



# PROVISION COALITION

PROCESSING FOOD SUSTAINABLY

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## Substance Flags on the Domestic Substances List (DSL) & The Manufacturers'/Importers' Responsibility to Report Additional Information

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## BACKGROUND

Food additives, food ingredients and substances used in food packaging and the production process (e.g. antimicrobials, sanitizers) **must** be listed on either the **Domestic Substances List** (DSL) or the **Revised In Commerce List** in order to be manufactured in Canada or imported into Canada either alone or as a component of food or food packaging ([Provision Coalition Brief #1](#), August 2013; [Provision Coalition Brief #8](#), September 2014). The Government of Canada can stop the manufacture or import of food and food packaging containing a substance that is NOT found on either the Revised In Commerce List or the Domestic Substances List.

Although a substance may already be listed on the DSL, manufacturers or importers may be required to report additional information about the substance (e.g. the amount of substance to be imported or manufactured) to Environment Canada and Health Canada **before** the substance can be manufactured in Canada or imported into Canada. These substances are easy to identify on the DSL as an alphabetical character is added to the end of the CAS Registry Number (For example, 75-56-9-S´ is the DSL listing for methyl-oxirane also called propylene oxide). Such substances on the DSL are said to be “flagged”.

**Flags are used only on substances on the DSL. Substances on the Revised In Commerce List do not have flags, at this time.**

### **SUBSTANCE FLAGS - Types of DSL Flags and Their Significance**

There are 5 types of flags that are used with substances on the DSL. Each type of flag is represented with a letter; S, S´, P, T or N. **Of these flags, the ones that are important to Provision members are S, S´ and P.** Explanations of the types of flags and additional information that Environment Canada or Health Canada may request prior to manufacturer or import are outlined in the sections that follow.

#### ***Example of a Flagged Substance***

Methyl-oxirane is an example of a flagged substance on the DSL. The CAS Registry Number for methyl-oxirane is 75-56-9. Since methyl-oxirane has been “flagged” by Environment Canada, the letter “S´” was added to the CAS Registry Number, making the DSL entry 75-56-9-S´. Methyl-oxirane is a fumigant that is approved by the U.S. FDA, for the control of Salmonella in raw nuts.

#### ***Significance of S and S´***

Manufacturers, users or importers of substances that have an “S” or “S´” flag are required to submit prescribed data to Environment Canada **prior to** the manufacture, use or import of the substance, when the substance will be used for a new application or activity in Canada. Environment Canada refers to such a use or activity as a Significant New Activity or SNAc.

A Significant New Activity is defined in the Canadian Environmental Protection Act, 1999 ([Section 80](#)) as an activity that would result in:

- The release of the substance into the environment at a quantity or concentration significantly higher than is released presently. OR
- The entry or release of the substance into the environment in a significantly different manner than the substance is currently released.

A complete list of all DSL substances that have an “S” or “S’” flag can be found at [here](#).

### ***How Do I Determine If A Substance Use Is A SNAc and What Additional Data to Report?***

The list of substances with “S” or “S’” flags accessed through the above link provides the information shown in Table 1 as illustrated for methyl-oxirane. The Canada Gazette Part II reference found in the table will direct Provision members to information which will help them determine what would be a Significant New Activity for the substance listed and what data would need to be submitted to Environment Canada should the intended use for the substance be deemed to be a Significant New Activity.

Table 1: Example of Information Listed for “S” and “S’” Flagged DSL Substances

<b>Identifier or CAS No.</b>	<b>Substance Name</b>	<b>List</b>	<b>Flag</b>	<b>Canada Gazette Part II Reference &amp; Link</b>	<b>Publication Date</b>
75-56-9	Methyl-oxirane	DSL	S’	<a href="#">Canada Gazette, Part II: Vol. 145, No. 26, Page 90</a>	2011-12-21

### ***Significance of “P” Flags***

The letter “P” after the CAS Registry Number identifies a substance to be a specific type of polymer or biopolymer referred to as RRR polymer (Reduced, Regulatory, Requirement polymer). These polymers have a high molecular weight, are chemically stable and will not react with other substances. Cellulose is an example of a RRR polymer.

Because of the stability of these polymers, Environment Canada requires less data to be submitted by industry in order to assess the environmental impact of such polymers hence the name; Reduced Regulatory Requirement (RRR(+)) polymer. More information on RRR polymers and the criteria used to group a polymer as a RRR polymer can be found in [Section 3.4.1.3](#) of *Guidelines for the Notification and Testing of New Substances: Chemicals and Polymers*<sup>1</sup>.

Should a polymer listed on the DSL with a “P” flag have a chemical structure that meets the requirements set out in Schedule 7 of the [New Substance Notification Regulations](#), this form

<sup>1</sup> For the complete Guidelines, visit the following URL: <http://www.publications.gc.ca/collections/Collection/En84-25-2005E.pdf>

of the polymer is no longer a RRR polymer. In such cases, additional information about the polymer must be submitted to Environment Canada **prior to** the polymer being able to be manufactured, used, or imported into Canada. Environment Canada does not provide a list of the RRR polymers that are listed on the DSL.

### ***Significance of “T” and “N” Flags***

A “T” or “N” flag on a DSL substance has no impact on the use of or the amount and type of data that must be reported for the substance prior to manufacture, use or import of the substance into Canada. They are mentioned here only to make Provision members aware of them should members observe these flags on DSL substances. “T” and “N” flags are used by the New Substances Program in Environment Canada to track the number of substances added to the DSL under specific situations. Further information about “T” and “N” flags can be found in [Section 2.1.4.2](#) of *Guidelines for the Notification and Testing of New Substances: Chemicals and Polymers*<sup>2</sup>.

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<sup>2</sup> For the complete Guidelines, visit the following URL: <http://www.publications.gc.ca/collections/Collection/En84-25-2005E.pdf>