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Order 2025-87-25-01 Amending the Domestic Substances List: SOR/2026-20

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Registration

SOR/2026-20 February 10, 2026

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Whereas the substance set out in the annexed Order is specified on the Domestic Substances List ^a;

And whereas the Minister of the Environment and the Minister of Health suspect that the information concerning a significant new activity in relation to the substance may contribute to determining the circumstances in which the substance is toxic or capable of becoming toxic within the meaning of section 64 of the Canadian Environmental Protection Act, 1999 ^b ;

Therefore, the Minister of the Environment makes the annexed Order 2025-87-25-01 Amending the Domestic Substances List under subsection 87(3) ^c of the Canadian Environmental Protection Act, 1999 ^d.

Ottawa, February 6, 2026

Julie Dabrusin

Minister of the Environment

Order 2025-87-25-01 Amending the Domestic Substances List

Amendments

1 Part 1 of the *Domestic Substances List* ^a is amended by deleting the following:

7425-14-1

2 Part 2 of the List is amended by adding the following in numerical order:

Column 1	Column 2
Substance	Significant New Activity for which substance is subject to subsection 81(3) of the Act

7425-14-1
S'

1 The use of the substance hexanoic acid, 2-ethyl-, 2 ethylhexyl ester in the manufacture of a consumer product to which the Canada Consumer Product Safety Act applies if the product contains the substance at a concentration equal to or greater than 0.1% by weight.

2 The importation of the substance hexanoic acid, 2-ethyl-, 2 ethylhexyl ester in any consumer product to which the Canada Consumer Product Safety Act applies that contains the substance at a concentration equal to or greater than 0.1% by weight if the total quantity imported in all such products in a calendar year is greater than 10 kg.

3 Despite sections 1 and 2, an activity is not a significant new activity if

(a) the substance is a research and development substance or a 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.

4 For each proposed significant new activity, the following information must be provided to the Minister at least 180 days before the day on which the significant new activity begins:

(a) a description of the significant new activity;

(b) the anticipated annual quantity of the substance to be used;

(c) the information specified in items 3 to 7 of Schedule 4 to the New Substances Notification Regulations (Chemicals and Polymers);

(d) the information specified in paragraphs 2(d) to (f) and 8(f) and (g) of Schedule 5 to those Regulations;

(e) a description of the consumer product that contains the substance, the intended use and method of application of that consumer product and the function of the substance in that consumer product;

- (f) the total quantity of the consumer product expected to be sold in Canada in a calendar year by the person proposing the significant new activity;
- (g) all other information or test data in respect of the substance that are in the possession of the person proposing the significant new activity, or to which they may be reasonably expected to have access, and that permit the identification of the adverse effects that the substance may have on the environment and human health and the degree of environmental and public exposure to the substance;
- (h) the name of every government department or government agency, either outside or within Canada, to which the person proposing the significant new activity has provided information regarding the use of the substance and, if known, the department's or agency's file number and, if any, the outcome of the department's or agency's assessment and the risk management actions in relation to the substance imposed by the department or agency;
- (i) the name, civic and postal addresses, telephone number and, if any, fax number and email address of the person proposing the significant new activity and, if they are not resident in Canada, of the person resident in Canada who is authorized to act on their behalf; and
- (j) a certification that the information is accurate and complete, dated and signed by the person proposing the significant new activity if they are resident in Canada or, if not, by the person resident in Canada who is authorized to act on their behalf.

5 The information referred to in section 4 is to be assessed within 180 days after the day on which it is received by the Minister.

Coming into Force

3 This Order comes into force on the day on which it is registered.

REGULATORY IMPACT ANALYSIS STATEMENT

(This statement is not part of the Order.)

Issues

The Chemicals Management Plan (CMP) is a Government of Canada initiative through which the risks of exposure of people in Canada and the environment to substances ¹ are assessed and managed. As part of the CMP, the Minister of the Environment (the Minister) may apply the significant new activity provisions (SNAc provisions) of the Canadian Environmental Protection Act, 1999 (the Act) to certain substances to request information to assess the potential for environmental and human health risks when the substance is used in a significant new activity. A significant new activity is an activity that results in or may result in the entry or release of a substance into the environment in a greater quantity or concentration than before, or in different circumstances than those in which the substance previously entered or was released into the environment. ² If risks are identified, the Government of Canada may recommend risk management measures to mitigate them.

In accordance with subsection 87(3) of the Act, the Minister is issuing the *Order 2025-87-25-01 Amending the Domestic Substances List* (DSL) ³ to apply the SNAc provisions of the Act to the substance hexanoic acid, 2-ethyl, 2 ethylhexyl ester (CAS RN ⁴ 7425-14-1), also known as 2-ethylhexyl-2-ethylhexanoate. ⁵

Background

Chemicals Management Plan

In 2006, the Government of Canada launched the CMP, a federal program with the objective of reducing the risks posed by substances to people in Canada and the environment through sources of exposure, such as food and food products, consumer products, cosmetics, drugs, drinking water and industrial releases. As part of the CMP, government officials from the Department of the Environment and the Department of Health (the Departments) conduct assessments under the authority of the Act to identify existing and potential environmental and human health risks posed by exposure to substances. The Minister of the Environment and the Minister of Health (the Ministers) may recommend the development of risk management measures to mitigate these risks wherever identified under the authority of a broad suite of federal laws, including the Act, the Canada Consumer Product Safety Act, the Food and Drugs Act, the Pest Control Products Act and the Fisheries Act.

SNAC provisions of the Act

The Minister may apply the SNAC provisions of the Act to request information to assess the environmental and human health risks of increased exposure to certain substances in the event of their use in a significant new activity in Canada. The SNAC provisions establish a requirement for any person (individual or corporation) considering manufacturing, importing or using a substance for a significant new activity to submit a Significant New Activity Notification (SNAN) to the Minister containing the prescribed information for that substance. Upon receipt of the complete information, government officials would conduct further assessment of that substance before the activity is undertaken to determine whether exposure to that substance from that activity could pose a risk to the environment or human health and whether further risk management considerations may be required to mitigate those risks.

To see the substances subject to the SNAC provisions of the Act, please visit the [Canada.ca Open Data Portal](https://open.canada.ca/data).

Description, uses, sources of release and risk management activities

The substance 2-ethylhexyl-2-ethylhexanoate may occur naturally in the environment. This substance may be present as a naturally occurring volatile component in certain foods, including wild peanuts, muskmelon, roasted barley, beef and various types of herbs. Globally, 2-ethylhexyl-2-ethylhexanoate has reported uses in cosmetics, lubricants and additives, reprographic agents,⁶ solvents and cleaning and washing agents.

In 2011, the Minister published a mandatory survey pursuant to [section 71](#) of the Act that included 2-ethylhexyl-2-ethylhexanoate to gather information on the annual use of the substance in Canada. Information reported by industry indicated that 2-ethylhexyl-2-ethylhexanoate was not manufactured in or imported into Canada above the reporting threshold of 100 kilograms (kg). Based on recent engagement with industry (2017–2020), which included discussions on the application of the SNAC provisions of the Act to the substance, industry expressed little to no interest in 2-ethylhexyl-2-ethylhexanoate. As a result, the current annual use of the substance in Canada is not expected to have changed significantly since 2011.

No data regarding the occurrence of the substance was reported in food or food products in Canada.⁷ The only notified use of 2-ethylhexyl-2-ethylhexanoate in Canada is as an ingredient in cosmetic products, including foot lotion and face make-up, which was reported in 2016 under the [Cosmetic Regulations](#) of the *Food and Drugs Act*. In 2022, 2-ethylhexyl-2-ethylhexanoate was added to Health Canada's [Cosmetic Ingredient Hotlist](#) as a restricted ingredient in cosmetic products. The Cosmetic Ingredient Hotlist is an administrative list that Health Canada uses to communicate to

manufacturers and others that certain substances may be prohibited or restricted for use in cosmetics. At the time of the assessment in 2018, there were no restrictions for the use of 2-ethylhexyl-2-ethylhexanoate in the United States, while in the European Union and Australia, respectively, it was prohibited in cosmetic products and subject to warning label requirements for pregnant women.⁸

Summary of the screening assessment

As part of the CMP, in December 2018, the Ministers published a screening assessment report on calcium 2-ethylhexanoate and 2-ethylhexyl-2-ethylhexanoate,⁹ which assessed 2-ethylhexyl-2-ethylhexanoate and one other substance, on the Canada.ca (Chemical substances) website. The screening assessment was conducted to determine whether the two substances meet one or more of the criteria for a toxic substance as set out in section 64 of the Act.

The screening assessment concluded that 2-ethylhexyl-2-ethylhexanoate meets the human health criteria for a toxic substance, as set out in paragraph 64(c) of the Act.¹⁰ At the time of the screening assessment, it was also determined that the substance has properties of concern that could pose a risk if exposure levels to 2-ethylhexyl-2-ethylhexanoate were to increase as a result of its use in a significant new activity in Canada. As a result, the Minister proposed to apply the SNAC provisions of the Act to 2-ethylhexyl-2-ethylhexanoate.

Objective

The objective of *Order 2025-87-25-01 Amending the Domestic Substances List* (the Order) is to apply the SNAC provisions of the Act to 2-ethylhexyl-2-ethylhexanoate in accordance with subsection 87(3) of the Act. As part of the CMP, the Order contributes to the protection of the environment and

human health by reducing the risks associated with increased exposure of people in Canada and the environment to 2-ethylhexyl-2-ethylhexanoate in the event of its use in a significant new activity in Canada.

Description

Pursuant to subsection 87(3) of the Act, the Order applies the SNAC provisions under subsection 81(3) of the Act to 2-ethylhexyl-2-ethylhexanoate. For a description of the significant new activities associated with this substance, please see the regulatory text in the Order.

Applicability

The Order does not impose any regulatory requirements on existing activities involving the substance in Canada, which have been determined to present no risk, to present limited risk or are being adequately managed.

The SNAC provisions of the Act target potential significant new activities involving a substance that could result in a new or increased exposure to that substance in Canada. A significant new activity is an activity that results in or may result in the entry or release of the substance into the environment in a greater quantity or concentration than before, or in different circumstances, than those in which the substance previously entered or was released into the environment. ²

Should a person (individual or corporation) choose to engage with a substance, they would be required to comply with any regulations associated with that substance. In the same manner, if a person chooses to engage in a significant new activity in relation to a substance subject to the SNAC provisions of the Act, they would be required to submit a SNAN to the Minister. The SNAN must contain all of the information prescribed in an order and must be submitted in the prescribed period before the day on

which the significant new activity begins. The prescribed information to complete a SNAN is specific to each substance and is described in the order that applied the SNAC provisions of the Act to that substance. ¹¹

Notification requirements

Below is a summary of the notification requirements for 2-ethylhexyl-2-ethylhexanoate. For specific details, please see the regulatory text in the Order.

Activities subject to notification requirements

The notification requirements apply to

- the use of 2-ethylhexyl-2-ethylhexanoate in the manufacture of a consumer product to which the *Canada Consumer Product Safety Act* applies, if the product contains the substance at a concentration equal to or greater than 0.1% by weight; or
- the importation of the substance 2-ethylhexyl-2-ethylhexanoate in any consumer product to which the *Canada Consumer Product Safety Act* applies that contains the substance at a concentration equal to or greater than 0.1% by weight if the total quantity imported in all such products in a calendar year is greater than 10 kg.

Activities not subject to notification requirements

The notification requirements do not apply

- if the substance is a research and development substance, a site-limited intermediate substance or an export-only substance; ¹²
- to any use of the substance that is regulated under the Acts of Parliament listed in Schedule 2 to the Act, including the *Pest Control Products Act*, the *Fertilizers Act*, and the *Feeds Act*; and

- if the substance is exempt or excluded from notification requirements under the Act (i.e. as a transient reaction intermediate, impurity, contaminant, partially unreacted material, or incidental reaction product, and, under certain circumstances, in mixtures, manufactured items, or wastes). ¹³

Information requirements

The Order sets out the specific information requirements for the notification of a proposed significant new activity in relation to 2-ethylhexyl-2-ethylhexanoate, which include

- a description of the proposed significant new activity;
- relevant information in schedules 4 and 5 to the *New Substances Notification Regulations (Chemicals and Polymers)* [SOR/2005-247];
- a description of the product that contains the substance, the intended use and method of application of that product, and the function of the substance within that product; and
- other information in respect of the substance, including additional details surrounding use and exposure information.

For the complete information requirements, please see the regulatory text in the Order.

Regulatory development

Consultation

As part of the CMP, on September 12, 2020, the Minister published a Notice of Intent (NOI) to apply the SNAC provisions of the Act to 2-ethylhexyl-2-ethylhexanoate in the *Canada Gazette*, Part I, followed by a 60-day public

comment period. One comment was received from a business stating no objections.

The Departments also informed the provincial and territorial governments about the Order through the Act's National Advisory Committee ¹⁴ via a letter and provided them with an opportunity to comment. No comments were received from the Committee.

Indigenous engagement, consultation and modern treaty obligations

Orders amending the DSL to apply the SNAC provisions of the Act to certain substances do not introduce any new regulatory requirements and, therefore, do not result in any impact on modern treaty rights or obligations. As a result, specific engagement and consultation with Indigenous peoples were not undertaken.

Instrument choice

The decision to use the SNAC provisions of the Act is risk-based. The SNAC provisions will be considered for use where there is reasonable suspicion that certain new activities with respect to a substance may result in new or increased risks to the environment or human health. That suspicion could be based on factors such as the specific properties of that substance, the function of that substance and the presence of that substance in markets in other jurisdictions. ¹⁵

As part of the CMP, the assessment informed the determination that applying the SNAC provisions of the Act to 2-ethylhexyl-2-ethylhexanoate is the most appropriate instrument to mitigate the risks of increased exposure of people in Canada and the environment to the substance in the event of use in a significant new activity in Canada.

Regulatory analysis

Benefits and costs

Orders amending the DSL to apply the SNAC provisions of the Act to certain substances do not result in incremental impacts (benefits and costs). The SNAC provisions aid in the protection of the environment and human health through their contribution to the main objective of the CMP. These orders usually do not apply to current activities identified at the time of the analysis involving those substances, as they are not considered to pose an environmental or human health risk, or their risk is adequately managed. These orders apply to the potential use of those substances in a significant new activity that could result in a new or increased exposure to those substances. Should a person (individual or corporation) choose to engage in a significant new activity involving a substance subject to the SNAC provisions of the Act, they would be required to comply with all the regulations in place associated with that activity and that substance, including the requirement to submit a SNAN to the Minister. Therefore, the costs associated with a submission of a SNAN are not considered incremental to the SNAC provisions for a substance, but rather costs of conducting business and/or complying with federal laws and regulations in Canada.

Small business lens

Since orders amending the DSL to apply the SNAC provisions of the Act to certain substances do not result in incremental impacts (benefits and costs), they do not have impacts on small businesses and the small business lens was not applied. ¹⁶

One-for-one rule

Since orders amending the DSL to apply the SNAC provisions of the Act to certain substances do not result in incremental impacts (benefits and costs), they do not impose new administrative burden on business, and the one-for-one rule does not apply. ¹⁷

Regulatory cooperation and alignment

Canada cooperates with other international organizations and regulatory agencies for the management of chemicals (e.g. the United States Environmental Protection Agency, the European Chemicals Agency and the Organisation for Economic Co-operation and Development) and is party to several international multilateral environmental agreements in the area of chemicals and waste. ¹⁸ The CMP is administered in cooperation and alignment with these agreements.

International obligations

The Order is not subject to any obligations under Canada's international trade agreements.

Effects on the environment

In accordance with the Cabinet Directive on Strategic Environmental and Economic Assessment, a strategic environmental and economic assessment (SEEA) is required for proposals that are expected to have important effects (positive or negative, direct or indirect) on the environment and the economy. Since orders amending the DSL to apply the SNAC provisions of the Act to certain substances do not result in incremental impacts (benefits and costs), a SEEA is not required.

Right to a healthy environment

In the administration of the Act, the Government of Canada has a duty to protect the right to a healthy environment as provided under the Act, subject to reasonable limits. An implementation framework published in accordance with subsection 5.1(1) of the Act sets out considerations to protect this right and uphold the principles described in the framework.

Work to inform this Order began before the implementation framework was published on July 19, 2025. Recognizing that decisions made under the Act are informed by analyses and consultations that are often the result of years of work, a transition period is in place to allow the Departments to support continued protection of the environment and human health. The objective of the transition period is to continue to advance timely decisions and actions under the Act, while consideration of the right to a healthy environment and relevant principles is being fully integrated into the administration of the Act. This Order is proceeding under the transition period referenced in the framework and will support the protection of human health and the environment from substances of potential concern by allowing further assessment of these substances if they are notified for use in a significant new activity in Canada.

Although the implementation framework was not available to be applied from the beginning of the work undertaken to inform this Order, elements of the framework were considered. For example, the best available scientific information was relied upon in making the decisions outlined in this Order. Efforts were made to allow members of the public, including those most likely to be impacted by the decision, to participate in the decision-making process by offering a public comment period for the substance following the publication of the NOI to apply the SNAC provisions of the Act.

Gender-based analysis plus

Since orders amending the DSL to apply the SNAC provisions of the Act to certain substances do not result in incremental impacts (benefits and costs), the gender-based analysis plus does not apply. ¹⁹

Implementation, compliance and enforcement, and service standards

Implementation

Orders amending the DSL are in force on the day that they are registered. Compliance promotion activities conducted as part of the implementation of those orders will include developing and distributing promotional material, responding to inquiries from stakeholders and undertaking activities to raise industry stakeholders' awareness of the requirements in those orders in the event a substance subject to the SNAC provisions of the Act is used in a significant new activity in Canada.

Compliance

When assessing whether the use of a substance subject to the SNAC provisions of the Act may be considered a significant new activity, a person (individual or corporation) 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, mixture or product are expected to have access to import records, usage information and the relevant Safety Data Sheet. ²⁰

Where a person involved in activities with a substance obtains information that reasonably supports the conclusion that that substance is toxic or is capable of becoming toxic, the person is obligated, under section 70 of the

Act, to provide that information to the Minister without delay.

Under section 87.1 of the Act, any person who transfers the physical possession or control of a substance subject to an order to another shall notify that person of their obligation to comply with that order, including the obligation to notify the Minister of any significant new activity and to provide all the required prescribed information specified in that order.

In cases where a person receives physical possession or control of a substance subject to the SNAC provisions of the Act from another person, they may not be required to submit a SNAN, under certain conditions, if their activities were covered by an original SNAN submitted by the supplier on behalf of its clients.

A pre-notification consultation (PDF) (PNC) is available 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 obligations to comply with an order, believes they may be out of compliance, or would like to request a PNC, they are encouraged to contact the Substances Management Information Line. ²¹

Enforcement

Orders amending the DSL to apply the SNAC provisions of the Act to certain substances are enforced in accordance with the Compliance and Enforcement Policy for the Canadian Environmental Protection Act. In instances of non-compliance, deciding which enforcement measure to take will consider factors such as the nature of the alleged violation, effectiveness in achieving compliance with the Act and its regulations and

consistency in the application of enforcement measures. Suspected violations under the Act can be reported to the Enforcement Branch by email at enviroinfo@ec.gc.ca.

Service standards

In the event that a SNAN is submitted to the Minister in relation to 2-ethylhexyl-2-ethylhexanoate, government officials will assess the information received within the prescribed timelines set out in the Order.

Contacts

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Substances Management Information Line:

1-800-567-1999 (toll-free in Canada)

819-938-3232 (outside of Canada)

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Footnotes

a SOR/94-311

b S.C. 1999, c. 33

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

1 Substances managed under the Canadian Environmental Protection Act, 1999 include chemicals, polymers, biochemicals, biopolymers, nanomaterials, substances of unknown or variable composition, complex reaction products or biological material (UVCB) and animate products of biotechnology (living organisms). For more information on the definition of a substance, see subsection 3(1) of the Act.

2 For more information, please refer to section 80 and section 104 of the Act.

- 3 The DSL is an inventory of substances manufactured in or imported into Canada on a commercial scale and can be accessed through the Substances Search web page.
- 4 The Chemical Abstracts Service Registry Number (CAS RN) is the property of the American Chemical Society and any use or redistribution, except as required in supporting regulatory requirements and/or for reports to the Government of Canada when the information and the reports are required by law or administrative policy, is not permitted without the prior, written permission of the American Chemical Society.
- 5 2-ethylhexyl-2-ethylhexanoate has the molecular formula $C_{16}H_{32}O_2$.
- 6 Reprographic agents are used in reprography, which is the reproduction of graphics through mechanical or electrical means, such as photography, commonly used in catalogues and archives, as well as in the architectural, engineering and construction industries. It addresses large-format reproduction needs of clients.
- 7 The substance was reported as a volatile component of a limited number of foreign food samples at very low concentrations.
- 8 See the 2-ethylhexyl-2-ethylhexanoate risk management approach document for more information on current risk management activities.
- 9 The screening assessment also assessed calcium 2-ethylhexanoate (CAS RN 136-51-6). This substance, however, did not meet any of the criteria under section 64 of the Act.

- 10 For more information, please refer to section 64 of the Act.
- 11 For guidance on preparing a SNAN, please see section 1.3 and section 4 of the Guidance document for the New Substances Notification Regulations (Chemical and Polymers).
- 12 For more information on these terms, including their definitions, please see section 3.4 of the Guidance document for the New Substances Notification Regulations (Chemical and Polymers).
- 13 For more information on these terms, including their 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 notification requirements under certain circumstances.
- 14 Section 6 of the Act provides that the Act's National Advisory Committee be the main intergovernmental forum for the purpose of enabling national action and avoiding duplication in regulatory activity among governments within Canada. This committee has a representative from the Department of the Environment and the Department of Health, a representative of each of the provinces and territories, as well as up to six representatives of Indigenous governments.
- 15 For more information on SNAC instrument choice, please consult the Policy on the Use of Significant New Activity Provisions of the Canadian Environmental Protection Act, 1999.

- 16 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.
- 17 The one-for-one rule requires that, when a new or amended regulation increases the administrative burden cost on business, regulators are required to offset — from their existing regulations — an equal amount on business.
- 18 For more information on the agreements, please see the [Compendium of Canada's Engagement in International Environmental Agreements and Instruments](#). Of particular interest are the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal; the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade; the Stockholm Convention on Persistent Organic Pollutants; and the Minamata Convention on Mercury.
- 19 The 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.

20 Although a Safety Data Sheet (SDS) is an important source of information on the composition of a purchased product, it should be noted that the goal of the SDS is 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 an order. Any person (individual or corporation) requiring additional information on product composition is encouraged to contact their supplier.

21 The Substances Management Information Line can be contacted at substances@ec.gc.ca (email), 1-800-567-1999 (toll-free in Canada) and 819-938-3232 (outside of Canada).
