



NEW SUBSTANCES NOTIFICATION REGULATIONS

Fact Sheet for Customs Brokers August 2001

About the regulations:

The *New Substances Notification Regulations* (NSNR) exist under the *Canadian Environmental Protection Act, 1999*. **These regulations require the notification of any new substance prior to its import or manufacture.** This ensures that no new substance is introduced into the Canadian marketplace before an assessment is conducted as to its toxicity or potential toxicity (to the environment, biological diversity and human health). The NSNR requires the notification of new chemicals, biochemicals, polymers, biopolymers, and organisms.

What is a new substance?

A substance (as defined in Subsection 3(1) of CEPA, 1999) is any distinguishable kind of organic or inorganic matter, whether animate or inanimate. **A new substance is a substance that is not on the Domestic Substances List (DSL).**

Examples of substances:

Chemicals either alone or within mixtures such as solutions and paints; polyesters; plastics; resins; bacteria; plants and animals or a cell culture from plants or animals; yeasts; algae; enzymes; proteins; viruses; other organisms and microorganisms.

What is the DSL?

The Domestic Substances List (DSL) is a list of substances that are found in Canadian commerce. Substances listed on the DSL do not require notification. The DSL is updated or amended as new substances qualify for listing. **Any substance not listed on the DSL is considered new to Canada and is subject to notification.** Some substances not on the DSL may be on the NDSL (Non-domestic Substances List — substances known on international markets, but not on the Canadian market). These substances still require notification, although less information is required.

How are substances listed on the DSL?

Substances are listed on the DSL by a unique identifying number. This number comes from one of the following sources:

1. Chemical Abstract Service (CAS) Registry numbers;
2. American Type Culture Collection (ATCC) numbers;
3. International Union of Biochemistry (IUB) numbers.

Examples:

1. Phthalic anhydride (a chemical) — search under its CAS registry number: 85-44-9
2. *Pseudomonas aeruginosa* ATCC 31480 (a specific strain of bacteria) — search under the ATCC number: ATCC31480
3. *DNA-directed DNA polymerase* (an enzyme) — search under its IUB number: 2.7.7.7

How to comply with the NSNR

1. Ask your client the following questions:
 - do you want to import or manufacture a new substance (not on the DSL)?
 - for what purpose? research and development, field trials, industrial or commercial use?
 - what quantities will be imported or manufactured?
 - what are the main characteristics of the substance (genus and species if an organism, chemical name, etc.)?
2. A Notification Package must be submitted to Environment Canada (National Capital Region) *before* the import or manufacture of a *new substance* can proceed. (A notification package contains information on the new substance that is to be assessed).
3. The NSNR specify the requirements associated with the notification of a new substance. The assessment time period can vary depending on the type of substance and is important to consider when submitting a notification.
4. The assessment must be completed or the assessment period must expire before you (or your client) may begin importing or manufacturing this new substance.

ENV 052



2 New Substances Notification Regulations

For further information, please contact
Environment Canada Regional offices.

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This fact sheet provides general information and is not meant to be the definitive interpretation of these regulations. Compliance must be based on the Regulations themselves. Should you have specific legal question, please consult your legal advisor.

Environment Canada

The Green Lane - Web site of Environment Canada
<http://www.ec.gc.ca>

Source of public information on activities under CEPA
<http://www.ec.gc.ca/CEPARRegistry/default.cfm>

Registry of all existing regulations under CEPA
<http://www.ec.gc.ca/CEPARRegistry/regulations>

New Substances Notification Regulations

<http://www.ec.gc.ca/substances>

Domestic Substances List (DSL) and Non-domestic
Substances List (NDSL)
http://www2.ec.gc.ca/cceb1/nsd/eng/sub_e.htm

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