)-, (*R*,*R*)-(±)-
25638-17-9 [c]	Naphthalenesulfonic acid, butyl-, sodium salt
26446-73-1	Phosphoric acid, bis(methylphenyl) phenyl ester
28768-32-3	Oxiranemethanamine, *N*,*N*'-(methylenedi-4,1-phenylene)bis[*N*-(oxiranylmethyl)-
31135-57-6	1*H*-Benzimidazolesulfonic acid, 2-heptadecyl-1-[(sulfophenyl)methyl]-, disodium salt
33204-76-1	Cyclotetrasiloxane, 2,2,4,6,6,8-hexamethyl-4,8-diphenyl-, cis-
43048-08-4	2-Propenoic acid, 2-methyl-, (octahydro-4,7-methano-1*H*-indene-5,?-diyl)bis(methylene) ester
53980-88-4	2-Cyclohexene-1-octanoic acid, 5(*or* 6)-carboxy-4-hexyl-
61789-85-3 [c]	Sulfonic acids, petroleum
62973-79-9	Xanthylium, 9-(2-carboxyphenyl)-3,6-bis(diethylamino)-, molybdatesilicate
63022-09-3	Xanthylium, 9-(2-carboxyphenyl)-3,6-bis(diethylamino)-, molybdatephosphate
66072-38-6	Oxirane, 2,2′,2″-[methylidynetris (phenyleneoxymethylene)]tris-
66241-11-0 [c]	C.I. Leuco Sulphur Black 1
68310-07-6	Xanthylium, 3,6-bis(ethylamino)-9-[2-(methoxycarbonyl)phenyl]-2,7-dimethyl-, molybdatephosphate

[a] The Chemical Abstracts Service Registry Number (CAS RN) is the property of the American Chemical Society, and any use or redistribution, except as required in supporting regulatory requirements and/or for reports to the Government of Canada when the information and the reports are required by law or administrative policy, is not permitted without the prior, written permission of the American Chemical Society.

[b] This substance is one of the 14 substances identified to have human health effects of concern.

[c] This substance was not identified under subsection 73(1) of CEPA, but was included in this assessment as it was considered a priority based on other human health concerns or ecological concerns.

68409-66-5	Ethanaminium, *N*-[4-[[4-(diethylamino)phenyl][4-(ethylamino)-1-naphthalenyl]methylene]-2,5-cyclohexadien-1-ylidene]-*N*-ethyl-, molybdatephosphate
68442-82-0 [c]	Calcium, carbonate dimethylhexanoate complexes
68478-81-9 [c]	9-Octadecenoic acid (*Z*)-, reaction products with 3-(dodecenyl)dihydro-2,5-furandione and triethylenetetramine
68527-01-5	Alkenes, C_{12-30} α-, bromo chloro
68527-02-6 [c]	Alkenes, C_{12-24}, chloro
68604-99-9	Fatty acids, C_{18}-unsatd., phosphates
68647-55-2	Fatty acids, tall-oil, esters with triethanolamine
68814-02-8	Ethanaminium, *N*-[4-[bis[4-(diethylamino)phenyl]methylene]-2,5-cyclohexadien-1-ylidene]-*N*-ethyl-, molybdatephosphate
68890-99-3	Benzene, mono-C_{10-16}-alkyl derivs.
68909-77-3	Ethanol, 2,2′-oxybis-, reaction products with ammonia, morpholine derivs. residues
68952-35-2 [c]	Tar acids, cresylic, Ph phosphates
68953-80-0 [b, c]	Benzene, mixed with toluene, dealkylation product
68987-42-8	Benzene, ethylenated, residues
70833-37-3	Nickel, bis(3-amino-4,5,6,7-tetrachloro-1*H*-isoindol-1-one oximato-N^2,O^1)-
71011-25-1	Quaternary ammonium compounds, benzyl(hydrogenated tallow alkyl)dimethyl, chlorides, compds. with bentonite and bis(hydrogenated tallow alkyl)dimethylammonium chlorides
71820-35-4	Fatty acids, tall-oil, low-boiling, reaction products with 1-piperazineethanamine
75627-12-2	Xanthylium, 3,6-bis(ethylamino)-9-[2-(methoxycarbonyl)phenyl]-2,7-dimethyl-, molybdatesilicate
80083-40-5	Xanthylium, 9-[2-(ethoxycarbonyl)phenyl]-3,6-bis(ethylamino)-2,7-dimethyl-, molybdatetungstatesilicate

[a] The Chemical Abstracts Service Registry Number (CAS RN) is the property of the American Chemical Society, and any use or redistribution, except as required in supporting regulatory requirements and/or for reports to the Government of Canada when the information and the reports are required by law or administrative policy, is not permitted without the prior, written permission of the American Chemical Society.

[b] This substance is one of the 14 substances identified to have human health effects of concern.

[c] This substance was not identified under subsection 73(1) of CEPA, but was included in this assessment as it was considered a priority based on other human health concerns or ecological concerns.

80939-62-4	Amines, C_{11-14}-branched alkyl, monohexyl and dihexyl phosphates
90367-27-4	Ethanol, 2,2′-[[3-[(2-hydroxyethyl)amino]propyl]imino]bis-, *N*-tallow alkyl derivs.
90459-62-4	Octadecanoic acid, reaction products with diethylenetriamine, di-Me sulfate-quaternized
91081-53-7	Rosin, reaction products with formaldehyde
102082-92-8	Xanthylium, 3,6-bis(diethylamino)-9-[2-(methoxycarbonyl)phenyl]-, molybdatesilicate
106276-80-6	Benzoic acid, 2,3,4,5-tetrachloro-6-cyano-, methyl ester, reaction products with *p*-phenylenediamine and sodium methoxide
111174-61-9	Alcohols, C_{8-16}, reaction products with phosphorus oxide (P_2O_5), compds. with 2-ethyl-1-hexanamine
115340-80-2	1-Propanaminium, 3-amino-*N*-ethyl-*N*,*N*-dimethyl-, *N*-wheat-oil acyl derivs., Et sulfates
129828-23-5	Fatty acids, tall-oil, reaction products with Bu phenylmethyl phthalate, 2-(dimethylamino)ethanol, morpholine and overbased calcium petroleum sulfonates
CDSL#10685-2	Substituted dimercaptodithiazole
CDSL#10703-2	Substituted alkylphenol, calcium salt
CDSL#11053-1	Fatty acids compounded with ethylenediamine
CDSL#11555-8	Fatty acids, reaction products with maleic anhydride and triethanolamine
CDSL#11556-0	Fatty acids, reaction products with maleic anhydride
CDSL#11557-1	Fatty acids, reaction products with maleic anhydride and oleylamine

a The Chemical Abstracts Service Registry Number (CAS RN) is the property of the American Chemical Society, and any use or redistribution, except as required in supporting regulatory requirements and/or for reports to the Government of Canada when the information and the reports are required by law or administrative policy, is not permitted without the prior, written permission of the American Chemical Society.

b This substance is one of the 14 substances identified to have human health effects of concern.

c This substance was not identified under subsection 73(1) of CEPA, but was included in this assessment as it was considered a priority based on other human health concerns or ecological concerns.

DEPARTMENT OF HEALTH

CONTROLLED DRUGS AND SUBSTANCES ACT

Notice to interested parties — Proposed Governor in Council Order amending schedules I and VI to the Controlled Drugs and Substances Act *and proposed regulations amending the schedules to the* Narcotic Control Regulations *and the* Precursor Control Regulations *to capture additional substances used in the production of fentanyls and amphetamines*

This notice provides interested stakeholders with the opportunity to provide comments on Health Canada's intent to amend the following schedules to the *Controlled Drugs and Substances Act* (CDSA) and its relevant regulations.

Schedule I to the CDSA

- Adding "4-Anilino-N-phenethylpiperidine (ANPP) (N-phenyl-1-(2-phenylethyl)piperidine-4-amine), its salts, derivatives, and analogues and salts of derivatives and analogues" as subitem (14) under item 16

Schedule VI to the CDSA

- Expanding item 9, Part 1, to include "and its derivatives, and analogues and salts of derivatives and analogues, including:

  (1) methyl 3-(1,3-benzodioxol-5-yl)-2-methyloxirane-2-carboxylate (MMDMG)"

- Expanding item 11, Part 1, to include "and its derivatives, and analogues and salts of derivatives and analogues, including:

  (1) methyl 2-methyl-3-phenyloxirane-2-carboxylate (BMK methyl glycidate)
  (2) 3-oxo-2-phenylbutanamide (α-phenylacetoacetamide-APAA)"

- Expanding item 28, Part 1, to include "and its derivatives, and analogues and salts of derivatives and analogues"

- Adding "Benzylfentanyl (N-(1-benzylpiperidin-4-yl)-N-phenylpropionamide), its salts, derivatives, and analogues and salts of derivatives and analogues" as a new item in Part 1

Schedule to the *Narcotic Control Regulations* (NCR)

- Adding "4-Anilino-N-phenethylpiperidine (ANPP) (N-phenyl-1-(2-phenylethyl)piperidine-4-amine), its salts, derivatives, and analogues and salts of derivatives and analogues" as subitem (14) under item 15

Schedule to the *Precursor Control Regulations* (PCR)

- Expanding item 10 to include "and its derivatives, and analogues and salts of derivatives and analogues, including:

  (1) methyl 3-(1,3-benzodioxol-5-yl)-2-methyloxirane-2-carboxylate (MMDMG)"

- Expanding item 13 to include "and its derivatives, and analogues and salts of derivatives and analogues, including:

  (1) methyl 2-methyl-3-phenyloxirane-2-carboxylate (BMK methyl glycidate)
  (2) 3-oxo-2-phenylbutanamide (α-phenylacetoacetamide-APAA)

- Expanding item 29 in Column 1 to include “and its derivatives, and analogues and salts of derivatives and analogues”
- Adding “Benzylfentanyl (N-(1-benzylpiperidin-4-yl)-N-phenylpropionamide), its salts, derivatives, and analogues and salts of derivatives and analogues” as a new item in Column 1 and indicating “0” in Column 2

Background

Precursors are chemicals that can be used to synthesize controlled substances such as fentanyls and amphetamines, largely occurring in clandestine settings. There are a number of precursors currently controlled under the CDSA and its regulations.

Fentanyls, a group of chemically related substances including fentanyl, are potent synthetic opioid analgesics. The illegal supply of fentanyls has played a key role in the current opioid overdose epidemic in Canada. In order to address the emerging illegal production of fentanyls in Canada, six chemicals that can be used as precursors to illegal manufacturing of fentanyls were added to Schedule VI to the CDSA and to the Schedule to the PCR in 2016 (details can be found in the *Canada Gazette*, Part II, SOR/2016-295 (/rp-pr/p2/2016/2016-11-30/html/sor-dors295-eng.html)).

In recent years, novel fentanyl analogues have been appearing on the illegal drug market. These substances show psychoactive properties similar to those of fentanyl. While these substances are captured under item 16 in Schedule I to the CDSA, most of their precursors have no legitimate use and are not controlled in Canada. Recently, Canadian law enforcement has intercepted suspicious shipments of these precursors.

Amphetamines, also a group of chemically related substances including amphetamine, methamphetamine and MDMA (Ecstasy), are central nervous system stimulants. While there are approved therapeutic products containing amphetamines, many amphetamines, in particular, methamphetamine and MDMA, have been solely produced for the illegal drug market. Major amphetamine precursors such as ephedrine, pseudoephedrine, phenylacetic acid, and red and white phosphorus are listed in Schedule VI to the CDSA and regulated under the PCR.

In the past few years, the presence of methamphetamine has been on the rise in Canada. Novel precursors for methamphetamine and MDMA have also been identified by law enforcement domestically and internationally.

All fentanyl or amphetamine precursors proposed for scheduling under the CDSA have no legitimate use.

Legislative framework

The CDSA and its regulations provide a framework for the control of substances that can alter mental processes and that may result in harm to individuals or to society when diverted to an illegal market or use. The CDSA and its regulations have the dual purpose of protecting public health and maintaining public safety by permitting access to these substances for legitimate industrial, medical or scientific purposes, while mitigating the risk of trafficking and diversion.

Schedule I to the CDSA includes substances that can alter human mental processes and may cause significant harm to public health and safety when used for non-medical purposes. Schedule VI to the CDSA includes chemicals that are essential in the production of controlled substances.

The NCR regulate legitimate activities involving narcotics, including fentanyls. A licence is required for the production, sale/provision, import and export of substances listed in the Schedule to these Regulations, and licensed dealers must comply with requirements outlined in these Regulations, including those with respect to record keeping, security and reporting on loss and theft.

The PCR set out a licensing and permitting framework authorizing regulated parties to conduct activities with precursors under certain circumstances. For example, only licensed dealers can import, export and produce Class A precursors, and a permit is required for individual imports and exports of Class A precursors. Licensed dealers must comply with requirements, including those with respect to record keeping, reporting and security specified in the Regulations.

Rationale

The Government of Canada is committed to protecting public health and safety from harm caused by problematic substance use by implementing the Canadian Drugs and Substances Strategy, a comprehensive, collaborative, compassionate, and evidence-based approach to drug policy. As part of this approach, the federal government's regulatory and enforcement activities aim to take a balanced approach, working to reduce the supply of illegal drugs by working to prevent illegal manufacturing, trafficking, and the diversion of substances into the illegal market.

Furthermore, the Government has been taking actions designed to minimize risks associated with opioids. So that legislative control for psychoactive substances can be avoided, fentanyls and amphetamines are altered by small changes to their chemical molecules in a variety of ways. Scheduling these substances under the CDSA regulations would lead to further regulatory controls to support law enforcement in combatting illegal production and distribution of fentanyls and amphetamines in Canada.

The publication of this notice in the *Canada Gazette*, Part I, initiates a 30-day comment period. Anyone interested in this process or having comments on this notice may contact the Office of Legislative and Regulatory Affairs, Controlled Substances Directorate, Opioid Response Team, Health Canada, by mail at Address Locator: 0302A, 150 Tunney's Pasture Driveway, Ottawa, Ontario K1A 0K9, or by email at hc.csd.regulatory.policy-politique.reglementaire.dsc.sc@canada.ca (mailto:hc.csd.regulatory.policy-politique.reglementaire.dsc.sc@canada.ca).

December 15, 2018

Michelle Boudreau
Director General
Controlled Substances Directorate

DEPARTMENT OF HEALTH

HAZARDOUS MATERIALS INFORMATION REVIEW ACT

Decisions, undertakings and orders on claims for exemption

Pursuant to paragraph 18(1)(a) of the *Hazardous Materials Information Review Act*, the Chief Screening Officer hereby gives notice of the decisions of the screening officer respecting each claim for exemption and the relevant safety data sheet (SDS) and (where applicable) the label listed below.

In accordance with section 20 of the *Hazardous Materials Information Review Act*, a claimant or any affected party, as defined, may appeal a decision or order of a screening officer. An affected party may also appeal an undertaking in respect of which a notice has been published in the *Canada Gazette*. To initiate the appeal process, a Statement of Appeal (Form 1) as prescribed by the *Hazardous Materials Information Review Act Appeal Board Procedures Regulations* must be completed and delivered, along with the fee prescribed by section 12 of the *Hazardous Materials Information Review Regulations*, within 45 days of the publication of this notice in the *Canada Gazette*, Part I, to the Chief Appeals Officer at the following address: Workplace Hazardous Materials Bureau, 269 Laurier Avenue West, 8th Floor, 4908B, Ottawa, Ontario K1A 0K9.

Véronique Lalonde
Chief Screening Officer

On February 11, 2015, the *Hazardous Products Act* (HPA) was amended, and the *Controlled Products Regulations* (CPR) and the Ingredient Disclosure List were repealed and replaced with the new *Hazardous Products Regulations* (HPR). The revised legislation (HPA/HPR) is referred to as WHMIS 2015 and the former legislation (HPA/CPR) is referred to as WHMIS 1988.

Transitional provisions allow compliance with either WHMIS 1988 or WHMIS 2015 for a specified period of time. All claims for exemption in this publication were filed and evaluated in accordance with the provisions of WHMIS 2015.

There were no written representations from affected parties with respect to any of the claims for exemption and related SDSs or labels mentioned below.

Each of the claims for exemption listed in the table below were found to be valid except for registry numbers (RNs) 9430, 9626, 9634, and 9635, that were found to be partially valid, and RNs 9093, 9148, 9156, and 9162, that were found to be invalid. The screening officer reached this decision after reviewing the information in support of the claim, having regard exclusively to the criteria found in section 3 of the *Hazardous Materials Information Review Regulations.*

Date of Decision	Claimant	Product Identifier	RN
2017-11-23	Enthone, Inc.	ENSTRIP® EN-86B	9148
2017-11-23	Enthone, Inc.	ENVISION® CAT-7350A	9156
2017-11-23	Enthone, Inc.	Preparation 94X30	9162
2018-01-17	Hach Company	Amino Acid F Reagent	9093
2018-01-18	Enthone, Inc.	ENPLATE® EN-623C	9143
2018-01-30	Enthone, Inc.	ENSTRIP® S	9151

2018-01-23	Canadian Energy Services	EnerScav 02	9182
2018-01-23	BWA Water Additives US LLC	BELLASOL S65	9430
2018-03-28	LTI Coating Technologies, LLC	X-WAX-B	9626
2018-03-28	LTI Coating Technologies, LLC	Optical Coating MS-HR800	9634
2018-03-28	LTI Coating Technologies, LLC	Optical Coating MS-HR853	9635
2018-08-03	Refine Technologies, Inc.	QTRX2	12077

The subject of the claim on which the screening officer issued a decision for the following claims is different from the subject of the claim that was published in the Notice of Filing.

RN	Notice of Filing Publication Date	Original Subject of the Claim	Revised Subject of the Claim
9182	2014-04-26	C.i. of one ingredient	C.i. and C. of one ingredient C. of one ingredient
9430	2015-04-25	C.i. of two ingredients	C.i. and C. of one ingredient
9626	2015-11-07	C.i. and C. of three ingredients	C.i. and C. of one ingredient
9634	2015-11-07	C.i. and C. of five ingredients C. of one ingredient	C.i. and C. of two ingredients C. of one ingredient
9635	2015-11-07	C.i. and C. of five ingredients C. of one ingredient	C.i. and C. of two ingredients C. of one ingredient
Note: C.i. = chemical identity and C. = concentration			

The claimant name about which the screening officer issued a decision for the following claims is different from the claimant name that was published in the Notice of Filing.

RN	Notice of Filing Publication Date	Original Claimant Name	New Claimant Name
9626	2015-11-07	LTI Coating Technologies, LLC	SDC Technologies Inc.
9634	2015-11-07	LTI Coating Technologies, LLC	SDC Technologies Inc.
9635	2015-11-07	LTI Coating Technologies, LLC	SDC Technologies Inc.

In all cases where the SDS or the label was determined not to be in compliance with the relevant legislation, pursuant to subsection 16.1(1) of the *Hazardous Materials Information Review Act*, the claimant was given 30 days to provide the screening officer with a signed undertaking accompanied by the SDS or the label amended as necessary.

Non-compliances that fall outside the scope of what is required to be published in the *Canada Gazette* are referred to as “administrative non-compliances.”

A description of “administrative non-compliances” and their associated corrective measures are available on Health Canada’s List of Active Claims for Exemption (https://www.canada.ca/en/health-canada/services/environmental-workplace-health/occupational-health-safety/workplace-hazardous-materials-information-system/claims-exemption-under-hmira/claims-exemption/active-claims-notices/list-active-claims-exemption.html).

CLAIMS FOR WHICH THE SCREENING OFFICER WAS SATISFIED THAT THE CLAIMANT HAD TAKEN THE MEASURES SET OUT IN THE UNDERTAKING

Pursuant to paragraph 18(1)(b) of the *Hazardous Materials Information Review Act*, the Chief Screening Officer hereby gives notice of information that has been disclosed on the relevant SDS or label in compliance with an undertaking and the date on which the notice referred to in subsection 16.1(3) of the Act was issued.

RN: 12077

Date of compliance undertaking: 2018-08-10

The claimant had been advised to correct administrative non-compliances in the SDS (or label) and had been further advised to amend the SDS (or label) as indicated below.

1. Disclose the following values:
    - Melting point and freezing point: <0 °C (32 °F)
    - Boiling range: 65–230 °C
    - Evaporation rate: 0.04–0.45 (n-butyl acetate = 1)
    - Upper flammability (explosive) limit: 6.0%
    - Lower flammability (explosive) limit: 0.7%
    - Vapour pressure: 0.05–0.5 kPa (0.375–3.75 mm Hg) at 20 °C
    - Solubility: slightly soluble: 21.5–386.7 mg/L at 25 °C
    - Partition coefficient — n-octanol/water: Log P(oct) = 2.1–6 (calculated) [typical values for C_4-C_{12} hydrocarbons found in petroleum naphthas]
    - Auto-ignition temperature: >200 °C at atm. press. of 1.0 atm
    - Viscosity: kinematic viscosity: 1.33 mm^2/s at 20 °C.
2. Disclose relevant information or indicate “not available” or “not applicable” under the subheading “Hazardous decomposition products”.
3. Disclose the likely routes of exposure in section 11 “Toxicological Information”.

4. Disclose the delayed and chronic effects from long-term exposure to the product.

CLAIMS FOR WHICH THE SCREENING OFFICER ORDERED THE CLAIMANT TO COMPLY WITH THE APPLICABLE DISCLOSURE REQUIREMENTS

In the case of the following claims, either the claimant did not supply the screening officer with a signed undertaking or the screening officer was not satisfied that the claimant had taken the measures set out in the undertaking in the manner and within the period specified in it. Pursuant to subsection 17(1) of the *Hazardous Materials Information Review Act*, the screening officer ordered the claimant to comply with the requirements of the relevant legislation within 30 days from the expiry of the appeal period, except that the information in respect of which the claim for exemption was made does not have to be disclosed, and to provide a copy of the amended SDS to the screening officer within 30 days of expiry of the appeal period.

Pursuant to paragraph 18(1)(a) of the *Hazardous Materials Information Review Act*, the Chief Screening Officer hereby gives notice of information that the screening officer ordered to be disclosed on the SDS reviewed by the screening officer and the date of the order.

RN: 9143 Date of order: 2018-08-15

The claimant had been advised to correct administrative non-compliances in the SDS (or label) and had been further advised to amend the SDS (or label) as indicated below.

1. Disclose the recommended use.
2. Disclose the Canadian initial supplier identifier.
3. Disclose the additional hazard classifications of “Skin Corrosion – Category 1” and “Serious Eye Damage – Category 1”.
4. Disclose the symbol and/or name of the symbol for “Corrosion” on the SDS.
5. Disclose the signal word “Danger”.
6. Disclose the additional information elements including hazard and precautionary statements.
7. Disclose the actual concentration of the ingredient “Sodium Hydroxide”.
8. Disclose the applicable common names and synonyms for the ingredient “Sodium Hydroxide”.
9. Disclose the available or applicable conditions to avoid.
10. Disclose the calculated product oral ATE of 5 300 mg/kg (2.6% unknown).

RN: 9151 Date of order: 2018-08-15

The claimant had been advised to correct administrative non-compliances in the SDS (or label) and had been further advised to amend the SDS (or label) as indicated below.

1. Disclose the Canadian initial supplier identifier.

2. Disclose the product's pH, melting point and freezing point, relative density, solubility and auto-ignition temperature.
3. Disclose the conditions to avoid.

RN: 9182 Date of order: 2018-03-28

The claimant had been advised to amend the SDS (or label) as indicated below.

1. Disclose the additional hazard classifications of "Reproductive Toxicity – Category 2" and "Specific Target Organ Toxicity – Single Exposure – Category 1".
2. Disclose the additional information elements including hazard and precautionary statements.
3. Disclose the other hazards known to the supplier with respect to the hazardous product.
4. Disclose an acceptable concentration range for the ingredient "Ethylene Glycol".
5. Disclose the applicable common names and synonyms for "Ethylene Glycol".
6. Disclose the special treatment needed for ethylene glycol poisoning.
7. Disclose an "aerosol" notation for the ACGIH exposure limit for the ingredient "Ethylene Glycol".
8. Disclose the physical state of the product.
9. Disclose information on the partition coefficient and viscosity of the product.
10. Disclose the calculated product oral ATE of 2 200 mg/kg (0% unknown), the dermal ATE of 7 600 mg/kg (0% unknown) and the inhalation (vapour) ATE of 20.1 mg/L (64% unknown).
11. Resolve the disclosure of misleading information regarding the LD_{50} (rat, oral) value for the ingredient "Ethylene Glycol".

CLAIMS FOR WHICH THE SCREENING OFFICER ISSUED THE DECISION THAT THE CLAIM FOR EXEMPTION WAS EITHER PARTIALLY VALID OR INVALID

In the case of the following claims, the screening officer issued the decision that the claim for exemption was partially valid.

Pursuant to section 18 of the *Hazardous Materials Information Review Act*, the Chief Screening Officer hereby gives notice of information that the screening officer ordered to be disclosed on an SDS or a label pursuant to subsection 16(1) and information that has been disclosed on the relevant SDS or label in compliance with an undertaking, and the dates on which the orders and notices referred to in subsection 16.1(3) of the Act were issued.

RN: 9430

Date of compliance undertaking: 2018-02-05

The claimant had been advised to correct administrative non-compliances in the SDS (or label) and had been further advised to amend the SDS (or label) as indicated below.

1. Disclose the hazard classification of “Skin Corrosion – Category 1”.
2. Disclose the signal word “Danger”.
3. Disclose the additional information elements including hazard and precautionary statements.
4. Disclose an acceptable concentration range for the confidential ingredient “Organic Acid”.
5. Disclose emergency procedures to follow in case of accidental release.
6. Disclose the method and materials for containment to follow in case of accidental release.
7. Disclose the product’s vapour density.
8. Disclose the LD_{50} (rat, oral) value of 2 870 mg/kg for the confidential ingredient “Organic Acid”.

RN: 9626

Date of compliance undertaking: 2018-06-02

The claimant had been advised to correct administrative non-compliances in the SDS (or label) and had been further advised to amend the SDS (or label) as indicated below.

1. Disclose the Canadian initial supplier identifier.
2. Disclose the other hazards known to the supplier.
3. Disclose the additional applicable common names and synonyms for the ingredient “Propylene Glycol Butyl Ether”.
4. Disclose emergency procedures to follow in case of accidental release.
5. Disclose an adequate product odour.
6. Disclose the boiling range, decomposition temperature and viscosity of the product.
7. Disclose the reactivity hazards of the mixture.
8. Disclose the calculated product oral ATE of 14 300 mg/kg (0% unknown) and dermal ATE of 62 600 mg/kg (0% unknown).
9. Disclose the LD_{50} (rat, oral) value of 1 000 mg/kg for the confidential ingredient “Fatty Alcohols”, the LD_{50} (rat, oral) value of 2 490 mg/kg and the LD_{50} (rabbit, dermal) value of 3 130 mg/kg for the ingredient “Propylene Glycol Butyl Ether”.
10. Disclose the ingredient “Fatty Alcohols” under the subheading “Skin corrosion/irritation”.
11. Disclose the ingredient “Propylene Glycol Butyl Ether” (CAS RN 5131-66-8) under the subheading “Serious eye damage/ irritation”.
12. Disclose the subheadings “Specific Target Organ Toxicity – Single Exposure”, “Specific Target Organ Toxicity – Repeated Exposure” and “Aspiration Hazard” with applicable information.

RN: 9634

Date of compliance undertaking: 2018-06-02

The claimant had been advised to correct administrative non-compliances in the SDS (or label) and had been further advised to amend the SDS (or label) as indicated below.

1. Disclose the Canadian initial supplier identifier.
2. Disclose the additional hazard classification of “Reproductive Toxicity – Category 2”.
3. Disclose the additional information elements including hazard and precautionary statements.
4. Disclose the additional applicable common names and synonyms for the ingredients “1,6-hexanediol diacrylate (HDODA)”, “n-Propanol” and “Methanol”.
5. Disclose the symptom “suspected of damaging fertility or the unborn child.”
6. Disclose the calculated product oral ATE of 3 340 mg/kg (73.2% unknown) and dermal ATE of 5 130 mg/kg (73.2% unknown).
7. Disclose the LD_{50} (rabbit, dermal) value of 4 032 mg/kg for the ingredient “n-Propanol”.
8. Disclose the ingredient “1,6-hexanediol diacrylate” under the subheading “Skin corrosion/irritation”.
9. Disclose the ingredients “1,6-hexanediol diacrylate” (CAS RN 13048-33-4) and “n-Propanol” under the subheading “Serious eye damage/eye irritation”.
10. Disclose the ingredient “1,6-hexanediol diacrylate” and the confidential ingredient “Acrylate monomers” under the subheading “Skin sensitization”.
11. Disclose “Methanol” under the subheading “Reproductive Toxicity”.

RN: 9635

Date of compliance undertaking: 2018-06-02

The claimant had been advised to correct administrative non-compliances in the SDS (or label) and had been further advised to amend the SDS (or label) as indicated below.

1. Disclose the Canadian initial supplier identifier.
2. Disclose the additional hazard classification of “Reproductive Toxicity – Category 2”.
3. Disclose the additional information elements including hazard and precautionary statements.
4. Disclose the additional applicable common names and synonyms for the ingredients “1,6-hexanediol diacrylate (HDODA)”, “n-Propanol” and “Methanol”.
5. Disclose the symptom “suspected of damaging fertility or the unborn child”.
6. Disclose the calculated product oral ATE of 3 340 mg/kg (73.2% unknown) and dermal ATE of 5 130 mg/kg (73.2% unknown).
7. Disclose the LD_{50} (rabbit, dermal) value of 4 032 mg/kg for the ingredient “n-Propanol”.
8. Disclose the ingredient “1,6-hexanediol diacrylate” under the subheading “Skin corrosion/irritation”.
9. Disclose the ingredients “1,6-hexanediol diacrylate” (CAS RN 13048-33-4) and “n-Propanol” (CAS RN 71-23-8) under the subheading “Serious eye damage/eye irritation”.

10. Disclose the ingredient “1,6-hexanediol diacrylate” and the confidential ingredient “Acrylate monomers” under the subheading “Skin sensitization”.
11. Disclose “Methanol” under the subheading “Reproductive Toxicity”.

In the case of the following claim, the screening officer issued the decision that the claim for exemption was invalid.

Pursuant to section 18 of the *Hazardous Materials Information Review Act*, the Chief Screening Officer hereby gives notice of information that the screening officer ordered to be disclosed on an SDS or label pursuant to subsection 16(1) and information that has been disclosed on the relevant SDS or label in compliance with an undertaking, and the dates on which the orders and notices referred to in subsection 16.1(3) of the Act were issued.

RN: 9093

Date of compliance undertaking: 2018-02-17

The claimant had been advised to correct administrative non-compliances in the SDS (or label) and had been further advised to amend the SDS (or label) as indicated below.

1. Disclose the Canadian initial supplier identifier.
2. Disclose the percent of unknown toxicity of 0% for the calculated product oral ATE value.
3. Disclose the additional information elements including precautionary statements.
4. Disclose other known hazards with respect to the hazardous product.
5. Disclose the additional applicable common names and synonyms for the ingredient “Sodium Metabisulfite”.
6. Disclose “exposure to water” as a condition to avoid.
7. Disclose the calculated product oral ATE of 1 000 mg/kg (0% unknown).

RN: 9148

Date of compliance undertaking: 2018-11-23

The claimant had been advised to correct administrative non-compliances in the SDS (or label).

RN: 9156

Date of compliance undertaking: 2018-11-23

The claimant had been advised to correct administrative non-compliances in the SDS (or label).

RN: 9162

Date of compliance undertaking: 2018-11-23

The claimant had been advised to correct administrative non-compliances in the SDS (or label).

DEPARTMENT OF PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

CRIMINAL CODE

Designation as counterfeit examiner

Pursuant to subsection 461(2) of the *Criminal Code*, I hereby designate the following persons of the Royal Canadian Mounted Police as counterfeit examiners:

Kathleen Lavigne

Jennifer Stewart

Ottawa, November 22, 2018

Ellen Burack
Assistant Deputy Minister
Community Safety and Countering Crime Branch

DEPARTMENT OF PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

CRIMINAL CODE

Designation as fingerprint examiner

Pursuant to subsection 667(5) of the *Criminal Code*, I hereby designate the following person of the Guelph Police Service as a fingerprint examiner:

Brendan Campbell

Ottawa, November 22, 2018

Ellen Burack
Assistant Deputy Minister
Community Safety and Countering Crime Branch

DEPARTMENT OF PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

CRIMINAL CODE

Designation as fingerprint examiner

Pursuant to subsection 667(5) of the *Criminal Code*, I hereby designate the following persons of the Royal Canadian Mounted Police as fingerprint examiners:

Shaun R. Brown

Brent D. Salzl

Ottawa, November 22, 2018

Ellen Burack
Assistant Deputy Minister
Community Safety and Countering Crime Branch

DEPARTMENT OF PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

CRIMINAL CODE

Designation as fingerprint examiner

Pursuant to subsection 667(5) of the *Criminal Code*, I hereby designate the following person of the Saanich Police Department as a fingerprint examiner:

Andrew Patrick Harward

Ottawa, November 22, 2018

Ellen Burack
Assistant Deputy Minister
Community Safety and Countering Crime Branch

DEPARTMENT OF PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

CRIMINAL CODE

Revocation of designation as counterfeit examiner

Pursuant to subsection 461(2) of the *Criminal Code*, I hereby revoke the designation of the following persons of the Royal Canadian Mounted Police as counterfeit examiners:

Shawki Elias

Marie Gilberte Suzanne Gignac

Joseph Henri Marcel-Marie Lebel

Robert Frederick Moyes

Ottawa, November 22, 2018

Ellen Burack
Assistant Deputy Minister
Community Safety and Countering Crime Branch

DEPARTMENT OF TRANSPORT

CANADA MARINE ACT

Prince Rupert Port Authority — Supplementary letters patent

BY THE MINISTER OF TRANSPORT

WHEREAS letters patent were issued by the Minister of Transport ("Minister") for the Prince Rupert Port Authority ("Authority") under the authority of the *Canada Marine Act* ("Act"), effective May 1, 1999;

WHEREAS Schedule B of the letters patent sets out the federal real property managed by the Authority;

WHEREAS pursuant to subparagraph 46(1)(b)(i) of the Act and authorized by way of Order in Council P.C. 1989-24/534 dated March 30, 1989, the Authority wishes to complete a real property exchange with the Canadian National Railway Company.

WHEREAS the board of directors of the Authority has requested that the Minister issue supplementary letters patent amending Schedule B of the letters patent to reflect the said exchange;

AND WHEREAS the Minister is satisfied that the amendments to the letters patent of the Authority are consistent with the Act;

NOW THEREFORE, pursuant to subsection 9(1) of the Act, the letters patent are amended as follows:

1. Schedule B of the letters patent is amended:

By deleting the following:

PID Number	Description
006-807-135	Lot 1 District Lot 1992 Range 5 Coast District Plan 8795
008-989-486	Lot A District Lot 1992 Range 5 Coast District Plan 7735

And replacing it with the following:

PID Number	Description
006-807-135	Part of Lot 1, District Lot 1992, Range 5, Coast District, Plan 8795, Except Plan EPP61538
008-989-486	Part of Lot A, District Lot 1992, Range 5, Coast District, Plan 7735, Except Plan EPP61538

2. These supplementary letters patent take effect on the date of registration of the title, in the Prince Rupert Land Title Office, of each parcel of land subject to this exchange.

ISSUED this 29th day of November, 2018.

The Honourable Marc Garneau, P.C., M.P.
Minister of Transport

DEPARTMENT OF TRANSPORT

CANADA MARINE ACT

Vancouver Fraser Port Authority — Supplementary letters patent

BY THE MINISTER OF TRANSPORT

WHEREAS the Governor in Council, pursuant to Part 5.1 of the *Port Authorities Management Regulations*, issued a Certificate of Amalgamation containing letters patent to amalgamate the Vancouver Port Authority, the Fraser River Port Authority and the North Fraser Port Authority to continue as the Vancouver Fraser Port Authority ("Authority"), effective January 1, 2008;

WHEREAS Schedule C of the letters patent sets out the real property or immovables, other than federal real property or federal immovables, held or occupied by the Authority;

WHEREAS, pursuant to subsection 46(2.1) of the *Canada Marine Act* ("Act"), the Authority wishes to enter into a Lease and Licence Agreement, as lessee and licensee for a term up to sixty (60) years, with the British Columbia Transportation Financing Authority and the British Columbia Ministry of Transportation and Infrastructure (together, the "Lessor"), whereby the Authority would undertake the construction, operation and maintenance of the Deltaport Truck Staging Facility on the real property described below;

WHEREAS the board of directors of the Authority has requested that the Minister of Transport issue supplementary letters patent to set out the leasehold interest in Schedule C of the letters patent;

AND WHEREAS the Minister of Transport is satisfied that the amendment to the letters patent is consistent with the Act,

NOW THEREFORE, pursuant to subsection 9(1) of the Act, the letters patent are amended as follows:

1. Schedule C of the letters patent is amended by adding the following after PID 025-701-118:

INTEREST	LANDS TO WHICH INTEREST RELATES
Lease Agreement for use of real property, under the terms and conditions of an agreement concluded July 27, 2018, between the Authority and the Lessor, for a term up to sixty (60) years	A lease on a portion of Highway 17, Right of Way Plan 39429, and Deltaport Way Road, Reference Plan EPP782, District Lots 112 and 113, Group 2, New Westminster District, containing an area of 27 138 m^2. As shown on Lease Plan 2018-052, dated April 11, 2018.

Licence Agreement for use of real property, under the terms and conditions of an agreement concluded July 27, 2018, between the Authority and the Lessor, for a term up to sixty (60) years	A licence on portions of Highway 17, Right of Way Plan 39429, and Deltaport Way Road, Reference Plan EPP782, District Lots 112 and 113, Group 2, New Westminster District, containing a total area of 9 748 m^2. As shown on Lease Plan 2018-052, dated April 11, 2018.

2. These supplementary letters patent take effect on the date of signature of the lease and licence.

ISSUED this 13th day of November, 2018.

The Honourable Marc Garneau, P.C., M.P.
Minister of Transport

OFFICE OF THE SUPERINTENDENT OF FINANCIAL INSTITUTIONS

INSURANCE COMPANIES ACT

SCOR SE — Order to insure in Canada risks

Notice is hereby given of the issuance, pursuant to subsection 574(1) of the *Insurance Companies Act*, of an order authorizing SCOR SE to insure in Canada risks within the classes of life insurance and accident and sickness insurance, effective October 26, 2018.

November 5, 2018

Jeremy Rudin
Superintendent of Financial Institutions

PRIVY COUNCIL OFFICE

Appointment opportunities

We know that our country is stronger — and our government more effective — when decision-makers reflect Canada's diversity. The Government of Canada has implemented an appointment process that is transparent and merit-based, strives for gender parity, and ensures that Indigenous peoples and minority groups are properly represented in positions of leadership. We continue to search for Canadians who reflect the values that we all embrace: inclusion, honesty, fiscal prudence, and generosity of spirit. Together, we will build a government as diverse as Canada.

We are equally committed to providing a healthy workplace that supports one's dignity, self-esteem and the ability to work to one's full potential. With this in mind, all appointees will be expected to take steps to promote and maintain a healthy, respectful and harassment-free work environment.

The Government of Canada is currently seeking applications from diverse and talented Canadians from across the country who are interested in the following positions.

Current opportunities

The following opportunities for appointments to Governor in Council positions are currently open for applications. Every opportunity is open for a minimum of two weeks from the date of posting on the Governor in Council Appointments website (http://www.appointments-nominations.gc.ca/slctnPrcs.asp?menu=1&lang=eng).

Position	Organization	Closing date
Chief Administrator	Administrative Tribunals Support Service of Canada	
Member	Arbitration Board (Inuvialuit)	January 14, 2019
Chairperson	Asia-Pacific Foundation of Canada	
Director	Business Development Bank of Canada	
Director	Canada Council for the Arts	
Chairperson	Canada Foundation for Sustainable Development Technology	
Chairperson	Canada Lands Company Limited	
President and Chief Executive Officer	Canada Lands Company Limited	
Chairperson (joint federal Governor in Council and provincial Lieutenant Governor appointment)	Canada–Newfoundland and Labrador Offshore Petroleum Board	
President and Chief Executive Officer	Canada Post Corporation	
Chairperson	Canada Science and Technology Museum	
Vice-Chairperson	Canada Science and Technology Museum	
President and Chief Executive Officer	Canadian Commercial Corporation	
Chairperson	Canadian Institutes of Health Research	

Vice-Chairperson	Canadian Museum for Human Rights	
Vice-Chairperson	Canadian Museum of Immigration at Pier 21	
Vice-Chairperson	Canadian Museum of Nature	
Regional Member (Quebec)	Canadian Radio-television and Telecommunications Commission	
Chairperson and Member	Canadian Statistics Advisory Council	
President (Chief Executive Officer)	Canadian Tourism Commission	
Chairperson	Civilian Review and Complaints Commission for the Royal Canadian Mounted Police	
President and Chief Executive Officer	Defense Construction (1951) Limited	
President and Chief Executive Officer	Export Development Canada	
President and Chief Executive Officer	Farm Credit Canada	
Vice-Chairperson	Farm Products Council of Canada	
Chief Executive Officer	The Federal Bridge Corporation Limited	
Commissioner	Financial Consumer Agency of Canada	
Chief Commissioner	First Nations Tax Commission	
Deputy Chief Commissioner	First Nations Tax Commission	
Director	Freshwater Fish Marketing Corporation	
Director (Federal)	Hamilton Port Authority	
Commissioner and Chairperson	International Joint Commission	
Member (appointment to roster)	International Trade and International Investment Dispute Settlement Bodies	

Librarian and Archivist of Canada	Library and Archives of Canada	
President and Chief Executive Officer	Marine Atlantic Inc.	
Chairperson	National Arts Centre Corporation	
Vice-Chairperson	National Arts Centre Corporation	
Chief Executive Officer	National Capital Commission	
Member	National Capital Commission	
Government Film Commissioner	National Film Board	
Director	National Gallery of Canada	
Chairperson	National Research Council of Canada	
President	Natural Sciences and Engineering Research Council of Canada	
Canadian Ombudsperson	Office of the Canadian Ombudsperson for Responsible Enterprise	
Commissioner of Competition	Office of the Commissioner of Competition	
Ombudsperson	Office of the Ombudsperson for National Defence and Canadian Forces	
Director (Federal)	Oshawa Port Authority	
Chairperson	Pacific Pilotage Authority	
Member	Patented Medicine Prices Review Board	
Vice-Chairperson and Member	Patented Medicine Prices Review Board	
Panel Member	Payment in Lieu of Taxes Dispute Advisory Panel	
Master of the Mint	Royal Canadian Mint	

Chairperson and Vice-Chairperson	Royal Canadian Mounted Police External Review Committee	
Principal	Royal Military College of Canada	
Director (Federal)	Saguenay Port Authority	
Chairperson	Telefilm Canada	
Member (Marine and Medical)	Transportation Appeal Tribunal of Canada	
President and Chief Executive Officer	VIA Rail Canada Inc.	

Footnotes

a SOR/94-311

b S.C. 1999, c. 33

c SOR/94-311

d S.C. 1999, c. 33

e S.C. 1999, c. 33

f SOR/94-311

1 Policy on the Use of Significant New Activity Provisions of the *Canadian Environmental Protection Act*, 1999 (http://www.ec.gc.ca/ese-ees/default.asp?lang=En&n=5CA18D66-1)

2 Formerly “material safety data sheet” (MSDS). Please refer to the *Regulations Amending the New Substances Notification Regulations (Chemicals and Polymers) and the Export of Substances on the Export Control List Regulations* (http://gazette.gc.ca/rp-pr/p2/2015/2015-02-11/html/sor-dors19-eng.php) for reference to this amendment.

3 Significant New Activity Publications under the *Canadian Environmental Protection Act*, 1999 (http://open.canada.ca/data/en/dataset/bfab5876-77e5-4dbf-8693-3b0bc69428b8)

4 The Substances Management Information Line can be contacted at eccc.substances.eccc@canada.ca (mailto:eccc.substances.eccc@canada.ca) (email), 1-800-567-1999 (toll-free in Canada), 819-938-3232 (outside of Canada).

5 Policy on the Use of Significant New Activity Provisions of the *Canadian Environmental Protection Act, 1999* (http://www.ec.gc.ca/ese-ees/default.asp?lang=En&n=5CA18D66-1)

6 Significant New Activity Publications under the *Canadian Environmental Protection Act, 1999* (http://open.canada.ca/data/en/dataset/bfab5876-77e5-4dbf-8693-3b0bc69428b8)

7 Formerly “material safety data sheet” (MSDS). Please refer to the *Regulations Amending the New Substances Notification Regulations (Chemicals and Polymers) and the Export of Substances on the Export Control List Regulations* (http://gazette.gc.ca/rp-pr/p2/2015/2015-02-11/html/sor-dors19-eng.php) for reference to this amendment.

8 The Substances Management Information Line can be contacted at eccc.substances.eccc@canada.ca (mailto:eccc.substances.eccc@canada.ca) (email), 1-800-567-1999 (toll-free in Canada), and 819-938-3232 (outside of Canada).

9 Supplement, *Canada Gazette*, Part I, January 31, 1998

10 The Chemical Abstracts Service Registry Number (CAS RN) is the property of the American Chemical Society, and any use or redistribution, except as required in supporting regulatory requirements and/or for reports to the Government of Canada when the information and the reports are required by law or administrative policy, is not permitted without the prior, written permission of the American Chemical Society.

Government of Canada activities and initiatives

#YourBudget2018 – Advancement

(https://www.budget.gc.ca/2018/docs/themes/advancement-advancement-en.html?utm_source=CanCa&utm_medium=Activities_e&utm_content=Advancement&utm_campaign=CAbdgt18)
Advancing our shared values

#YourBudget2018 – Reconciliation

(https://www.budget.gc.ca/2018/docs/themes/reconciliation-reconciliation-en.html?utm_source=CanCa&utm_medium=%20Activities_e&utm_content=Reconciliation&utm_campaign=CAbdgt18)
Advancing reconciliation with Indigenous Peoples

#YourBudget2018 – Progress

(https://www.budget.gc.ca/2018/docs/themes/progress-progres-en.html?utm_source=CanCa&utm_medium=Activities_e&utm_content=Progress&utm_campaign=CAbdgt18)
Supporting Canada's researchers to build a more innovative economy