

DEPARTMENT OF THE ENVIRONMENT

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Significant New Activity Notice No. 16774

Significant New Activity Notice

(Section 85 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 substance, phosphoric acid, mixed esters with polyethylene glycol and 3,3,4,4,5,5,6,6,7,7,8,8,8-tridecafluoro-1-octanol, ammonium salts, Chemical Abstracts Service Registry No. 1224429-82-6, under section 83 of the *Canadian Environmental Protection Act, 1999*;

Whereas the substance is not specified on the *Domestic Substances List*;

And whereas the ministers suspect that a significant new activity in relation to the substance may result in the substance becoming toxic within the meaning of section 64 of the *Canadian Environmental Protection Act, 1999*,

Therefore, the Minister of the Environment indicates, pursuant to section 85 of the *Canadian Environmental Protection Act, 1999*, that subsection 81(4) of that Act applies to the substance in accordance with the Annex.

PETER KENT

Minister of the Environment

ANNEX

Information Requirements

(Section 85 of the Canadian Environmental Protection Act, 1999)

1. In relation to the substance, phosphoric acid, mixed esters with polyethylene glycol and 3,3,4,4,5,5,6,6,7,7,8,8,8-tridecafluoro-1-octanol, ammonium salts, a significant new activity is the use of the substance in Canada, in any quantity in the following:
 - (a) in aerosol or spray-applied household products other than paints and coatings applied by spray; or
 - (b) in any other household products at a concentration of more than 1% by weight, other than in paints, coatings, floor waxes and floor finishes.
2. The following information must be provided to the Minister, at least 90 days before the commencement of each proposed significant new activity:
 - (a) a description of the proposed significant new activity in relation to the substance;

- (b) the information specified in Schedule 4 to the *New Substances Notification Regulations (Chemicals and Polymers)*;
- (c) the information specified in items 8 and 10 of Schedule 5 to those Regulations;
- (d) the anticipated annual quantity of the substance to be used in relation to the significant new activity;
- (e) the identification of the other government agencies, either outside or within Canada, that the person has notified of the proposed significant new activity in relation to the substance and, if known, the agency's file number, the outcome of the assessment and the risk management actions imposed by those agencies;
- (f) if known, the three sites in Canada where the greatest quantity of the substance, in relation to the significant new activity, is anticipated to be used or processed and the estimated quantity by site;
- (g) for a new activity described in paragraph 1(a):
 - (i) the identification of the equipment that may be used or that is recommended by the product manufacturer to apply the product, such as a low pressure hand-held pump spray, an aerosolizing applicator with propellant, or a pneumatic sprayer using a compressor,
 - (ii) the information describing the equipment and its operation, including its normal operating pressure,
 - (iii) the information describing the size and shape of the nozzle of the equipment which controls the spread of the jet,
 - (iv) the information regarding the particle size distribution of the applied spray produced by the equipment characterized by mean mass median aerodynamic diameter,
 - (v) any information regarding safety labelling for the product containing the substance, such as recommended ventilation and personal protective equipment for users, and
 - (vi) the test data and a test report from a 28-day repeated-dose inhalation toxicity study in respect of the substance, conducted according to the methodology described in the Organisation for Economic Co-operation and Development (OECD) Test Guideline No. 412 titled *Subacute Inhalation Toxicity: 28-Day Study*;

- (h) for a new activity described in paragraph 1(b), the test data and a test report from a 28-day repeated-dose dermal toxicity study in respect of the substance conducted according to the methodology described in the OECD Test Guideline No. 410 titled *Repeated Dose Dermal Toxicity: 28-day study*; and
 - (i) all other information or test data concerning the substance that are in the possession of the person proposing the significant new activity, or to which they have access, and that are relevant to determining whether the substance is toxic or capable of becoming toxic.
3. The test data and the test reports described in subparagraph 2(g)(vi) and paragraph 2(h) must be in conformity with the practices described in the *OECD Principles of Good Laboratory Practice* (Principles of GLP) set out in Annex 2 of the *Decision of the Council Concerning the Mutual Acceptance of Data in the Assessment of Chemicals* adopted on May 12, 1981, and where both the Test Guidelines and Principles of GLP are current at the time the test data are developed.
 4. The above information will be assessed within 90 days after the day on which it is received by the Minister.

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 85 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.

Substances 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 81 of the *Canadian Environmental Protection Act, 1999*. Under section 86 of the *Canadian Environmental Protection Act, 1999*, in circumstances where a Significant New Activity Notice is issued for a new substance, it is the responsibility of every person who transfers the physical possession or control of the substance 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 substance 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 substance. However, as mentioned in subsection 81(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 2 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 substance to which it relates, or an exemption from any other laws or regulations that are in force in Canada and that may apply to this substance or activities involving the substance.