Order 2026-87-06-01 Amending the Domestic Substances List: SOR/2026-90

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CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Whereas the Minister of the Environment has been provided with information under section 81 [a] or 82 [b] of the *Canadian Environmental Protection Act, 1999* [c], as well as any additional information or test results required under subsection 84(1) of that Act and any other prescribed information, in respect of the substance referred to in the annexed Order that is being added to the *Domestic Substances List* [d] under subsection 87(5) of that Act;

Whereas the period for assessing the information under section 83 of that Act has expired;

And whereas no conditions specified under paragraph 84(1)(a) of that Act in respect of the substance are in effect;

Therefore, the Minister of the Environment makes the annexed *Order 2026-87-06-01 Amending the Domestic Substances List* under subsection 87(3) [e], paragraphs 87(4.1)(a) [e] and (c) [e] and subsection 87(5) of the *Canadian Environmental Protection Act, 1999* [c].

Ottawa, May 26, 2026

Julie Dabrusin
Minister of the Environment

Order 2026-87-06-01 Amending the Domestic Substances List

Amendments

1 (1) Division 1 of Part 2 of the *Domestic Substances List* [d] is amended by adding the following in numerical order:

Column 1	Column 2
Substance	**Significant New Activities, Information to Be Provided, Period for Assessment and Classes of Persons**

12027-96-2 N-S	1 During the period beginning on the day on which this section comes into force and ending on March 7, 2027, subsection 81(3) of the Act applies with respect to the substance stannate ($Sn(OH)6^{2-}$), zinc (1:1), (OC-6-11)- in respect of (a) the use of the substance in the manufacture of any consumer products to which the *Canada Consumer Product Safety Act* applies and that release or spray the substance in airborne particles, if the total quantity used in the manufacture of all such products in a calendar year is greater than 1 000 kg; (b) the importation of the substance in any consumer products to which the *Canada Consumer Product Safety Act* applies and that release or spray the substance in airborne particles, if the total quantity imported in all such products in a calendar year is greater than 1 000 kg; and (c) any other activity involving the substance, if the total quantity of the substance involved across all activities, other than those referred to in paragraphs (a) and (b), in a calendar year is greater than 100 kg.
	2 Despite section 1, an activity is not a significant new activity if (a) the substance is a *research and development substance* or *site-limited intermediate substance* as those terms are defined in subsection 1(1) of the *New Substances Notification Regulations (Chemicals and Polymers)*; or (b) the substance, or the product that contains the substance, is intended only for export.
	3 Despite paragraph 1(c), an activity is a significant new activity only if the primary particle size distribution of the substance possesses at least one of the following characteristics: (a) at least 10% of the substance's particles, by number, have a dimension within the range of 1 to 100 nm; or (b) at least 1% of the substance's particles, by mass, have a dimension within the range of 1 to 100 nm.

4 For each proposed significant new activity, the following information must be provided to the Minister at least 90 days before the day on which the activity begins:

(a) for each significant new activity described in paragraph 1(a) or (b),

(i) the information specified in sections 1, 2 and 4 to 7 of Part 1 of Schedule 1,

(ii) the information specified in section 68 of Part 2 of that Schedule or information sufficient to assess repeated-dose inhalation toxicity, and

(iii) the information specified in sections 1 to 4 of Part 3 of that Schedule;

(b) for each significant new activity described in paragraph 1(c), if the total quantity of the substance that is involved in all of the activities described in that paragraph in a calendar year is greater than 100 kg but less than or equal to 1 000 kg,

(i) the information specified in sections 1, 2 and 4 to 7 and paragraphs 11(a) and (b) of Part 1 of Schedule 1,

(ii) the information specified in section 78 of Part 2 of that Schedule, and

(iii) the information specified in sections 1 to 4 of Part 3 of that Schedule;

(c) for each significant new activity described in paragraph 1(c), if the total quantity of the substance that is involved in all of the activities described in that paragraph in a calendar year is greater than 1 000 kg but less than or equal to 10 000 kg,

(i) the information specified in sections 1 to 8 and paragraphs 11(a) and (b) and 12(b) to (f), (i) and (j) of Part 1 of Schedule 1,

(ii) the information specified in sections 56 and 57 of Part 2 of that Schedule,

(iii) the information specified in section 61 of Part 2 of that Schedule or information sufficient to assess acute

mammalian toxicity,

(iv) the information specified in section 72 of Part 2 of that Schedule or information sufficient to assess mammalian chromosomal aberration with and without metabolic activation,

(v) the information specified in section 74 and paragraphs 75(a) and 76(a) of Part 2 of that Schedule,

(vi) the information specified in section 78 of Part 2 of that Schedule, and

(vii) the information specified in sections 1 to 4 of Part 3 of that Schedule;

(d) for each significant new activity described in paragraph 1(c), if the total quantity of the substance that is involved in all of the activities described in that paragraph in a calendar year is greater than 10 000 kg,

(i) the information specified in sections 1 to 8 and paragraphs 11(a) and (b) and 12(a) to (g), (i) and (j) of Part 1 of Schedule 1,

(ii) the information specified in sections 56 and 58 to 60 of Part 2 of that Schedule,

(iii) the information specified in any two of sections 62, 63 and 64 of Part 2 of that Schedule, selected on the basis of the most significant route of potential human exposure to the substance, or information sufficient to assess acute mammalian toxicity for two routes of exposure among oral, dermal or inhalation, selected on the basis of the most significant route of potential human exposure to the substance,

(iv) the information specified in section 65 of Part 2 of that Schedule or information sufficient to assess repeated-dose mammalian toxicity,

(v) the information specified in section 69 of Part 2 of that Schedule or information sufficient to assess skin irritation,

(vi) the information specified in section 70 of Part 2 of that Schedule or information sufficient to assess skin sensitization,

(vii) the information specified in section 72 of Part 2 of that Schedule or information sufficient to assess mammalian chromosomal aberration with and without metabolic activation,

(viii) the information specified in section 73 of Part 2 of that Schedule or information sufficient to assess in vivo mutagenicity,

(ix) the information specified in section 74 and paragraphs 75(a) and (b) and 76(a) to (c) of Part 2 of that Schedule,

(x) the information specified in section 78 of Part 2 of that Schedule, and

(xi) the information specified in sections 1 to 4 of Part 3 of that Schedule.

5 If the following information is based on the data and a report from a study in respect of the substance, it must be determined in accordance with the conditions and procedures set out in the OECD Series on the Safety of Manufactured Nanomaterials and other Advanced Materials, *Guidance on Sample Preparation and Dosimetry for the Safety Testing of Manufactured Nanomaterials*, that is current at the time the study is conducted:

(a) the information referred to in subparagraph 4(b)(ii);

(b) the information referred to in subparagraphs 4(c)(ii) to (iv) and (vi); and

(c) the information referred to in subparagraphs 4(d)(ii) to (viii) and (x).

	6 The following information must be determined in accordance with the conditions and procedures set out in the OECD Series on Testing and Assessment, Publication No. 420, *Guidance Document on Aquatic and Sediment Toxicological Testing of Nanomaterials*, that is current at the time the study is conducted: (a) the information referred to in subparagraph 4(c)(ii); and (b) the information referred to in subparagraph 4(d)(ii).
	7 The information provided under section 4 is to be assessed within 90 days after the day on which it is received by the Minister.
	8 For the purpose of subsection 87.1(2) of the Act, persons to whom physical possession or control of the substance is transferred are not required to be notified if, at the time of the transfer, the substance is contained in a consumer product to which the *Canada Consumer Product Safety Act* applies.

(2) Section 1 in column 2 of Division 1 of Part 2 of the List opposite the substance "12027-96-2 N-S" in column 1 is replaced by the following:

Column 1	**Column 2**
Substance	**Significant New Activities, Information to Be Provided, Period for Assessment and Classes of Persons**

12027-96-2 N-S	1 Subsection 81(3) of the Act applies with respect to the substance stannate ($Sn(OH)6^{2-}$), zinc (1:1), (OC-6-11)- in respect of (a) the use of the substance in the manufacture of any consumer products to which the *Canada Consumer Product Safety Act* applies and that release or spray the substance in airborne particles; (b) the importation of the substance in any consumer products to which the *Canada Consumer Product Safety Act* applies and that release or spray the substance in airborne particles; and (c) any other activity involving the substance, if the total quantity of the substance involved across all activities, other than those referred to in paragraphs (a) and (b), in a calendar year is greater than 100 kg.
	1.1 For the purposes of section 1, a calendar year does not include the period beginning on January 1, 2027 and ending on March 7, 2027.

Coming into Force

2 (1) This Order, except subsection 1(2), comes into force on the day on which it is registered.

(2) Subsection 1(2) comes into force on March 8, 2027, but if this Order is registered after that day, that subsection comes into force on the day on which this Order is registered.

REGULATORY IMPACT ANALYSIS STATEMENT

(*This statement is not part of the Order*.)

Issues

The Minister of the Environment and the Minister of Health (the ministers) assessed information on one chemical, stannate ($Sn(OH)6^{2-}$), zinc (1:1), (OC-6-11)- (Chemical Abstracts Service [CAS] Registry Number [1] 12027-96-2), and determined that it meets the criteria for addition to the *Domestic Substances List*, as set out in the *Canadian Environmental Protection Act, 1999* (the Act). Therefore, under the authority of section 87 of the Act, the Minister of the Environment (the Minister) is adding this substance to the *Domestic Substances List*.

The ministers identified potential human health or environmental concerns if the substance were to be used in certain new activities. In order to continue addressing these potential human health or environmental concerns, the Minister is maintaining the existing requirements under the significant new activity (SNAc) provisions of the Act applied to this substance.

Background

Assessment of substances new to Canada

Substances that are not on the *Domestic Substances List* are considered new to Canada and are subject to notification and assessment requirements set out in sections 81, 83, 106 and 108 of the Act, as well as in the *New Substances Notification Regulations (Chemicals and Polymers)* and the *New Substances Notification Regulations (Organisms)*. The Act and these regulations ensure that new substances introduced to the Canadian marketplace are assessed to identify potential risks to the environment and human health, and that appropriate control measures are taken, if deemed necessary.

For more information on the thresholds and scope of these regulations, please see section 1 in the Guidance document for the *New Substances Notification Regulations (Chemicals and Polymers)* and section 2 of the *Guidelines for the Notification and Testing of New Substances: Organisms*.

Domestic Substances List

The *Domestic Substances List* provides an inventory of substances in the Canadian marketplace. It was originally published in the *Canada Gazette*, Part II, in 1994 and is amended, on average, 12 times per year to add, update or delete substances.

The *Domestic Substances List* includes eight parts, in which substances are divided based on

- substance type – chemicals, polymers, inanimate products of biotechnology, or living organisms;
- confidentiality – whether the substance identity is confidential; and
- whether the significant new activity provisions of the Act apply to the substance.

Adding substances to the Domestic Substances List

New substances must be added to the *Domestic Substances List* under subsection 87(1), 87(5) or 112(1) of the Act within 120 days after the following criteria have been met:

- the Minister has been provided with the regulatory information regarding the substance. The information to be provided is set out in the *New Substances Notification Regulations (Chemicals and Polymers)* and the *New Substances Notification Regulations (Organisms)*;
- the period prescribed under section 83 or 108 of the Act for the assessment of the information submitted for the substance has

expired;

- the substance is not subject to any conditions imposed pursuant to paragraph 84(1)(a) or 109(1)(a) of the Act on its import or manufacture; and
- for additions under subsection 87(1), the ministers are satisfied that the substance has already been manufactured in, or imported into Canada in excess of the prescribed quantity by the person who provided the information; for additions under subsection 112(1), the ministers are satisfied that the substance has already been manufactured in, or imported into Canada by the person who provided the information.

Criteria for adding, varying or rescinding SNAc requirements for substances on the Domestic Substances List

The Minister may amend the *Domestic Substances List* to add, vary or rescind reporting obligations imposed under the SNAc provisions of the Act. If the ministers assess a substance and available information suggests that certain new activities related to that substance may pose a risk to human health or the environment, the Minister may add that substance to the *Domestic Substances List* with reporting obligations under the SNAc provisions of the Act (subsection 87(3) or 112(3)). The SNAc provisions of the Act establish a requirement for any person considering undertaking a significant new activity in relation to the substance to submit a Significant New Activity Notification (SNAN) to the Minister containing certain required information. Upon receipt of the complete information, the ministers would conduct further assessment of the substance, and, if necessary, implement risk management measures before the activity is undertaken. To see the substances subject to SNAc provisions of the Act, please visit the Canada.ca Open Data Portal.

Adding one substance to the Domestic Substances List

The Minister assessed information on one substance new to Canada (CAS Registry Number 12027-96-2) and determined that it meets the criteria for addition to the *Domestic Substances List*, under subsection 87(5) of the Act. This substance is therefore being added to the *Domestic Substances List* and, as a result, is no longer subject to the *New Substances Notification Regulations (Chemicals and Polymers*).

The assessment of the substance identified potential toxicity concerns associated with the substance if used at nanoscale. Potential uses in consumer spray as well as potential uses in air purifiers and lithium-ion battery applications may also lead to inhalation exposure, posing a risk for human health. Therefore, the SNAc provisions of the Act were applied to this substance prior to its addition to the *Domestic Substances List,* pursuant to the *Significant New Activity Notice No. 22294*, published in March 2026.

To continue addressing potential human health or environmental concerns, the SNAc requirements on the substance are being maintained, and thus, are being added with the substance to the *Domestic Substances List* pursuant to subsections 87(3) and 87(4) of the Act.

Objective

The objective of *Order 2026-87-06-01 Amending the Domestic Substances List* (the Order) is to add one polymer (CAS Registry Number 12027-96-2) to the *Domestic Substances List* and to continue contributing to the protection of human health and of the environment by maintaining the SNAc requirements applied to the substance. The requirements to notify any significant new activity, as defined in the Order, are maintained so that further assessment of the substance is conducted and, if necessary, risk management measures are implemented before the activity is undertaken.

The Order is expected to facilitate access to the substance for businesses, as the substance is no longer subject to requirements under subsection 81(1) of the Act.

Description

The Order is made under subsections 87(3), 87(4) and 87(5) of the Act to add one polymer identified by its CAS Registry Number along with its SNAc requirements to Division 1 of Part 2 of the *Domestic Substances List*.

SNAc applicability and reporting requirements

The SNAc provisions of the Act apply to the substances identified by the CAS Registry Number 12027-96-2. It is therefore mandatory to meet the requirements of subsection 81(3) of the Act before manufacturing, importing or using this substance for a significant new activity as defined in the Order.

Under the Order, any person wishing to engage in a significant new activity in relation to the substance identified by the CAS Registry Number 12027-96-2 is required to submit a SNAN to the Minister. The SNAN must contain all the information prescribed in the Order and must be submitted at least 90 days prior to the manufacture, import or use of the substance for the proposed significant new activity. For guidance on preparing a SNAN, please see section 1.3 and section 4 of the Guidance document for the *New Substances Notification Regulations (Chemicals and Polymers)*.

When determining the applicability of the SNAc requirements, it is recommended to use methods specified in the Organisation for Economic Co-operation and Development (OECD) Guidelines for the Testing of Chemicals, Test No. 125 or, in either OECD Series on the Safety of Manufactured Nanomaterials, No. 36 or No. 41 to verify whether the primary particle size distribution of the substance meets any of the criteria

under section 1 of the Order. The ministers will use the information submitted to conduct further assessment of the substance, and, if necessary, implement risk management measures before the activity is undertaken.

Transitional provisions

The SNAc provisions of the Act are applied to the substance with a transitional period phasing into the requirements. Beginning on the day this Order comes into force and ending on March 7, 2027, the notification requirements apply at higher quantity thresholds. Beginning on March 8, 2027, the thresholds are lowered to their final quantity. For details on the applicable quantity thresholds for each significant new activity, please refer to the Order.

Activities not subject to notification requirements

The notification requirements do not apply to uses of the substances identified by the CAS Registry Number 12027-96-2 that are regulated under any act of Parliament listed in Schedule 2 of the Act, including the *Pest Control Products Act*, the *Fertilizers Act* and the *Feeds Act*. Also, the notification requirements do not apply to any transient reaction intermediate, impurity, contaminant, partially unreacted material, or incidental reaction product, and under certain circumstances, to mixtures, manufactured items, wastes or substances carried through Canada. For more information on these terms, including definitions, please see section 3.2 of the *Guidance document for the New Substances Notification Regulations (Chemicals and Polymers)*. Please note that individual components of a mixture may be subject to the notification requirements under certain circumstances.

Activities involving the use of the substance identified by the CAS Registry Number 12027-96-2 as a research and development substance, site-limited intermediate substances or in the manufacture of an export-only product are also excluded from notification requirements. For more information on these terms, including definitions, please see section 3.4 of the *Guidance document for the New Substances Notification Regulations (Chemicals and Polymers)*.

Regulatory development

Consultation

As the Act does not prescribe any public comment period before adding a substance to the *Domestic Substances List*, no consultation period for the Order was deemed necessary.

Indigenous engagement, consultation and modern treaty obligations

Orders amending the *Domestic Substances List* do not introduce any new regulatory requirements, and therefore, do not result in any impact on modern treaty rights or obligations. Therefore, specific engagement and consultations with Indigenous Peoples were not undertaken.

Instrument choice

Under the Act, the Minister is required to add a substance to the *Domestic Substances List* when it is determined to meet the criteria for addition. Orders amending the *Domestic Substances List* are the only regulatory instrument that allows the Minister to comply with these obligations.

Applying the SNAc provisions of the Act to substances is considered when there is suspicion that new activities may pose a risk to human health or the environment. For more information, please consult the *Policy on the Use*

of Significant New Activity Provisions of the Canadian Environmental Protection Act, 1999.

Regulatory analysis

Benefits and costs

Adding substances to the *Domestic Substances List* is administrative in nature. The Order does not impose any regulatory requirements on businesses, and therefore, does not result in any incremental compliance costs for stakeholders or enforcement costs for the Government of Canada. Adding substances to the *Domestic Substances List* is a federal obligation under section 87 of the Act that is triggered once a substance meets the criteria for addition.

Maintaining the SNAc requirements for the substance identified by the CAS Registry Number 12027-96-2 continues contributing to the protection of human health and the environment by requiring that potential significant new activities involving the substance undergo further assessment, and that, if necessary, risk management measures are implemented before the activity is undertaken. The Order does not impose any regulatory requirements (and therefore, any administrative or compliance costs) on businesses related to current activities. The Order would continue to only target significant new activities involving the substances identified by the CAS Registry Number 12027-96-2, should any person choose to pursue such an activity. In the event that any person wishes to use, import, or manufacture the substance for a significant new activity, they would be required to submit a SNAN to the Minister containing the complete information referred to in the Order.

While there is no notification fee associated with submitting a SNAN to the Minister in response to the Order, the notifier may incur costs associated with generating data and supplying the required information. Similarly, in the event that a SNAN is received, the Department of the Environment and the Department of Health would incur costs for processing the information and conducting further assessment of the substance to which the SNAN relates. The Department of the Environment will incur negligible costs for conducting compliance promotion and enforcement activities associated with the Order.

Small business lens

As described in the "Benefits and costs" subsection, the Order will not result in any incremental impacts. Therefore, the Order will not impact Canadian small businesses. [2]

One-for-one rule

Since the Order does not impose any regulatory requirements (see "Benefits and costs" subsection), it does not impose new administrative burden on businesses and the one-for-one rule does not apply.

Regulatory cooperation and alignment

No opportunities for cooperation and alignment were identified for the Order.

International obligations

There are no international agreements or obligations directly associated with the Order.

Effects on the environment

In accordance with the *Cabinet Directive on Strategic Environmental and Economic Assessment*, a preliminary scan of additions to the *Domestic Substances List* concluded that a strategic environmental and economic assessment is not required for the Order.

Right to a healthy environment

The Government of Canada has a duty, in the administration of the Act, to protect the right to a healthy environment as provided for under the Act, subject to reasonable limits. An implementation framework sets out considerations to protect this right and uphold the principles described in the framework.

Many of the elements included in the framework were considered to inform the Order. In line with the framework, an initial screening and review of the best available science submitted for new substances under the regulations prior to their importation or manufacture into Canada was conducted to determine whether these new substances may pose a risk to the environment and human health. Furthermore, the addition of substances to the *Domestic Substances List* aligns with the framework's non-regression principle, as this is not expected to lead to a decrease in environmental or human health protection, since the assessment of the substance concluded it is not suspected of being toxic or capable of becoming toxic.

Other relevant factors that were considered include the statutory framework and regulatory timelines for assessing new substances and adopting SNAc. Moreover, consistent with the weight of the evidence approach and application of precaution, the application of the SNAc provisions of the Act allows for the assessment of potential risks to the environment or human health arising from significant new activities. Risk management measures can be imposed if deemed necessary.

Gender-based analysis plus

No gender-based analysis plus [3] (GBA+) impacts have been identified for the Order.

Implementation, compliance and enforcement, and service standards

Implementation

The Order is now in force. Developing an implementation plan is not required when adding substances to the *Domestic Substances List*. The Order does not constitute an endorsement from the Government of Canada of the substance to which it relates, nor an exemption from any other laws or regulations that are in force in Canada and that may apply to this substance or to activities involving it.

Compliance and enforcement

When assessing whether or not a substance is subject to the SNAc provisions of the Act, a person is expected to make use of information in their possession, or to which they may reasonably be expected to have access. This means information in any of the notifier's offices worldwide or other locations where the notifier can reasonably have access to the information. For example, manufacturers are expected to have access to their formulations, while importers or users of a substance are expected to have access to import records, usage information and the relevant Safety Data Sheet (SDS).

Although an SDS is an important source of information on the composition of a purchased product, it should be noted that the SDS aims to protect the health of workers in the workplace from specific hazards of chemical products, and may not include all the information on these hazards.

Therefore, an SDS may not list all product ingredients or substances that may be subject to the SNAc provisions of the Act. Any person requiring more detailed information on product composition is encouraged to contact their supplier.

If any information becomes available that reasonably supports the conclusion that a substance added to the *Domestic Substances List* through any order is toxic or capable of becoming toxic under section 64 of the Act, the person who obtains the information and is involved in activities with the substance is obligated, under section 70 of the Act, to provide that information to the Minister without delay.

A company can submit a SNAN on behalf of its clients. In cases where a person receives possession or control of a substance from another person, they may not be required to submit a SNAN, under certain conditions, if their activities were covered by an original SNAN.

Under subsection 87.1(1) of the Act, any person who transfers the physical possession or control of a substance subject to the SNAc provisions of the Act to another person shall notify that person of their obligation to comply with those provisions, including the obligation to notify the Minister of any significant new activity and to provide all the required prescribed information specified in the Order. A person is not required to be notified under subsection 87.1(1) if they are within a class of person that is specified in the Order for the purpose of subsection 87.1(2). For details on the applicable classes of persons for the substance, please refer to the Order.

A pre-notification consultation (PNC) is recommended for notifiers who wish to consult during the planning or preparation of a SNAN to discuss any questions or concerns they have about the prescribed information and test plans.

Where a person has questions concerning their obligation to comply with an order, believes that they may be out of compliance, or would like to request a PNC, they are encouraged to contact the Substances Management Information Line by email at substances@ec.gc.ca, or by phone at 1-800-567-1999 (toll-free in Canada), or 819-938-3232 (outside of Canada).

The Order is made under the authority of the Act, which is enforced in accordance with the *Canadian Environmental Protection Act: compliance and enforcement policy*. In instances of non-compliance, consideration is given to factors such as the nature of the alleged violation, effectiveness in achieving compliance with the Act and its regulations, and consistency in enforcement when deciding which enforcement measures to take. Suspected violations can be reported to the Enforcement Branch of the Department of the Environment by email at enviroinfo@ec.gc.ca.

Service standards

In the event that a SNAN is submitted to the Minister in relation to the substances identified by the CAS Registry Number 12027-96-2, the ministers will assess the information after the complete information is received, within the prescribed timelines set out in the Order.

Contact

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Substances Management Information Line:
1-800-567-1999 (toll-free in Canada)
819-938-3232 (outside of Canada)
Fax: 819-938-5212
Email: substances@ec.gc.ca

Footnotes

a S.C. 2017, c. 26, s. 23

b S.C. 2017, c. 26, s. 24

c S.C. 1999, c. 33

d SOR/94-311

e S.C. 2023, c. 12, s. 26

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2 The assessment of the small business lens has the objective of reducing regulatory costs on small businesses without compromising the health, safety, security and environment of people in Canada.

3 Gender-based analysis plus is an analytical process that provides a rigorous method for the assessment of systemic inequalities, as well as a means to assess how diverse groups of women, men, and gender diverse people may experience the incremental impact of policies, programs and initiatives.