

Newsletter

Global Environmental and
Chemical Regulations, Policies,
and Standards

June 2023

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NEWSLETTER

Global Environmental and Chemical Regulations, Policies, and Standards
June 2023



WHO IS IAEG?

The International Aerospace Environmental Group ([IAEG](#)) is a non-profit organization of global aerospace companies created to collaborate on and share innovative environmental solutions for the industry. The group works to promote the development of voluntary consensus standards and provide accessible solutions for key environmental issues.

Members of IAEG recognize that there are currently a wide variety of different laws and regulations impacting health and the environment in place worldwide. The complexity and variability of requirements and guidance has led to an increased burden for the industry and its supply chain.

IAEG work groups address such issues as chemical material declarations and reporting requirements, the development of alternative technologies and greenhouse gas reporting and management. They create a forum for diverse and often competitive businesses to come together and share information on industry-wide opportunities for the promotion and adoption of global environmental requirements. In addition, IAEG provides opportunities for wider education on environmental issues and the supply chain via its meetings agendas and bespoke seminars.

IAEG WORK GROUP 9 NEWSLETTER

The Aerospace and Defense (AD) industry is committed to developing an approach to help the AD industry evaluate emerging global environmental and chemical regulations and their impact on compliance and potential operational risk for companies and their supply chain. The objectives are to:

- » Maintain a list of global regulations, policies and standards considered and to be considered, including executive summaries of those regulations.
- » Develop a method to evaluate designated emerging regulations potential impact on compliance and/or operational risk, business continuity and/or impact on supply chain.
- » Develop summaries of the associated timeline for regulations (e.g., deadlines) and highlight the specific impacts.
- » Develop communication materials and conduct informational webinars, as appropriate, for member companies and/or AD supply chain companies, as appropriate.

This Newsletter summarizes environmental and chemical regulations relevant to the AD industry. Contact Lisa Brown at myrna.l.brown@lmco.com or Lindsey Bean at lindsey.bean@ngc.com for any questions on this Newsletter. For general assistance on IAEG matters, contact Michele Lawrie-Munro at mlawriemunro@iaeg.com or Amanda Myers at amanda.myers@sae.org.

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ASIA

China

Solicitation of opinions on the national eco-environmental standard called "Code for Environmental Management Naming of Chemical Substances" (consultation)

On 5 May 2023, the Chinese Ministry of Ecology and Environment (MEE) opened a consultation window on a newly developed national eco-environmental standard called "Code for Environmental Management Naming of Chemical Substances." Comments were due on 25 June 2023.

The standard aims to:

- » standardize the naming of chemical substances in environmental management
- » support the environmental management registration of new chemical substances, the management of the Inventory of Existing Chemical Substances in China (IECSC), and the environmental risk assessment and control of chemical substances

More information can be found in Chinese in this [notice](#) from MEE.

Japan

Removal of six substances from the priority assessment chemicals list (published)

On 31 March 2023, the Japanese Ministry of Economy, Trade, and Industry (METI), Ministry of Health, Labor, and Welfare, and the Ministry of Environment published a notice that six substances have been removed from the priority assessment chemicals (PACs) list. PACs are a group of over 200 substances prioritized for screening due to their potential for long-term toxicity to human health and the environment.

Under the Chemical Substances Control Law (CSCL), which imposes obligations on manufacturers and importers of new and existing substances in Japan, PACs are subject to annual reporting requirements if the volume of substance manufactured or imported is greater than or equal to one tonne/year. Manufacturers and importers of PACs must also provide information when transferring or providing a PAC to another business operator.

The six substances that have been removed from the PACs list are:

- » methyl dodecanoate (CAS No. 110-42-9) – used in detergents, emulsifiers, wetting agents, stabilizers, lubricants, plasticizers, and textiles
- » o-dichlorobenzene (CAS No. 95-50-1) – uses include waxes, paints, paint strippers, resins, rubbers, tars, dyes, metal polishes, and cleaning and degreasing products
- » ethylamine (CAS No. 75-04-7) – uses include detergents and the organic synthesis of dyes and resins
- » benzyl benzoate (CAS No. 120-51-4) – used in cleaning agents, as a plasticizer, and as dye carrier

- » camphene (CAS No. 79-92-5) – uses include home air freshening products, as a chemical intermediate, as a fragrance, and as a plasticizer for resins and lacquers
- » chlorodifluoromethane (CAS No. 75-45-6) – used as a propellant, refrigerant, solvent, and in tetrafluoroethylene polymers

These six substances are now classified as general chemical substances, which still require companies to submit annual reports to METI if the manufacturing or import quantity is one tonne/year or more. The obligation to provide information when transferring or providing a substance to another business operator also applies to general chemical substances.

Penalties for non-compliance under the CSCL include fines and/or imprisonment.

The list of substances can be found here [in English](#) and [in Japanese](#). More information on PACs can be found [here](#).

Revision to the Law Concerning Rational Use and Proper Management of Fluorocarbons (published)

The Ministerial Ordinance and Notifications of the Ministry of Economy, Trade, and Industry (METI) revised the global warming potential targets (for targeted fiscal year - FY2027 and FY2029) and labelling requirements of air conditioners and refrigerators. The revisions entered into force on the same date, except for labelling requirements to be enforced on 1 October 2023.

Article 11, Paragraph 1, and Article 13, Paragraph 1 of the Law Concerning Rational Use and Proper Management of Fluorocarbons specify requirements for the production volume or import volume of fluorocarbons and designated products. The government can set these requirements based on global warming potential and product types. Various types of refrigerated machines and air conditioners are mentioned, including facility air conditioners, B-type, Ha-type, and D-type air conditioners, multi air conditioners for buildings, gas engine heat pump air conditioners, and central type air conditioners. These air conditioners have specific features, such as using existing refrigerant piping, separating refrigerant flow for simultaneous cooling and heating, and maintaining heating capacity at low outside temperatures. Certain air conditioners are exempt from the designated product regulations, such as those designed for highly airtight and insulated houses or with humidity control.

No penalties are specified in this act.

The new targets and additional information can be found on air conditioners here [in English](#) and [in Japanese](#) and on refrigerators [here](#) in Japanese.

South Korea

Addition of 117 substances to the list of substances pre-registered under K-REACH (published)

On 12 April 2023, South Korea's Ministry of Environment (MoE) published an updated list of substances pre-registered under K-REACH. A total of 117 substances have been added to the list, which means that there are now 17,380 pre-registered existing chemical substances included in the list.

Existing chemical substances are substances that were in use prior to July 2019. Those that have been pre-registered can benefit from a grace period for full registration based on their tonnage band and hazards. This applies to existing chemical

substances manufactured or imported in quantities of one tonne/year or greater, which must be registered by the following deadlines:

- » all existing substances 100-1000 tonne/year: 31 December 2024
- » all existing substances 10-100 tonne/year: 31 December 2027
- » all existing substances 1-10 tonne/year: 31 December 2030
- » all existing substances manufactured or imported in quantities greater than 1,000 tonne/year and carcinogenic, mutagenic or reprotoxic (CMR) substances manufactured or imported in quantities greater than 1 tonne/year were required to be registered by 31 December 2021.

Under K-REACH, companies that have not completed pre-registration or registration cannot manufacture, import, or export substances in quantities at or above 1 tonne/year. Therefore, companies can use the pre-registration list to form and operate a consortium to complete full registration of pre-registered substances. Substances are often added to the list upon changes in volume. Thus, the updated list includes changes companies have made to substance details or cases where companies have removed substances they no longer plan to use.

The list contains the following information for each pre-registered substance:

- » MoE pre-registration identification number
- » chemical name and CAS number
- » the number of applicants for a substance
- » manufactured/imported tonnage
- » whether the substance is CMR
- » whether the substance is for industrial or consumer use
- » physical danger classification, e.g., flammable liquid
- » human health hazards such as acute toxicity or skin hypersensitivity
- » environmental hazards such as aquatic environment hazards

Penalties for non-compliance include up to five years imprisonment and fines of up to 100,000,000 South Korean won for the illegal manufacture, import, or use of substances under K-REACH.

Information can be found in this [announcement](#) in Korean. The chemical substances list can be found here [in English](#) and [in Korean](#).



EUROPE

[European Union](#)

Amendment to Annex XVII of European Union REACH (in force)

On 9 June 2023, the European Commission amended Annex XVII to the European Union (EU) REACH. This follows the classification of new carcinogenic, mutagenic or reprotoxic substances in the 18th adaptation to technical progress of the classification, labeling, and packaging (CLP) Regulation (EC) No 1272/2008.

According to Regulation (EC) No 1907/2006, specifically Annex XVII entries 28, 29, and 30, there are restrictions on the marketing and use of certain substances classified as carcinogenic, mutagenic, or toxic to reproduction (CMR) with a classification of 1A and 1B. The substances are listed in Appendices 1 to 6 of Annex XVII, which bans the sale and supply of these substances to the general public and limits their use in products or mixtures to specified concentrations. Thus, this amendment to Annex XVII aims to safeguard public health and safety by regulating the availability and usage of certain CMR substances. New CMR substances have been inserted into Appendices 2 and 6, whilst Appendices 1 and 5 are amended to reflect classifications for specific substances covered by a group entry under Part 3 of Annex VI to the CLP Regulation. As such, the amendment affects the following appendices to Annex XVII of REACH:

- » Appendix 1 - Entry 28: Carcinogens: Category 1A
- » Appendix 2 - Entry 28: Carcinogens: Category 1B
- » Appendix 5 - Entry 30: Reproductive toxicants: Category 1A
- » Appendix 6 - Entry 30: Reproductive toxicants: Category 1B

This amendment came into force on 29 June 2023. The insertion of new substances shall apply from 1 December 2023, though operators can apply the restrictions earlier.

Penalties for non-compliance with REACH are laid down by Member States and may include imprisonment and/or fines.

More information can be found [here](#).

New regulation to establish a carbon border adjustment mechanism (consultation)

On 16 May 2023, the European Commission (EC) published a new regulation that establishes a carbon border adjustment mechanism (CBAM). As part of the Green Deal, the European Union (EU) set an objective to reduce greenhouse gas emissions by at least 55% by 2030 as compared to 1990 levels. The introduction of the CBAM aims to support this goal by helping reduce carbon leakage from imported products, ensuring that the carbon price of imports is equivalent to the carbon price of domestic production.

Thus, the CBAM is a carbon border tariff that applies to goods listed in Annex 1 originating in a third country, when imported into the customs territory of the EU. In addition, products brought to a structure on the continental shelf or in the exclusive economic zone of a Member State that is adjacent to the customs territory of the EU (e.g., oil platforms) are in scope. The goods listed in Annex 1 are those from carbon-intensive industries, including iron and steel, aluminum, and fertilizers. These products are only allowed to be imported into the EU by an authorized CBAM declarant. By 31 May each year (for the first time in 2027 for the year 2026), the declarant will have to submit a CBAM declaration for the preceding calendar year via the CBAM registry, which will include the total number of CBAM certificates to be surrendered. A CBAM certificate corresponds to one tonne of CO₂ of embedded emissions in goods and needs to be purchased from Member States. The price of CBAM certificates will be calculated based on CO₂ emission allowances.

The CBAM replaces the mechanisms related to free allowances established under Directive 2003/87/EC and works alongside EU emission allowance trading already established within the EU under Directive 2003/87/EC.

The Regulation shall apply from 1 October 2023 but will be phased in gradually. During the transitional period, importers of affected goods will only be required to report greenhouse gas emissions embedded in their imports, without making any financial payments or adjustments. The CBAM will be fully in place by 1 January 2026:

- » 1 October 2023 – simplified CBAM applies (reporting obligations under Articles 33, 34 and 35 only)
- » 31 December 2024 – Article 5 (Application for Authorization), Article 10 (Registration of Operators and of Installations in Third Countries), Article 14 (CBAM Registry), Article 16 (Accounts in the CBAM Registry), and Article 17 (Authorization) apply
- » 1 January 2026 – CBAM fully implemented

The transitional period aims to collect useful information on embedded emissions, in order to refine the methodology for full implementation of the CBAM. Rules and requirements for the reporting of emissions will be further specified in an implementing act to be adopted by the EC.

Penalties for non-compliance shall be imposed by Member States and may include fines, as detailed in Article 26.

Information can be found [here](#).

New regulation to establish a carbon border adjustment mechanism (CBAM) (draft)

On 19 April 2023, the European Commission (EC) published a proposal for a new regulation that would establish a carbon border adjustment mechanism (CBAM). As part of the Green Deal, the European Union (EU) set an objective to reduce greenhouse gas emissions by at least 55% compared to 1990 levels by 2030. The introduction of the CBAM is set to support reaching this goal by helping reduce carbon leakage from imported products.

The CBAM would apply to:

- » goods listed in Annex 1 of the proposal originating in a third country and that are imported into the customs territory of the EU
- » products brought to a structure on the continental shelf or in the exclusive economic zone of a Member State that is adjacent to the customs territory of the Union (e.g., oil platforms)

These products would only be allowed to be imported into the EU by an authorized CBAM declarant. This declarant will have to submit a CBAM declaration for the preceding calendar year via the CBAM registry, which will include the total number of CBAM certificates to be surrendered. A CBAM certificate corresponds to one tonne of CO₂ of embedded emissions in goods and needs to be purchased from Member States.

The CBAM is set to replace the mechanisms established under Directive 2003/87/EC and to work alongside EU emission allowance trading already established within the EU under Directive 2003/87/EC.

This regulation is proposed to enter into force on the day following that of its publication in the Official Journal of the EU (not yet published) and shall apply from 1 October 2023.

More Information can be found [here](#).

Amendment to Annex XVII to REACH regarding lead and its compounds in polyvinyl chloride products (in force)

On 8 May 2023, the European Commission published an amendment to Annex XVII to the European Union (EU) REACH that outlines restrictions on the manufacture, placing on the market, and use of certain dangerous substances, preparations, and articles. The amendment, which came into force on 28 May 2023, implemented new measures to protect people and the environment from the harmful effects of lead in polyvinyl chloride (PVC) products by prohibiting the use or sale of PVC articles with a lead concentration of 0.1% or higher by weight starting from 29 November 2024.

The following exemptions apply, which from 28 May 2026 can only be used for the production of new articles of any of those categories:

- » PVC articles containing recovered flexible PVC until 28 May 2025
- » PVC articles containing recovered rigid PVC are exempt until 28 May 2033 if the lead concentration is below 1.5% by weight:
 - profiles and sheets for exterior applications in buildings and civil engineering works, excluding decks and terraces
 - profiles and sheets for decks and terraces, provided that the recovered PVC is used in a middle layer and is entirely covered with a layer of PVC or other material for which the concentration of lead is lower than 0.1 % by weight
 - profiles and sheets for use in concealed spaces or voids in buildings and civil engineering works (where they are inaccessible during normal use, excluding maintenance, for example, cable ducts)
 - profiles and sheets for interior building applications, provided that the entire surface of the profile or sheet facing the occupied areas of a building after installation is produced using PVC or other material for which the concentration of lead is lower than 0.1 % by weight

Additional exemptions apply until 28 May 2033 regarding PVC articles containing recovered rigid PVC if the lead concentration is below 1.5% by weight:

- » multi-layer pipes (excluding pipes for drinking water), provided that the recovered PVC is used in a middle layer and is entirely covered with a layer of PVC or other material for which the concentration of lead is lower than 0.1 % by weight
- » fittings, excluding fittings for pipes for drinking water

By way of derogation, the new rule does not apply to:

- » PVC-silica separators in lead acid batteries, until 28 May 2033
- » jewelry articles already exempt from the lead restrictions under entry 63 (articles covered by paragraph 1, in accordance with paragraphs 2 to 5, and by paragraph 7 in accordance with paragraphs 8 and 10)
- » articles covered under:
 - Regulation (EC) No 1935/2004, EU Regulation on materials and articles intended to come into contact with food
 - Directive 2011/65/EU, EU RoHS on the restriction of hazardous substances in electronics
 - Directive 94/62/EC, EU Directive on packaging and packaging waste
 - Directive 2009/48/EC, EU Directive on toy safety

Suppliers must label PVC articles with recovered rigid PVC and a lead concentration of 0.1% or higher with the statement “Contains $\geq 0,1$ % lead”. Suppliers must provide documentary evidence upon request to support claims about the origin of the PVC in the articles.

The Commission will review these regulations by 28 May 2028.

The penalties for non-compliance are determined by the respective Member State authorities.

More information can be found [here](#).

Three new hazard classes for classifying, labelling, and packaging substances and mixtures under the CLP Regulation (in force)

On 20 April 2023, three new hazard classes for classifying, labelling, and packaging (CLP) substances and mixtures entered into force under the CLP Regulation:

- » endocrine disruptors for human health or the environment
- » persistent, bio-accumulative, and toxic (PBT); very persistent and very bio-accumulative)
- » persistent, mobile, and toxic; very persistent and very mobile

The CLP Regulation aims to ensure that hazardous chemicals are correctly identified and classified. It requires manufacturers, importers or downstream users of substances or mixtures to classify, label, and package hazardous chemicals appropriately before placing them on the market.

To help companies comply with the new hazard classes, the European Chemicals Agency (ECHA) has published information on when the regulation starts to apply to different substances and mixtures. The information also includes an updated template for harmonized classification and labelling proposals, requirements for submitting information to ECHA and available guidance on endocrine disruptors and PBT assessment. Formal guidance on the changes will not be available until 2024.

Companies can continue to use current guidance on endocrine disruptors and PBT assessment until guidance on applying the CLP criteria is updated, which is expected in 2024. The new hazard classes will be included in the IT tool IUCLID in spring 2024. After a transition period, companies must indicate if a substance is classified in any other new hazard classes.

Penalties for non-compliance have not been specified.

Information can be found here in this [announcement](#) in these [2023 new hazard classes](#) from ECHA.

Amendment to Regulation (EU) 2023/866 regarding perfluorooctanoic acid, its salts, and related compounds (in force)

On 28 April 2023, the European Commission published Regulation (EU) 2023/866 amending Regulation (EU) 2019/1021 of the European Parliament and of the Council regarding perfluorooctanoic acid (PFOA; CAS No. 335-67-1), its salts, and PFOA-related compounds. Regulation (EU) 2019/1021 aims to protect human health and the environment from persistent organic pollutants (POPs) by prohibiting, phasing out as soon as possible, or restricting the manufacturing, placing on the market, and use of substances subject to the Stockholm Convention on POPs.

In Point 3, the second sentence is replaced by the following: “This exemption shall be reviewed and assessed by the Commission no later than 25 August 2023.” This means exemption 3 affecting PFOA-related compounds where they are present in a substance to be used as a transported isolated intermediate is to be reviewed by the specified date.

Point 4 is replaced by the following: “For the purposes of this entry, Article 4(1), point (b), shall apply to concentrations of PFOA and its salts equal to or below 1 mg/kg (0.0001 % by weight) where they are present in polytetrafluoroethylene (PTFE) micro powders produced by ionizing irradiation or by thermal degradation as well as in mixtures and articles for industrial and professional uses containing PTFE micro powders until 18 August 2023. All emissions of PFOA during the manufacture and use of PTFE micro powders shall be avoided and, if not possible, reduced as far as possible. The limit of 1 mg/kg (0.0001 % by weight) shall apply only to manufacture, placing on the market and use of PFOA and its salts where they are present in PTFE micro powders that are transported or treated for the purpose to reduce the concentration of PFOA and its salts below the limit of 0,025 mg/kg (0.000025 % by weight).”

In Point 5, subpoint (e) is deleted. This means the manufacture of PTFE (CAS No. 9002-84-0) and polyvinylidene fluoride (CAS No. 24937-79-9) for the production of the following can no longer be applied:

- » high-performance, corrosion-resistant gas filter membranes, water filter membranes and membranes for medical textiles
- » industrial waste heat exchanger equipment
- » industrial sealants capable of preventing leakage of volatile organic compounds and PM2.5 particulates

The amendment enters into force on 18 May 2023 and applies from 18 August 2023. There are no non-compliance provisions associated with this update.

More information can be found [here](#).

Registry of Classification and Labelling proposals for tincalconite; colemanite; boron calcium oxide, hydrate (1:5); colemanite, calcined; ulexite; and ulexite, calcined (in force)

On 8 May 2023, three proposals were published in the Registry of Classification and Labelling (CLH) intentions until outcome, which lists the intentions and proposals received by the European Chemicals Agency (ECHA) for a new or revised harmonized classification and labeling of a substance. The Committee for Risk Assessment (RAC) examines proposals for harmonized classification and labeling and gives its opinion on the harmonized classification of substances. Once adopted, the RAC opinion (for each substance) is sent to the European Commission, which decides whether substances will be included in Annex VI to the Classification, Labelling and Packaging (CLP) Regulation. Inclusion in Annex VI to CLP means that all manufacturers, importers, and downstream users of substances and their mixtures must comply with the harmonized classifications.

Thus, Sweden has submitted CLH proposals to ECHA for the following substances:

- » tincalconite ($B_4Na_2O_7 \cdot 5H_2O$) (CAS No. 12045-88-4; EC No. 601-708-8) – a dehydration product of borax that is used in cleaning products
- » colemanite ($CaH(BO_2)_3 \cdot 2H_2O$; CAS No. 12291-65-5; EC No. not available); boron calcium oxide ($B_6Ca_2O_{11}$), hydrate (1:5) (CAS No. 1229-65-5, EC No. 602-907-2); colemanite, calcined – colemanite is a hydrated boron mineral used in the manufacturing of heat-resistant glass. Colemanite and its calcined form are used in the production of ceramics and as a flame retardant
- » ulexite ($CaNaH_{12}(BO_3)_5 \cdot 2H_2O$; CAS No. 1319-33-1; EC No. 603-535-3); ulexite, calcined – used in the production of glass. When ulexite is absorbed in a carbonate solution, calcium carbonate is formed as a by-product and used as a paper filler and coating

More information can be found here from ECHA on [tincalconite](#), [ulexite/ulexite, calcined](#), and [colemanite/boron calcium oxide, hydrated/colemanite, calcined](#).

Delegated regulation amending Regulation (EC) No 1272/2008 on classification, labeling, and packaging of substances and mixtures (adopted)

On 25 April 2023, the European Commission (EC) adopted a delegated regulation amending Regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labeling and packaging (CLP) of substances and mixtures as regards the addition of notes to Part 1 of Annex VI. The CLP Regulation (EC) No 1272/2008 sets rules on classifying, labeling, and packaging substances and mixtures. Part 1 of Annex VI introduces the list of harmonized classification and labeling, including the notes that can be added to a substance's harmonized classification and labeling in Table 3 of the same annex.

The new notes added to Part 1 of Annex VI to the regulation are as follows:

- » notes relating to the identification, classification, and labeling of substances: “Note X: The classification for the hazard class(es) in this entry is based only on the hazardous properties of the part of the substance which is common to all substances in the entry. The hazardous properties of any substances in the entry also depend on the properties of the part of the substance which is not common to all substances in the group. The latter must be evaluated to assess whether more severe classification(s) (i.e., a higher category) or a broader scope of the same classification (additional differentiation, target organs and/or hazard statements) might apply for the hazard class(es) in the entry.”
- » notes relating to the classification and labelling of mixtures:
 - “Note 11: The classification of mixtures as reproductive toxicant is necessary if the sum of the concentrations of individual boron compounds that are classified as reproductive toxicant in the mixture as placed on the market is $\geq 0.3\%$.”
 - “Note 12: The classification of mixtures as reproductive toxicant is necessary if the sum of the concentrations of individual substances covered by this entry in the mixture as placed on the market is equal to, or above, the applicable generic concentration limit for the assigned category, or a specific concentration limit given in this entry”.

These changes will enter into force on the twentieth day after the amendment is published in the Official Journal.

Information can be found in the [delegated regulation amending the CLP regulation](#) and its [annex](#). More information can be found [here](#).

Proposal for a framework for setting eco-design requirements for sustainable products (draft)

The European Commission (EC) published a proposal for a new regulation establishing a framework for setting eco-design requirements for sustainable products. This proposal sits under the European Green Deal, which aims to transform the European Union (EU) market into a climate-neutral and circular economy model. One of the ways to achieve this is by introducing eco-design requirements for products making them more sustainable by improving their reusability and recyclability.

Currently, there are no general eco-design requirements regulation at the EU level; instead, there are a few eco-design requirement regulations focused on specific products and product groups. This has led to some Member States publishing national regulations to set eco-design requirements for other products, which means that the EU internal market is unbalanced as these national regulations are different from each other and only apply in certain countries. To ensure the integrity of the internal market and achieve the objectives of the European Green Deal, the EC has decided to create a

harmonized regulatory framework to progressively introduce eco-design requirements for products across the internal market.

This proposal provides a framework by making the eco-design approach initially set out in Directive 2009/125/EC, which establishes a framework for energy-related products. The proposed scope currently includes all products, meaning any physical good placed on the market or put into service, with the exception of:

- » food as defined in Article 2 of Regulation (EC) No 178/2002
- » feed as defined in Article 3(4) of Regulation (EC) No 178/2002
- » medicinal products for human use as defined in Article 1(2) of Directive 2001/83/EC
- » veterinary medicinal products as defined in Article 4(1) of Regulation (EU) 2019/6
- » living plants, animals and micro-organisms
- » products of human origin
- » products of plants and animals relating directly to their future reproduction
- » vehicles as referred to in Article 2(1) of Regulation (EU) 2018/858, Regulation (EU) No 167/2013, and Regulation (EU) No 168/2013

Delegated acts will then be published setting eco-design requirements for specific products following the guidelines of the framework. This proposed framework establishes guidelines for eco-design, performance, labeling, and waste management requirements, particularly on the destruction of unsold products as well as introducing the “product passport”, which contains all information required in the delegated acts and is accessible electronically. The proposal also establishes that products shall only be placed on the market or put into service if they comply with the eco-design requirements that will be set out in the delegated acts applicable to those products.

More information can be found [here](#).

Restrictions on Medium-chain chlorinated paraffins and other substances that contain chloroalkanes with carbon chain lengths within the range from C14 to C17 (consultation)

The European Chemicals Agency is proposing restrictions on medium-chain chlorinated paraffins (MCCP¹) and other substances that contain chloroalkanes with carbon chain lengths within the range from C14 to C17. The proposed restriction aims to address the potential risks posed to human health and the environment by MCCP and other substances with similar properties. These substances are commonly used in various sectors and applications such as polyvinyl chloride (PVC), adhesives and sealants, rubber, metalworking fluids, paints, and coatings, serving as plasticizers, flame-retardants, or extreme pressure additives.

The Socio-Economic Analysis Committee (SEAC) has reached a consensus on their draft opinion regarding the proposal. SEAC's conclusions on the proposed restrictions are based on several key elements:

- » There is an uncertainty regarding the list of substances affected by the proposal, as it depends on feedstock quality and manufacturing circumstances – this uncertainty may impact baseline and release calculations and the availability of alternatives; however, SEAC considers this uncertainty to have a marginal effect based on the current data.
- » There is a potential underestimation of the tonnages released to the environment, as well as uncertainty related to imported mixtures and articles. The increase in the list of covered substances could lead to an underestimation of

¹ defined as UVCB substances (i.e., unknown or variable composition, complex reaction products or of biological materials) consisting of 80% or more linear chloroalkanes with carbon chain lengths ranging from C14 to C17.

CA:C14-17 availability in the market. SEAC acknowledges this uncertainty but believes it would not substantially change the release estimates. However, there is a lack of precise information on the tonnages of CA:C14-17 in imported mixtures and articles, which may result in higher releases than estimated.

- » There is no quantifiable information on the potential impacts of the restriction options on specific industry sectors. The Dossier Submitter attempted to gather data but received no substantiated information. Sensitivity analysis was conducted to assess the impact of different parameters, such as avoided releases and additional costs, but the overall cost-effectiveness ratios remained within the same range.

SEAC also discussed the inclusion of the leather sector and noted that uncertainties remain regarding potential effects down the supply chain for sectors using metalworking fluids covered by the restriction. Socio-economic implications of adding other very persistent congeners were considered unlikely to have an impact, as they are likely to be present with CA:C14-17 with very persistent, very bio-accumulative and or toxic (PBT and/or vPvB) properties already targeted by the restriction.

The SEAC draft report is now open for a 60-day consultation period, allowing interested parties to provide their comments. The received comments will be considered before the SEAC final opinion is adopted in September 2023.

The consultation, beside the general comments, seeks to address the following:

- » SEAC is asking for additional information on the use of substances in metalworking fluids to assess whether a longer transition period, beyond the proposed 7 years, is necessary – concrete and well-substantiated comments supporting a longer transition period are being requested
- » concerns have been raised about the narrow scope of the derogation for metalworking fluids – SEAC is interested in receiving detailed information on other categories of metalworking fluids used for heavy-duty applications that may require a longer transition period, and relevant industry standards applicable to these fluids should be referenced
- » SEAC suggests that a ban on the manufacturing of the substances should come into effect after the seven-year transition period for metalworking fluids has ended – further information is requested regarding the potential impacts of such a manufacturing ban, once the ban on placing on the market and use of the substances within the EU is in place
- » stakeholders have identified the presence of substances containing chloroalkanes with carbon chain lengths from C14 to C17 in concentrations above 0.1% in PVC recyclates and PVC articles made from these recyclates. With the restriction on lead in PVC, SEAC seeks to understand the impact of this restriction on the recycling of PVC containing chloroalkanes – an estimation of the quantity/volume of recycled PVC without lead but potentially containing chloroalkanes within the scope of the proposal is requested

The consultation period for the SEAC draft opinion on this proposed restriction began on 14 June 2023 and concludes on 14 August 2023. The EC will then decide whether to include the proposed restriction in the REACH Regulation's Annex XVII.

More information can be found [here](#).

Amendments to EU directives to enhance consumer rights and promote circular, clean, and green economy (proposal)

The European Parliament is proposing amendment to Directives 2005/29/EC and 2011/83/EU to enhance consumer rights and promote a circular, clean, and green economy. The amendments focus on preventing unfair commercial practices, such as greenwashing, that mislead consumers and hinder sustainable consumption. The goal is to ensure consistent application of consumer rules and support the welfare of European consumers and the European Union economy.

The proposed measures include providing information on durability guarantees and reparability of products and on banning misleading environmental claims. It addresses the absence of requirements for information on commercial guarantees of durability and promotes the repair of goods. The proposal aligns with the New Consumer Agenda, Circular Economy Action Plan, and European Green Deal, emphasizing consumer empowerment and sustainable product policies. By updating consumer laws, it aims to protect consumers, facilitate the green transition, and encourage active consumer participation in a circular economy.

The amendments to Directive 2005/29/EC include the addition of new definitions and modifications to existing articles. The added definitions cover terms such as "environmental claim," "sustainability label," "certification scheme," "sustainability information tool," and others. The amendments also entail changes to Article 6, focusing on the disclosure of product characteristics, including environmental and social impact, durability, reparability, and future environmental performance. Additionally, an amendment to Article 7 emphasizes the importance of providing transparent information when comparing products through sustainability information tools.

The amendments to Directive 2011/83/EU introduce changes to Article 2, Article 5, Article 6, and Article 8(2). These include new definitions, such as "energy-using good," "commercial guarantee of durability," "reparability score," and "software update." The amendments also require the provision of information regarding commercial guarantees of durability, software updates, and reparability scores for goods. This information should be clearly disclosed to consumers in relation to energy-using goods, goods with digital elements, digital content, and digital services. The amendments aim to enhance transparency and consumer awareness regarding product durability and after-sales services.

More information can be found [here](#).

Initiative to prohibit production for export of chemicals banned in the European Union (consultation)

On 8 May 2023, the European Commission opened a consultation on an initiative that aims to introduce a mechanism prohibiting the production and/or export of certain hazardous chemicals that are banned in the European Union (EU), in order to safeguard non-EU countries from the adverse impacts of the hazardous chemicals on human health and the environment. This could involve minimizing the use, in non-EU countries, of certain persistent and mobile chemicals that can cause cross-border harm. The initiative will fulfill a commitment made in the EU's Chemical Strategy for Sustainability, which aims to boost innovation for safe and sustainable chemicals within the EU and globally.

Through this consultation, the Commission aims to gather input and perspectives to assist in the preparation of the upcoming initiative. The measures considered include:

- » increasing the amount of information made available to non-EU countries under the Prior Informed Consent (PIC) Regulation, which administers the import and export of certain hazardous chemicals and places obligations on companies who wish to export these chemicals to non-EU countries
- » revising the current requirements for export under the PIC Regulation, to offer a higher level of protection from unwanted imports of hazardous chemicals that are banned in the EU
- » introducing a prohibition to produce hazardous chemicals that are not approved or prohibited for placing on the market and/or use in the EU
- » an approach that combines the above options

The responses received will contribute to the evaluation of the PIC Regulation and the assessment of the potential impact of this action. The adoption of this initiative is planned for the fourth quarter of 2023.

The deadline for comments is 31 July 2023.

More information can be found [here](#).

Amendment to Regulation (EU) 2017/852 that prohibits export, import, and manufacture of mercury-added products (draft)

On 28 April 2023, the European Commission (EC) opened a feedback period that lasted until 26 May 2023 on a draft amendment to Regulation (EU) 2017/852, which prohibits the export, import, and manufacture of mercury-added products and establishes measures and conditions concerning the use, storage, and trade in mercury, mercury compounds, and mixtures of mercury. Starting from 1 January 2026, the EC plans to expand the range of mercury-added products that will be banned from export, import, and manufacture within the EU.

This action is in line with the Minamata Convention on Mercury, aiming to globally reduce the use of mercury in these products and provide enhanced safeguards for the environment and human well-being. Furthermore, this initiative will promote fair competition for lamp producers within the EU.

According to the proposed law, the import, export, or manufacture of the following products will be banned as of 31 December 2025:

- » compact fluorescent lamps with an integrated ballast for general lighting purposes that are ≤ 30 watts with a mercury content not exceeding 2.5 milligrams per lamp burner
- » cold cathode fluorescent lamps and external electrode fluorescent lamps of all lengths for electronic displays
- » the following electrical and electronic measuring devices except those installed in large-scale equipment or those used for high-precision measurement where no suitable mercury-free alternative is available:
 - melt pressure transducers
 - melt pressure transmitters
 - melt pressure sensors
 - other mercury-added products
 - mercury vacuum pumps
 - tire balancers and wheel weights
 - photographic film and paper
- » propellant for satellites and spacecraft

The adoption of the ban was planned for the first quarter of 2023, with the publication date yet to be determined.

Information can be found in this [information about the initiative](#), the [draft delegated regulation](#), and its [annex](#).

Registry of substance of very high concern intention for triphenyl phosphate (published)

France has submitted a substance of very high concern (SVHC) intention for triphenyl phosphate (EC No. 204-112-2; CAS No. 115-86-6). Triphenyl phosphate is used in adhesives and sealants, coating products, and cosmetics and personal care products. It has endocrine disrupting properties and may have serious and often irreversible effects on the environment

can be identified as SVHCs. SVHC substances have information requirements attached when present above 0.1% w/w in articles under REACH and SCIP².

Now that the Intention has been submitted, France needs to prepare and submit an Annex XV dossier, the expected date of submission is 5 February 2024. Following this, a consultation will open, after which a final decision will be made on the addition of the substance to the Candidate List of SVHCs. Once the substance has been to the Candidate List, affected parties need to comply with the new information requirements.

More Information can be found in this [announcement](#) from the European Chemicals Agency.

Harmonized classification and labeling consultations for four substances (consultation)

On 2 May 2023, the European Chemicals Agency (ECHA) opened a consultation period on the harmonized classification and labeling (CLH) of the following substances:

- » undecafluorohexanoic acid (CAS No. 307-24-4)
- » sodium undecafluorohexanoate (CAS No. 2923-26-4)
- » ammonium undecafluorohexanoate (CAS No. 21615-47-4)
- » other inorganic salts of undecafluorohexanoic acid

These substances are used in the manufacture of polymers and plastic products, including compounding and conversion.

The deadline for comments was 3 July 2023. Parties were invited to comment on hazard classes, the proposed classification, and general issues (e.g., substance identification, physicochemical properties, and data sources) and may request clarifications in the text of the CLH report. The hazard classes open for comments were “reproductive toxicity” and “specific target organ toxicity — repeated exposure.”

More Information can be found in this [announcement](#) from ECHA.

United Kingdom

Regulatory Management Options Analysis for formaldehyde and formaldehyde releasers (consultation)

The United Kingdom (UK) has initiated a Regulatory Management Options Analysis (RMOA) examining the general public's exposure to formaldehyde (CAS No. 50-00-0) from formaldehyde releasers in articles. RMOA is a process through which the UK-REACH assesses the potential risks posed by a substance (or group of substances), identifies areas where further information is needed to fill information gaps, and recommends regulatory measures to address any identified risks. The UK aims to gather information and evidence that regulators will use to prepare the RMOA. The consultation period ended on 25 June 2023.

Assessment experts have identified that articles, products, and processes can release formaldehyde in indoor settings including construction, paints, furniture, textiles, and other consumer products. Due to the hazardous properties of this chemical, the European Chemicals Agency adopted a restriction proposal in September 2020 to limit the release of

² SCIP is the database for information on Substances of Concern In articles as such or in complex objects (Products) established under the Waste Framework Directive.

formaldehyde into indoor air from products that may contain formaldehyde residues because of the manufacturing process for that product. The authorities seek information to decide if a similar restriction is needed in Great Britain (GB) by assessing the levels of formaldehyde occurring indoors in GB and vehicles (including aircraft cabins) that the general public may use.

The UK is collecting information on the following:

- » the manufacture, import, and use of articles that have the potential to release formaldehyde to indoor air during their service life
- » the rate of formaldehyde emissions from these articles and actions that may be taken to reduce exposure to formaldehyde from these sources
- » product specific legislation and standards that apply to these articles
- » industry initiatives to reduce the potential for formaldehyde to be released from these articles

Information can be found in this [announcement](#).

REACH (Amendment) Regulations 2023 amends the retained version of REACH Regulation (EC) No 1907/2006 (draft)

On 20 April 2023, the REACH (Amendment) Regulations 2023 was laid in the United Kingdom (UK) Parliament to amend the retained version of REACH Regulation (EC) No 1907/2006. The amendments, which apply to Great Britain (i.e., England, Wales, and Scotland), extend the UK REACH transitional registration deadlines by three years, and will enter into force 21 days after they are made.

The UK REACH Regulation contains transitional provisions that allow companies to submit initial “notification” data in order to continue trading and then subsequently provide the full registration data. The transitional provisions apply to those that were registrants, downstream users, or distributors under EU REACH before UK REACH came into effect.

Under the draft legislation, the deadlines for submission of such data will be extended by three years:

- » first submission deadline extended to 27 October 2026 from 27 October 2023 for substances:
 - included on the EU REACH candidate list before UK REACH came into effect
 - that are carcinogenic, mutagenic, or toxic for reproduction and manufactured or imported in quantities of one tonne a year or more
 - that are very toxic to aquatic life and manufactured or imported in quantities of 100 tonnes or more a year
 - manufactured in Great Britain or imported in quantities of 1,000 tonnes or more a year).
- » second submission deadline extended to 27 October 2028 from 27 October 2025 for substances
 - added to the UK REACH candidate list before the 2023 submission deadline
 - manufactured in Great Britain or imported in quantities of 100 tonnes or more a year
- » third submission deadline extended to 27 October 2030 from 27 October 2027 for all substances manufactured in Great Britain or imported in quantities of one tonne or more a year

These extensions also affect the period of time in which a “protected transitional import” can be made, since the definition of the “relevant post-IP completion period” will be amended. This means that the period for downstream users and distributors to import chemicals from the EU without full registration will be extended. In addition, the draft extends the statutory dates for compliance checks of registration dossiers so that they do not precede the data submission dates.

Penalties for non-compliance under UK REACH include fines and/or up to two years imprisonment.

More information can be found [here](#).



NORTH AMERICA

Canada

Order 2023-87-05-02 amending the Non-domestic Substances List (in force)

Canada published Order 2023-87-05-02 on 29 April 2023 to update the Non-domestic Substances List (NDSL). The NDSL is an inventory of substances that are not on the domestic substances list (DSL) but are in commercial use internationally. Substances that are listed on the NDSL are subject to lesser information requirements compared to substances listed on the DSL.

According to the Order, 1,3-Benzenedicarboxylic acid, 1,3-di-2-propen-1-yl ester, homopolymer (CAS No. 25035-78-3) has been deleted from the NDSL. The Order came into force on 18 April 2023.

Penalties for non-compliance under CEPA include fines of up to \$1 million a day for each day an offence continues, imprisonment for up to three years or both.

More information can be found in the [Canada Gazette](#).

Final decisions on the screening of coumarin 1 (consultation)

The screening assessment conducted under the Canadian Environmental Protection Act, 1999 (CEPA) concluded that 2H-1-benzopyran-2-one, 7-(diethylamino)-4-methyl- (coumarin 1) (coumarin 1; CAS No. 91-44-1) meets one or more of the criteria set out in section 64 of CEPA. Coumarin 1 was identified as a priority for assessment based on its categorization criteria under CEPA.

The assessment revealed that coumarin 1 is not manufactured in Canada above the reporting threshold, but it is imported in a quantity range of 1,000 kilograms (kg) to 10,000 kg. It is used in various commercial applications, including fabric, textile, and leather articles. It serves as a stabilizer in carpet cleaners and as a fragrance ingredient in cleaning products.

The ecological risk assessment indicates that coumarin 1 is unlikely to cause ecological harm. Considering all available evidence, the screening assessment concludes that there is a low risk of harm to the environment from coumarin 1, as it does not meet the criteria for immediate or long-term harmful effects on the environment or its biodiversity.

Regarding human health, the health effects dataset for coumarin 1 is considered limited. A read-across approach using data on analogues was employed to assess its health effects. The main concern identified is developmental toxicity. Exposure of the general population in Canada to coumarin 1 occurs primarily through the use of certain cosmetic and cleaning products.

Comparisons between exposure levels and adverse effects in laboratory studies indicate adequate margins of safety for most products. However, margins for specialty body makeup (ages 4 years and older) and temporary gel hair dye (ages 2 to 13 years) are considered inadequate to address uncertainties in health effects and exposure.

Considering all the information, it was concluded that coumarin 1 meets the criteria under paragraph 64(c) of CEPA, as it enters or may enter the environment in a quantity or concentration that poses a danger to human life or health in Canada. It also meets the criteria set out in section 64 of CEPA, including the criteria for persistence but not for bioaccumulation as per the Persistence and Bioaccumulation Regulations of CEPA.

The deadline for comments is 60 days after publication of the proposed risk management approach document.

Information can be found in the [Canada Gazette](#). More information can be found in the [latest news about the Chemical Management Plan](#).

Publication of the draft report on assessment of fate, sources, occurrence, and potential impacts of per- and polyfluoroalkyl substances (consultation)

The Government of Canada has published a draft report on the qualitative assessment of the fate, sources, occurrence, and potential impacts of per- and polyfluoroalkyl substances (PFAS) on the environment and human health to inform decision-making. PFAS are a class of over 4700 human-made substances with a wide range of consumer, industrial, and specialized applications. Their widespread use and extreme persistence in the environment, propensity for accumulation, and mobility have led to PFAS being commonly detected in the environment and humans. There is growing evidence that exposure to PFAS can lead to adverse effects on the environment and human health.

A limited number of subgroups of PFAS are subject to risk management controls in Canada. The manufacture, use, sale, offer for sale, and import of perfluorooctanesulfonic acid (a.k.a. PFOS; CAS No. 1763-23-1), perfluorooctanoic acid (a.k.a. PFOA; CAS No. 335-67-), long-chain perfluorocarboxylic acids, and their salts and precursors are prohibited under the Prohibition of Certain Toxic Substances Regulations, 2012, with a limited number of exemptions. Proposed regulations repealing and replacing the Prohibition of Certain Toxic Substances Regulations, 2012, were also published in May 2022, which aim to further restrict these groups of substances by removing or providing time limits for most remaining exemptions. It is proposed that the class of PFAS meets the criterion under paragraph 64(c) of Canadian Environmental Protection Act, 1999 (CEPA) as these substances are entering or may enter the environment in a quantity or concentration or under conditions that constitute or may constitute a danger in Canada to human life or health. Therefore, it is proposed to conclude that the class of PFAS meets one or more of the criteria set out in section 64 of CEPA.

To manage risks posed by PFAS, the Government of Canada is considering:

- » regulatory and/or non-regulatory controls to minimize environmental and human exposure to the class of PFAS from firefighting foams
- » gathering information necessary to identify and prioritize options for reducing environmental and human exposure from the class of PFAS from other sources and products
- » aligning with actions in other jurisdictions, where appropriate

For informed risk management decision-making, the government is requesting impacted industry entities to provide information on the following topics:

- » availability of alternatives to PFAS in products including but not limited to firefighting foams
- » socio-economic impacts of replacing PFAS, including costs and feasibility of replacement

- » types, quantities, and concentrations of PFAS (including CAS numbers, units of measurement, and applications) in products manufactured in, imported into and sold in Canada

The deadline for comments on the draft report and proposed risk management scope was 19 July 2023.

Information can be found in this [summary](#) and [full version](#) of the draft report. More information can be found in the [risk management scope for PFAS](#).

Notice of intent to amend the Domestic Substances List to unmask the identities of 132 substances listed confidentially on Part 3 (consultation)

On 6 May 2023, the Canada Department of Environment announced its intent to unmask the identities of 132 substances currently on Part 3 of the Domestic Substances List pursuant to the Canadian Environmental Protection Act, 1999. The public was invited to provide comments on the amendment within 60 days of its publication (due date was 5 July 2023). If an entity objects to the unmasking of a substance, they must submit a masked name application for each substance to the Substances Management Information Line, including a masked name that complies with the Masked Name Regulations and a justification outlined in the Guidance Document for the New Substances Notification Regulations.

More information can be found in the [Canada Gazette](#).

Notice of intent to address 65 existing substances identified as Chemicals Management Plan priorities (proposal)

On 22 April 2023, the Canadian government published a notice to describe how it will conduct risk assessments on the remaining 65 substances, out of the 4,363 prioritized substances identified as meeting the criteria for the categorization of substances on the Domestic Substances List (DSL), to determine if the substances are toxic or capable of becoming toxic. Following the launch of the Chemicals Management Plan (CMP) in 2006, a total of 4,144 substances out of the 4,363 prioritized substances have been addressed, and 154 out of the remaining 219 substances are expected to be evaluated by March 2024. The remaining 65 substances listed in Annex I have been placed into two categories to be addressed.

Category 1: Substances that need further data collection or will be considered as part of an expanded group that is not yet ready for assessment. The substances/groups in this category are proposed to be considered in future assessments. They require detailed information gathering (e.g., data generation, collection of commercial use information, or environmental monitoring) before initiating the evaluation. Many are expected to be added to larger groups or classes of similar substances for assessment to allow the Government to understand better and consider the risks of all substances in the group or class and support efforts to consider cumulative effects. Group or class-based assessments better inform future decisions regarding substituting toxic substances. The priority substances included in Category 1 are:

- » quaternary ammonium compounds (19 substances)
- » alkylbenzene sulfonates and derivatives (19 substances)
- » benzophenone-12 (1 substance)
- » mineral oils (1 substance)
- » pharmaceuticals (9 substances)
- » vetiver oils (2 substances)

Category 2: Substances that will be addressed using alternative assessment strategies. As other programs and regulatory frameworks address the health and environmental considerations associated with the substances in this category, a screening assessment under Canadian Environmental Protection Act, 1999 has been deemed to be not needed at this time. The priority substances included in Category 2 are:

- » ethanol (1 substance)
- » gasoline substances, diesel substances, crude oil, and bitumen (9 substances)
- » vitamin A and related substances (4 substances)

Industry entities possessing data or information supporting the conclusion that any of the above substances are toxic or capable of becoming toxic are required to submit the data or information to the Ministry of Environment.

More information and the list of 65 substances (and their CAS numbers) can be found in the [Canada Gazette](#).

United States

New alternatives for refrigeration, air conditioning, and fire suppression sectors (in force)

On 28 April 2023, the United States Environmental Protection Agency (EPA) published a final rule listing new alternatives for the refrigeration and air conditioning (AC), and fire suppression sectors under the Significant New Alternatives Policy (SNAP) program. The rule became effective on 30 May 2023. SNAP program implements section 612 of the amended Clean Air Act of 1990, which requires the EPA to evaluate substitutes for ozone-depleting substances to reduce overall risk to human health and the environment.

Specifically, the EPA is listing:

- » hydrofluoroolefin (HFO)-1234yf, hydrofluorocarbon (HFC)-32, R-452B, R-454A, R-454B, and R-454C as acceptable, subject to use conditions, for use in chillers used in comfort cooling, including commercial AC and industrial process AC
- » HFO-1234yf, HFC-32, R-452B, R-454A, R-454B, and R-454C as acceptable, subject to use conditions, for use in residential dehumidifiers
- » HFC-32 as acceptable, subject to use conditions, for use in self-contained room ACs and heat pumps
- » R-1150 as acceptable, subject to use conditions and narrowed use limits, for use in very low temperature refrigeration
- » 2-bromo-3,3,3-trifluoropropene as acceptable, subject to use conditions, in streaming for non-residential use, except home offices and boats and total flooding in normally unoccupied spaces under 500 cubic feet
- » EXXFIRE® as acceptable, subject to use conditions, in total flooding for normally unoccupied areas
- » powdered Aerosol H, also known as Pyroquench- α TM, as acceptable, subject to use conditions, in total flooding for normally unoccupied areas

In addition, the update lists regulated entities that may be affected by this rule and their respective North American Industrial Classification System (NAICS) codes. These include but are not limited to the following:

- » All Other Basic Organic Chemical Manufacturing (NAICS 325199)
- » Air Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing (NAICS 333415)
- » Household Appliances, Electric Housewares, and Consumer Electronics Merchant Wholesalers (NAICS 423620)
- » Refrigeration Equipment and Supplies Merchant Wholesalers (NAICS 423740)
- » Recyclable Material Merchant Wholesalers (NAICS 423930)

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- » Appliance Repair and Maintenance (NAICS 811412)
- » Fire Protection (NAICS 922160)

There are no non-compliance provisions associated with this update.

More information can be found in the [Federal Register](#).

Determination that the substance “P-22-0051, 2,5-Furandione, dihydro-, monopropylisobutylene derivs., reaction products with substituted alkylamine” does not present an unreasonable risk of injury to health or the environment (published)

The Environmental Protection Agency (EPA) has determined that the substance “P-22-0051, 2,5-Furandione, dihydro-, monopropylisobutylene derivs., reaction products with substituted alkylamine” (generic name) was deemed not to present an unreasonable risk of injury to health or the environment. The generic use of the substance is as a lubricant and fuel additive.

Under the Toxic Substances Control Act (TSCA), EPA is required to publish in the Federal Register a statement of its findings following a review of certain submissions when it concludes that a new chemical substance or significant new use is not likely to present an unreasonable risk of injury to health or the environment. This applies to both premanufacture notices and significant new use notices.

TSCA provides EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures and the TSCA Inventory contains 86,685 chemicals and 42,170 of these are active in United States commerce. Additionally, the TSCA Inventory now includes commercial activity data, unique identifiers, and regulatory flags (e.g., significant new use rules and test orders). TSCA submitters should regularly check for any correspondence relating to their submissions in EPA’s Central Data Exchange.

Penalties for non-compliance with the TSCA include fines and imprisonment.

More information can be found in the [Federal Register](#).

Amendments to the new chemicals procedural regulation under the Toxic Substances Control Act (consultation)

The United States Environmental Protection Agency (EPA) is proposing amendments to the new chemicals procedural regulations under the Toxic Substances Control Act (TSCA). With these amendments, EPA intends to align the regulatory text with amendments to TSCA's new chemicals review provisions contained in the Frank R. Lautenberg Chemical Safety for the 21st Century Act, enacted in 2016. EPA is undertaking this to improve the efficiency of review processes and update the regulations based on existing policies and experience implementing the New Chemicals Program. The amendments would reduce the need to redo all or part of the risk assessment by improving information initially submitted in new chemicals notices, which is expected to help reduce the time that new chemicals notices are under review.

EPA is also proposing several amendments to the regulations for low volume exemptions and low release and exposure exemptions. This includes requiring EPA approval of an exemption notice before commencement of manufacture, making

per- and polyfluoroalkyl substances categorically ineligible for these exemptions, and providing that certain persistent, bio-accumulative, and toxic chemical substances are ineligible for these exemptions.

This action impacts entities that manufacture a new chemical substance or manufacture or process a chemical substance for significant new use. The consultation closes on 25 July 2023.

More information can be found in the [Federal Register](#).

Information Collection Request for the Greenhouse Gas Reporting Program (consultation)

The Environmental Protection Agency (EPA) is planning to submit an Information Collection Request (ICR) for the Greenhouse Gas Reporting Program to the Office of Management and Budget (OMB) for review and approval. In 2009, under the Clean Air Act, the EPA finalized the Mandatory Reporting of Greenhouse Gases Rule (GHG Reporting Rule). The rule established reporting requirements for certain large facilities and suppliers. It requires that sources emitting greenhouse gases, supplying certain products that contain greenhouse gases, or injecting carbon dioxide (CO₂) underground in quantities above certain threshold levels of carbon dioxide equivalent (CO₂ e) monitor and report their annual emissions. Affected entities include facilities emitting GHGs, supplying certain products that contain GHGs, or injecting CO₂ underground in quantities above certain threshold levels of CO₂ e.

EPA is soliciting comments and information to enable it to enhance the quality, utility, and clarity of the information to be collected; and minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. The deadline for comments was 3 July 2023.

More information can be found in the [Federal Register](#).

Proposal addressing risk posed by methylene chloride and requirements to ensure that the chemical no longer presents an unreasonable risk (consultation)

Following the risk evaluation findings, prepared under the Toxic Substances Control Act (TSCA), which determined that methylene chloride presents an unreasonable risk of injury to human health while evaluating its conditions of use, the United States Environmental Protection Agency (EPA) opened a consultation window on a proposal published on 3 May 2023 to address the risk posed by this substance and the requirements that must be applied to ensure that the chemical no longer presents an unreasonable risk. The deadline for comments was 3 July 2023.

Methylene chloride (also known as dichloromethane) is a volatile chemical that has been determined to be an acutely lethal neurotoxicant and a likely human carcinogen and presents cancer and non-cancer risks following chronic and acute exposures. It is used as a solvent in various applications including vapor degreasing, metal cleaning, the production of refrigerant chemicals, and as an ingredient in sealants and adhesive removers.

To address the identified unreasonable risk, EPA is proposing to:

- » prohibit the manufacture, processing, and distribution in commerce of methylene chloride for consumer use
- » prohibit most industrial and commercial uses of methylene chloride
- » require a workplace chemical protection program

- » require recordkeeping and downstream notification requirements for several conditions of use of methylene chloride
- » provide certain time-limited exemptions from requirements for uses of methylene chloride that would otherwise significantly disrupt national security and critical infrastructure

This action may also affect certain entities through pre-existing import certification and export notification rules under TSCA.

More information can be found in the [Federal Register](#).



OCEANIA

[Australia](#)

Revocation of confidential business information approval for two substances in the Australian Inventory of Industrial Chemicals (published)

On 4 May 2023, the Australian government announced that the confidential business information approval for the proper names of the following two substances in the Australian Inventory of Industrial Chemicals (AIIC) has been revoked:

- » titanium, bis(2,4-pentanedionato- κ .O2, κ .O4)bis(2-propanolato)-, reaction products with 1-ethenyl-1H-imidazole and hydrogenated 1-decene homopolymer (CAS No. 2919696-28-7)
- » molybdenum, borate neodecanoate oxo complexes, reaction products with 1-ethenyl-1H-imidazole and hydrogenated 1-decene homopolymer (CAS No. 2919696-30-1)

The AIIC is a searchable database consisting of around 40,000 chemicals that are being manufactured or imported into Australia for industrial use. Chemical substances that are listed in the AIIC can be introduced by any registered introducers (manufacturer or importer). According to the Industrial Chemicals Act 2019, which regulates the manufacture and import of industrial chemicals (chemicals used for purposes other than agriculture, veterinary, or therapeutic purposes, or in food or feed), introducers shall apply for registration before introducing an industrial chemical to Australia. For chemicals not listed in the AIIC, introducers shall apply to the Executive Director for an assessment certificate for their introduction.

Penalties for non-compliance include fines.

More information can be found [here](#).

NEWSLETTER

*Global Environmental and Chemical Regulations, Policies, and Standards
June 2023*



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