

Newsletter

Global Environmental and
Chemical Regulations, Policies,
and Standards

December 2023

Vol.3, Issue 12



NEWSLETTER

Global Environmental and Chemical Regulations, Policies, and Standards
December 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 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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AFRICA

South Africa

Exemptions for dechlorane plus and UV-328 under Annex A of the Stockholm Convention on Persistent Organic Pollutants (published)

The South African Department of Forestry, Fisheries, and the Environment (DFFE) has published specific exemptions for Dechlorane Plus and UV-328 listed under Annex A of the Stockholm Convention on Persistent Organic Pollutants (POPs). The exemptions for UV-328 include the use of the substance in replacement parts for motor vehicles, stationary industrial machines, and liquid crystal displays in specific instruments where UV-328 was originally used, up until the end of the service life of the articles or 2044, whichever comes earlier. Similarly, the exemptions for dechlorane plus apply to replacement parts for or the repair of articles where dechlorane plus was originally used until the end of the service life of the articles or 2044. This exemption applies to aerospace, space, defense, motor vehicles, stationary industrial machines, outdoor power equipment, and instruments for analysis.

Entities involved in using dechlorane plus or UV-328 under specified exemptions who wish to continue using these substances must apply for specific exemption through the DFFE before 29 January 2024. The application must include details of the product or article, whether the products are being used in South African territory, the name of the manufacturer and the country of import and export, the details of the specific exemption they are applying for, and any supporting information.

Failure to comply with this Act may result in a fine or imprisonment under Chapter 3 Article 4 of South Africa POPs Regulation.

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

National regulation for the management of mercury (consultation)

On 4 December 2023, the Department of Forestry, Fisheries, and the Environment in South Africa opened a consultation on a draft "Regulation for the Management of Mercury in South Africa" and is planned to commence on 1 April 2024. The consultation is open until 2 February 2024. The new regulation aims to manage and regulate mercury throughout its lifecycle and value chain in order to protect the environment and human health from the anthropogenic releases of mercury and mercury compounds. In addition, it will domesticate the Minamata Convention on mercury in South Africa.

This regulation applies to:

- » sellers, distributors, importers, and exporters of mercury
- » manufacturers of mercury-added products
- » users of mercury-added products
- » manufacturing processes in which mercury is used

The following are excluded from the scope of this regulation:

- » mercury emissions
- » mercury waste
- » artisanal small-scale gold mining
- » the Prior Informed Consent Procedure (PIC) process

Under Chapter 2 Article 4, it is prohibited to:

- » manufacture, distribute, import, or export the mercury-added products listed in Part 1 of Annex A from 1 April 2025, 1 April 2026, or 1 April 2027, according to the product type
- » manufacture, import, export, or sell new mercury-added products
- » manufacture, import, or export the mercury-added products in the manufacturing processes listed under Annex B with the exception of:
 - products essential for military use and protection of the local population
 - products for research, calibration of instrumentation, or as reference standards
- » possess any form of mercury or mercury compounds except for uses allowed under Part 1 of Annex A

Failure to comply with this regulation may result in a fine or imprisonment under Chapter 8.

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



ASIA

Gulf Cooperation Council Countries

Draft regulation for the Global Harmonized System (update)

The World Trade Organization (WTO) published on 06 November 2023 an [update](#) concerning the implementation of the Global Harmonized System (GHS) in the Gulf Cooperation Council (GCC) countries, known as the [Gulf Technical Regulation](#). The GCC includes Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates. Comments were due on 5 January 2024).

This Gulf technical regulation aims to ensure the safe production, transport, handling, use, and disposal of hazardous materials in line with GHS requirements:

- » the criteria for classifying substances and mixtures in line with their health, environmental, and physical hazards
- » the hazard communication elements, in addition to requirements for safety data sheets (SDSs) and labels

The technical regulation should apply to all substances and mixtures supplied, used and/or manufactured in the GCC countries except when there is a more specific lay down other GCC legislation on classification and labeling. The technical regulation will not apply to radioactive substances and mixtures, non-isolated intermediates, substances and mixtures for scientific research and development, and substances and mixtures in the form of consumer products, detergents, air fresheners, food or feeding stuffs and articles; however, safety SDSs can be provided for articles voluntarily.

The technical regulation entry into force will be determined 180 days after it is published in the official gazette.

India

Revised Indian Standards for plastic emulsion paints (consultation)

The Bureau of Indian Standards (BIS) opened a consultation – due by 10 January 2023 – on a revised standard for plastic emulsion paints which introduces limits for volatile organic compounds and lead restrictions. Most paints placed in the Indian market are used for household/decorative purposes as well as for industrial/commercial applications. As exposure of humans to lead, particularly children in residential premises, is harmful to health, the Committee saw the need to introduce lead restriction in all paints standards likely to be used for household and decorative purposes. Plastic emulsion paint has been categorized into two types: Type 1 for interior use and Type 2 for exterior use.

Lead restriction up to the maximum permissible limit has been decreased to 90 parts per million to avoid the hazardous impact of lead exposure in homes and the consequent adverse impact on the environment and human health. Along with the restriction a suitable notice was included in the marking clause.

The durability test in the draft document has been modified as “Durability test for exterior use only” so that it will be easy to differentiate between interior and exterior use performance. The outdoor exposure test for durability requirements has been withdrawn due to time constraints and the availability of advanced simulation technologies.

The substantial consequences of volatile organic compounds (VOC) on the environment and human health were recognized and the revision sets-up a new VOC limit in paint products. The maximum permissible limit for VOCs is 50-200 grams per liter depending on the class of VOCs.

More information can be found in this [note](#) from the BIS.

Kuwait

Specifications for gloss, semi-gloss, and matte alkyd enamel paint for interior and exterior surfaces (published)

Public Authority for Industry (PAI) of Kuwait has outlined the specifications and requirements for gloss, semi-gloss, and matte alkyd enamel paints used on interior and exterior surfaces, whether primed or unprimed, including wood, metal, and masonry. The standard covers various aspects of these paints, including composition, condition in the container, non-volatile content, consistency, color, fineness of grind, lead content, flash point, application properties, dry time, appearance of the dry film, flexibility, adhesion, scratch resistance, dry opacity, and more. The standard also includes specific guidelines for accelerated weathering (for external use), color fastness to light (for indoor use), gloss measurement, specific weight, elasticity, scrub resistance, and impact testing.

In terms of storage and labeling, the standard requires that these paints be stored according to specific environmental standards and packaged in clean, dry, and airtight containers with appropriate labeling. The label must provide information on the paint's name, type, color, manufacturer, country of origin, batch number, production and expiry dates, volume,

application instructions, safety warnings, and storage temperature recommendations. Additionally, the standard sets limits on the content of volatile organic matter in the paints.

More information can be found here [in Arabic](#) and [in English](https://www.iaeg.com/binaries/content/assets/iaeg-newsletters/2023/11/mys_icop-2014.pdf)https://www.iaeg.com/binaries/content/assets/iaeg-newsletters/2023/11/mys_icop-2014.pdf.

Philippines

The Chemical Weapons Prohibition Act (announcement)

The Philippine House of Representatives has approved the [Chemical Weapons Prohibition Act](#) that prohibits the development, production, stockpiling, and use of chemical weapons and providing for their destruction. The bill was approved by the house on 29 November 2023 and will take effect fifteen days after its publication in the Official Gazette.

The act aims to pursue a policy of freedom from chemical weapons in order to protect human beings and the global environment, as well as fulfilling the Philippine government's international commitments under the Chemical Weapons Convention, of which the Philippines is a signatory. The act itself designates the Anti-Terrorism Council as the authority on the chemical weapons convention and mandates the duties and functions of the Council. The provisions of the act prohibit the development, production, acquisition, and stockpiling of any chemical weapons, as well as the use, export, import or transfer of any such weapons or associated chemicals listed in Schedule 1, 2 and 3 of the Annex on Chemicals to the Chemical Weapons Convention.

The act will enter into effect fifteen days after its official publication. The penalties for non-compliance are detailed within the text of the act.

Inclusion of 162 substances in the Philippine Inventory of Chemicals and Chemical Substances (consultation)

The Philippines Environmental Management Bureau (EMB) is seeking public input on the inclusion of 162 substances in the national chemicals inventory. Two drafts of the Department of Environment and Natural Resources (DENR) administrative order propose adding these substances to the Philippine Inventory of Chemicals and Chemical Substances (PICCS): The DENR-EMB previously published the list of 162 substances in [2022 \(96 substances\)](#) and [2023 \(66 substances\)](#), bringing the total on PICCS to 22,439. The PICCS is a comprehensive list of chemicals used, imported, distributed, processed, manufactured, stored, exported, treated, or transported in the country. Companies dealing with listed chemicals on the PICCS are exempt from registration or licensing requirements.

The DENR is open to comments on these additions to address any factual inaccuracies – the deadline for comments was not specified in the update. Additionally, a priority chemicals list is being developed and companies need certification to import or manufacture substances on this list. The proposed assessment framework considers chemicals on PICCS, those previously identified as priority chemicals, or listed in Multilateral Environmental Agreements not covered by a chemical control order.

Russia

Addition of 79 substances to the list of chemicals subject to state regulation (amendment)

The Russian government has recently approved an update to the list of substances subject to state regulatory measures with a signed order. The revised list now includes 79 additional substances, such as heavy metals, carbon, sodium hydroxide, vinyl chloride, and asbestos-containing dust. State regulatory measures will be implemented for these substances, necessitating organizations to obtain permits for their release and imposing limits on emission volumes. The introduction of regulatory measures for new substances will be gradual, considering the time frame for enterprises to acquire environmental permits.

Penalties are not mentioned in this update.

Information can be found in Russian in this [announcement](#). The substance list can be found here [in Russian](#) and [in English](#).

South Korea

Notice Nos. 2023-64 and 2023-65 establish new designations and revisions and change the identification numbers of various chemical substances (amendment)

The National Institute of Environmental Research (NIER) issued [Notice No. 2023-64](#) that enters into force on 17 February 2024. The notice entails a partial revision of the "Notice on Designation of Toxic Substances," establishing new designations and revisions for various chemical substances.

In addition, the NIER, through [Notice No. 2023-65](#), made amendments to the "Regulations on Classification and Labeling of Chemical Substances," entering into force on 1 July 2024. The amendments encompass changes in the identification numbers of toxic and restricted substances, impacting the classification and labeling list of hazardous chemicals.

Key substances affected by notice No 2023-64 include:

- » 5-sulfobicyclo[2.2.1]heptane-2,3-dicarboxylate (1:1) with benzamine (CAS No. 25214-70-4)
- » dioctyltin dichloride (CAS No. 3542-36-7)
- » tungsten hexafluoride (CAS No. 7783-82-6)
- » beryllium (CAS No. 7440-41-7)
- » carbon monoxide (CAS No. 630-08-0)
- » methacrylic acid (CAS No. 79-41-4)
- » lithium nickel cobalt aluminum oxide (CAS No. 177997-13-6)
- » cobalt (CAS No. 7440-48-4)
- » cyclohexanone (CAS No. 108-94-1)
- » sulfur dioxide (CAS No. 7446-09-5)
- » methyl ethyl ketoxim (CAS No. 96-29-7)
- » cobalt dihydroxide (CAS No. 21041-93-0)
- » dimethylamine (CAS No. 124-40-3)
- » tetrabutyltin (CAS No. 1461-25-2)
- » trichlorosilane (CAS No. 10025-78-2)
- » isophthaloyl dichloride (CAS No. 100-20-9)
- » neodecanoyl chloride (CAS No. 40292-82-8)
- » trimethoxy-7-octenylsilane (CAS No. 52217-57-9)
- » 3,5,5-trimethylhexanoyl chloride (CAS No. 36727-29-4)
- » 2,2,2-trifluoro-1-(sulfomethyl)-1-(trifluoromethyl)ethyl (CAS No. 24468-13-1)
- » dichlorodimethylstannane (CAS No. 753-73-1) mixt. with N-methylcyclohexanamine (CAS No. 993-16-8)
- » (T-4)-trifluoro(N-methylcyclohexanamine)boron [(T-4)-Trifluoro (CAS No. 36727-29-4)
- » S-[3-(trimethoxysilyl)propyl] thiosilicate (H₄SiO₃S) (CAS No. 1380168-52-4)

- » 1,5-diisocyanatopentane (CAS No. 1357171-37-9)
- » 2-methyl-1-propanol reaction products with N1,N2-dimethyl-1,2-ethanediamine (CAS No. 110-70-3)

The revisions of the substances listed in the notice No 2023-64 align with the Corrosion Control Act and Chemical Accident Prevention and Control Act.

Compliance with specified dates is crucial for businesses handling substances listed in notice No. 2023-65. The revisions include adjustments to the identification numbers of toxic substances in Appendix 4, such as correcting unique numbers and adding new entries. Key substances affected by the changes include:

- » 5-sulfobicyclo[2.2.1]heptane-2,3-dicarboxylate
- » dioctyltin dichloride
- » tungsten hexafluoride
- » beryllium
- » carbon monoxide
- » methacrylic acid and various mixtures with specified compositions

The notice outlines compliance measures and deadlines including chemical confirmation, labeling, import declaration, chemical accident prevention plan, hazardous chemical business license, standards implementation, and facility management standards. The amendments are made in accordance with Article 14 (1) of the Act on Registration and Evaluation of Chemical Substances, impacting various articles of the Chemical Substances Control Act. The unique identification numbers for toxic and restricted substances are modified and new entries are introduced. Transitional measures are outlined for labeling hazardous chemicals, specifying compliance requirements until 1 July 2024. The notice emphasizes the importance of adherence to the specified dates to avoid legal consequences.

Companies handling affected substances must comply with the specified dates for chemical confirmation, labeling, import declaration, and other measures to prevent legal penalties. The revisions align with existing legislation, emphasizing the significance of understanding the updated designations and ensuring compliance with the revised regulations. The enforcement date is set three months from the notice's issuance, highlighting the urgency for businesses to promptly adapt to the changes.

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

Information can be found in Korean on [Notice No. 2023-64](#) and [Notice No. 2023-65](#). More information can be found in Korean in this [link on notices](#) and these [regulations](#).

Partial revisions to the regulations on the prescribed quantities of toxic substances, restricted substances, prohibited substances, and permitted substances (amendment)

On 2 November 2023, the Korean Ministry of Environment published Notice No. 2023-253 describing revisions to the regulations on the prescribed quantities of toxic substances, restricted substances, prohibited substances, and permitted substances. This revision was prompted by the addition of toxic substances in the revised "Designation Notice of Toxic Substances" that the National Institute of Environmental Research (NIER) on 1 August 2023.

The primary goal of this revision was to establish specific quantities for these newly designated toxic substances, facilitating their classification for the submission of chemical accident prevention and management plans. Key points of the revision include:

- » identification of new toxic substances – three new types of toxic substances were listed:
 - cobalt manganese nickel oxide (CAS No. 37348-84-8)
 - silica gel reaction products with chromium oxide (CrO₃) and ethoxydiethylaluminum (CAS No. 932384-12-8)
 - 1-bromo-2-methylbenzene (CAS No. 95-46-5)

- » regulated quantities – upper and lower regulated quantities were assigned to each substance based on their hazard and physical risk classification (detailed information can be found in Appendix 1, No. 2, with specific reference to numbers 1261 to 1263)

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

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

Amendment of the Enforcement Decree of the Act on Registration and Evaluation of Chemical Substance (draft)

On 31 October 2023, the World Trade Organization(WTO) published a [draft partial amendment](#) of the Enforcement Decree of the Act on Registration and Evaluation of Chemical Substance (the Act) released by the Korean Ministry of Environment (MoE). The amendment excludes chemicals manufactured by recycling waste from registration if they are identical to substances registered by other businesses and specifies the cases where the submission of evidence data is not needed. The Act – known as K-REACH or AREC – aims to protect public health and the environment through the registration/ notification of chemical substances and other requirements.

The amendment occurs to Article 10 of the Act, which applies to chemical substances produced by recycling waste. Korea will allow an exemption from the registration of chemical substances produced by recycling wastes if the chemical substance has already been registered by other business operators. A waiver is allowed for some of the data required for registration under Article 10 of the Act but the reason the evidence data under Article 5 of the Enforcement Rule of the Act must be submitted to the MoE. The Amendment also applies to chemical substances under Article 11 (1) of the Act.

The MoE is currently requesting for the submission of evidence data when it is possible to justify the waiving of some data based on hazard evaluation results of overseas governments, etc.

The penalties for non-compliance are detailed within the text of the Act. The amendments are proposed to be adopted the same day it enters into force, on 31 January 2024.

Addition of fifty-six newly designated substances to the Toxic Chemical Substances List (draft)

South Korea's National Institute of Environmental Research (NIER) has expanded its Toxic Chemical Substances List (TCSL) by adding fifty-six newly designated toxic substances, following comprehensive hazard assessments under K-REACH. The updated list, subject to potential changes pending public consultation, also involves an amendment to a substance name¹. Under the Chemical Control Act, toxic substances are subject to regulations governing import, sales, as well as marking,

¹ The TCSL was previously updated in August, with the inclusion of three toxic substances.

labeling, and handling, with compliance deadlines in place. Manufacturers and importers are required to comply with hazardous substance handling standards by 1 July 2027.

Additionally, the NIER has sought input on marking and labeling requirements for the fifty-six newly added substances, expecting companies to adhere to these by 1 July 2024. Furthermore, there are corrected hazard classifications for fifteen substances due to additional data obtained by the agency. Lastly, the Ministry of Environment has consulted on amendments to the rules governing the preparation of chemical accident prevention plans for restricted, prohibited, and permitted toxic substances. The draft update addresses facility handling limits for designated toxic substances, with companies required to submit management plans based on these limits.

A public consultation on these changes concluded on 26 October 2023.

More information can be found in Korean in [Notice No. 2023-571](#), [Notice No. 2023-459](#), and [Announcement No. 2023-460](#).

[United Arab Emirates](#)

[National Dialogue for Climate Ambition 2023 \(consultation\)](#)

On 18 October 2023, the Ministry of Climate Change and Environment initiated a consultation process for the "National Dialogue on Climate Ambition" for the year 2023. This initiative aligns with the Ministry's strategic objectives to foster broad participation across all sectors in realizing the commitment of the United Arab Emirates to achieving climate neutrality by 2050.

The consultation seeks to facilitate the exchange of experiences and identify effective strategies for attaining climate neutrality by 2050, encouraging collaboration among companies, local authorities, and various stakeholders to consolidate national efforts. The deadline for submitting comments was 31 December 2023.

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

[Vietnam](#)

[Revisions to Decree No. 08/2022/ND-CP detailing a number of articles of the Law on Environmental Protection \(draft amendment\)](#)

On 20 October 2023, Vietnam's Ministry of Natural Resources and Environment (MONRE) published a draft revising Decree No. 08/2022/ND-CP detailing several articles of the Law on Environmental Protection. The ministry amended the exemption criteria for the Extended Producer Responsibility (EPR) scheme and the condition for exemption registration of persistent organic pollutants (POPs), specified in Appendix XVII of the Decree. In addition, the draft obligates MONRE to notify any changes as required by the Stockholm Convention on POPs for implementation.

Appendix XXII of the decree lists the products for which the manufacturer and/or importers must recycle the products and their packaging. The draft decree exempts gum from food products and pesticides from "detergents and preparations for domestic, agricultural and medical use," as these products/packaging are subject to their requirements for recycling/waste treatment responsibilities.

The draft amended:

- » situations that can be exempted from the recycling responsibility as follows:
 - packaging manufacturers and importers whose revenue from product/packaging sales specified in Column 3, Appendix XXII in the previous year was less than 30 billion VND
 - the manufacturer has put the packaging on the market but later recalled and re-packaged to continue to market, and the rate of recovery and packaging continued to be marketed higher than the mandatory recycling rate as prescribed in Column 4, Appendix XXII
- » situations that can be exempted from the waste treatment responsibility as follows:
 - manufacturers and importers of products and packaging whose total revenue from selling products and packaging specified in Column 2, Appendix XXIII issued with this Decree in the previous year was less than 30 billion VND

In addition, the draft amended the condition for exemption registration under the Stockholm Convention for short-chain chlorinated paraffins (SCCP) and perfluorooctanoic acid (PFOA) are used as follows:

- » for SCCP, if used in:
 - additives in the production of transmission belts/conveyor belts in the field of natural and synthetic rubber industry
 - parts/details of rubber conveyor belts in mining and forestry industries
 - adhesive (glue, etc.)
 - lubricant additives, especially for automobile engines, generators and wind power plants/facilities; in oil drilling and gas exploration, refinery for diesel production
 - fireproof and waterproof paint
 - metal processing processes (additives in lubricating oils or coolants in metal cutting or metal shaping)
- » for PFOA,
 - the draft exempts the use of PFOA in medical devices for invasive purposes

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



EUROPE

[Czechia](#)

Repealing of 3,616 obsolete regulations (published)

On 19 September 2023, the Czech government took a significant step by repealing 3,616 obsolete regulations, and these changes are slated to be effective from 1 January 2024. Interested parties are advised to review the list to ensure that they are not impacted by the repeal of any of these regulations. Among the repealed regulations are:

- » Regulation of the Minister of Agriculture and the Minister of Industry, Trade and Trade No. 48/1918 Coll. z. and n., which amend the provisions on the management of machine fertilizers
- » Regulation of the Minister of Industry, Trade and Trade No. 55/1918 Coll. z. and n., which cancels the restrictions applicable to the cement industry

- » Regulation of the Ministry of People's Supply together with the Ministry of Trade No. 71/1918 Coll. z. and n., relating to leather and footwear
- » Regulation of the Ministry of People's Supply together with the Ministry of Trade No. 72/1918 Coll. z. and n., relating to trade in textiles
- » Regulation of the Minister of Industry, Trade and Trade No. 18/1919 Coll. z. and n., on the regulation of production and trade in wool and rags
- » Regulation of the Minister of Industry, Trade and Trade No. 19/1919 Coll. z. and n., on the regulation of production and trade in cotton goods
- » Regulation of the Minister for the Administration of Industry, Trade and Trade in agreement with the Minister for the Administration of Public Works and the participating ministers No. 25/1919 Coll. z. and n., on the management adjustment of mineral oil products, benzene, tar oils and carbide
- » Regulation of the Minister of Trade, Industry and Trade No. 33/1919 Coll. z. and n., which cancels the regulations regarding the inventory and transport of machines and boilers
- » Decree of the Ministry of Chemical Industry No. 171/1958 Ú. l., which issues the basic conditions of supply of chemical, rubber, and osmosis products and products of the pulp and paper industry

There are no penalties associated with this update.

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

European Union

Community Rolling Action Plan update for years 2024 to 2026 (published)

The European Chemical Agency (ECHA) published the Draft Community Rolling Action Plan (CoRAP) update for the years 2024 to 2026. The CoRAP contains substances suspected of posing a risk to human health or the environment. Substance evaluation is the process under the REACH Regulation that allows information generation to clarify such potential risks.

The CoRAP prioritizes substances for evaluation for the next three years. The evaluation aims to clarify if manufacture and/or use of these substances could pose a risk to human health or the environment. Hence, ECHA adopts an update of the CoRAP to establish the list of substances that have been evaluated or will be evaluated by the European Union (EU) Member States in the respective period.

ECHA submitted the CoRAP on 30 November 2023 to the EU Member State Competent Authorities and the ECHA Member State Committee (the Committee). The plan contains 28 substances, including 11 new substances. Ten substances are being planned for evaluation in 2024, including four substances as a group, and eighteen are divided for evaluation in 2025 and 2026. ECHA aims to adopt and publish the CoRAP update for 2024-2026 on 19 March 2024 based on the Committee's opinion on the draft CoRAP, which is expected in February 2024. Penalties for non-compliance have not been specified.

More information and the list of 28 substances can be found [here](#).

Review of Restriction of Hazardous Substances Directive (adopted)

On 7 December 2023, the European Commission (EC) adopted a report on the review of the Restriction of Hazardous Substances (RoHS) Directive. The report concludes that a major overhaul of the RoHS Directive is not appropriate at this

time and instead, a targeted amendment is needed to re-attribute scientific and technical tasks to European Chemicals Agency (ECHA).

The review, mandated by Article 24(2) of the RoHS Directive, was conducted with the assistance of independent consultants through an evaluation study initiated in 2018 and concluded in March 2021. An additional study, aimed at proposing solutions to identified deficiencies and assessing potential impacts, was launched subsequently and completed in May 2023. The report incorporates insights gathered from stakeholders through open public consultations and targeted discussions with industry representatives and national administrations. While a detailed staff working document presents the complete evaluation results, the review report outlines the overarching conclusions drawn by the EC based on the findings of the evaluation and support studies.

The RoHS Directive has effectively reduced hazardous substances in electrical and electronic equipment (EEE) within the European Union, prioritizing human health and environmental protection across the value chain. The evaluation indicates that, despite identified shortcomings, the RoHS Directive functions well by restricting hazardous substances in a straightforward manner while allowing necessary derogations. It contributes to market harmonization and the functioning of the internal market, serving as a global benchmark for reducing hazardous substances in EEE. However, the evaluation highlights transparency and efficiency issues in processes for deciding exemptions and updating substance restrictions. To address this, the EC proposes re-attributing technical assessment tasks to ECHA. This change aims to enhance consistency, effectiveness, and coherence in handling exemptions, aligning with the “one substance - one assessment” principle.

Re-attributing scientific and technical tasks to ECHA will not impact substantive requirements but does seek to streamline processes and enhance synergy. The proposal includes using ECHA's expertise, IT tools, and a single digital interface for submissions. The EC also plans to update guidance documents and frequently asked questions for clarity.

Looking ahead, a potential future revision of the RoHS Directive is suggested. It could address identified shortcomings, update provisions, and align with evolving legislative instruments. Recommendations include revising scope, removing transitional provisions, adapting frameworks for exemptions, introducing fees, and exploring opportunities to strengthen the circular economy for EEE. The importance of coordination with the Waste EEE Directive is emphasized, suggesting potential synergies to further incentivize the phasing out of hazardous substances and support circularity goals. Planning for a future revision should consider long-term perspectives and the RoHS Directive's position within broader legislative frameworks.

Penalties are determined by Member States.

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

Identification of human and environmental risks from additives to polyvinyl chloride plastics (announced)

The European Chemicals Agency (ECHA) has [investigated](#) and found that some substances added to polyvinyl chloride (PVC) plastic, like plasticizers, may pose risks to people and the environment. To limit the use of these additives and to minimize releases of PVC microparticles, regulatory action would be necessary.

In response to the European Commission (EU) request, ECHA investigated the potential risks of PVC additives and PVC itself to human health and the environment. ECHA's investigation focused on 63 PVC additives, including plasticizers, heat stabilizers and flame retardants. The key findings suggest that regulatory action would be needed to minimize risks

associated with plasticizers, from heat stabilizing organotin, reducing emissions of flame retardants and implementing and improving technologies that minimize PVC microparticle emissions. The identified main sources of potential risk are:

- » the starting materials, ethylene dichloride and vinyl chloride monomer, which are released during the production of PVC
- » the generation of polychlorinated dibenzodioxins/polychlorinated dibenzofurans during the production
- » the incineration of PVC waste
- » exposure of workers to PVC dust
- » PVC microparticle releases to the environment

ECHA has sent the investigation to the European Commission, which will assess it and decide whether there is a need to formally ask ECHA to prepare a REACH restriction proposal. Penalties for non-compliance have not been specified.

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

Adoption of the 21st Adaptation to Technical Progress updating the harmonized classification, labeling, and packaging of certain substances (adopted)

On 19 October 2023, the European Commission (EC) adopted the 21st Adaptation to Technical Progress (ATP) for the classification, labeling, and packaging (CLP) regulation. The EC issues ATPs yearly and update the CLP regulation to include all harmonized classification and labeling decisions taken during the previous year. The delegated regulation will now undergo a two-month scrutiny period before its publication and subsequent entry into force.

The 21st ATP implements the Committee for Risk Assessment's (RAC) opinions on a wide range of substances, for which the full list of entries can be found within the Annex to the delegated regulation. In total, 28 new entries are added to Annex VI of Regulation (EC) No 1272/2008, and an additional 24 entries are amended. The new classification and labeling requirements will apply on the first day of the month following 18 months after entry into force. However, suppliers can start classifying, labeling, and packaging substances and mixtures according to the 21st ATP from 19 October 2023.

Information on the regulation and its annex can be found [here](#). Information on the progress of the delegated regulation can be found [here](#).

Amendment to the European List of Waste to address waste batteries and wastes from treating them (initiative)

In November 2023, the European Union (EU) published an upcoming initiative for waste treatment that will lead to the amendment of the European List of Waste, specifically addressing waste batteries and the wastes from their treatment. This initiative aligns with the Waste Framework Directive, the EU's legal framework governing waste treatment and management, which establishes a waste hierarchy for preferred waste management practices.

The upcoming revisions to the European List of Waste aim to accommodate emerging battery chemistries and rapidly evolving manufacturing and recycling processes. The goal is to enhance the identification, monitoring, and traceability of diverse waste streams, providing clarity on their classification as hazardous or non-hazardous waste. A draft act detailing

these changes will soon be released and will undergo a feedback period. The act is planned for adoption in the third quarter of 2024.

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

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Information on the regulation and its annex can be found [here](#). Information on the progress of the delegated regulation can be found [here](#).

Additional restrictions on perfluorooctane sulfonic acid marking the elimination of the last specific exemption permitted in the European Union (consultation)

On 4 December 2023, the European Commission (EC) published a proposed amendment to Regulation (EU) 2019/1021, which implements the Stockholm Convention on persistent organic pollutants (POPs). The objective of Regulation (EU) 2019/1021 is to protect human health and the environment from 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. The amendment aims to further restrict the presence of perfluorooctane sulfonic acid (PFOS; CAS No. 1763-23-1) and its derivatives as unintentional trace contaminants in substances, mixtures, and articles, marking the elimination of the last specific exemption permitted in the European Union. Comments were due on 1 January 2024.

The amendment introduces changes to the PFOS entry in Annex I, specifying it as follows: perfluorooctane sulfonic acid (PFOS), its salts and PFOS-related compounds, C₈F₁₇SO₂X, (X = OH, Metal salt (O-M+), halide, amide, and other related compounds including polymers).

Furthermore, the amendment suggests lowering the Unintentional Trace Contaminant (UTC) limit in substances, mixtures, and articles to:

- » 0.025 milligram per kilogram (mg/kg, i.e., 0.000025 % by weight) for PFOS
- » 1 mg/kg (0.0001 % by weight) for the sum of concentrations of all PFOS-related compounds

The proposed amendment also calls for the repeal of exemptions for articles already in use and for mist suppressants for non-decorative hard chromium (VI) plating in closed-loop systems.

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

Amendment to Regulation (EC) No 1272/2008 on the classification, labeling, and packaging of chemical substances (draft)

On 5 December 2023, a [press release](#) announced a provisional agreement between the Council of European Union (EU) and the European Parliament to amend Regulation (EC) No 1272/2008 that governs the classification, labeling, and packaging of chemicals (CLP Regulation). This update seeks to modernize the existing 2008 EU legislation, with a focus on clarifying regulations for labeling chemical substances and providing comprehensive information for online chemical sales.

The [proposed revisions](#) to the CLP Regulation aim to integrate digital and circular economy principles into the chemical sector. These changes are designed to ensure that consumers receive essential information, both in physical and digital formats, regardless of their shopping location or quantity. Key provisions of the proposed regulation include:

- » better and faster processes for stakeholders to provide information on hazards of chemicals placed on the EU market
- » communication of chemical hazards, including online, through simpler and clearer labeling and advertising requirements
- » new powers for the European Commission (EC) to accelerate the procedure for identifying hazardous substances and make the necessary classification proposals
- » specific rules for refillable chemical products, so consumers can safely buy and use chemical products, such as home care chemicals, sold in bulk

A significant aspect of the agreement involves a five-year derogation for substances with more than one constituent (MOCS) from plants or plant parts that remain unmodified chemically. After this period, the EC may propose new legislation based on scientific reports. Other MOCS, like petrochemicals, will be under the scope of the CLP Regulation. Further, the EC has stated that the provisional agreement aligns different provisions concerning new hazard classes, which will avoid duplication with ongoing assessments that are currently conducted under different legislation.

The next step is to endorse and formally adopt the provisional agreement reached with the European Parliament.

Agreement on waste shipment (draft law)

An agreement on waste shipment has been reached between the European Parliament and the Council of European Union (EU). The agreement aims to enhance the EU's responsibility for its waste, prevent the export of environmental challenges to third countries, and promote the use of waste as a resource. Notably, the export of plastic waste from the EU to non-OECD (Organization for Economic Cooperation and Development) countries will be prohibited, except under strict environmental conditions after five years. Other recyclable waste can be exported to non-OECD countries only if they can manage it sustainably.

The regulations also streamline digitized procedures for intra-EU waste shipments, strengthen enforcement against waste trafficking, and complement the new Environmental Crime Directive. The measures align with the European Green Deal's goal of reducing pollution and advancing the circular economy. The regulation will enter into force once formally adopted

by the European Parliament and the Council of EU, contributing to the EU's commitment to a circular economy and addressing organized crime linked to waste trafficking.

Information can be found in this [press release](#) as well as in the [proposal](#) and its [annexes](#).

Proposal to update risk and management measures and requirements related to carcinogens, mutagens, or reprotoxic substances at work (consultation)

The European Commission (EC) has published a draft proposal to update the risk management measures and requirements related to carcinogens, mutagens, or reprotoxic (CMR) substances at work. The proposal sets-up the requirements to reduce the use of CMR substances, and to replace them where feasible. It specifies the information and training requirements for workers, which measures can be taken to reduce exposure and accidents, as well as guidelines on how to act in the case of an accident involving CMR substances. Additionally, Annex III of the proposal lists the Occupational Exposure Limit values for these substances.

The proposed regulation will apply to asbestos only when the new provisions are stricter than those in the specific asbestos regulation (Directive 2009/148/EC). Where the asbestos regulation is stricter, then it will take precedence over this new regulation. This new regulation will repeal Directive 2004/37/EC.

A consultation on the draft is open until 23 January 2024.

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

Revision to limit value of hexabromocyclododecane as an unintentional trace contaminant in substances, mixtures, and articles (consultation)

The European Commission introduced a draft act amending the limit value of hexabromocyclododecane (HBCDD) as an unintentional trace contaminant (UTC) in substances, mixtures, and articles (comments were due on 26 December 2023). Regulation (EU) 2019/1021 on persistent organic pollutants (POPs Regulation) prohibits or phases out POPs as soon as possible or restricts the manufacturing, placing on the market, and use of substances subject to the Stockholm Convention on POPs.

Hexabromocyclododecane (HBCDD) is listed under Annex I to Regulation (EU) 2019/1021 (HBCDD entry). Following Article 4(1)(b) of the POPs Regulation, the HBCDD entry includes a UTC limit of 100 milligram per kilogram (mg/kg, i.e., 0.01% by weight) for the presence of HBCDD in substances, mixtures, or articles or as constituents in flame-retarded articles.

HBCDD is classified as a PBT substance (i.e., persistent, bio-accumulative, and toxic). Due to its history and the fact that it has led to the undesirable presence of restricted brominated flame retardants in goods such as children's toys, food contact articles, and polystyrene packaging, the UTC value is planned to be lowered from 100 mg/kg to 75 mg/kg for all uses, except for the use of recycled polystyrene in the production of expanded and extruded polystyrene insulation material for use in buildings or civil engineering works, for which the limit is maintained at 100 mg/kg. By 1 January 2026, both UTC values need to be reviewed based on the available technical and scientific information.

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

Proposal for a regulation on fluorinated greenhouse gases amending Directive (EU) 2019/1937 and repealing Regulation (EU) No 517/2014 (consultation)

The World Trade Organization (WTO) published a [consultation notice](#) on 9 November 2023 regarding a 75-page [proposal](#) issued by the European Commission (EC) on 5 April 2022 for a regulation on fluorinated greenhouse gases (F-gases) to amend Directive (EU) 2019/1937 and repeal Regulation (EU) No 517/2014. Directive (EU) 2019/1937 sets out the rules providing for a high level of protection for persons reporting breaches of the European Union (EU) law while Regulation (EU) No 517/2014's objective is to protect the environment by reducing emissions of F-gases.

Article 1 of the EC proposal covers rules for F-gases, addressing containment, use, recovery, and destruction. It promotes safe alternative substances and imposes conditions on the import, export, market placement, supply, and use of these gases, along with specific products. The proposal also sets limits for hydrofluorocarbon placement and outlines reporting rules.

Article 2 outlines the scope of the regulation. It applies to F-gases listed in Annexes I, II, and III, whether alone or as part of a mixture. Furthermore, the regulation extends its applicability to products, equipment, and their components containing F-gases or relying on these gases for their functioning.

Article 4 of the regulation focuses on preventing emissions of F-gases. It includes measures such as prohibiting intentional releases unless technically necessary, requiring precautions to minimize unintentional releases, and mandating prompt repair of detected leaks. According to Article 4, the regulation also prohibits placing F-gases on the market without providing to the competent authority the evidence of destruction or recovery of trifluoromethane (CAS No. 75-46-7) produced as a by-product during the manufacturing process. In addition, the regulation establishes certification and precautionary measures for individuals and undertakings involved in specific tasks related to these gases.

Article 5 of the EC proposal focuses on leak checks for equipment containing F-gases. It mandates operators to conduct checks based on specified gas quantities, with exceptions for certain hermetically sealed and labeled equipment, as well as specific conditions for electrical switchgear and fire protection equipment. The frequency of leak checks varies depending on the quantity of gases present. Additionally, the EC has the authority to specify leak check requirements for different types of equipment through implementing acts.

Article 7 of the regulation focuses on record-keeping for equipment subject to leak checks under Article 5(1). Operators are required to maintain records for each piece of equipment, including details such as gas quantity and type, quantities added or leaked, recycling or reclamation information, quantities recovered, identity of the servicing entity, dates, and results of checks, and, if applicable, decommissioning measures. These records must be kept for at least five years and made available to competent authorities upon request. The EC may specify the format and procedures for record-keeping through implementing acts.

Article 11 of the proposal imposes restrictions and prohibitions on the market placement of F-gases, as well as associated products and equipment. It specifies that unlawfully placed items cannot be used or supplied further. For lawfully placed products and equipment, their subsequent supply is allowed two years after the prohibition deadline, contingent on providing evidence of their initial lawful placement. Non-refillable containers face a prohibition on entering the customs territory and further use or supply.

Article 12 introduces labeling requirements for the market placement of F-gases in containers and specific equipment. These requirements encompass hydrofluorocarbons exempted from quota requirements to facilitate enforcement of those exemptions.

Article 13 of the proposal prohibits specific uses of certain F-gases.

Article 30 states that the reporting of breaches of the regulation and the protection of individuals reporting such breaches will be governed by Directive (EU) 2019/1937.

Article 31 of the proposal specifies that Member States have the authority to determine penalties for non-compliance. These penalties may encompass fines, confiscation, or seizure of unlawfully acquired goods or revenues obtained by the undertaking from the infringement, and the suspension or revocation of authorization for activities falling within the scope of the regulation.

The proposal is set to enter into force in February or March 2024 (on the twentieth day following its publication in the Official Journal of the EU) and apply from 1 January 2025. A report on implementation is expected by 1 January 2033.

Calls for comments and evidence on manufacture, import, use, and placing on the market of octocrilene (consultation)

Following the registration of a restriction intention for octocrilene (CAS No. 6197-30-4; EC No. 228-250-8) by France in October 2023, The European Chemicals Agency (ECHA) has called for comments and evidence on the manufacture, import, use, and placing on the market of octocrilene, as well as on the possibility for its substitution and potential alternatives. Comments were due on 10 January 2024.

Octocrilene is used in cosmetic products and in plastisol, a product often used for coatings in outdoor applications. However, assessment by the French Agency for Food, Environment and Occupational Health and Safety has concluded that the most appropriate risk management option for octocrilene is a REACH restriction dossier, in order to address the environmental risks that are not adequately controlled. Information gathered through this call for comments will contribute to the dossier and document the feasibility of alternatives and the socio-economic impacts of restricting uses of octocrilene under REACH. The submission of the dossier is expected to be in October 2024.

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

Updates on classification, labeling, and packaging for six substances (consultation)

The European Chemicals Agency (ECHA) opened a consultation for [ethylene bis\[3,3-bis\(3-tert-butyl-4-hydroxyphenyl\)butyrate\]](#) (CAS No. 32509-66-3; EC No. 251-073-2) from 20 November 2023 to 19 January 2024. This substance is used by professional workers (widespread uses) in formulation or re-packing at industrial sites and in manufacturing. Specifically, it is used in coating products and polymers for machinery, plastic products, and vehicles. The proposed classification is:

- » rep. 1B, H360D
- » lact., H362

ECHA opened a consultation for [meta-sodium \(ISO\); sodium methylthiocarbamate \[1\]; meta-potassium \(ISO\); potassium methylthiocarbamate \[2\]](#) (CAS No. 137-42-8[1] and 137-41-7[2]; EC No. 205-293-0[1] and 205-292-5[2]) from 20 November 2023 to 19 January 2024. This substance is used by professional workers and at industrial sites. Specifically, it is a plant protection product (nematicide, fungicide, herbicide, insecticide). The proposed classification is:

- » met. corr. 1, H290
- » mut. 2, H341
- » carc. 2, H351
- » repr. 2, H361d

- » acute tox. 4, H332 (ATE=1,5 mg/l)
- » acute tox. 4, H302 (ATE=500 mg/kg/d)
- » STOT SE 1, H370 (liver)
- » STOT RE 1, H372 (liver)
- » tor=1
- » skin corr. 1, H314
- » skin sens. 1, H317
- » aquatic acute 1, H400, M-factor=1
- » aquatic chronic 1, H410, M-fac

Hazard class open for commenting:

- » explosives
- » flammable liquids
- » self-reactive substances and mixtures
- » pyrophoric liquids
- » self-heating substances or mixtures
- » substances or mixtures which in contact with water emit flammable gases
- » oxidizing liquids
- » corrosive to metals
- » acute toxicity – inhalation
- » acute toxicity – dermal
- » acute toxicity - oral
- » skin corrosion/irritation
- » serious eye damage/eye irritation
- » respiratory sensitization
- » skin sensitization
- » germ cell mutagenicity
- » carcinogenicity
- » reproductive toxicity
- » specific target organ toxicity — single exposure
- » specific target organ toxicity — repeated exposure
- » hazardous to the aquatic environment
- » hazardous to the ozone layer

ECHA opened a consultation for [methyl isothiocyanate](#) (CAS No. 556-61-6; EC No. 209-132-5) from 20 November 2023 to 19 January 2024. This substance is used in formulation or re-packing and in manufacturing. Specifically, it is a plant protection product (nematicide, fungicide, herbicide, insecticide). The proposed classification is:

- » met. corr. 1, H290
- » carc. 2, H351
- » acute tox. 2, H330
- » acute tox. 4, H312
- » acute tox. 3, H301
- » STOT RE 1, H372
- » skin corr. 1, H314
- » skin sens. 1, H317
- » aquatic acute 1, H400, M-factor=100
- » aquatic chronic 1, H410, M-factor=100
- » inhalation: ATE = 0.5 mg/L (dusts or mists)
- » dermal: ATE = 1100 mg/kg bw
- » oral: ATE = 100 mg/kg bw

Hazard class open for commenting:

- » explosives
- » flammable solids
- » self-reactive substances and mixtures
- » pyrophoric solids
- » self-heating substances or mixtures
- » substances or mixtures which in contact with water emit flammable gases
- » oxidizing solids
- » corrosive to metals
- » acute toxicity – inhalation
- » acute toxicity – dermal
- » acute toxicity - oral
- » skin corrosion/irritation
- » serious eye damage/eye irritation
- » respiratory sensitization
- » skin sensitization
- » germ cell mutagenicity
- » carcinogenicity
- » reproductive toxicity
- » specific target organ toxicity — single exposure
- » specific target organ toxicity — repeated exposure
- » hazardous to the aquatic environment
- » hazardous for the ozone layer

ECHA opened a consultation for [tebuconazole \(ISO\); 1-\(4-chlorophenyl\)-4,4-dimethyl-3-\(1,2,4-triazol-1-ylmethyl\)pentan-3-ol](#) (CAS No. 107534-96-3; EC No. 403-640-2) from 20 November 2023 to 19 January 2024. This substance is approved for use as a biocide in the European Economic Area and/or Switzerland for preservation films, wood preservation, and preservation for construction materials. It is also a fungicide used to control multiple fungal diseases in crops. The proposed classification is:

- » rep. 1B; H360FD
- » acute tox. 4; H302, ATE (oral) = 1700 mg/kg bw
- » STOT RE 2; H373 (eyes)
- » aquatic acute 1; H400, M=1
- » aquatic chronic 1; H410, M=10

Hazard class open for commenting:

- » acute toxicity
- » skin corrosion/Skin irritation
- » serious eye damage/eye irritation
- » respiratory sensitization
- » skin sensitization
- » germ cell mutagenicity
- » carcinogenicity
- » reproductive toxicity
- » specific target organ toxicity – single exposure
- » specific target organ toxicity – repeated exposure
- » aspiration hazard

ECHA released a Draft Assessment Report (DAR) pertaining to the new plant protection active substance [Cinmethylin](#), also known as exo-(+/-)-1-methyl-4-(1-methylethyl)-2-[(2-methylphenyl)methoxy]-7-oxabicyclo[2.2.1]heptane (CAS No. 87818-31-3; EC No. 402-410-9) – designated formerly as BAS 684 H1 (consultation deadline of 12 January 2024). It is intended for use as a soil residual herbicide in agriculture, applied pre- to post-emergence of cereals. The report includes a proposal for Maximum Residue Limit. A harmonized classification and labeling consultation is currently open for this substance. The proposed classification is:

- » skin sens. 1B, H317
- » STOT SE 3, H335
- » aquatic acute 1, H400
- » M-factor=10
- » aquatic acute 1, M-factor=10
- » aquatic chronic 1, H410
- » aquatic chronic 1

ECHA also open for commenting all hazard classes with the exception of respiratory sensitization, aspiration hazard, and hazardous to the ozone layer.

[Switzerland](#)

[Amendments to the Chemical Risk Reduction Ordinance \(consultation\)](#)

The Swiss Federal Office for the Environment (FOEN) has proposed [amendments](#) to the Chemical Risk Reduction Ordinance (ORRChem) seeking exemptions for certain uses of five substances listed in the REACH authorization list. The deadline for comments was 31 December 2023. The proposal aligns with the European Union's (EU's) regulatory decisions and aims to add these chemicals to Annex 1.17, regulating substances of very high concern (SVHCs) that require authorization in Switzerland. In April, Switzerland amended ORRChem to grant exemptions for specific uses of SVHCs by pharmaceutical and aircraft industries.

The draft regulation proposes the inclusion of five additional substances to Annex 1.17:

- » tetraethyllead (CAS No. 78-00-2) used in fuels
- » 2-ethylhexyl 10-ethyl-4,4-dioctyl-7-oxo-8-oxa-3,5-dithia-4-stannatetradecanoate (DOTE; CAS No. 15571-58-1) used in polymers

- » reaction mass of DOTE and 2-ethylhexyl 10-ethyl-4-[[2-[(2-ethylhexyl)oxy]-2-oxoethyl]thio]-4-octyl-7-oxo-8-oxa-3,5-dithia-4-stannatetradecanoate (MOTE; CAS No. 27107-89-7)
- » 4,4'-bis(dimethylamino)-4''-(methylamino)trityl alcohol (CAS No. 561-41-1), a carcinogen used in inks and toners
- » reaction products of 1,3,4-thiadiazolidine-2,5-dithione, formaldehyde and 4-heptylphenol, branched and linear (RP-HP; CAS No. no available), an endocrine disruptor for the environment

According to Annex 1.17, the market placement and use of these substances are generally prohibited, but authorizations granted by the EU serve as exemptions in Switzerland. The Notification Authority may grant temporary exemptions upon request, subject to specific conditions.

In November 2021, the EU expanded the intrinsic properties underlying the prohibition of four phthalic acid esters, necessitating corresponding adaptations in the ORRChem. Additionally, clarification of the general exemption for the use of three hexavalent chromium compounds is proposed. Annexes 2.16 and 2.18 ORRChem impose bans on certain vehicle components, vehicles, electrical and electronic equipment, cables, and replacement parts containing hazardous substances. The draft aims to designate applicable exemptions with reference to EU law.

FOEN expects to adopt the amended regulation on 1 January 2024, with entry into force on 1 January 2027.

More information can be found in this [notice](#) from the World Trade Organization.

Amendments to Annexes 1.17, 2.16, and 2.18 of the Chemicals Risk Reduction Ordinance (draft)

The Federal Office for the Environment (FOEN) in Switzerland published a draft regulation on 12 October 2023 amending Annexes 1.17, 2.16 and 2.18 of the Chemical Risk Reduction Ordinance (ORRChem). The regulation came into force on 1 January 2024.

In order to align with Regulation (EC) No 1907/2006 REACH, the draft proposes amending Annex 1.17 by the inclusion of five additional substances, as well as amending entries regarding exemptions for four phthalic acid esters possessing endocrine-disrupting properties. The amendment provides transitional periods for each chemical.

In accordance with the European Union, Annexes 2.16 and 2.18 of ORRChem stipulate bans on the placing on the market of vehicle components and vehicles as well as electrical and electronic equipment, cables, and replacement parts if they contain certain hazardous substances. Components for which there is no substitute without regulated substances are exempt from the bans.

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

United Kingdom

Calls for Information on three persistent organic pollutants (consultation)

The Department for Environment, Food and Rural Affairs (DEDRA) invited stakeholders on 10 November 2023 to provide information regarding three proposed Persistent Organic Pollutants (POPs). As a party to the Stockholm Convention on POPs—an international treaty aimed at safeguarding human health and the environment from the detrimental impacts of POPs—the United Kingdom (UK) is seeking additional insights on the following substances:

- » chlorpyrifos (CAS No. 2921-88-2) – an insecticide no longer registered for use in the UK (comment deadline 24 November 2023)
- » medium-chain chlorinated paraffins (MCCPs) and Long-chain perfluorocarboxylic acids (LC-PFCAs) – industrial chemicals newly recommended for listing as POPs under the Stockholm Convention (comment deadline 18 January 2024)

The information gathering process is of critical importance for the upcoming meeting of the POPs Review Committee and will significantly contribute to decision-making at the Convention level.

More information can be found in this [announcement](#) from HSE.

Applications for authorization for sodium dichromate, potassium dichromate, sodium chromate, and chromium trioxide (consultation)

On 8 November 2023, the Health and Safety Executive received several applications for authorization for the following substances/uses (comments were due on 1 January 2024):

- » Sodium dichromate (SD; CAS No. 10588-01-9) – used in the aerospace and defense industries, particularly in surface treatment processes. There are three applications for different uses:
 - formulation of mixtures with soluble hexavalent chromium compounds for use in the aerospace and defense industry and its supply chains for surface treatments – the annual tonnage used is less than 100 tonnes per year
 - pre-treatments: deoxidizing, pickling, etching and/or desmutting using SD in the aerospace and defense industry and its supply chains – the annual tonnage used is less than 5 tonnes per year
 - inorganic finish stripping using SD in the aerospace and defense industry and its supply chains – the annual tonnage used is less than 0.2 tonnes per year
- » Chromium trioxide (CAS No. 1333-82-0): the application is for use in slurry coating processes within the aerospace and defense industry and its supply chains – the annual tonnage used is less than 3 tonnes per year
- » Potassium dichromate (PD; CAS No. 7778-50-9), sodium chromate (SC; CAS No. 7775-11-3), SD: the proposal is for anodize sealing using PD, SC, and SD in aerospace and defense industry and its supply chains – the annual tonnage used is less than 6 tonnes, 0.5 tonnes, 6 tonnes per year, respectively
- » SD, PD: the proposal is for passivation of (non-Al) metallic coatings using SD or PD in the aerospace and defense industry and its supply chains; this process utilizes SD and/or PD when specific functions such as corrosion resistance, chemical resistance, adhesion to subsequent layers, layer thickness, temperature resistance, electrical resistivity, and pre-treatment compatibility are required – the annual tonnage used is less than 10 tonnes and 5 tonnes per year respectively.

More information can be found in this [notice](#) from the HSE.

Mandatory classification and labeling proposal for Pigment Red 83 and Solvent Violet 13 (consultation)

The Health and Safety Executive (HSE) is seeking [input](#) from the public concerning two specific chemical substances that are undergoing consideration for the Great Britain mandatory classification and labeling (MCL). The comments were due on 2 January 2024. The two substances are:

- » Pigment Red 83 (1,2-dihydroxy-9,10-dihydroanthracene-9,10-dione) (EC No. 200-782-5; CAS No. 72-48-0) – used in the textile industry for fabrics, textiles, and apparel

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- » Solvent Violet 13 (1-hydroxy-4-(p-toluidino)anthraquinone) (EC No. 201-353-5; CAS No. 81-48-1) – used in the production of plastic articles, in thermoprinting inks, in professional laboratories and in paper production

HSE proposes the MCL of both substances for skin sensitization (H317).

More information can be found in this [notice](#) from the HSE.

Alternatives to the use of chromium trioxide (consultation)

The United Kingdom's Health and Safety Executive (HSE) has opened a consultation on possible alternatives to the use of chromium trioxide (CAS No. 215-607-8) in the conversion coating of connectors for applications in harsh environments. The consultation opened on 4 December 2023 and the deadline for comments is 29 January 2024.

Tyco Electronics UK have applied for authorization for the use of chromium trioxide in the surface treatment of connector shells by dipping the articles in treatment baths containing hexavalent chromium, yielding high performance, corrosion resistant connectors for specific applications such as military and aeronautics. The listed product category for chromium trioxide under this use is PC14, metal surface treatment products. The annual tonnage used is listed as 0.3-1.2 tonnes per year.

There are no penalties associated with this update.

More information can be found in this [notice](#) from the HSE.



NORTH AMERICA

[Canada](#)

Amendments to the Domestic Substance List (in force)

The Minister of Environment has published amendments to the Domestic Substance List (DSL). The DSL is an inventory of substances manufactured in or imported into Canada on a commercial scale that is amended on average twelve times per year to add, update, or delete substances. Substances not appearing on the DSL are considered to be new to Canada and are subject to notification.

Order 2023-66-10-01:

On 22 November 2023, Canada published [Order 2023-66-10-01](#) to add, delete, and amend several substances in Parts 1 and 3 of the DSL. The Canadian government has assessed information on these substances and determined that they meet the criteria for addition to the DSL, as set out in the Canadian Environmental Protection Act, 1999 (CEPA).

Order 2023-87-10-01:

Canada published [Order 2023-87-10-01](#) to add substances to the DSL as follows:

- » Part 1 adds the following in numerical order – substance name was not identified:
 - 403641-53-2 N²-P³
 - 1215267-86-9 N-P
 - 2020004-19-5 N-P
 - 2566495-55-2 N
- » Part 3:
 - 14211-0 N-P: 2-propenoic acid, 2-methyl-, polymer with alkyl 2-propenoate and ethene, magnesium salt
 - 19679-7 N-P: alkanolic acid, 3-oxo-, 2-[(alkyl-oxo-propenyl)oxy]ethyl ester, polymer with alkyl 2-propenoate and alkyl 2-alkyl-2-propenoate
 - 19680-8 N-P: fatty acids, C18-unsatd., dimers, hydrogenated, polymers with 2-oxoheteromonocycle and polyalkylolalkane
 - 19685-3 N-P: carboxylic acids, di-, C10-14, polymers with acrylic acid, Bu acrylate, alkanediols, 2-ethylhexyl acrylate and styrene, tert-Bu peroxide-initiated

These amendments entered into force on 8 November 2023, the day the amendments were registered.

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.

United States

Safety standard for consumer products containing button cell or coin batteries (published)

On 21 September 2023, the Consumer Product Safety Commission (CPSC) published the final rule to establish a safety standard as the mandatory standard for consumer products containing button cell or coin batteries. The CPSC issued this final rule to complete Reese's Law requirement for warning labels on the packaging of button cell or coin batteries. Reese's Law requires the establishment of performance and labeling requirements for button cell or coin battery packages in order to eliminate or adequately reduce the risk of injury occurring from ingested button cell or coin batteries by children six years old and younger.

CPSC has adopted the standard ANSI/UL 4200A-2023. The requirements for consumer products containing or designed to use button cell or coin batteries are as follows:

- » battery compartments containing replaceable button cell or coin batteries must be secured such that they require the use of a tool or at least two independent and simultaneous hand movements to open
- » button cell or coin battery compartments must not allow such batteries to be accessed or liberated as a result of use and abuse testing
- » the packaging for the overall product must bear a warning
- » the product itself must bear a warning, if practicable
- » accompanying instructions and manuals must include all of the applicable warnings

² N means that the substance was notified and assessed as a new substance after July 1, 1994, and subsequently added to the DSL based on its manufacture in or import into Canada.

³ P means that the substance was added to the DSL on the basis that it met the Reduced Regulatory Requirement (RRR) polymer criteria; any form of the substance that does not meet the RRR polymer criteria is subject to notification prior to import or manufacture.

Penalties for non-compliance are not mentioned in the update. The standard is effective from 21 September 2024, after which compliance must be ensured.

More information can be found in the [Federal Register](#) and this [note](#) from the Consumer Product Safety Commission.

Restrictions on the use of certain hydrofluorocarbons under the American Innovation and Manufacturing Act of 2020 (published)

The United States Environmental Protection Agency (EPA) published a ruling on 24th October 2023, which came into force on 26th December 2023, to restrict products that use hydrofluorocarbons (HFCs) starting on 1 January 2025. This ruling implements certain provisions under the American Innovation and Manufacturing (AIM) Act, as enacted on December 27, 2020, to restrict the use of certain HFCs in specific sectors. Moreover, the ruling establishes processes for submitting technology transition petitions, recordkeeping, and reporting requirements. This ruling aims to facilitate the transition to future technologies by restricting the use of HFCs. In addition, the ruling further addresses EPA's framework for implementing its authority to restrict the use of HFCs in the sectors and subsectors where they are employed.

HFCs, either neat or used in blends with high global warming potentials (GWPs) in the scope of refrigeration, air conditioning, heat pump (RACHP), foam, and aerosol sectors are restricted. Manufacturers, importers, and installers of specific equipment in 40 sub-sectors are prohibited from conducting activities related to certain HFCs based on the overall GWP limits or restrictions of use. Moreover, it is not permitted to sell, distribute, or export factory-completed products that are non-compliant with relevant restrictions three years after the prohibition on manufacture and import. Additionally, labeling and reporting requirements apply.

When appropriate, EPA may penalize manufacturers, importers, sellers, distributors, exporters, or installers of products and equipment that include certain HFCs. The penalty shall consider the nature, gravity, scope, intentional nature, and repetition of the infringement.

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

Management program for certain hydrofluorocarbons (published)

The Environmental Protection Agency (EPA) has published a proposed rule establishing a program of management for hydrofluorocarbons (HFCs), including requirements for leak repair and detection, use of reclaimed HFCs, container tracking, recordkeeping, and labeling obligations. Comments were due on 18 December 2023.

Under Subsection (h) of the American Innovation and Manufacturing Act, this proposed rule proposes the establishment of an Emissions Reduction and Reclamation Program, with provisions for leak repair and automatic detection for certain new and existing equipment. A reclamation standard is also proposed alongside requirements for the use of reclaimed HFCs for certain types of equipment including air conditioning and heat pump subsectors. Areas such as HFC recovery from disposable containers and container tracking are also proposed. Parties who deal with fire suppression, air conditioning, heat pumps, and HFC recovery are likely to be impacted by the new rule.

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

Amendments to regulations for decabromodiphenyl ether and phenol, isopropylated phosphate (3:1) under the Toxic Substances Control Act (proposal)

On 24 November 2023, the U.S. Environmental Protection Agency (EPA) proposed amendments to the regulations for decabromodiphenyl ether (decaBDE) and phenol, isopropylated phosphate (3:1) [PIP (3:1)] in November 2023. This reconsideration rule aims to address risk and reduce exposures to these persistent, bio-accumulative, and toxic (PBT) chemicals following extensive stakeholder engagement. The proposed rule imposes workplace safety protections and restricts water releases, impacting various industry sectors. The EPA's proposed revisions respond to the need for addressing implementation issues and reducing further exposures, as determined through additional comments received after the issuance of the 2021 PBT final rules.

The EPA issued final rules in January 2021, under the Toxic Substances Control Act (TSCA) Section 6(h) for five PBTs, including decaBDE and PIP (3:1). The proposed amendments in November 2023 align with TSCA's directive to expedite action on PBT chemical substances. The amendments, if finalized, aim to reduce potential exposures to decaBDE and PIP (3:1) as practicable. Regulated entities involved in manufacturing, processing, or using these chemicals or their products may be affected.

DecaBDE revisions:

- » label requirement for plastic shipping pallets
- » mandate the use of personal protective equipment (PPE) for decaBDE-related activities
- » prohibition of releases to water during decaBDE manufacturing, processing, and distribution
- » extension of the compliance date for decaBDE-containing wire and cable insulation for nuclear power
- » export notification requirement for decaBDE-containing wire and cable for nuclear power
- » modification of recordkeeping requirements
- » decaBDE's adverse health effects include damage to the central nervous system and reproductive problems

PIP (3:1) revisions:

- » requirement for PPE during domestic manufacturing and processing of PIP (3:1)
- » compliance date extension for some articles used in manufacturing equipment and the semiconductor industry
- » phased-out uses, including a 5-year phaseout for some uses in lubricants and greases
- » exclusion of processing and distribution of PIP (3:1) for wire harnessing and electric circuit boards
- » modification of recordkeeping requirements
- » PIP (3:1) adverse health effects include reproductive problems, neurological effects, and damage to organs

The deadline for comments was 8 January 2024. No specific penalties for non-compliance are outlined.

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

Mexico

Decrees establishing measures to combat the illicit fuel market related to the import of goods and agreement modifying provisions that establish the merchandise whose import and export is subject to regulation (in force)

Mexico is increasing the regulatory requirements on the trade of fuel, as the government has identified that various goods are currently being imported to alter or adulterate petroleum products – such as gasoline and diesel – in violation of the applicable regulations. To curb these illicit activities, Mexico is introducing temporary restrictions on the import of affected goods and, to tackle the problem long-term, modifying the regulations that apply to the import of these goods.

Decree establishing measures to combat the illicit fuel market related to the import of goods regulated by the Ministry of Energy

The temporary restrictions are imposed on the importation of specific goods defined in the Annex to the [Decree](#). Parties wanting to import these goods into Mexico must request and certify to the Undersecretariat of Hydrocarbons of the Ministry of Energy that the volume and destination of the merchandise they request to import is necessary for their production process, and that the purpose will be the development or carrying out of a lawful activity. If a permit had already been obtained before this Decree, the Undersecretariat must be informed that the import activity will continue. These restrictions will continue until the relevant government Ministries and Departments have drafted and approved additional regulatory measures to control the illicit fuel market activities. Guidance has been published on how to comply with the restriction and what information needs to be submitted.

Agreement modifying the various provisions that establish the merchandise whose import and export is subject to regulation by the Ministry of Energy

The proposed changes to the [Agreement](#) primarily focus on regulating the import and export of petroleum products and hydrocarbons. Key modifications involve the introduction of new sections, amendments to existing articles, and additional conditions for obtaining Prior Permits for import/export of hydrocarbons. The changes aim to enhance regulatory oversight, streamline the application process, and ensure compliance with energy-related regulations.

The agreement takes effect the day after its publication. It establishes a 30-day period to obtain a Prior Permit from the Ministry of Energy for specified tariff items. Requests submitted before the effective date will follow existing regulations, and previously granted permits remain valid until expiration.

Penalties are not mentioned in the update.

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



OCEANIA

[Australia](#)

Correction of names of twenty-seven substances in the Australian Inventory of Industrial Chemicals (published)

On 23 November 2023, the Australian Industrial Chemical Scheme corrected chemicals' names in the Australian Inventory of Industrial Chemicals. The Industrial Chemicals Act 2019 is the Australian law that regulates the importation and manufacture of industrial chemicals in Australia. These amendments are made under section 85 of the Industrial Chemicals Act 2019.

The names of 27 chemicals in the Australian Inventory of Industrial Chemicals have been updated to match their Chemical Abstracts Service (i.e., CAS) name. These corrections do not change the identity of the chemical substances themselves.

Further details can be found [here](#).



SOUTH AMERICA

[Brazil](#)

Status of Bill No. 2524 proposing a new law regulation the circular plastic economy (draft law)

In September 2022, [Bill No. 2524](#) proposing a new law regulating the circular economy for plastic products and materials was submitted to the Brazilian Senate. The last update to this proposal was on 19 October 2023, when it was sent to the Economic Affairs Committee for approval.

The proposal is still in the Senate and has not yet received final approval from this Chamber. Once it does, it will be sent to the Congress to receive final approval, and then will be signed into law by the President and published in the Official Journal. As such, this proposal may be further changed before being published.

The main objectives of this proposal are:

- » to avoid the generation of plastic waste, packaging waste, and single-use plastic products waste
- » to prevent and reduce the impact of pollution caused by the above waste on the environment and health
- » to promote the transition to a circular economy with innovative and sustainable business models, products and materials, which will contribute to the efficient functioning of the internal market

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- » to encourage the adoption of sustainable patterns of production and of consumption of goods and services
- » to promote reusing, recycling, and other types of recovery of packaging waste and plastic products, thus contributing to the transition to a circular economy
- » to stimulate research and technological development in the production of plastic items, enabling the transition to a circular economy, and the design of plastic substitutes, with a focus on creating effective and environmentally regenerative products and industrial systems

To fulfil these objectives, the new law will prohibit, one year after publication, the manufacture, import, distribution, and use of certain single-use plastic products, such as plastic packaging, plastic cutlery, etc. Additionally, from 31 December 2029, all plastic packaging will need to be recyclable or compostable, and schemes for consumers to return them will need to be put in place.

This proposal will also ban the following:

- » One year after publication:
 - oxi-degrading or pro-oxidant additives in thermoplastic resins
 - the manufacture, import and sale of all oxo-degradable plastic packaging and products
 - the manufacture and import of cosmetic products and any other application which contain microplastics
- » Two years after publication:
 - the placing on the market of cosmetic products and any other application which contain microplastics
 - the use of cosmetic products and any other application which contain microplastics

Penalties for non-compliance with this law will be the criminal and administrative sanctions established in articles 56-A and 72 of Law No. 9,605, of February 12, 1998.

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