

Newsletter

Global Environmental and
Chemical Regulations, Policies,
and Standards

September 2023

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NEWSLETTER

Global Environmental and Chemical Regulations, Policies, and Standards
September 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

List of Toxic and Hazardous Water Pollutants (Second Batch)" (Draft for Comment) (consultation)

On 4 August 2023, the Ministry of Ecology and Environment (MEE), in collaboration with the State Administration for Disease Control and Prevention, released a draft for comments regarding the List of Toxic and Harmful Water Pollutants (Second Batch). This initiative aims to align with the Chinese law on "Water Pollution Prevention and Control Law of the People's Republic of China," enhance environmental safety, and safeguard public health and the ecosystem. The deadline for comments was 5 September 2023.

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

Notice on collection of information on long-chain perfluorocarboxylic acids and medium chain chlorinated paraffins (consultation)

On 20 July 2023, the Ministry of Ecology and Environment (MEE) published a notice to solicit information on the production, usage, import/export, substitutes, and alternative technologies of certain persistent organic pollutants (POPs) in China. Comments were due on 27 August 2023.

The Stockholm Convention on POPs, established in 2001 and enforced in China since 11 November 2004, addresses chemicals with characteristics like persistence, bioaccumulation, and long-range environmental migration that can harm human health and ecosystems. The convention categorizes these pollutants into Annex A (to be eliminated), Annex B (restricted), and Annex C (unintentional generation), with corresponding control measures. Chemicals can be added to the Convention's annexes if reviewed and approved. Currently, thirty-four categories of chemicals are listed.

In October 2023, the 19th Convention Review Committee will review long-chain perfluorocarboxylic acids and medium-chain chlorinated paraffins, specifying their characteristics. Long-chain perfluorocarboxylic acids have chain lengths of C9 to C21, while medium-chain chlorinated paraffins have C14 to C17 chain lengths and $\geq 45\%$ chlorine content by weight. The MEE is requesting details on these pollutants.

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

Proposal to regulate and phase down hydrofluorocarbons usage (consultation)

The government of Hong Kong opened a consultation on its comprehensive strategy to regulate and reduce hydrofluorocarbon (HFC) usage, aligning with the Kigali Amendment of the Montreal Protocol. The deadline for comments was in September 2023.

HFCs are synthetic gases commonly used in cooling and fire suppression, known for their high global warming potential. The Kigali Amendment aims to curtail HFC production and consumption as a pivotal measure in the fight against climate change. Hong Kong's proposal encompasses licensing, quota control, and targeted bans to ensure effective HFC management and emission reduction.

The proposal document includes:

- » import quota allocation – Hong Kong seeks consensus on a systematic approach for allocating HFC import quotas, streamlining control and monitoring
- » import ban on HFC-23 – the document inquires about an agreement on prohibiting HFC-23 imports, setting a prospective timeline for this restriction
- » accelerated transition – a strategy outlines plans to expedite the shift away from high-GWP (global warming potential) products and equipment by restricting their availability in the market
- » restricted equipment list – an initial list of equipment types with high GWP is presented for regulation, ensuring a controlled approach to their usage
- » prohibition effective date – the suggested timeline for implementing import and manufacturing prohibitions is accompanied by a one-year grace period for sales
- » exclusion for existing equipment – the proposal contemplates excluding locally owned existing equipment from the new regulations, acknowledging the need for a transition period
- » used equipment import – the document highlights that used equipment import will not be exempt from the new regulations
- » labeling requirement – the introduction of mandatory labeling for restricted equipment aims to enhance enforcement and compliance
- » transitional product responsibility scheme (PRS) – a scheme involving levies on scheduled HFC-imported products is presented to discourage outdated equipment dumping and align with international standards, with a focus on private car air conditioners
- » implications for companies – the proposed regulations will impact companies involved in HFC-related industries, necessitating adjustments to their practices, equipment sourcing, and compliance procedures

Proposed penalties for non-compliance with the proposed regulations include:

- » refrigerant release offence - releasing scheduled refrigerant into the atmosphere without due diligence defense is an offence, with a maximum fine of \$100,000
- » owner offence - failing to engage a registered refrigerant handling contractor for scheduled refrigerant work is an offence, with a maximum fine of \$100,000
- » unregistered handling offence - carrying out scheduled refrigerant work without registration is an offence, with a maximum fine of \$100,000
- » contractor offence – registered refrigerant handling contractor failing to provide proper equipment and procedures is an offence, with a maximum fine of \$100,000
- » reporting offence – registered refrigerant handling contractor failing to meet reporting requirements is an offence, with a maximum fine of \$100,000
- » registration offence – failing to register regulated equipment within specified periods is an offence; exploration of a fixed penalty notice system for efficient enforcement is considered

More information can be found in this [notification](#) from the Hong Kong government and in this [consultation document](#).

Release of two parts of the “Specification for Classification and Labeling of Chemicals” — Part 1: General specifications and Part X: Desensitized explosives (consultation)

On 28 August 2023, the World Trade Organization (WTO) was notified of China’s plans to align with the 8th revised edition of United Nations Globally Harmonized System of classification, labeling and packaging (GHS). To implement GHS Rev.8, China has released two parts of GB 30000 "Specifications for the Classification and Labeling of Chemicals" for consultation. The first part would replace “Part 1: General specifications” of China's GB 13690-2009 standard, which implements parts of GHS Rev.4. Part X is a new part that would set classification criteria for desensitized explosives.

Part 1 - General specifications

Draft Standard GB 30000.1-xxxx specifies the terms, definitions and rules relating to chemical classification and labelling, in addition to requirements for chemical safety data sheets. The new draft aligns with GHS Rev.8. The changes compared to GB 13690-2009 include:

- » exclusion of drugs, food additives, cosmetics, and pesticide residues in food, when ingested intentionally and provided that there is no possibility of worker exposure or potential exposure during transportation, from the labeling provisions of the Standard; current rules, in GB 13690-2009, govern the labels of all workplaces which handle chemicals and consumer goods that contain them
- » establishment of cut-off values and content requirements in alignment with GHS Rev.8, according to the hazard type
- » addition of desensitized explosives as a new physical hazard class
- » addition of special labelling arrangements:
 - it is permitted to only disclose hazard information through the safety data sheets for metals and alloys supplied in a bulk, non-dispersible form
 - alternative means of providing the same information to workers in a different written or displayed format are permitted if the format is more appropriate to the workplace and effectively communicates the information (for example, label information can be displayed on the workspace rather than on individual containers)
 - consumer products (goods that can be purchased directly by general consumers in the market) may be labelled according to their potential for harm, in accordance with GB/T 36499 (guidance on consumer product risk assessment for GHS labeling)

The proposed implementation date of Draft Standard GB 30000.1-xxxx is six months after its release. It will replace GB 13690-2009, which implements parts of GHS Rev.4. Drafts to update the other parts of GB 30000 "Specifications for the Classification and Labeling of Chemicals" have not yet been published.

Part X - Desensitized explosives

Draft Standard 30000.X-202x specifies the terms and definitions, classification criteria, decision logic, guidance, and labels for desensitized explosives. Desensitized explosives refer to solid or liquid explosive substances or mixtures that have been desensitized to suppress their explosiveness. This means they will not explode as a whole, nor will they burn rapidly, and cannot be classified in the hazard class "Explosives." Draft Standard 30000.X-202x is proposed to enter into force on 1 July 2024.

The consultation period for both drafts is open until 27 October 2023.

Information on Part 1 can be found in English in this [23 August 2023 Notification](#) from WTO and in the draft standard [in Chinese](#) and [in English](#). Information on Part X can be found in this [28 August 2023 notification](#) from WTO and in the desensitized explosives draft standard [in Chinese](#) and [in English](#).

Israel

Amendments to Energy Sources Law, 1989 in regard to importation, sale, and marketing of electrical devices (published)

On 13 August 2023, Israel's Energy Sources Law, 1989, underwent significant amendments as part of the Economic Plan Law. These changes, effective from 1 September 2022, impact the importation, sale, and marketing of electrical devices in Israel. The amendments align with European import legal requirements.

Key Changes include:

- » importation of electrical devices; importers can now obtain approval from the Ministry of Energy to import electrical devices into Israel based on compliance with European import legality - approval can be granted through the importer's declaration or by conducting a laboratory test in accordance with European requirements
- » energy sources regulations cancellation; the Minister of Energy and Infrastructure cancelled several energy sources regulations on June 25, 2023 – these include regulations related to energy consumption, efficiency, and standards for various electrical devices
- » approval requirement: after the specified deadlines, approval from the Ministry of Energy is required for the import, sale, or marketing of these devices, but only if they meet European import requirements
- » certificate requirement; a certificate from the Ministry of Energy is now mandatory for the importation of electrical devices listed in the third appendix to the Energy Sources Law
 - the certificate demonstrates compliance with the provisions of Section 3C of the Energy Sources Law
 - it replaces the need for approval from the Standards Institute in certain cases as stipulated in the energy sources regulations
- » additional certificates; importers may be required to present additional certificates beyond those currently required as a result of these amendments

The following energy sources regulations will also be cancelled:

- » Maximum Energy Consumption for a Household Appliance, 2009
- » Energy Efficiency of Electric Induction Motors, 2004 - 2004
- » Minimum Efficiency Index for Fluorescent Light Bulb Ballast, 2009
- » Energy Efficiency, Energy Marking and Energy Rating in Air Conditioners, 2004
- » Minimum Energy Efficiency for Electric Light Bulbs for Interior Lighting in Buildings, 2011
- » Energy Efficiency and Information on Energy Consumption of Cooling Devices, 2004
- » Maximum Electrical Power for a Television Receiver, 2011
- » Maximum Electrical Power in Standby Mode for Home and Office Electrical Appliances, 2011
- » Maximum Electric Power in Active Standby Mode of a Digital Channel Converter for Receiving Television Broadcasts, 2015
- » Minimum Energy Efficiency for Electric Light Bulbs for Interior Lighting in Buildings – Fluorescent Bulbs, 2012

The cancellation of these regulations will affect manufacturers, importers, sellers, and marketers differently. For manufacturers and importers, the cancellation comes into effect on 25 July 2023, except for air conditioners, which will apply from 25 June 2024. For sellers and marketers, it becomes effective on 25 June 2024, or 25 June 2025 for air conditioners.

More information can be here [in English](#) and [in Hebrew](#).

Japan

Revision to the "Enforcement Order of the Act on Preventing Mercury Pollution of the Environment" (draft amendment)

On 26 July 2023, the Japanese Chemical Management Policy Division of the Manufacturing Industries Bureau under the Ministry of Economy, Trade, and Industry, along with the Office of Mercury Management in the Environmental Health Department of the Ministry of the Environment, introduced a revision to the "Enforcement Order of the Act on Preventing Mercury Pollution of the Environment" (the Order). This revision was prompted by discussions held during the Fourth meeting of the Conference of the Parties to the Minamata Convention on Mercury (COP-4) - Second Segment, which took place from 21 to 25 March 2022. During this meeting, the list of mercury-using products and manufacturing processes was reviewed. Subsequently, it was decided that eight mercury-using products would be added to Annex A as mercury-using products and phased out from manufacturing and export/import by 2025.

In response to this decision, five mercury-using products that are not domestically manufactured, imported, or exported will be designated as "specific mercury-using products." These products will be subject to special regulation under the revised Order. The specific mercury-using products are as follows:

- » strain gauges for plethysmographs
- » mercury vacuum pumps
- » tire balancers and wheel weights
- » photographic film and paper
- » propellants for satellites and spacecraft

The primary purpose of this revision is to safeguard human health from mercury exposure, protect the integrity of the natural environment, and ensure the effective implementation of the Minamata Convention on Mercury through international cooperation. This entails regulating the manufacture of mercury-using products and restricting their use as components in the manufacturing of other products. The anticipated date for the enforcement of this revision to the Order is January 2025.

Information can be found in these announcements on the revision of the [Act on Preventing Mercury Pollution of the Environment](#) and in the [Enforcement Order of the Act on Preventing Mercury Pollution of the Environment](#).

Philippines

House Bill No. 8791 – Circular Economy Promotion Act (draft act)

On 7 August 2023, a draft of the Philippine Circular Economy Promotion Act (the draft Act) was published. The draft Act aims to promote the transition to a circular economy with innovative and sustainable business models, products, and materials, including removing the use of toxic and hazardous substances in the production of goods and products. In addition, electric and electronic products and single-use plastics are specifically targeted.

A circular economy is a system approach where products are designed for durability, reuse, and recyclability, and materials for new products come from old products, to minimize waste and maximize the use of natural resources. Thus, the draft Act applies to producers and consumers involved in value chains of all goods, products, services, and processes contributing to the Philippine economy.

Key principles of the circular economy include:

- » the need to remove the use of toxic chemicals and hazardous substances in the production of goods and products; the elimination of toxicity in the production line will protect workers' health and guarantee safe and clean recycling processes throughout the product's lifecycle
- » product design (including packaging): all products are designed to avoid waste leakage into the oceans and environment and must meet the guaranteed minimum number of recycling cycles per material; the design of product packing shall be subject to standards to avoid resource waste and environmental pollution associated with overpacking

Toxic substances, electric and electronic products, and single-use plastics are specifically targeted as follows:

- » toxic substances: any entity or individual engaging in the design of process, equipment, product, and packing material shall give priority to choosing designs and materials that are easy to be recovered, dismantled, and degraded, nontoxic and harmless, or with low toxic and harm
- » electric and electronic products: toxic and harmful substances may not be used in the design of electric and electronic products that may pollute the environment in dismantling and handling processes (toxic and harmful substances will be defined by law or treaty)
- » single-use plastics (such as containers and Styrofoam):
 - single-use plastics, from all business enterprises to consumers, will be phased-out 3 years from the effective date of the Act.
 - a phase-out and transition plan will be formulated within 1 year after the Act enters into effect, which will include several components, such as a single-use plastic production and consumption reduction program; extended producer responsibility schemes for business enterprises and plastic producers; greener plastic product standards for plastic products that are made of compostable materials, do not produce microplastics, and can degrade naturally in the environment; regulatory instruments; and collection, recovery, and recycling plans for businesses.

Under Section 15, the Philippine Council for Sustainable Development shall determine whether existing regulations hamper circular economic activities or resource efficiency and propose interventions such as lifting existing restrictions or setting positive legal frameworks. Implementing rules and regulations will be issued within 6 months after the Act enters into effect.

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

South Korea

Amendment to set the upper and lower handling limits for six newly designated toxic substances (in force)

On 10 August 2023, South Korea's Ministry of Environment (MoE) published an amendment that sets the upper and lower handling limits for six new toxic substances. This is an amendment to the "Regulations on Regulated Quantities of Toxic Substances, Restricted Substances, Prohibited Substances, and Permitted Substances" that detail hazardous substances requiring preparation for accidents. The new limits apply to substances that were designated as newly toxic in NIER Notice 2023-21 on 1 June 2023.

Under the Chemicals Control Act, a chemical accident prevention management plan must be submitted if the prescribed handling limits (published on 10 August 2023) are exceeded. If the upper handling limit is exceeded, a Grade 1 chemical

accident prevention management plan is required. If the lower handling limit is exceeded, a Grade 2 chemical accident prevention management plan is required.

The six substances are:

- » 3,5-difluorophenol (CAS No. 2713-34-0)
- » tetrahydro-3-methylthiophene 1,1-dioxide (CAS No. 872-93-5)
- » 1,1,1-trifluoro-N-[(trifluoromethyl)sulfonyl]methanesulfonamide, cesium salt (1:1) (CAS Number: 91742-16-4);
- » 1,1,2-trichloroethane (CAS No. 79-00-5)
- » 1,5-diisocyanatopentane homopolymer, 2-ethyl-1-hexanol-blocked (CAS No. 1976005-08-9)
- » isononyl phosphate (CAS No. 84988-61-4)

NIER Notice No. 2023-21 also amended the names of seven substances already on the Toxic Chemical Substances List (TCSL). The amended TCSL entered into force on 2 September 2023. However, the following transitional deadlines apply:

- » 1 January 2024: Manufacturers and importers of the seven substances are required to submit a "Written Confirmation of Details for Chemical Product," per Article 9 of the Chemicals Control Act (CCA). Handling of the seven substances must comply with labeling obligations, under Article 16 of the CCA. Import notification is also required before this date, in accordance with Article 20 of the CCA.
- » 1 July 2024: Compliance with Annex 1 of the CCA Enforcement Rules is required for all enterprises who handle the newly added toxic chemicals or enterprises that have installed and operated handling facilities for them.
- » 1 July 2025: All enterprises who handle the seven substances or enterprises that have installed and operated handling facilities for them must prepare a chemical accident management plan, per Article 23 of the CCA. The manufacture, sale, storage, transport, and use of seven substances is subject to business licensing (Article 28 of CCA) and conditions required to obtain these licenses.
- » 1 July 2027: Compliance with Annex 5 of the CCA Enforcement Rules is required for all enterprises who handle the newly added toxic chemicals or enterprises that have installed and operated handling facilities for them.

In addition, amendments regarding the harmonized classification and labeling of the newly designated toxic substances were published under NIER Notice No. 2023-22. The updates to the globally harmonized system (a.k.a. GHS) classification list entered into force immediately, though labeling (in accordance with Article 16 of the CCA) is required by 1 January 2024.

There are no penalties for non-compliance detailed in these amendments.

Information can be found in Korean this [notice](#) from the MoE. Information on NIER Notice 2023-21 can be found here [in Korean](#) and [in English](#). Information on NIER Notice 2023-22 can be found here [in Korean](#) and [in English](#).

Vietnam

Survey for the evaluation of national technical regulations on safety in production, business, use, storage, and transportation of dangerous chemicals (QCVN 05A: 2020/BCT) (consultation)

On 8 August 2023, the Vietnamese government issued a survey form to the general public for the evaluation of national technical regulations on safety in the production, business, use, storage, and transportation of dangerous chemicals (QCVN 05A: 2020/BCT), which was promulgated by Circular No. 48/2020/TT-BCT on 31 December 2020. The requirement of the Regulations applies to all organizations and individuals engaged in activities related to industrial hazardous chemicals. The survey was introduced due to several proposals that have been submitted by businesses with chemical projects, seeking clarification and amendment of a number of points specified in QCVN 05A: 2020/BCT.

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Interested parties should send their comments to the Department of Chemicals - Ministry of Industry and Trade. All business information provided in the survey will be kept confidential, and anonymous, and be utilized only for the evaluation of QCVN 05A: 2020/BCT. The deadline for comments was not specified in the update.

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



EUROPE

Belgium

Third National Action Plan for Environment – Health (NEHAP3) (consultation)

Belgium's Federal Public Service (FPS) Public Health, Food Chain Safety, and Environment is holding a public consultation on the draft of the Third National Action Plan for Environment-Health (NEHAP3) starting on 16 August. NEHAP3 is a continuation of the National Environment-Health Action Plan initiated by the World Health Organization in 1994, aiming to coordinate environment and health efforts within Belgium. Priority themes for NEHAP3, running from 2023 to 2029, are resilience, adaptation, climate change, and reduction of harmful effects of chemicals on human health and the environment. This aligns with the World Health Organization's recognition that 24% of global deaths are due to modifiable environmental factors (such as health behaviors and workplace exposures). Public participation in the consultation will help shape the future of environmental health in Belgium. The deadline for comments was 15 October 2023.

Information can be found in Dutch in this [announcement](#) and in this [notification of public consultation](#).

European Union

Amendment to chemical list in Annex I to Regulation (EU) 2023/1656 (in force)

On 25 August 2023, the European Commission published an amendment to Annex I to Regulation (EU) No. 649/2012. Annex I lists the chemicals subject to export notification (Part 1), the chemicals qualifying for Prior Informed Consent (PIC) notification (Part 2), and the chemicals subject to the PIC procedure (Part 3). Regulation No. 649/2012 enacts the Rotterdam Convention, which establishes the PIC procedure for specific hazardous chemicals and pesticides in international trade.

The PIC Regulation governs the trade of certain hazardous chemicals that are banned or severely restricted in the European Union (EU). It places obligations on companies that intend to export these chemicals to non-EU countries or import them into the EU.

The amendment:

- » adds 35 substances and amends the entries for 9 substances in Part 1
- » adds 36 substances, removes two substances, and amends the entries of 3 substances in Part 2
- » adds 2 substances to Part 3

The new substances include 27 pesticides and 8 industrial chemicals. Following this amendment, Annex I now includes 295 entries. The amendment applies from 1 November 2023.

Penalties for non-compliance with Regulation (EU) No. 649/2012 are determined by Member States.

More information, including the list of added substances, can be found in this [published amendment](#) and this [announcement](#) from ECHA.

New Regulation (EU) 2023/1542 concerning batteries and waste batteries, amending Directive 2008/98/EC and Regulation (EU) 2019/1020 and repealing Directive 2006/66/EC (in force)

On 28 July 2023, the European Union (EU) published Regulation (EU) 2023/1542 to strengthen sustainability rules for batteries and waste batteries. The regulation, which enters into force on 17 August 2023, will apply from 18 February 2024. The application date varies for some provisions (see Article 96). The regulation aims to create a harmonized regulatory framework for the entire life cycle of batteries placed on the EU market. It is part of circular economy commitments under the European Green Deal and builds on the Waste Framework Directive. In addition, it will repeal the current EU Battery Directive (Directive 2006/66/EC) from 18 August 2025. Some articles of Directive 2006/66/EC will remain in force until the transition dates in Article 95.

The regulation sets out rules on sustainability, safety, storage, labeling, marking and information to allow the placing on the market or putting into service of batteries, as well as minimum requirements for the extended producer responsibility, collection, and treatment of waste batteries and for reporting. The requirements apply to all categories of batteries, namely portable batteries, automotive batteries, electric vehicle batteries, and industrial batteries. Batteries designed to be or incorporated into or added to products are also in scope.

Article 6 and Annex I set out restrictions for mercury, cadmium, and lead in certain categories of batteries. The substance restrictions are in Annex I as follows:

- » 0.0005% mercury (EC No. 231-106-7; CAS No. 7439-97-6) and its compounds – expressed as mercury metal by weight in batteries, whether or not incorporated into appliances, light means of transport, or other vehicles
- » 0.002% cadmium (EC No. 231-152-8; CAS No. 7440-43-9) and its compounds – expressed as cadmium metal by weight in portable batteries, whether or not incorporated into appliances, light means of transport, or other vehicles
- » 0.01% lead (EC No. 231-100-4; CAS No. 7439-92-1) and its compounds – expressed as lead metal by weight in portable batteries, whether or not incorporated into appliances; this does not apply until 18 August 2028 for portable zinc-air button cells

Article 6 enables the European Commission (EC) to amend substance restrictions in the event of an unacceptable risk to human health or the environment. The EC can also initiate further restrictions for substances used in the life cycle of batteries, as per Article 86.

Chapter II and Annex XII - sustainability and safety requirements

- » recycled content of industrial batteries specified in Article 8
 - 16% cobalt, 85% lead, 6% lithium, and 6% nickel from 18 August 2031
 - 26% cobalt, 85% lead, 12% lithium, and 15% nickel from 18 August 2036
- » minimum recycling efficiencies and levels of recovered materials are specified in Annex XII
- » from 18 February 2027, batteries must be readily removable and replaceable by the end-user at any time during the lifetime of a product that incorporates portable batteries, with accompanying instructions and safety information on the use, removal, and replacement of the batteries – this only applies to entire batteries, not to individual cells or other parts included in the batteries (Article 11)

Economic operators must also adopt, and clearly communicate to suppliers and the public, supply chain due diligence policies from 18 August 2025, with regard to the sourcing of cobalt, natural graphite, lithium and nickel, and chemical compounds based on these. These policies must also concern associated social and environmental risk categories indicated in Annex X, Point 2 (Article 49).

Chapter III and Annex VI - labeling, marking and information requirements

- » all batteries containing more than 0.002% cadmium or more than 0.004% lead shall be marked with the chemical symbol for the metal concerned: Cd or Pb, respectively (Article 13.5)
- » from 18 August 2025, all batteries shall be marked with the “separate collection symbol” in Part B of Annex VI (see Article 13.4 for further details)
- » from 18 August 2026, or 18 months after the entry into force on an implementing act published under Article 13.10, whichever is latest, batteries must bear a label containing the information in Part A of Annex VI; other labeling obligations apply for specific battery types from this date (see Article 13.2 and Article 13.3)
- » from 18 February 2027, all batteries shall be marked with a QR code in accordance with Part C of Annex VI (Article 13.6)

Chapter VIII - Management of waste batteries (applies from 18 August 2025)

- » producers shall be obliged to register in each Member State where they make a battery available on the market for the first time (see Article 55)
- » producers shall apply for an authorization from the competent authority on the fulfilment of their extended producer responsibility obligations (Article 58)

Chapter IX - Digital battery passport

- » required from 18 February 2027 for industrial batteries with a capacity greater than 2 kWh and certain automotive and electric vehicle batteries placed on the market or put into service

Affected regulations

- » from 18 August 2025, Regulation (EU) 2023/1542 repeals Directive 2006/66/EC, subject to the transitional provisions in Article 95 – Annex XV outlines how this Regulation corresponds to Directive 2006/66/EC
- » Regulation (EU) 2023/1542 amends Regulation (EU) 2019/1020, on the market and surveillance of products from third countries, to include batteries and economic operators
- » Directive 2008/98/EC, the Waste Framework Directive, is amended to ensure that extended producer responsibility schemes established before 4 July 2018 apply to batteries in scope of Regulation (EU) 2023/1542

Penalties for non-compliance shall be determined by Member States and must be laid down by 18 August 2025.

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

Revisions to Textile Labeling Regulation (EU) No 1007/2011 (consultation)

On 3 August 2023, the European Commission (EC) opened a consultation window on an initiative related to Textile Labeling Regulation (EU) No 1007/2011 to check if any changes should be made to improve its functioning and to clarify and simplify any requirements where relevant and possible. The comments were due on 30 September 2023.

Regulation (EU) No 1007/2011 was published in 2011 and it lays down:

- » rules concerning the use of textile fiber names and related labeling and marking of fiber composition of textile products
- » rules concerning the labeling or marking of textile products containing non-textile parts of animal origin
- » rules concerning the determination of the fiber composition of textile products by quantitative analysis of binary and ternary textile fiber mixtures

The EC opened a consultation window to gather information on the current functioning of the regulation and identify any problems that may need to be addressed. Preliminarily, the EC has identified the following problems in relation to labeling of textile products and closely related products which this review aims to address:

- » the fragmentation of the single market, as there are no harmonized rules on labeling of textile products beyond fiber composition, meaning that some Member States have developed national rules while others have not
- » the lack or deficiency of information to consumers, due to the above
- » the environmental (including climate) sustainability of the textiles sector

The main objectives of the review are to:

- » reduce compliance costs for companies in relation to national legislation and ensure regulatory clarity and consistency
- » ensure that consumers have access to all the relevant information on textile products, and related products

Some very preliminary options the Commission is considering are to:

- » revise the text of the current regulation, clarifying and updating its rules on fiber identification
- » consider digital labeling, similar to the proposed Digital Product Passport
- » consider language-independent symbols or codes
- » consider a sustainability and circularity label
- » consider expanding the labeling information to include origin, EU-wide uniform size, care labeling, presence of allergenic substances, leather and fur authenticity, flammability, organic/bio-origin, and socially responsible production of textile and related products

The products affected are principally leather and fur products of apparel, clothing accessories and interior/household products, with the exclusion of footwear, for which the labeling is governed by Directive 94/11/EC.

Once this consultation window closes, the EC will analyze the comments and prepare a draft amendment/regulation that will also go through a public consultation. The expected date for the publication of the draft is the 4th quarter of 2023.

Information can be found in this [announcement](#) from the EC and in this [call for evidence for an impact statement](#).

The European Chemicals Agency to prepare a report on substances of concern found in batteries or used in their manufacturing (published)

On 17 August 2023, the European Chemical Agency (ECHA) announced that it has received a new task from the European Commission (EC) to assist in the development of an EC report into substances of concern found in batteries or used in their manufacturing, that have negative impacts on human health, the environment, or recycling for safe and high-quality raw materials. The report, expected by 31 December 2027, will identify the substances and consider follow-up measures, such as possible European Union-wide restrictions. Regulation (EU) 2023/1542 (referenced in above in this newsletter) concerning batteries and waste batteries, amending Directive 2008/98/EC and Regulation (EU) 2019/1020, and repealing Directive 2006/66/EC, entered into force on 17 August 2023.

ECHA will begin its work toward this report in 2024. Additionally, the EC may request ECHA to prepare restriction proposals on harmful substances in batteries and waste batteries. There are no penalties for non-compliance associated with this update.

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

Harmonized classification and labeling intentions for 2-ethylhexyl trans-4-methoxycinnamate and 2,2'-iminodiethanol (published)

The European Chemicals Agency has received intentions for new or revised harmonized classification and labeling for the following substances:

- » 2-ethylhexyl trans-4-methoxycinnamate (CAS No. 83834-59-7; EC No. 629-661-9) – used in consumer products such as cosmetics and personal care products, perfumes and fragrances, air care products, biocides (e.g., disinfectants, pest control products), polishes and waxes, and washing & cleaning products – the proposed harmonized classification is:
 - aquatic acute 1 (M-factor=10)
 - aquatic chronic 1 (M-factor=1)
- » 2,2'-iminodiethanol (CAS No. 111-42-2; EC No. 203-868-0) – used in consumer products such as fuels, washing & cleaning products, biocides (e.g., disinfectants, pest control products), and cosmetics and personal care products – the proposed harmonized classification is:
 - carcinogenicity
 - reproductive toxicity

If these proposed harmonized classifications are approved, new labeling, packaging, and risk management requirements may apply. Proposed harmonized classifications are subject to change until adoption for risk assessment.

Further details are available here on [2-Ethylhexyl trans-4-methoxycinnamate](#) and [2,2'-iminodiethanol](#).

Six substances identified as Substances of very High Concern (consultation)

On 1 September 2023, the European Chemical Agency (ECHA) opened a consultation on six Substances of Very High Concern (SVHCs¹). These substances may be placed on the Authorization List in the future. Inclusion on this list will mean

¹ Substances that may have serious and often irreversible effects on human health and the environment.

that the use of the substances will be prohibited unless a company receives authorization to continue its use from the European Commission. The deadline for comments was 16 October 2023.

With the substance being listed on the Candidate List, there are certain obligations including:

- » article suppliers must notify SVHCs to ECHA's SCIP (Substances of Concern In articles as such or in complex objects [Products]) database under the Waste Framework Directive (WFD)
- » any supplier of articles containing a Candidate List substance above a concentration of 0.1 % (weight by weight) has to give sufficient information to their customers and consumers to allow safe use
- » suppliers of these substances have to provide their customers with a safety data sheet

The consultation is open on the following substances:

- » 2,4,6-tri-tert-butylphenol (CAS No. 732-26-3; EC No. 211-989-5) – used in fuel additives and fuel blends
- » 2-(2H-benzotriazol-2-yl)-4-(1,1,3,3-tetramethylbutyl)phenol (UV-329) (CAS No. 3147-75-9; EC No. 221-573-5) – used in air care products, coating products, adhesives and sealants, lubricants and greases, polishes and waxes, and washing and cleaning products
- » 2-(dimethylamino)-2-[(4-methylphenyl)methyl]-1-[4-(morpholin-4-yl)phenyl]butan-1-one (CAS No. 119344-86-4; EC No. 438-340-0) – used in coatings and inks
- » bumetrizole (UV-326) (CAS No. 3896-11-5; EC No. 223-445-4) – used in coatings, adhesives, sealants, printing inks, polishes and wax blends, textile dyes, finishing and impregnation products, washing and cleaning products, fillers, putties, plasters, modelling clay, cosmetics, fragrances, air care products, biocidal products, photo-chemicals, and metal and non-metal surface treatment
- » dibutyl phthalate (CAS No. 84-74-2; EC No. 201-557-4) – used in polymers, propellants, ceramics, and certain laboratory applications
- » oligomerization and alkylation reaction products of 2-phenylpropene and phenol (CAS No. not available, EC No. 700-960-7) – used in adhesives and sealants, coating products, fillers, putties, plasters, modelling clay, inks and toners, and polymers

ECHA is requesting comments on:

- » the identity of the substance (i.e., on the substance name/EC number/CAS number/molecular structure etc.)
- » Persistent, Bio-accumulative, and Toxic (i.e., PBT) or very Persistent and very Bio-accumulative (i.e., vPvB) properties, and on properties giving rise to an equivalent level of concern
- » information related to uses, volumes per use, exposure, alternatives, and risks of the substance

Further details are available [here](#).

Finland

Decree on the Transport of Dangerous Goods (in force)

On 24 August 2023, the Finnish government issued a Decree on the Transport of Dangerous Goods, which aligns with its Act on the Transport of Dangerous Goods (541/2023). This decree contains various chapters and provisions related to the safe transportation of hazardous materials. It also provides a legal framework for the safe transport of dangerous goods and outlines specific definitions and training methods. The regulation covers procedures for assessing conformity and renewing certificates for pressure vessels and pressurized containers, particularly those placed on the market before July 1, 2001. It emphasizes the importance of periodic inspections and the issuance of certificates.

Chapter 2 of the regulation discusses the general material durability requirements for packaging, small containers, and containers in relation to low temperatures in domestic road and rail transport of hazardous substances and their accessories. The key points include:

- » packaging for transporting liquid substances, if made of materials other than polyethylene, must be tested at -40°C; this applies to various types of plastic packaging, such as barrels, canisters, outer packaging, and large plastic containers
- » small plastic containers made of materials other than polyethylene, subjected to drop tests, must also be tested at -40°C
- » the selection of metal for manufacturing tanks, containers, pressure vessels, and other transportable pressure equipment must consider the material's resistance to brittle fracture at temperatures as low as -40°C, unless lower temperatures are specified for specific substances
- » plastic packaging must indicate the temperature at which the drop test was conducted, or this information should be included in the consignment note
- » pressure vessels and transportable pressure equipment should bear markings indicating their durability at -40°C, along with the identification number of the inspection body

The following is also covered in Chapter 2:

- » discussion on the introduction of foreign tanks and containers, emphasizing the need for approval by relevant authorities before they can be used in Finland
- » approval of radioactive substance containers by the Radiation Protection Agency
- » description of the use of packages, pressure vessels, tanks, and containers in domestic transport based on international transport regulations
- » exceptions and conditions for transporting pressure vessels filled abroad and those not subject to certain regulations
- » types of containers and pressure vessels that must be reported to the Finnish Safety and Chemicals Agency, along with the technical data required for control purposes, and the methods for submitting this information
- » the requirement of affixing a silicon mark to transportable pressure equipment, indicating compliance with safety regulations, the responsibilities related to this mark, and how it pertains to manufacturers, users, and inspection bodies

Chapter 3 addresses temporary storage of dangerous substances and cargo transport units. It discusses the separation of cargo units, stacking limitations, and storage of goods outside transport units. It also outlines safety measures, including firefighting equipment and the creation of internal rescue plans.

Chapter 4 focuses on special training for individuals responsible for issuing vehicle approvals and performing inspections.

Penalties for non-compliance are not mentioned in the regulation.

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

Germany

Temporary withdrawal of the restriction proposal on bisphenol A and bisphenols with similar environmental concerns (published)

Following the public consultation window opened between December 2022 and June 2023 on the restriction proposal for bisphenol A (BPA) and other bisphenols with similar environmental concerns, the German government announced on 30 August 2023 that it had temporarily withdrawn the restriction proposal. The withdrawal is said to be due to the comments and new data received from stakeholders concerning the emissions and uses of the covered bisphenols, thereby requiring further evaluation.

European Union (EU) Member States or the European Chemicals Agency (ECHA), at the request of the European Commission or on its own initiative, may prepare Annex XV dossiers proposing restrictions. Hence, the restriction intention was originally submitted by Germany on 27 August 2021 and planned to restrict the placing on the market of mixtures and articles containing bisphenols with endocrine disrupting properties for the environment and their salts, where the substance concentration is equal to or greater than 10 parts per million (0.001% by weight). This included an exemption, amongst others, for mixtures and articles where bisphenols are covalently bound to any type of matrix (i.e., via functioning as a cross-linker).

The German Federal Institute for Occupational Safety and Health plans to re-submit an updated proposal via ECHA's Intent Register after the scope of the restriction has been reworked. A timeline for re-submission has not been announced.

BPA is mainly used in the manufacture of polycarbonate and epoxy resin. Bisphenols and mixtures or articles derived from or containing BPA and bisphenols of similar concern are used in electronics, coatings, paints, varnishes, adhesives and sealants, in flame retardants and material protection agents, lubricants, and medical technology. In addition, bisphenols, such as BPA, are used as monomers in the production of polymers, as an additive in the production and processing of plastics, and as feedstock to produce other chemicals

There are no penalties for non-compliance associated with this update.

Information can be found in these announcements from the [German Federal Institute for Occupational Safety and Health](#) and [ECHA](#). More information on the restriction proposal can be found [here](#).

United Kingdom

Updates to the Strategic Export Control Lists (amendment)

The United Kingdom Strategic Export Control Lists, known as the consolidated list, amalgamate seven lists from international legislation that define controlled goods. If items are listed under a control list, an export license is required from the Export Control Joint Unit. If not on control lists, an end-use control license might still be needed for goods with potential dual-use concerns. Categories of controlled goods include military, dual-use items (such as electronics), associated technology, torture-related goods, and radioactive sources. The lists are updated roughly twice a year.

The consolidated list was last amended on 1 August 2023. List update is based on amendments that came into force on 13 July 2023 as set out in statutory instrument number 2023/695 (The Export Control (Amendment) Regulations 2023). The amendment involves changes to the regulation's Annex I (List of Dual-Use Items). These changes involve various technical

notes, definitions, and modifications to the descriptions of different categories and items. No specific product updates were listed as such.

Penalties for non-compliance are not mentioned in the update.

Information can be found here on the [consolidated list](#) and the [amendment](#).

List of proposed mandatory classification and labeling entries (consultation)

On 24 August 2023, the United Kingdom published a World Trade Organization (WTO) notification containing a list of 26 proposed Great Britain² (GB) mandatory classification and labeling (GB MCL) entries. These are the equivalent of the European Union Regulation (EC) No 1272/2008 on classification, labeling and packaging of substances and mixtures, which help determine the risk posed by hazardous substances and how to manage said risk.

These GB MCL entries are in the proposal phase and have not been approved yet. The approval is expected in the 1st quarter of 2024. Comments on these proposals can be sent via the WTO notification until 23 October 2023.

More information can be found in the [list of 26 entries](#) and this [notification](#) from the WTO.



NORTH AMERICA

[Canada](#)

Addition of ten substances to the Domestic Substances List (in force)

On July 21, 2023, Canada issued Order 2023-112-08-01 announcing the inclusion of ten substances in the Domestic Substances List (DSL). These substances have undergone evaluation by the Canadian government, and it has been determined that they fulfill the criteria outlined in the Canadian Environmental Protection Act, 1999 (CEPA), thus warranting their addition to the DSL. The DSL functions as a record of substances produced or imported in Canada on a commercial scale. It undergoes revisions twelve times a year to accommodate the addition, modification, or removal of substances. Substances not listed in the DSL are categorized as new to Canada and require notification.

This particular order adds eight substances to Part 1 of the DSL, while two substances are appended to Part 3 of the DSL.

Part 1:

- » 1,2-hexanediol (CAS No. 6920-22-5)
- » 1,3-bis(trimethylsilyl)urea (CAS No. 18297-63-7)
- » pentaerythritol, ethoxylated, esters with acrylic acid (CAS No. 51728-26-8)

² i.e., England, Scotland, and Wales.

- » difunctional alpha hydroxy ketone (CAS No. 71868-15-0)
- » 2-propenoic acid, 2-ethylhexyl ester, polymer with ethenylbenzene and 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonic acid, 2,2'-(1,2-diazenediyl)bis[2-methylbutanenitrile]-initiated (CAS No. 141091-65-8)
- » 2-propenoic acid, 2-methyl-, polymer with butyl 2-propenoate, cyclohexyl 2-methyl-2-propenoate, ethenylbenzene, 1-propene and 2-propenoic acid, tert-Bu peroxide-initiated (CAS No. 2102038-87-7)
- » CAS No. 2135769-70-7; no name available
- » CAS No. 2803749-89-3; no name available

Part 3:

- » poly(oxyalkanediyl), α -hydro- ω -hydroxy-, polymer with methylenebis[isocyanatocycloalkane], alkenenoic acid, hydroxy-, alkyl ester-blocked (CAS No. not available)
- » fatty acids, polymers with polyethylene glycol and succinic anhydride polyalkylene derivs (CAS No. not available)

Additional information:

- » P flag signifies that the material was included in the DSL because it satisfied the polymer criteria for Reduced Regulatory Requirements (RRR) – any variant of the substance that fails to meet these RRR polymer standards necessitates advance notice prior to importing or manufacturing
- » N flag indicates that the substance was reported and evaluated as a novel material following July 1, 1994, and subsequently appended to the DSL based on its production or import into Canada

Incorporation into the DSL implies that these elements are now exempt from the New Substances Notification Regulations (Chemicals and Polymers). Consequently, Order 2023-112-08-01 is anticipated to simplify businesses' access to these substances, as they are no longer bound by the obligations outlined in subsection 81(1) or 106(1) of CEPA.

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 [here](#).

The publication of the final Prohibition of Certain Toxic Substances Regulations, 2022 is delayed (notification)

On 11 August 2023, Canada notified the World Trade Organization that it has delayed the publication of the final Prohibition of Certain Toxic Substances Regulations, 2022 (the Regulations) until summer 2024, at the earliest. The Regulations were proposed by Environment and Climate Change Canada (ECCC) on 14 May 2022 and are expected to be published in 2023. They have been delayed due to complex and technical comments received during the public consultation process, which ended on 28 July 2022. ECCC now plans to consider the comments received and may amend the proposed exemptions.

Upon their entry into force, the Regulations their 2012 version. These Regulations prohibit the manufacture, use, sale, offer for sale, and import of certain toxic substances listed in Schedule 1 and 2 of the Regulations, as well as products containing these substances, with a limited number of exemptions.

The Regulations aim to further restrict the manufacture, use, sale, and import of certain long-chain per- and polyfluoroalkyl substances (PFAS) and two flame retardants: hexabromocyclododecane (HBCD) and polybrominated diphenyl ethers

(PBDEs). Specific PFAS mentioned include perfluorooctane sulfonate (PFOS), its salts and its precursors, perfluorooctanoic acid (PFOA), its salts and its precursors, and long-chain perfluorocarboxylic acids (LC-PFCAs), their salts and their precursors.

If finalized, the proposed Regulations will introduce restrictions on the manufacture, use, sale and import of two additional flame retardants (and products containing them):

- » dechlorane plus – used in wire and cable jacketing, electronics, automobiles, and hard plastic connectors
- » decabromodiphenyl ethane – used in various products, such as plastic and rubber materials, electrical and electronic equipment, automobiles, adhesives and sealants

Thus, the Regulations aim to position Canada to ratify and implement amendments to the Stockholm Convention on Persistent Organic Pollutants. As of 2025, the proposed Regulations will also align with the listing of HBCD in Annex A of the Stockholm Convention.

Penalties for non-compliance with the proposed Regulations will be made in accordance with the Compliance and Enforcement Policy for the Canadian Environmental Protection Act, 1999 (CEPA, 1999). These may include warnings, directions, environmental protection compliance orders, administrative monetary penalties, ticketing, ministerial orders, injunctions, prosecution, and alternative environmental protection measures.

More information can be found in this [WTO Notification](#) and the [Canada Gazette](#).

United States

Revision to Toxic Substances Control Act 1,4-dioxane risk determination (consultation)

On 26 July 2023, the United States Environmental Protection Agency (EPA) announced the availability of a draft revision to the risk determination for 1,4-dioxane for public comment and peer review. In this draft revision, EPA has preliminarily determined that 1,4-dioxane, as a whole chemical substance, presents an unreasonable risk of injury to health when evaluated under its conditions of use. Comments on the draft revision were due on 8 September 2023.

1,4-Dioxane was one of the first ten chemical substances undergoing the Toxic Substances Control Act (TSCA) risk evaluation process after the passage of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, which amended TSCA in 2016. 1,4-dioxane is a solvent used in various commercial and industrial applications such as manufacturing other chemicals (e.g., adhesives, sealants) or as a processing aid or laboratory chemical. It is also produced as a byproduct in several manufacturing processes, resulting in its presence as a contaminant in commercial and consumer products like dish soaps and detergents. Health effects of concern for 1,4-dioxane include cancer and adverse effects on the liver and nasal tissue.

This draft risk determination considers the occupational and consumer exposures from the December 2020 Risk Evaluation and the occupational, general population, and community exposures. In addition, the revised risk determination does not assume that all workers always appropriately wear personal protective equipment (PPE). EPA understands that there could be adequate occupational safety protections in place at specific workplace locations; however, not assuming the use of PPE reflects EPA's recognition that unreasonable risk may exist for subpopulations of workers that may be highly exposed because they are not covered by Occupational Safety and Health Administration (OSHA) standards. This revision, when final, would supersede the condition of use-specific, no unreasonable risk determinations in the December 2020 1,4-dioxane risk evaluation.

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This action affects industry entities involved in manufacturing, processing, distribution, use, disposal, and assessing risks involving 1,4-dioxane.

More information can be found in the [Federal Register](#) and this [announcement](#) from EPA.

Final rule providing a list of alternatives for ozone-depleting substances (published)

On 8 September 2023, the US Environmental Protection Agency (EPA) published a final rule that provides a list of acceptable alternatives for ozone-depleting substances (ODS) under the Significant New Alternatives Policy (SNAP) program. This action lists acceptable additional substitutes for refrigeration, air conditioning, and fire suppression.

The 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. SNAP generates lists of acceptable and unacceptable substitutes for each significant industrial use sector through these evaluations. The intended effect of the SNAP program is to promote a smooth transition to safer alternatives.

New substitutes are:

- » R-471A in retail food refrigeration, industrial process refrigeration, and cold storage warehouses (new equipment only)
- » R-515B in retail food refrigeration (refrigerated food processing and dispensing equipment, remote condensing units, and supermarket systems), commercial ice machines, and cold storage warehouses (new equipment only)
- » Powdered Aerosol I in total flooding fire suppression (occupied and normally unoccupied areas)

When evaluating potential substitutes, the EPA considers criteria in risk screens, which are technical documents that assess risks to human health and the environment from substitutes in specific end-uses, including comparisons to other available substitutes and evaluations against relevant thresholds of risk starting with protective assumptions.

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

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



OCEANIA

[Australia](#)

Chemicals added to the Australian Inventory of Industrial Chemicals (published)

On 11 August 2023, the Australian government announced the addition of seven chemicals to the Australian Inventory of Industrial Chemicals (AIIC) in accordance with Section 82 of the Industrial Chemicals (IC) Act 2019, which states that the

Executive Director must list an industrial chemical on the AIIC if five years have passed since the assessment certificate was issued.

Listed below are the seven chemicals added to the inventory:

- » 2-propenoic acid, 2-methyl-, methyl ester, polymer with 1,1'-(1,6-hexanediyl) di-2-propenoate and 1,2-propanediol mono(2-methyl-2-propenoate) (CAS No. 70225-13-7)
- » 2-propenoic acid, 2-methyl-, 2-hydroxyethyl ester, polymer with butyl 2-propenoate, N-[3-(dimethylamino)propyl]-2-methyl-2-propenamide, ethenylbenzene, methyl 2-methyl-2-propenoate, .alpha.-(2-methyl-1-oxo-2-propen-1-yl)-.omega.-methoxypoly(oxy-1,2-ethanediyl) and 2-(2-oxo-1-imidazolidinyl)ethyl 2-methyl-2-propenoate, tert-Bu 2-ethylhexaneperoxoate-initiated (CAS No. 1341211-31-1)
- » 2-propenoic acid, 2-methyl-, 2-hydroxyethyl ester, polymer with butyl 2-propenoate, ethenylbenzene, 2-propenoic acid and rel-(1R,2R,4R)-1,7,7-trimethylbicyclo[2.2.1]hept-2-yl 2-methyl-2-propenoate (CAS No. 1117729-50-6)
- » fatty acids, tall-oil, polymers with linseed oil, pentaerythritol, phthalic anhydride, soybean oil and tung oil (CAS No. 2941404-96-0)
- » fatty acids, C18-unsatd., dimers, polymers with Bu acrylate, Bu methacrylate, 2-ethyl-2-[(2-propen-1-yloxy)methyl]-1,3-propanediol, 1,6-hexanediol, isophthalic acid, Me methacrylate, methacrylic acid, 1,1'-methylenebis[4-isocyanatocyclohexane] and neopentyl glycol, diethanolamine-blocked, compds. with 2-(dimethylamino)ethanol (CAS No. 1865749-45-6)
- » aspartic acid, N,N'-(2-methyl-1,5-pentanediy)bis-, 1,1',4,4'-tetraethyl ester (CAS No. 168253-59-6)
- » dodecanedioic acid, polymer with 2-(chloromethyl)oxirane polymer with 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane and 4,4'-(1-methylethylidene)bis[phenol] 4-oxopentanoate (ester), dimethyl carbonate, 1,6-hexanediol, hydrazine, 3-hydroxy-2-(hydroxymethyl)-2-methylpropanoic acid, 1,1'-methylenebis[4-isocyanatocyclohexane], 4,4'-methylenebis[2-methylcyclohexanamine], 2-oxepanone and 1,5-pentanediol, compd. with N,N-diethylethanamine (CAS No. 2135942-93-5)

In addition, the Australian government amended the AIIC to add the following substances:

- » 1,3-dioxolane-4-methanol, 2-methyl-2-(2-methylpropyl)- (CAS no. 5660-53-7)
- » 2-propenoic acid, polymer with .alpha.-(2-methyl-2-propen-1-yl)-.omega.-hydroxypoly(oxy-1,2-ethanediyl), graft (CAS no. 573693-18-2)
- » 2-propenoic acid, polymer with .alpha.-(3-methyl-3-buten-1-yl)-.omega.-hydroxypoly(oxy-1,2-ethanediyl), graft (CAS no. 477531-91-2)
- » 2-propenoic acid, 2-methyl-, polymer with butyl 2-propenoate, ethenylbenzene, 1,1'-(1,6-hexanediyl) di-2-propenoate, 2-hydroxyethyl 2-propenoate and methyl 2-methyl-2-propenoate, compd. with 2-(dimethylamino)ethanol (CAS no. 1628778-22-2)
- » 2,5-furandione, polymer with .alpha.-(3-methyl-3-buten-1-yl)-.omega.-hydroxypoly(oxy-1,2-ethanediyl), graft (CAS no. 321574-45-2)
- » fatty acids, C18-unsatd., dimers, hydrogenated, polymers with hexamethylenediamine and tall-oil fatty acids (CAS no. 2925566-76-1)
- » 1,3-benzenedicarboxylic acid, polymer with 2,2-dimethyl-1,3-propanediol, hexanedioic acid, 1,3-isobenzofurandione and 1,2,3-propanetriol (CAS no. 2925561-67-5)

Additionally, AICIS completed an evaluation for benzene, 1-chloro-4-(trifluoromethyl) (CAS no. 98-56-6) under the IC Act, concluding that to better manage the risks of this substance the terms of the Inventory listing should be changed to add new information obligations:

"You must tell the Executive Director the volume of introduction, use and end use of the chemical within 20 working days if the chemical is being introduced for consumer uses other than in:

- » shoe polishes
- » rust inhibitors
- » solvent based fabric stain remover products for cosmetic stains"

The AIC 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 AIC can be introduced by any registered introducers (manufacturer or importer). According to the IC 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 AIC, 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 [11 August 2023](#) and [10 July 2023](#) notices.

New Zealand

EPA to utilize hazardous substances assessments from international regulatory agencies (published)

On 16 August 2023, the Environmental Protection Authority (EPA) of New Zealand published news confirming its plans to utilize hazardous substance assessments information from international regulatory agencies in Australia, Canada, the European Union, the United Kingdom, and the United States, since they all regulate hazardous substances similarly to New Zealand's system.

Specifically, the international regulatory agencies are:

- » Australia
 - Australian Pesticides and Veterinary Medicines Authority (APVMA)
 - Australian Industrial Chemicals Introduction Scheme (AICIS)
- » Canada
 - Pest Management Regulatory Agency (PMRA)
- » The European Union
 - European Food Safety Authority (EFSA)
 - European Chemicals Agency (ECHA)
 - European Commission (EC)
- » The United Kingdom
 - Chemicals Regulation Division of the Health and Safety Executive (CRD)
- » The United States
 - United States Environmental Protection Agency (US EPA)

Using information from recognized international regulators, hazardous substances will be assessed and reassessed through two new pathways which will allow the EPA to:

- » approve a substance via a rapid assessment if the same use has been approved by a recognized international regulator — unless it will have significant cultural, environmental, and/or human health effects
- » amend the hazard classifications or rules for use of an existing substance to align with recognized regulators

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This development entered into force on 1 October 2023.

Penalties for non-compliance are not mentioned in the update.

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

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