

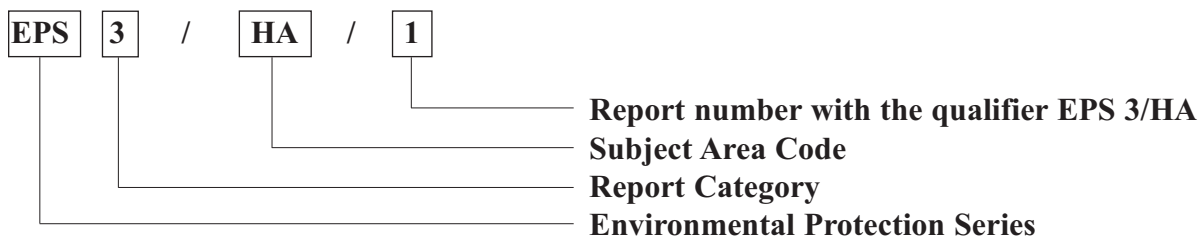
**A Guide to the  
*New Substances Fees Regulations*  
for the notification of chemicals and  
polymers, and other services**

Pursuant to  
The New Substances Notification Regulations  
of the  
***Canadian Environmental Protection Act, 1999***

December 2002 – EPS M-484

## ENVIRONMENTAL PROTECTION SERIES

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## Disclaimer

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Notifiers of new substances (chemicals and polymers) and persons requesting other services are required to pay a fee as per the *New Substances Fees Regulations*, which were made under Section 328 of CEPA 1999. The information in this document, however, is intended to provide general guidance to notifiers in understanding the *New Substances Fees Regulations* and to assist in determining the applicable fees for notifying a new substance. Notifiers and persons requesting other services should keep in mind that the document does not cover all situations. In some cases, notifiers or persons requesting other services may be required, and should undertake on their own initiative, to consult subject matter experts for specific information.

## 1.0 Introduction

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Under the *Canadian Environmental Protection Act, 1999* (CEPA 1999), importers and manufacturers of new substances (chemicals, polymers, biochemicals, biopolymers and animate products of biotechnology) must provide prescribed information to Environment Canada to ensure that the new substances are assessed to determine if they are “toxic” (as defined by CEPA 1999) or capable of becoming “toxic.”<sup>1</sup> A substance is considered “new” when it is not listed on the Domestic Substances List (DSL). This process is known as notification.

If you are an importer or manufacturer of a new chemical, polymer, biochemical, biopolymer or animate product of biotechnology who must notify the government that you are introducing a new substance into Canada, you must pay a fee (to recover costs), in addition to providing the information prescribed in the CEPA 1999 *New Substances Notification Regulations* (NSNR).

**The fees do not apply to notifiers of biotechnology products (biochemicals, biopolymers or animate substances) at this time or to notifiers whose substance is for a use that is regulated under another Act of Parliament, whether or not it is listed in CEPA 1999, Schedule 2 or 4. This includes substances whose use is regulated by the *Food and Drugs Act*, the *Fisheries Act* and the *Health of Animals Act*.**

This guide is intended to help you, the notifier, understand the *New Substances Fees Regulations* and assist you in determining the applicable fees for notifying a new substance.

### 1.1 Background

CEPA 1999 protects the environment and the health of Canadians from toxic substances and other pollutants. The New Substances provisions of CEPA 1999 ensure that no new substance is introduced into Canada before Environment Canada and Health Canada have assessed whether the substance is “toxic” or capable of becoming “toxic.” The New Substances Program is the joint responsibility of Environment Canada and Health Canada, with Environment Canada being responsible for the administration of the NSNR.

### 1.2 *New Substances Fees Regulations*

Section 328 of CEPA 1999 gives the Minister of the Environment and the Minister of Health the authority to make regulations to help recover part or all of the costs involved in processing and assessing new substance notifications. The fees structure was developed as a result of multistakeholder consultations that included representatives from the federal government, the chemical industry and non-government organizations. The fees are projected to recover approximately 20% of the New Substances Program’s total annual costs for providing service. Environment Canada is responsible for administering the *New Substances Fees Regulations*.

**The *New Substances Fees Regulations* come into effect on January 1, 2003.**

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<sup>1</sup> Section 64 of CEPA 1999: For the purposes of this Part and Part 6, except where the expression “inherently toxic” appears, a substance is toxic if it is entering or may enter the environment in a quantity or concentration or under conditions that (a) have or may have an immediate or long-term harmful effect on the environment or its biological diversity; (b) constitute or may constitute a danger to the environment on which life depends; or (c) constitute or may constitute a danger in Canada to human life or health.

### 1.3 Amending the *New Substances Fees Regulations*

An industry/government advisory panel will be established to discuss issues of cost recovery under the New Substances Program and to review the fee structure of the *New Substances Fees Regulations* as required, such as when any amendments are made to the NSNR.

The *Guide to the New Substances Fees Regulations* will be updated as needed.

### 1.4 Mandatory Compliance

Assessment of the notification will not begin, and import and manufacture of the substance are prohibited subject to the provisions of the NSNR, until the required information and fee have been submitted. Failure to meet the regulatory requirements or to provide the required prescribed information before trigger quantities are exceeded may result in a violation of CEPA 1999. In situations of non-compliance, CEPA enforcement officers will take the necessary and appropriate measures in accordance with the Compliance and Enforcement Policy of CEPA 1999 ([www.ec.gc.ca/enforce/pollut\\_polic.asp](http://www.ec.gc.ca/enforce/pollut_polic.asp)).

## 2.0 Before You Begin: What You Should Know Before Reading this Guide

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Before continuing, it is a good idea to read the “Guidelines for the Notification and Testing of New Substances: Chemicals and Polymers” (Environment Canada and Health Canada, August 2001), in particular Section 3. The Guidelines explain the NSNR with respect to what you need to know prior to importing new chemicals and polymers into Canada or manufacturing new chemicals and polymers in Canada, how to determine if a substance must be notified and what type of information you must provide. The Guidelines also provide details on how Environment Canada and Health Canada conduct evaluations of new substances and list the consequences of an assessment.

It is important that you clearly determine which schedule of information you need to submit under the NSNR, as the schedule dictates the fees that are payable with the notification.

## 3.0 Assessment Fees

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This section explains the *New Substances Fees Regulations*, including how they may apply to a particular situation. Examples are provided to help you determine the applicable fees for the notification and assessment of a new substance.

The maximum fees payable for the assessment of a single new substance on the basis of the information required under the schedules to the NSNR are \$2,625 where the notifier’s annual sales in Canada are less than \$40 million. In any other case, the maximum fees payable are \$3,500.

The fees are broken down into three schedules:

- **Schedule 1** lists initial and subsequent assessment fees;
- **Schedule 2** lists final fees for Schedule II Final and Schedule VI Final notifications; and
- **Schedule 3** lists fees for other services offered by Environment Canada and covered by the *New Substances Fees Regulations*.

When fees are based on your company's annual sales in Canada, you must provide sales reports for your company's most recent fiscal period. Refer to Section 7, "Proof of Annual Sales," of this guide for more information.

**Table 3.1: Schedule 1, Assessment Fees for Notifications**

Column 1		Column 2 Fee (\$Cdn)			
Row	NSNR Schedule*	≤\$13 million in annual sales	>\$13–26 million in annual sales	>\$26–40 million in annual sales	>\$40 million in annual sales
1	I	50	100	150	200
2	II	500	1,000	1,500	2,000
3	III	875	1,750	2,625	3,500
4	V	500	1,000	1,500	2,000
5	VI	125	250	375	500
6	VII	875	1,750	2,625	3,500
7	VIII	875	1,750	2,625	3,500
8	XIII	500	1,000	1,500	2,000

\* Schedule to the *New Substances Notification Regulations*.

### 3.1 Initial Fees

**Scenario:** You are providing information for the assessment of a new chemical or polymer for the first time. This is not a final notification, nor will you use a matched notification (refer to Sections 3.3 and 3.4 for details on final and matched notifications). You are required to pay the amount set out in Column 2 of **Schedule 1**, under the heading corresponding to your company's annual sales in Canada in the last fiscal year. Initial fees apply to assessing the information required under any schedule to the NSNR.

#### ***Initial Fees Examples***

##### ***Example 1***

Your annual sales totalled \$21.3 million in the last fiscal year, and you wish to import Chemical X into Canada. Chemical X is new to Canada and has not been previously notified by your company under any schedule to the NSNR listed in Column 1 of **Schedule 1**.

After determining that Chemical X requires an NSNR Schedule II notification and is not listed on the Non-Domestic Substances List (NDSL), you:

- consult **Schedule 1**;
- refer to Row 2, "Schedule II";
- move across Row 2 to the column relating to your annual sales, ">\$13–26 million"; and
- find that a fee of \$1,000 is required for the assessment.

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### **Example 2**

Your annual sales totalled \$45 million in the last fiscal year, and you wish to manufacture Polymer Y in Canada. Polymer Y is new to Canada and has not been previously notified by your company.

After determining that Polymer Y requires an NSNR Schedule VII notification, you:

- consult **Schedule 1**;
- refer to Row 6, “Schedule VII”;
- move across Row 6 to the column relating to your annual sales, “>\$40 million”; and
- find that a fee of \$3,500 is required for the assessment.

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### **Example 3**

Your annual sales totalled \$12 million in the last fiscal year, and you wish to manufacture Polymer Y in Canada. Polymer Y is new to Canada and has not been previously notified by your company under any schedule to the NSNR listed in Column 1 of **Schedule 1**.

After determining that Polymer Y requires an NSNR Schedule VI notification and does not meet the low-concern criteria for polymers, you:

- consult **Schedule 1**;
- refer to Row 5, “Schedule VI”;
- move across Row 5 to the column relating to your annual sales, “≤\$13 million”; and
- find that a fee of \$125 is required for the assessment.

## **3.2 Subsequent Fees**

**Scenario:** You are providing information for an assessment of a new chemical or polymer for which your company has previously submitted a notification under another schedule. This is not a final notification, nor will you use a matched notification (refer to Sections 3.3 and 3.4 for details on final and matched notifications). You are required to pay the amount set out in Column 2 of **Schedule 1**, under the heading corresponding to your annual sales in Canada, less any amount your company paid for the assessment of that substance under any previous schedule(s).

If the subsequent fee is less than the fees paid previously by the same company for the same substance, the fee shall be deemed to be \$0. This may occur, for example, if a company’s annual sales figures have dropped between previous and subsequent notifications.

In order to facilitate the processing of your notification, we request that you clearly identify the NSN numbers of any previous notifications with this submission. The NSN number is a number assigned to a specific file/notification package in order to track it through the notification, assessment and post-assessment process.

### **Subsequent Fees Examples**

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#### **Example 4**

Your annual sales totalled \$31 million in the last fiscal year, and you wish to import Chemical X into Canada. While Chemical X is considered new to Canada, it has been previously notified in the same fiscal year by your company under Schedule I to the NSNR.



After determining that Chemical X requires an NSNR Schedule II notification and is not listed on the NDSL, you:

- consult **Schedule 1**;
- refer to Row 2, “Schedule II”;
- move across Row 2 to the column relating to your annual sales, “>\$26–40 million”; and
- calculate that a subsequent fee of \$1,350 is required for the assessment (\$1,500 for the Schedule II notification less \$150 previously paid when your company submitted the Schedule I notification for assessment).

#### **Example 5**

Your annual sales totalled \$8 million in the last fiscal year, and you wish to manufacture Polymer Y in Canada. While Polymer Y is considered new to Canada, it has been previously notified by your company, in a previous fiscal year with the same total annual sales, under Schedule VI to the NSNR.

After determining that Polymer Y requires an NSNR Schedule VIII notification, you:

- consult **Schedule 1**;
- refer to Row 7, “Schedule VIII”;
- move across Row 7 to the column relating to your annual sales, “≤\$13 million”; and
- calculate that a subsequent fee of \$750 is required for the assessment (\$875 for the Schedule VIII notification less \$125 previously paid when your company submitted the Schedule VI notification for assessment).

Note that if you submitted, for example, a Schedule I and a Schedule II notification before the *New Substances Fees Regulations* came into force, you are still subject to pay initial fees for any further notifications for that substance. For example, if your company’s sales were greater than \$40 million, you are submitting a Schedule III notification on or after January 1, 2003, and you have previously submitted a schedule(s), you must pay \$3,500. This is the case since no amount was previously paid.

### **3.3 Fees for Schedule II Final and Schedule VI Final**

**Scenario:** You are providing information for an assessment of a final Schedule II chemical listed on the NDSL or a low-concern polymer that is subject only to a Schedule VI notification. You are not required to provide subsequent information for the same substance, nor is this a matched notification. You are required to pay the amount set out in Column 2 of **Schedule 2**, under the heading corresponding to your annual sales in Canada, less any amount previously paid by your company for the assessment of that chemical.

This is the case for new substances that are destined for listing on the DSL after a Schedule II notification for NDSL chemicals or a Schedule VI notification for certain polymers meeting low-concern criteria.

**Table 3.2: Schedule 2, Assessment Fees for Schedule II Final and Schedule VI Final Notifications**

Column 1		Column 2 Fee (\$Cdn)			
Row	NSNR Schedule*	≤\$13 million in annual sales	>\$13–26 million in annual sales	>\$26–40 million in annual sales	>\$40 million in annual sales
1	II	750	1,500	2,250	3,000
2	VI	375	750	1,125	1,500

\* Schedule to the *New Substances Notification Regulations*.

### **Fees for Schedule II Final and Schedule VI Final Examples**

#### **Example 6**

Your annual sales totalled \$39 million in the last fiscal year, and you wish to manufacture Chemical X in Canada. While Chemical X is considered new to Canada, it has been previously notified in the same fiscal year by your company under Schedule I to the NSNR.

After determining that Chemical X requires an NSNR Schedule II notification and no subsequent submission of information because it is listed on the NDSL, you:

- consult **Schedule 2**;
- refer to Row 1, “Schedule II”;
- move across Row 1 to the column relating to your annual sales, “>\$26–40 million”; and
- calculate that a final fee of \$2,100 is required for the assessment (\$2,250 less \$150 previously paid when your company submitted the Schedule I notification for assessment).

#### **Example 7**

Your annual sales totalled \$13.5 million in the last fiscal year, and you wish to import Polymer Y into Canada. Polymer Y is considered new to Canada and has not been previously notified by your company under the NSNR.

After determining that Polymer Y requires an NSNR Schedule VI notification, as it meets the low-concern criteria, and will not require subsequent submission of information, you:

- consult **Schedule 2**;
- refer to Row 2, “Schedule VI”;
- move across Row 2 to the column relating to your annual sales, “>\$13–26 million”; and
- find that a fee of \$750 is required for the assessment.

### **3.4 Matched Notification**

A matched notification takes place if you request to use information that was previously provided by another notifier for the same substance. In this case, you are required to pay a fee of \$200. Fees for matched notifications remain the same whether the foreign supplier or the notifying company is supplying the information that was previously provided by another notifier for the same substance. Note that Environment Canada must receive a letter of authorization from the previous notifier permitting the use of the information.

## ***Matched Notification Example***

### ***Example 8***

You wish to manufacture Polymer Y in Canada. You are aware that another notifier, Company B, previously submitted assessment information for this same substance. Environment Canada and Health Canada must have permission from Company B to use its information for your assessment. If this permission is obtained, your notification is then considered a matched notification, and you pay a flat assessment fee of \$200.

## **3.5 Consolidated Notification**

A consolidated notification takes place where two to six substances of the same class are notified and where the information provided for one substance is identical to the information required for the other(s). You must then pay the amount required for an initial, subsequent or final assessment of one of those substances, plus \$250 for the assessment of each of the other substances in the consolidated notification.

## ***Consolidated Notification Examples***

### ***Example 9***

Your annual sales totalled \$42 million in the last fiscal year, and you wish to import five new polymers into Canada. Each of the five polymers is considered new to Canada, and none has been previously notified by your company under the NSNR.

You determine that each of the five polymers requires an NSNR Schedule VI notification. You note that the polymers do not meet low-concern criteria and that the information required for one is identical to the information required for the other four polymers.

Consequently, you:

- consult **Schedule 1**;
- refer to Row 5, "Schedule VI";
- move across Row 5 to the column relating to your annual sales, ">\$40 million"; and
- calculate that a fee of \$1,500 is required for the assessment of the consolidated notification (\$500 for the first Schedule VI notification in the consolidated package, plus \$250 for each of the other four Schedule VI notifications in the consolidated package).

### ***Example 10***

Your annual sales totalled \$30 million in the last fiscal year, and you wish to manufacture four new chemicals in Canada, all of which are considered new to Canada. Chemical A has been previously notified by your company in the same fiscal year under Schedule I of the NSNR, and Chemical B has been previously notified by your company, in a previous fiscal year with the same total annual sales, under both Schedule I and Schedule II to the NSNR.

After determining that all four substances require an NSNR Schedule III notification and that the information required for one of the substances is identical to the information required for the other three chemicals, you:

- consult **Schedule 1**;

- refer to Row 3, “Schedule III”;
- move across Row 3 to the column relating to your annual sales, “>\$26–40 million”; and
- calculate that a fee of \$1,875 is required for the assessment of the consolidated notification (\$2,625 for the first Schedule III notification in the consolidated package, less \$1,350 [\$1,500–\$150] for the previous Schedule II notification of Chemical B, less \$150 for the previous Schedule I notification of Chemical B, plus \$250 for each of the other three Schedule III notifications in the consolidated package).

Note: In this example, a higher fee could be calculated using the chemical previously notified only under Schedule I (Chemical A). The notifier should ensure that the fee is calculated based on the substance that provides the notifier with the greatest total “fee deductions.” You can deduct the previous schedules of only one of the consolidated substances.

## 4.0 Fees for Other Services

In addition to the assessment of new substances, Environment Canada provides other services on a cost recovery basis, including:

- confidential searches of the DSL and the NDSL;
- masked name applications; and
- applications under the Four Corners Agreement.

Note that these services are not necessarily requested at the same time as a notification and that a masked name request has to be submitted only once.

**Table 4.1: Schedule 3, Fees for Other Services**

Column 1		Column 2 Fee (\$Cdn)			
Row	Service	≤\$13 million in annual sales	>\$13–26 million in annual sales	>\$26–40 million in annual sales	>\$40 million in annual sales
1	Confidential search of DSL and NDSL*	62.50	125	187.50	250
2	Masked name application**	150	300	450	600
3	Application under Four Corners Agreement***	500	1,000	1,500	2,000

\* Search of substances appearing on the DSL or NDSL that have been published under masked names. Note: This requires a bona fide intent to import or manufacture.

\*\* Application for a masked name, as defined in the Masked Name Regulations, for a new substance.

\*\*\* Application for a service under the Agreement for Sharing of Information Between the U.S. Environmental Protection Agency (USEPA) and Environment Canada (EC) and Health Canada (HC) (the “Four Corners Agreement”).

## ***Fees for Other Services Examples***

### ***Example 11***

Your annual sales totalled \$35 million in the last fiscal year, and you wish to import Polymer Y into Canada. You wish to submit a confidential search of the DSL and the NDSL to determine if the polymer is new to Canada. You:

- consult **Schedule 3**;
- refer to Row 1, “Confidential search of DSL and NDSL”;
- move across Row 1 to the column relating to your annual sales, “>\$26–40 million”; and
- find that a fee of \$187.50 is required for the service.

### ***Example 12***

Your annual sales totalled \$56 million in the last fiscal year, and you wish to manufacture Chemical X in Canada. Chemical X is new to Canada and has not been previously notified by your company under a schedule to the NSNR listed in Column 1 of **Schedule 1**. You also wish to submit a masked name application.

After determining that Chemical X requires an NSNR Schedule I notification, you:

a)

- consult **Schedule 1**;
- refer to Row 1, “Schedule I”;
- move across Row 1 to the column relating to your annual sales, “>\$40 million”; and
- find that a fee of \$200 is required for the assessment.

b)

- consult **Schedule 3**;
- refer to Row 2, “Masked name application”;
- move across Row 2 to the column relating to your annual sales, “>\$40 million”; and
- find that a fee of \$600 is required for the service.

c)

- calculate that a total fee of \$800 is required for the submission (\$200 for the Schedule I notification plus \$600 for the masked name application).

### ***Example 13***

Your annual sales totalled \$18 million in the last fiscal year, and you wish to import Polymer Y into Canada. Polymer Y is new to Canada and has not been previously notified by your company under any schedule to the NSNR listed in Column of **Schedule 1**. You also wish to submit an application under the Four Corners Agreement.

After determining that Polymer Y requires an NSNR Schedule VI notification, has reactants that are not on the DSL and does not meet low-concern criteria, you:

a)

- consult **Schedule 1**;
- refer to Row 5, “Schedule VI”;

- move across Row 5 to the column relating to your annual sales, “>\$13–26 million”; and
- find that a fee of \$250 is required for the assessment.

b)

- consult **Schedule 3**;
- refer to Row 3, “Application under Four Corners Agreement”;
- move across Row 3 to the column relating to your annual sales, “>\$13–26 million”; and
- find that a fee of \$1,000 is required for the service.

c)

- calculate that a total fee of \$1,250 is required for the submission (\$250 for the Schedule VI notification and \$1,000 for the Four Corners Agreement application).

## ***Varying Annual Sales Examples***

### ***Example 14***

Your annual sales totalled \$25 million in the last fiscal year, and you wish to import Chemical X into Canada. While Chemical X is considered new to Canada, it has been previously notified by your company under Schedule I to the NSNR. At the time of that previous notification, your company’s sales totalled \$8 million. You also wish to submit a confidential search of the DSL and the NDSL for another substance.

After determining that Chemical X requires an NSNR Schedule II notification and is not listed on the NDSL, you:

a)

- consult **Schedule 1**;
- refer to Row 2, “Schedule II”;
- move across Row 2 to the column relating to your annual sales, “>\$13–26 million”; and
- calculate that a subsequent fee of \$950 is required for the assessment (\$1,000 for the Schedule II notification, less \$50 previously paid when your company submitted the Schedule I notification for assessment).

b)

- consult **Schedule 3**;
- refer to Row 1, “Confidential search of DSL and NDSL”;
- move across Row 1 to the column relating to your annual sales, “>\$13–26 million”; and
- find that a fee of \$125 is required for the service.

c)

- calculate that a total fee of \$1,075 is required for the submission (\$950 for the Schedule II notification plus \$125 for the confidential search of the DSL and the NDSL).

### ***Example 15***

Your annual sales totalled \$13 million in the last fiscal year, and you wish to manufacture Polymer Y in Canada. While Polymer Y is considered new to Canada, it has been previously notified by your company under Schedule VI to the NSNR. The Schedule VI assessment was submitted during

a fiscal year when your company's sales totalled \$39 million. You also wish to submit a masked name application.

After determining that Polymer Y requires an NSNR Schedule VII notification, you:

a)

- consult **Schedule 1**;
- refer to Row 6, "Schedule VII";
- move across Row 6 to the column relating to your annual sales, "≤\$13 million"; and
- calculate that a subsequent fee of \$500 is required for the assessment (\$875 for the Schedule VII notification, less \$375 previously paid when your company submitted the Schedule VI notification for assessment).

b)

- consult **Schedule 3**;
- refer to Row 3, "Masked name application";
- move across Row 3 to the column relating to your annual sales, "≤\$13 million"; and
- find that a fee of \$150 is required for the service.

c)

- calculate that a total fee of \$650 is required for the submission (\$500 for the Schedule VII notification plus \$150 for the masked name application).

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#### **Example 16**

Your annual sales totalled \$11 million in the last fiscal year, and you wish to import Chemical X into Canada. While Chemical X is considered new to Canada, it has been previously notified by your company under Schedule II to the NSNR. At the time of that previous notification, your company's sales totalled \$14 million. You also wish to submit a confidential search of the DSL and the NDSL for another substance.

After determining that Chemical X requires an NSNR Schedule III notification, you:

a)

- consult **Schedule 1**;
- refer to Row 3, "Schedule III";
- move across Row 3 to the column relating to your annual sales, "≤\$13 million"; and
- calculate that a subsequent fee of \$0 is required for the assessment (\$875 for the Schedule III notification, less \$1,000 previously paid when your company submitted the Schedule II notification for assessment). Note that the \$125 difference does not become a credit towards other services, such as notification of another substance or confidential DSL/NDSL searches.

b)

- consult **Schedule 3**;
- refer to Row 1, "Confidential search of DSL and NDSL";
- move across Row 1 to the column relating to your annual sales, "≤\$13 million"; and
- find that a fee of \$62.50 is required for the service.

c)

- calculate that a total fee of \$62.50 is required for the submission (\$0 for the Schedule III notification plus \$62.50 for the confidential search of the DSL and NDSL).

## 5.0 How to Pay

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You must provide either a certified cheque or money order, made out, in Canadian dollars, to the Receiver General of Canada, upon requesting the service. Payment must be delivered to Environment Canada, along with the assessment information. Foreign importers of record may pay fees either directly or through their Canadian agent. Refunds will be made in accordance with the *Financial Administration Act* and the *Repayment of Receipts Regulations, 1997* in the appropriate circumstances (e.g., overestimation of applicable fee).

A fee form has been developed (Appendix 3) to help notifiers determine the total fee applicable to their notification. A copy of this form must accompany the payment and assessment information.

## 6.0 Proof of Annual Sales

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When fees are based on your company's annual sales in Canada, you must provide sales reports for your company's most recent fiscal period with all notifications. Sales reports must be prepared in accordance with generally accepted accounting principles and must be certified by you (the notifier) or by the company's financial manager.

In the absence of proof of annual sales, fees will be based on annual sales greater than \$40 million.

## 7.0 Contact Information

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For further information on the notification of new substances and the fees associated with notifying, please contact:

New Substances Branch

Environment Canada

Tel.: (800) 567-1999 (toll-free within Canada)

(819) 953-7156 (outside Canada)

Fax: (819) 953-7155

or visit the Environment Canada New Substances Web site at [www.ec.gc.ca/substances/](http://www.ec.gc.ca/substances/) or the Health Canada New Substances Assessment and Control Bureau Web site at [www.hc-sc.gc.ca/hecs-sesc/nsac/index.htm](http://www.hc-sc.gc.ca/hecs-sesc/nsac/index.htm)



## Appendix A: List of Acronyms

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CEPA 1999	<i>Canadian Environmental Protection Act, 1999</i>
DSL	Domestic Substances List
NDSL	Non-Domestic Substances List
NSN	New Substances Notification
NSNR	<i>New Substances Notification Regulations</i>
TSCA	<i>Toxic Substances Control Act</i>

## Appendix B: Definition of Key Terms

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The following definitions apply in this Guide:

### **Biochemical**

A product of biotechnology, other than a living organism or a biopolymer, that is produced by a microorganism. *Note: Products from plants/animals are treated as chemicals and polymers.*

### **Biopolymer**

A polymer produced by a microorganism (see also **Polymer**).

### **Chemical**

A substance that is neither a polymer nor a product of biotechnology.

### **Four Corners Agreement**

An administrative arrangement between the Canadian and U.S. governments and the chemical industry in both countries (the “four corners”) for sharing of information between countries.

### **Masked Name**

A name based on Chemical Abstracts Service (CAS), International Union of Pure and Applied Chemistry (IUPAC) or International Union of Biochemistry and Molecular Biology (IUBMB) nomenclature, but having one or more of the specific components identified in a manner that prevents the identification of the specific chemical structure.

### **New Substances and the Domestic Substances List**

The DSL is the sole basis for determining whether a substance is new for the purposes of CEPA 1999 and the NSNR. The DSL includes substances that have been, or continue to be, in Canadian commerce and do not require notification. Substances not appearing on the DSL are considered to be new to Canada and are subject to notification. The DSL is updated on a regular basis by adding new substances that have been notified and assessed under CEPA 1999’s New Substances provisions and that have met the listing criteria.

## Non-Domestic Substances List

The NDSL includes substances, other than animate products of biotechnology, that are not on the DSL but are believed to be in international commerce. The U.S. *Toxic Substances Control Act* (TSCA) Inventory of 1985 is the basis for the original list. Substances not on the DSL but listed on the NDSL must still be notified, but have reduced information requirements. Since 1995, the NDSL has been undergoing annual revisions to reflect changes made to the TSCA Inventory five or more years before the date of the NDSL revision.

## Polymer (as defined in CEPA 1999)

“A substance that consists of

- a) molecules characterized by the sequence of one or more types of monomer units,
- b) a simple weight majority of molecules containing three or more monomer units that are covalently bound to one or more monomer units or reactants,
- c) less than a simple weight majority of molecules of the same molecular weight, and
- d) molecules distributed over a range of molecular weights where the differences in the molecular weights are primarily attributable to differences in the number of monomer units.”

## Substance (as defined in CEPA 1999)

“Any distinguishable kind of organic or inorganic matter, whether animate or inanimate, [including]

- a) any matter that is capable of being dispersed in the environment or of being transformed in the environment into matter that is capable of being so dispersed or that is capable of causing such transformations in the environment,
- b) any element or free radical,
- c) any combination of elements of a particular molecular identity that occurs in nature or as a result of a chemical reaction, and
- d) complex combinations of different molecules that originate in nature or are the result of chemical reactions but that could not practicably be formed by simply combining individual constituents.”

For the purposes of the New Substances provisions of CEPA 1999, a substance does not include:

- a) any mixture that is a combination of substances and does not itself produce a substance that is different from the substances that were combined,
- b) any manufactured item that is formed into a specific physical shape or design during manufacture and has, for its final use, a function or functions dependent in whole or in part on its shape or design, and
- c) any animate matter that is, or any complex mixtures of different molecules that are, contained in effluents, emissions or wastes that result from any work, undertaking or activity.

## Appendix C: New Substances Fee Payment Form

This form is to be used for fulfilling the information requirements prescribed in the *New Substances Fees Regulations* of the *Canadian Environmental Protection Act, 1999*.

This form must be submitted to:

**Mailing Address:**

Chief, Notification and Client Services Division  
New Substances Branch  
Environmental Protection Service  
Environment Canada  
Ottawa, Ontario K1A 0H3

**Courier Deliveries:**

14th Floor, Place Vincent Massey  
351 St. Joseph Blvd.  
Hull, Quebec J8Y 3Z5

**DEPARTMENT USE ONLY**

Mail Log No.

NSN Reference No.

Date Received:

Please refer to the *Guide to the New Substances Fees Regulations* for instructions for completing this Fee Form. A separate Fee Form must be submitted for each New Substances Notification (NSN) except for consolidated notifications.

### Assessment Fees (Schedule 1 and 2 of Fees)

Please circle the appropriate fee and report in box ①.

	Company's Annual Sales in Canada (million) in Canadian dollars			
	<=\$13	> \$13-\$26	> \$26-\$40	>\$40
NSNR Schedule	Fee (Cdn \$)			
Schedule I	50	100	150	200
Schedule II	500	1,000	1,500	2,000
Schedule II Final*	750	1,500	2,250	3,000
Schedule III	875	1,750	2,625	3,500
Schedule V	500	1,000	1,500	2,000
Schedule VI	125	250	375	500
Schedule VI Final**	375	750	1,125	1,500
Schedule VII	875	1,750	2,625	3,500
Schedule VIII	875	1,750	2,625	3,500
Schedule XIII	500	1,000	1,500	2,000
① <input type="text"/>				
Less any amount previously paid for the assessment of that substance as referenced below:				
Schedule:	NSN No:	Assessment Fee Paid	②	<input type="text"/>
Schedule:	NSN No:	Assessment Fee Paid	③	<input type="text"/>
<b>Sub-total A</b> (① - ② - ③, enter 0 if negative)				<input type="text"/>

\* Chemical listed on the NDSL.

\*\* Polymer that meets the low concern criteria and the polymer is listed on the NDSL or all reactants are listed on the DSL or NDSL.

## Assessment Fees for Matched Notifications or Consolidated Notifications

Please check appropriate box and enter appropriate information. Report in Sub-total B.

Type of Notification	Fee (Cdn \$)
Matched with NSN No. _____ <input type="checkbox"/>	200
Consolidated (please indicate number of notifications, up to 5) Please reference master notification below: Schedule: _____ Trade Name: _____ <input type="checkbox"/>	_____ X 250
<b>Sub-total B</b>	

## Fees for Other Services (Schedule 3 of Fees)

Please circle the appropriate fee and report in Sub-total C.

	Company's Annual Sales in Canada (million) in Canadian dollars			
	<=\$13	> \$13-\$26	> \$26-\$40	>\$40
Service	Fee (Cdn \$)			
Confidential search of DSL and NDSL	62.50	125	187.50	250
Masked name application***	150	300	450	600
Application under Four Corners Agreement	500	1,000	1,500	2,000
<b>Sub-total C</b>				

\*\*\* If fee has been previously paid for the masked name application, please reference it below:

Schedule:	NSN No.:	Service Fee Paid	
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Sub-total A	
Sub-total B	
Sub-total C	
<b>Total Fees Payable</b>	

If fees payable are based on the company's annual sales in Canada of \$40 million or less (Canadian dollars), sales reports must be provided.

Payment must be made by certified cheque or money order to the Receiver General for Canada at the time the service is requested. If the payment is not provided with the service request, the documentation will be returned and the service will not be rendered.

<b>DEPARTMENT USE ONLY</b>
Cheque/money order No.
Date received
Amount paid

Disclaimer: Although care has been taken to ensure that the information accurately reflects the requirements prescribed, you are advised that, should any inconsistencies be found, the legal documents, printed in the *Canada Gazette*, will prevail.