

## DEPARTMENT OF THE ENVIRONMENT

### CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

*Significant New Activity Notice No. 15784*

#### Significant New Activity Notice

(Section 110 of the *Canadian Environmental Protection Act, 1999*)

Whereas the Minister of the Environment and the Minister of Health have assessed information in respect of the living organism *Actinosynnema pretiosum* strain 3-459;

Whereas the living organism is not on the *Domestic Substances List*;

And whereas the Ministers suspect that a significant new activity in relation to the living organism may result in the living organism becoming toxic under the *Canadian Environmental Protection Act, 1999*,

Therefore, the Minister of the Environment indicates, pursuant to section 110 of that Act, that subsection 106(4) of the same Act applies with respect to the living organism in accordance with the Annex.

JIM PRENTICE

*Minister of the Environment*

#### ANNEX

##### Information Requirements

(Section 110 of the *Canadian Environmental Protection Act, 1999*)

1. In relation to the living organism *Actinosynnema pretiosum* strain 3-459, a significant new activity is any activity other than the use and disposal of the living organism in a contained facility, where

(a) the containment of the living organism meets the containment level 2 large scale, containment level 3 large scale or containment level 4 as identified in the *Laboratory Biosafety Guidelines, 3<sup>rd</sup> Edition*, established by the Department of Health, published in 2004, as amended from time to time; and

(b) no release to the environment of products, by-products or wastes containing metabolites from the living organism occurs.

2. A person who proposes a significant new activity set out in the Notice for this living organism shall provide to the Minister of the Environment, at least 120 days prior to the commencement of the proposed significant new activity, the following information:

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

(b) the information specified in paragraphs 2(b), (g), (h), (i), (j), (k) and (l) of Schedule 1 to the *New Substances Notification Regulations (Organisms)*; and

(c) any other information or data in respect of this living organism in the person's possession or to which they have access, that is relevant in order to determine whether the living organism is toxic or capable of becoming toxic.

3. The above information will be assessed within 120 days after the day on which it is received by the Minister of the Environment.

#### EXPLANATORY NOTE

(This explanatory note is not part of the Significant New Activity Notice.)

A Significant New Activity Notice is a legal instrument issued by the Minister of the Environment pursuant to section 110 of the *Canadian Environmental Protection Act, 1999*. The Significant New Activity Notice sets out the appropriate information that must be provided to the Minister for assessment prior to the commencement of a new activity as described in the Notice.

Living organisms that are not listed on the *Domestic Substances List* can be manufactured or imported only by the person who has met the requirements set out in section 106 of the *Canadian Environmental Protection Act, 1999*. Under section 111 of the *Canadian Environmental Protection Act, 1999*, in circumstances where a Significant New Activity Notice is issued for a new living organism, it is the responsibility of every person who transfers the physical possession or control of the living organism to notify all persons to whom the possession or control is transferred of the obligation to comply with the Significant New Activity Notice and of the obligation to notify the Minister of the Environment of any new activity and all other information as described in the Notice. It is the responsibility of the users of the living organism to be aware of and comply with the Significant New Activity Notice and to submit a Significant New Activity notification to the Minister prior to the commencement of a significant new activity associated with the living organism. However, as mentioned in subsection 106(6) of the *Canadian Environmental Protection Act, 1999*, a Significant New Activity notification is not required when the proposed new activity is regulated under an act or regulations listed on Schedule 4 to the *Canadian Environmental Protection Act, 1999*.

A Significant New Activity Notice does not constitute an endorsement from Environment Canada or the Government of Canada of the living organism to which it relates, or an exemption from any other laws or regulations that are in force in Canada and that may apply to the living organism or activities involving the living organism.