

Deadline to Nominate Substances to the Revised In Commerce List is Fast Approaching

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Anyone wishing to nominate a substance to the Revised In Commerce List (“R-ICL”) must do so before **November 3, 2019**. On November 3, 2019, the nomination process ends and no further nominations will be accepted.

The R-ICL is a list of substances that were in Canadian commerce between January 1987 and September 2001 contained in products regulated under the *Food and Drugs Act*¹ (“FDA”).

Any person in Canada involved with the manufacture, import, distribution, or use of an eligible substance may submit a nomination for a substance to the R-ICL until November 3, 2019. Foreign suppliers may also make nominations, provided that the nomination is made through a person resident in Canada and authorized to act on behalf of the foreign supplier.

A substance is eligible for nomination to the R-ICL if the substance is present in a product that:

- 1 is regulated under the *Food and Drugs Act*, and
- 2 was in Canadian commerce between January 1, 1987 and September 13, 2001.²

Substances on the R-ICL may continue in Canadian commerce in products regulated under the FDA, subject to future evaluation by Environment Canada/Health Canada.

Substances that are not on the R-ICL, nor on the Domestic Substances List (“DSL”), are subject to the notification requirements of the New Substances Notification Regulations³ (“NSNR”) under the *Canadian Environmental Protection Act, 1999*.⁴ Product use patterns outside of the scope of the FDA may also trigger notification requirements for substances listed on the R-ICL but not on the DSL.

Further information on nominations to the R-ICL can be found [here](#).

¹ RSC, 1985, c F-27.

² Government of Canada, “Facts about the Revised In Commerce List”.

³ New Substances Notification Regulations (Chemicals and Polymers), SOR/2005-247; New Substances Notification Regulations (Organisms), SOR/2005-248.

⁴ SC 1999, c 33.

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