



PROVISION COALITION

PROCESSING FOOD SUSTAINABLY

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Brief 3: Environment Canada Reporting Requirements for Phthalates

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Background

On July 13, 2013, Environment Canada published a Section 71 notice in Canada Gazette Part I, “*notice with respect to certain phthalate substances*” (<http://www.gazette.gc.ca/rp-pr/p1/2013/2013-07-13/html/notice-avis-eng.html#d101>) regarding a group of 32 substances known as phthalates. This notification is part of Phase II of the Chemicals Management Plan (CMP).

It is mandatory, under Section 71 of the Canadian Environmental Protection Act (CEPA), for companies to submit the information (which the company is reasonably expected to have access to) being requested by Environment Canada for those substances that are relevant to their business.

Phthalates and Food

Phthalates are plasticizers that are added to plastics to increase their flexibility, transparency, durability and longevity. Phthalates have been used in the following applications in the food and beverage industry:

- Rigid and flexible plastic packaging
- Plastic liners in metal cans
- Seals and gaskets on metal lids used as closures for glass jars
- Packaging inks and adhesives

Environment Canada is seeking data on **32 phthalates** which are listed in Schedule 1 of the notice (see below). The list is divided into four parts and the legend for the tables in Schedule 1 of this document is described in the paragraphs that follow.

In the tables below, the Chemical Abstract Service number (CAS number) has been highlighted **yellow** for phthalate substances where the use in food applications has been documented. Where the common name in the table is **red**, the phthalate substances are reported to be found in the seals and gaskets on metal lids used as closures for glass jars.

Environment Canada currently has no record of the use of the phthalates that are not highlighted in the tables in food and beverage industry applications; however, companies should still confirm the use of these substances in manufactured items or products of importance to the company.

The Section 71 Notice

Companies are required to submit information for substances listed in Schedule 1, if during the 2012 calendar year the company:

1. Imported a total quantity greater than **100 kg** of a substance listed in Schedule 1 at a concentration equal to or greater than 0.001%
 - Whether alone, in a mixture or in a product (e.g., as a component of the packaging of a food); or
 - In a manufactured item (e.g., packaging) that is:
 - Intended to come in direct contact with food or beverage, or
 - Intended to be used by or for children under the age of six years, or
 - Intended to come in contact with the mucosa of an individual other than their eyes (e.g., a sucker stick).
2. Used a total quantity greater than **1,000 kg** of a substance listed in Schedule 1 at a concentration equal to or greater than 0.001% either
 - Alone in the manufacture of a mixture, a product or a manufactured item; or
 - In a mixture in the manufacture of a mixture, a product or a manufactured item.
3. Manufactured a quantity greater than **100 kg** of a substance listed in Schedule 1 at a concentration equal to or greater than 0.001% by weight.

Information to Report

The type of information being requested for each substance includes:

- The quantity of the substance imported, manufactured, or used in Canada or exported from Canada in 2012.
- The applicable substance function code, consumer code and commercial code and the amount or concentration of the substance.
- Whether the substance is used in a mixture, manufactured good or product intended to be used by or for children of age 14 or less.
- Human and environment toxicity data.

Details on the information to be reported for substances on the lists in Schedule 1 and guidance on how to provide the information can be found in the accompanying Guidance for Responding to the *Notice with respect to certain phthalate substances* (Notice) or at <http://www.ec.gc.ca/ese-ees/default.asp?lang=En&n=621B321E-1>

SCHEDULE 1
PART 1 SUBSTANCES

CAS RN ₁	Name of the Substance	Common Name	Common Abbreviations
84-61-7	1,2-Benzenedicarboxylic acid, dicyclohexyl ester	Dicyclohexyl phthalate	DCHP
84-64-0	1,2-Benzenedicarboxylic acid, butyl cyclohexyl ester	Butyl cyclohexyl phthalate	DCP
84-69-5	1,2-Benzenedicarboxylic acid, bis(2-methylpropyl) ester	Diisobutyl phthalate	DIBP
131-11-3	1,2-Benzenedicarboxylic acid, dimethyl ester	Dimethyl phthalate	DMP
523-31-9	1,2-Benzenedicarboxylic acid, bis(phenylmethyl) ester	Dibenzyl phthalate	
3648-20-2	1,2-Benzenedicarboxylic acid, diundecyl ester	Diundecyl phthalate	DUP
5334-09-8	1,2-Benzenedicarboxylic acid, cyclohexyl 2-methylpropyl ester	Cyclohexyl isobutyl phthalate	
16883-83-3	1,2-Benzenedicarboxylic acid, 2,2-dimethyl-1-(1-methylethyl)-3-(2-methyl-1-oxopropoxy)propyl phenylmethyl ester	benzyl 3-isobutyryloxy-1-isopropyl-2,2-dimethylpropyl phthalate	
26761-40-0	1,2-Benzenedicarboxylic acid, diisodecyl ester	Diisodecyl phthalate	DIDP
68515-49-1 ₂	1,2-Benzenedicarboxylic acid, di-C9-11-branched alkyl esters, C10-rich	Diisodecyl phthalate	DIDP
27215-22-1	1,2-Benzenedicarboxylic acid, isooctyl phenylmethyl ester	Benzyl 2-ethylhexyl phthalate	
27987-25-3	1,2-Benzenedicarboxylic acid, bis (methylcyclohexyl) ester	Bis(methylcyclohexyl) phthalate	
28553-12-0	1,2-Benzenedicarboxylic acid, diisononyl ester	Diisononyl phthalate	DINP
68515-48-0 ₃	1,2-Benzenedicarboxylic acid, di-C8-10-branched alkyl esters, C9-rich	Diisononyl phthalate	DINP

PART 2 SUBSTANCES

CAS RN ₁	Name of the Substance	Common Name	Common Abbreviations
68515-40-2	1,2-Benzenedicarboxylic acid, benzyl C7-9-branched and linear alkyl esters	Benzyl octyl phthalate	
71888-89-6	1,2-Benzenedicarboxylic acid, di-C6-8-branched alkyl esters, C7-rich	Diisoheptyl phthalate	DIHpP
85507-79-5 ₄	1,2-Benzenedicarboxylic acid, diundecyl ester, branched and linear	Diundecyl phthalate, branched and linear	DUP

PART 3 SUBSTANCES

CAS RN ₁	Name of the Substance	Common Name	Common Abbreviations
84-66-2	1,2-benzenedicarboxylic acid diethyl ester	Diethyl phthalate	DEP
84-74-2	1,2-Benzenedicarboxylic acid dibutyl ester	Dibutyl phthalate	DBP
84-75-3	1,2-benzenedicarboxylic acid, dihexyl ester	Dihexyl phthalate	DEPH
85-68-7	1,2-Benzenedicarboxylic acid, butyl phenylmethyl ester	Butyl benzyl phthalate	BBP
117-81-7	1,2-Benzenedicarboxylic acid, bis(2-ethylhexyl) ester	Dioctyl phthalate	DOP
117-84-0	1,2-Benzenedicarboxylic acid, dioctyl ester	Di-n-octyl phthalate; dioctyl phthalate	DOP
131-16-8	1,2-Benzenedicarboxylic acid, dipropyl ester	Dipropyl phthalate	DPP
131-17-9	1,2-Benzenedicarboxylic acid, di-2-propenyl ester	Diallyl phthalate	DAP
27554-26-3	1,2-Benzenedicarboxylic acid, diisooctyl ester	Diisooctyl phthalate	DIOP
119-06-2 ₅	1,2-Benzenedicarboxylic acid, ditridecyl ester	Ditridecyl phthalate	DTDP

PART 4 SUBSTANCES

CAS RN ₁	Name of the Substance	Common Name	Common Abbreviations
68515-43-5	1,2-Benzenedicarboxylic acid, di-C9-11-branched and linear alkyl esters	(C9-C11) dialkyl phthalate	
68515-47-9	1,2-Benzenedicarboxylic acid, di-C11-14-branched alkyl esters, C13-rich	Undecyl dodecyl phthalate	
68648-93-1	1,2-Benzenedicarboxylic acid, mixed decyl and hexyl and octyl diesters	Mixed hexyl, octyl, decyl phthalates	
111381-89-6	1,2-Benzenedicarboxylic acid (C7,C9) ester, branched and linear	Heptyl nonyl phthalate, branched and linear	
111381-91-0	1,2-Benzenedicarboxylic acid (C9,C11) ester, branched and linear	Branched and linear nonyl undecyl phthalate	

Sources of Information

The data to be reported to Environment Canada can be found in company records, particularly when the company manufactures the substance in Canada and, in the case of phthalates used in food or beverage packaging, from your packaging supplier. For substances imported into Canada - either alone or as a component in the final product - companies will likely have to obtain the information from their foreign supplier.

Deadline for Submissions

Companies are required to submit the data to Environment Canada by **November 13, 2013, 5:00 p.m., Eastern Standard Time**. Extensions to the deadline date may be submitted to Environment Canada in writing via email (Substances@ec.gc.ca) or fax (819-953-7155) or post to:

- **Minister of the Environment**
ATTN: Substances Management Coordinator, Chemicals Management Plan
200 Sacré-Coeur Boulevard, 8th Floor
Gatineau, QC K1A 0H3.

Note that the request for an extension must be submitted **before** the November 13, 2013, 5 p.m., Eastern Standard time deadline. It is recommended that requests for an extension be submitted at least five business days before November 13, 2013, so that a request can be processed by the Minister of the Environment prior to the expiry of the deadline.

The request for an extension should include the CAS registry number for the substance[s] and the reason for requesting an extension. When requests are submitted by the industry or trade association on behalf of its members, Environment Canada would require a list of the member companies to be covered under the extension.

It has been reported that Environment Canada is issuing extensions to the reporting deadline to mid-January 2013.

A draft example of a letter requesting an extension to the deadline is attached for your reference and convenience.