

Newsletter

Global Environmental and
Chemical Regulations, Policies,
and Standards

March 2024

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NEWSLETTER

Global Environmental and Chemical Regulations, Policies, and Standards
March 2024



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

Amendment to the list of waste management activities (consultation)

On 9 February 2024, the South African Ministry of Forestry, Fisheries, and the Environment issued [Notice No. 4361](#) signaling its intention to revise the list of waste management activities that pose, or may pose, a detrimental impact on the environment, under the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008). This notice invited the public to contribute written comments or suggestions on the amendment by 10 March 2024.

Lead regulation under the Occupational Health and Safety Act, 1993 (draft)

On 1 March 2024, the Minister of Employment and Labor provided notice concerning a [draft lead regulation](#) under the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993). Comments are due on 29 May 2024. Act 85 of 1993 provides for health and safety at work in connection with the use of plant and machinery and the protection of people at work against hazards. The draft lead regulation applies to every employer and self-employed person in a workplace where lead work takes place and where lead can be inhaled, ingested, or absorbed.

The draft regulation also lays down that the classification of lead and lead-containing products must be made, and workers should be able to identify lead and lead-containing products at the workplace. The employer must prepare a documented risk assessment at intervals not exceeding 24 months. The employer must provide training and sufficient information to any employee exposed to lead, must conduct proper exposure monitoring, and must provide appropriate lead labeling.



ASIA

China

Amendments to the regulations on the management of ozone depleting substances (in force)

On 5 January 2024, the Chinese State Council published amendments to the regulations on the management of ozone depleting substances (ODS; the Regulations). The amendments entered into force on 1 March 2024. The Regulations lay down rules on the production, import, export, placing on the market, use, recovery, recycling, reclamation, and destruction of substances that deplete the ozone layer; on the reporting of information related to those substances; and on the import, export, placing on the market, and use of products and equipment containing or relying on those substances. The

ecological department of the State Council has been made responsible for the supervision and management of ODSs, alongside the local government in their administrative areas.

The amendments are intended to ensure that China implements the provisions of the Kigali Amendment to the Montreal Protocol on Ozone Depleting Substances, as well as strengthening the management of ODSs. Specifically, the amendments include a ban on the use of ODSs that have been phased out in China, as well as obligations to install ODS monitoring equipment in plants producing or using ODSs in large quantities. In the event of non-compliance with these provisions, offenders are subject to fines of between 20,000 and 200,000 RMB, and failure to rectify their non-compliance may result in an order to suspend production or business.

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

[Israel](#)

Amendment to the Import and Export Decree (in force)

The World Trade Organization (WTO) published on 15 February 2024 a [notification](#) concerning the law amending the Import and Export Decree of Israel. The amendment, signed by the Minister of Economy and Industry, is the sixth law amending Israel's Import and Export Decree. It eases the requirements of mandatory standards and classifications applying to products and commodities and aims to harmonize, reduce trade barriers, and facilitate trade. The amendment allows the importation of various products without having to perform a model or a compliance test that formally exists as a preliminary requirement. It now relies on an importer's Declaration of Conformity. The amendment includes some definition changes, text changes, and text rearrangements.

These acts will be backed up with an enhancement of market surveillance. There are two different proposed timelines to entry into force concerning the steps included in the amendment:

- » entry into force on 17 January 2024:
 - timeline change allowed for market surveillance control
 - documentation change required to substantiate an importer's Declaration of Conformity
- » entry into force of the reform is on 1 July 2024 (with an option to postpone for an additional three months):
 - elimination of the need to submit requests to a testing laboratory for the release of shipments on declaration routes
 - removal of the obligation to keep a compliance certificate in the Product File required in Import Group 3 for one year
 - cancellation of the Importer's Register at the Ministry of Economy and Industry
 - simplification of the possibility of moving to carry out compliance tests in a laboratory different from the one where the model was approved
 - expansion of the powers given to the Commissioner of Standardization against importers that breach trust
 - obligation of the testing laboratory to provide information about standard certificates issued by them
 - reduction of the penalty for importers who performed a preliminary voluntary test
 - doubling the sanction amount for an importer who does not hold a Product File as required

Penalties are not mentioned in the update.

Japan

Revisions to the guidelines on the enforcement laws amending the Industrial Safety and Health Act regarding improvement of labeling and document issuance systems related to chemical substances (amendment)

The Labor Standards Bureau of the Ministry of Health, Labor, and Welfare and the Manager of the Chemical Substances Control Division in the Safety and Health Department have announced a revision to the guidelines on the enforcement of laws that amend the Industrial Safety and Health Act, specifically relating to the improvement of labeling and document issuance systems for chemical substances. The amendments aim to provide clear instructions on how to notify the content of chemical substances, especially when the content amount is considered a trade secret and does not fall under substances regulated by specific ordinances like the Organic Solvent Poisoning Prevention Ordinance or the Lead Poisoning Prevention Ordinance.

The revisions state that names of relevant ingredients must be included when listed under applicable laws in Section 15 of the safety data sheets (SDS), as mandated by the Industrial Safety and Health Regulations. This aligns with Annex D, D.16, Item 15 of JIS Z 7253¹, which states that for chemicals under specific acts, the name of the applicable law and details on regulations based on that law, along with the chemical name, should be included. Furthermore, the revisions advise that for products with SDS already issued, if they contain substances newly under applicable laws, efforts should be made to promptly inform the recipients of these changes. This includes updating the SDS with the names of ingredients under new regulations and notifying recipients through website postings until the revised SDS is communicated. The revisions emphasize the obligation to list ingredient names for carcinogenic substances and chemicals harmful to the skin as per the Safety and Health Act, and to update the SDS in compliance with regular effect assessments on human health as specified in the ordinance and act.

Penalties are not mentioned in the update.

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

Measures to restrict the manufacture, import, and use of perfluorooctanoic acid, its salts, isomers, and related compounds (proposal)

The Japanese Ministry of Health, Labor, and Welfare; the Ministry of Economy, Trade, and Industry; and the Ministry of the Environment have proposed measures to restrict the manufacture, import, and use of perfluorooctanoic acid (PFOA; CAS No 335-67-1), its salts, isomers, and related compounds. The measures, announced on 1 February 2024, follow the addition of PFOA to the annex of the Stockholm Convention. The [proposed measures](#) were made available for consultation until 1 March 2024. The proposed measures have been provided under the Act on the Regulation of Chemical Substances (Act 117 of 1972) and also include handling prohibition for certain PFOA-containing products. PFOA, alongside its isomers, salts, and related compounds, will also be designated as a Class 1 Specified Chemical Substance under Act 117 of 1972. Furthermore, the proposed measures include specific prohibitions relating to products designed for certain uses, for example floor wax, as well as the setting of technical standards for handling.

¹ Japanese Industrial Standards JIS Z 7253 (Hazard Communication of Chemicals Based on GHS – Labeling and Safety Data Sheet) were issued based on the United Nations GHS to clarify the requirements for the information transmission of GHS-aligned SDS and labels in Japan.

If approved, non-compliance with the proposed measures will constitute a violation of Act 117 of 1972.

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

Amendment to the Globally Harmonized System classification of seven substances (published)

Japan's National Institute of Technology and Evaluation (NITE) released an amendment to the Globally Harmonized System (GHS) classifications of seven substances on 21 February 2024. GHS provides a standardized approach to classification and labeling of chemicals to communicate their hazards and risks to users. The Ministry of Economy, Trade, and Industry (METI), the Ministry of Health, Labor, and Welfare (MHLW), and the Ministry of Environment (MoE) are responsible for the classification of the substances in Japan, to which companies then refer when preparing GHS labels and safety data sheets (SDSs). NITE publishes the list on their behalf.

The amendment covers the hazard statement, precautionary statements and symbols, signal words, hazard classes and their classifications. The seven substances are as follows:

- » cadmium (II) iodide (CAS No. 7790-80-9)
- » 2-(diethylamino)ethylmethacrylate (CAS No. 105-16-8)
- » benzylalcohol (CAS No. 100-51-6)
- » potassium hexahydroxoantimonate (CAS No. 12208-13-8)
- » N,N,N',N'-tetramethyl-4,4'-benzylidenedianiline; leucomalachite green (CAS No. 129-73-7)
- » 2-(di-n-butylamino)ethanol (CAS No. 102-81-8)
- » 3,4-xyleneol; 3,4-dimethylphenol (CAS No. 95-65-8)

Companies using these seven substances should prepare GHS labels and safety data sheets according to the new classification. Further details can be seen in the regulatory text.

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

Malaysia

Notice to submit relevant information on import or supply of hazardous chemicals through the Chemical Information Management System (published)

In a December 2023 notice, Malaysia's Department of Occupational Safety and Health (DOSH) mandated that companies engaged in importing or supplying hazardous chemicals, with an annual quantity equal to or exceeding one metric ton, must submit relevant information by 31 March. The submission is to be made through DOSH's online [Chemical Information Management System \(CIMS\)](#) and must include details such as the product name, chemical composition within mixtures, hazard classification, and the quantity for each chemical imported or supplied. The requirement applies to companies importing chemicals from overseas suppliers, excluding transactions through local businesses.

The regulations governing this process, known as the CLASS regulations or the Occupational Safety and Health (Classification, Labeling, and Safety Data Sheet of Hazardous Chemicals) Regulations 2013, fall under the jurisdiction of the Occupational Safety and Health Act 1994 (i.e., OSHA 1994), enforced by DOSH. Companies failing to meet the March 31 deadline for information submission may face penalties according to the regulations.

The regulations align with international standards outlined in the United Nation's Globally Harmonized System of classification and labeling of chemicals. DOSH advises companies to refer to the Industry Code of Practice for additional guidance on classification and hazard communication.

Philippines

Guidelines on the exemption of certain chemicals under the Implementing Rules and Regulation of Republic Act No. 6969 (draft)

The Philippines' Department of Environment and Natural Resources (DENR) released a draft [Administrative Order](#) (AO) to provide guidelines on the exemption of chemicals under the DENR A.O. 1992-29 [a.k.a., the Implementing Rules and Regulation (IRR) of Republic Act No. 6969²] in January 2024. The draft AO provides comprehensive guidelines for exempting certain chemicals, such as impurities, chemical by-products, non-isolated intermediates, alloys, and statutory mixtures under Title II of DENR A.O. 1992-29. It introduces clear definitions for these terms and outlines a systematic procedure for exemption applications.

To apply for an exemption, and for a fee of 1,500 pesos, companies have to supply the following:

- » a signed letter of request
- » 100% composition of mixture
- » safety data sheet
- » manufacturing process flow
- » a signed justification letter and all supporting documents that form the basis for the exemption

All applications should be submitted through the department's online permitting and monitoring system and would be reviewed and evaluated within fifteen working days of receipt. Once approved, the chemicals would be exempted from Title II of RA 6969, and there would no longer be a need to secure a permit, with the exception of certain chemicals specified in chemical control orders. There is also an option for substances on the priority chemical list that do not fall under the scope of the draft order to apply for an exemption, but they must have a threshold limit of less than or equal to 1% concentration in mixtures.

South Korea

Revisions K-REACH and the Chemical Substances Management Act (published)

On 6 February 2024, South Korea's Ministry of Environment (MoE) announced significant revisions to K-REACH (i.e., Korea's Act on the Registration and Evaluation of Chemicals) and K-CCA (i.e., Korea's Chemicals Control Act), which were enacted by the National Assembly on 9 January 2024.

² The Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990 (Republic Act No. 6969) regulates the importation, manufacture, processing, handling, storage, transportation, sale, distribution, use and disposal of chemical substances and mixtures in the Philippines.

K-REACH

Under the amended K-REACH, effective 1 January 2025, the minimum tonnage for new chemical registration will increase from 0.1 tonne per year (t/y) to 1 t/y. The authority will also enhance transparency by scrutinizing submitted materials and disclosing information on notified new chemical substances to the public, including generic names for Confidential Business Information substances. Clarifications have been provided regarding the exemption of substances manufactured or imported solely for export.

Furthermore, toxic substances will now be categorized based on their hazards, guiding the implementation of tailored management measures. Acute hazardous substances to human health, such as those falling under Acute Toxicity Cat. 1, 2&3, Skin Corrosion/Irritation Cat. 1A, 1B&1C, and STOT SE 1, will require stringent safety management focusing on accident prevention and response, considering handling volume, and spread possibility. Likewise, chronic hazardous substances to human health, including those categorized under STOT RE 1, Germ Cell Mutagenicity Cat. 1, Carcinogenicity Cat. 1, and Reproductive Toxicity Cat. 1, will necessitate management strategies prioritizing the reduction of human exposure.

Additionally, ecological hazardous substances, particularly harmful to aquatic life, categorized under Aquatic Acute Toxicity Cat. 1 and Aquatic Chronic Toxicity Cat. 1, will require management efforts aimed at minimizing emissions to the environment. Measures may include the implementation of water collection facilities, waterproofing floors, and other techniques to prevent water inflow and soil penetration.

The amendments to K-REACH will take effect on 7 August 2025.

K-CCA

Regarding K-CCA, tailored management strategies will be enforced for various toxic substances, and the definition of "Hazardous Substance" will be narrowed to include only specific types of toxic substances and accident precaution substances. Streamlined obligations for companies and consumers handling hazardous chemicals are also introduced.

Furthermore, the handling, collection, and transport of designated wastes containing hazardous substances will be regulated under the Waste Control Act, and certain exceptions will apply to substances solely manufactured or imported for complete overseas export. Stakeholders intending to handle restricted substances for unspecified purposes must report to the MoE, while exemptions are provided for reagents used in experiments, research, or testing.

Most amendments to K-CCA will take effect on 7 August 2025, while waste-related changes are effective immediately.

More information can be found in Korean here on the [partial revisions to K-REACH](#) and [partial revisions to K-CCA](#).

Regulations on the prescribed quantities of toxic substances, restricted substances, prohibited substances, and permitted substances (in force)

On 16 February 2024, the South Korean Ministry of Environment (MoE), in accordance with Article 23 of the Chemicals Control Act (K-CCA) and its Enforcement Regulations Annex 3-2, issued Notice No. 2024-38 to amend the "Regulation on Designated Quantities of Hazardous Substances, Restricted Substances, Prohibited Substances, and Permitted Substances." Effective immediately, this amendment adjusts the date "July 1, 2021" to "July 1, 2024" in Article 3, stipulating that the MoE must review and revise the notice every three years from 1 July 2024, in line with the "Regulations on the Issuance and

Management of Directives, Rules, etc." Additionally, it mandates monthly feasibility reviews, requiring necessary improvements to be implemented by the 30th day of each month.

Furthermore, new entries (No. 1264 to No. 1318) are introduced in the quantity criteria table, Appendix 1, providing details such as chemical names, CAS numbers, lower regulation quantities, and upper regulation quantities. These changes aim to bolster safety measures and ensure effective management and control of hazardous substances in South Korea.

Under K-CCA, exceeding prescribed handling limits necessitates the submission of a chemical accident prevention management plan. If the upper handling limit is breached, a Grade 1 plan is mandatory, while surpassing the lower limit requires a Grade 2 plan. Access to the newly added substances, identified by unique numbers from "2023-1-1119" to "2023-1-1173", is available through NIER Notice 2024-38.

The update does not specify penalties.

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

Turkey

Amendment to regulation restricting the use of certain harmful substances in electrical and electronic equipment (in force)

Turkey published in its Official Gazette an [amendment](#) to the regulation restricting the use of some harmful substances in electrical and electronic equipment (Turkey RoHS). The Turkey RoHS Regulation aims to contribute to the protection of human health and the environment, including ensuring the environmentally friendly recovery and disposal of waste electrical and electronic equipment (EEE) in Turkey. Below are the amendments that entered into force on 20 January 2024:

- » the phrase "in Annex - 3 and Annex - 4" in Article 5 (3) has been changed to "exempt from substances whose use is restricted in EEE determined in accordance with the provision in the first paragraph of Article 6" while repealing Annex - 3 and Annex - 4
- » Article 6 of the regulation has been changed to "applications exempt from substances restricted for use in EEE are determined by the Ministry, taking into account the changes in the European Union legislation"
- » Annex 3 and 4, which both covered exemptions, have been repealed

Additionally, in accordance with Article 6 of the regulation, Turkey published a circular listing all the applications exempted from the Turkey RoHS restrictions – this is a new list of Turkey RoHS exemptions. The circular entered into force on 8 February 2024.

The update does not specify penalties.

More information on the consolidated regulation can be found [here](#) in Turkish.



EUROPE

European Union

Two new regulations on climate change and ozone layer depletion (in force)

As part of its ongoing efforts to achieve the Green Deal goals, the European Union (EU) published two new regulations on 20 February 2024. These regulations, [Regulation \(EU\) 2024/573](#) and [Regulation \(EU\) 2024/590](#), both entered into force on 11 March 2024 and address climate change and ozone layer depletion, respectively.

Regulation (EU) 2024/573 tackles fluorinated greenhouse gases (F-gases), potent contributors to global warming. It amends Directive (EU) 2019/1937 and repeals Regulation (EU) No 517/2014, aiming to bolster existing restrictions on F-gases. The regulation implements various measures³, including:

- » phasing out production, placing on the market, and use of certain F-gases
- » setting stricter quotas for import, export, and sale of remaining F-gases
- » mandating leak prevention measures and personnel certification for F-gas handling
- » enforcing clear labeling of F-gases in products
- » significantly reducing hydrofluorocarbons (HFCs) placed on the market by 2050 (as compared to 2015)
- » introducing new restrictions on F-gas use in equipment
- » establishing reporting requirements for manufacturers, importers, exporters, and operators

Regulation (EU) 2024/590 replaces Regulation (EC) No 1005/2009 and strengthens controls on ozone-depleting substances (ODS). It establishes rules for the production, import, export, use, recovery, recycling, and destruction of ODS, along with reporting requirements⁴. The regulation also encourages the use of alternatives to ODS and improves the efficiency of existing control measures to prevent illegal activities. The regulation applies to the ozone-depleting substances listed in Annexes I and II and their isomers, whether alone or contained in mixtures; and products and equipment, and parts thereof, containing ozone-depleting substances or whose functioning relies upon those substances.

Member States will determine penalties for non-compliance with these regulations. These penalties may include confiscation or seizure of illegally obtained goods and temporary prohibition from certain activities related to F-gases or ODS, or products and equipment containing them.

The European Chemicals Agency launches a new chemicals database: ECHA CHEM (published)

On 30 January 2024, the European Chemicals Agency (ECHA) launched a new chemicals database, [ECHA CHEM](#). ECHA CHEM enables ECHA to share with the public the growing amount of information hosted by ECHA on chemical substances, and to enable wider awareness and education regarding the information generated by the European Union's (EU's) regulatory

³ Article 38 sets out the application dates of specific provisions, hence stakeholders are advised to consult the official text for further details.

⁴ Article 32 sets out the application dates of specific provisions.

framework. Initially, ECHA CHEM will host information on over 100,000 REACH registrations that companies have submitted to ECHA and will continue to be expanded with a redesigned Classification and Labeling Inventory, and the first set of regulatory lists.

The ECHA website hosts a proposed timeline for the release of new features and functionality on ECHA CHEM:

- » 30 January 2024 – launch with REACH registration data
- » May 2024 – REACH registration data alignment with IUCLID latest format
- » Q3 2024 – Revised Classification and Labeling Inventory
- » Q4 2024 – first set of regulatory processes and obligation lists

As ECHA CHEM develops and expands its functionality, the site will provide quicker and more efficient access to information regarding substances and regulatory processes under EU REACH and CLP regulations.

Update to guidance on Regulation (EC) No 1272/2008 on classification, labeling, and packaging of substances and mixtures (published)

In January 2024, the European Chemicals Agency (ECHA) published [updated guidance to Regulation \(EC\) No 1272/2008](#) on classification, labeling and packaging (CLP) of substances and mixtures. CLP aims for a high level of protection for human health and the environment, as well as the free movement of substances, by establishing a list of substances with their harmonized classifications and labeling elements at a European Union level.

The guidance on CLP related to aquatic hazards has been updated, including advice on new OECD⁵ test guidelines and clarifications on legal issues, such as the status of M-factors⁶ in the classification. The specifics of the update include the following, amongst others:

- » Section 4.1.3.3.1 – text was added to clarify cases where data on a degradation product may need to be considered
- » Section 4.1.3.3.3 – text was added on the fact that M-factors are considered part of the classification
- » Section 4.1.4.5 – added clarification on deriving classification when using toxicity values calculated from the additivity formula
- » Annex I.2 – added general statements on most commonly occurring issues during aquatic toxicity testing
- » Annex I.2.1.2 – added general considerations regarding various relevant OECD Test Guidelines

The update to the guidance comes ahead of further guidance on the new CLP hazard classes, which will be published later in 2024.

Draft screening reports for 4-(1,1,3,3-tetramethylbutyl)phenol, ethoxylated and 4-nonylphenol, branched and linear, ethoxylated and related substances (consultation)

The European Chemicals Agency (ECHA) published a call for comments concerning the [draft screening report](#) on the presence of risk of certain substances listed in Annex XIV of the REACH regulation: 4-(1,1,3,3-tetramethylbutyl)phenol,

⁵ Organization for Economic Cooperation and Development

⁶ The M-Factor is a multiplying factor applied for substances categorized as highly toxic to aquatic environment. For substances classified as acute aquatic toxicity category 1 or chronic aquatic toxicity category 1 under GHS, an M-factor is used to increase weight to highly toxic components when classifying a mixture.

ethoxylated and 4-nonylphenol, branched and linear, ethoxylated in articles. Comments were due on 3 April 2024. The REACH Regulation aims to ensure a high level of protection of human health and the environment against harmful substances, assess the safety of chemical substances in use in the European Union (EU) while promoting innovation and competitiveness. Annex XIV contains the Authorization List. After the sunset date has passed for substance(s) included on the Authorization List, ECHA will consider if risks from the use of the substance in articles are adequately controlled. If ECHA considers that the use of the substance(s) poses a risk to human health or the environment that is not adequately controlled, ECHA will then prepare an Annex XV Restriction Dossier.

ECHA aims to collect information on 1) the uses of the substances listed above in articles, e.g., painted/coated articles and safety glass; 2) existing notifications to EU databases (e.g., SCIP and SPIN) for use of the substances in articles and possibly in mixtures; and 3) environmental monitoring data.

New exemption for use of lead in certain electrical and electronic equipment (initiative)

The European Commission (EC) has published three initiatives to assess new exemptions for the use of lead in certain electric and electronic equipment (EEE) under Directive 2011/65/EU (RoHS). RoHS lays down rules on the restriction of the use, recovery, and disposal of hazardous substances in EEE. The exemptions under assessment are:

- » [lead in high melting temperature type solders](#) used in electrical and electronic equipment
- » [lead in glass or in ceramic of electrical or electronic components](#), including dielectric ceramic in capacitors
- » [lead as an alloying element in steel, aluminum, and copper](#), which are used to manufacture electrical and electronic equipment

The EC needs to publish draft regulations and open them to a public consultation before making decisions on approval of the final regulation. The expected date of adoption is set for the third quarter of 2024.

Classification, labeling, and packaging proposals for nitromethane, nitroethane, and 1-nitropropane (consultation)

On 19 February 2024, the European Chemicals Agency opened consultations on classification, labeling, and packaging (CLP) proposals (consultation open till 19 April 2024) for [nitromethane](#) (EC No. 200-876-6; CAS No. 75-52-5), [nitroethane](#) (EC No. 201-188-9; CAS No. 79-24-3), and [1-nitropropane](#) (EC No. 203-544-9; CAS No. 108-03-2). The CLP Regulation (EC) No 1272/2008 ensures that the hazards presented by chemicals are clearly communicated to workers and consumers in the European Union (EU) through the classification and labeling of chemicals.

Nitromethane is used in pH regulators, water treatment products and laboratory chemicals, air care products, fuels, etc. The proposed classification is:

- » flam. liq. 3, H226
- » acute tox. 4, H302
- » acute tox. 3, H331
- » carc. 1B, H350
- » repr. 1B, H360Df
- » STOT RE 2, H373
- » proposed specific concentration limits:
 - ATE (oral) = 1450 milligram per kilogram (mg/kg)
 - ATE (inhal) = 5.50 milligram per liter (mg/L)

Nitroethane is used in coatings. The proposed classification is:

- » flam. liq. 3, H226
- » acute tox. 4, H302
- » acute tox. 4, H332
- » carc. 1B, H350
- » repr. 1B, H360Df
- » STOT RE 2, H373 (blood, respiratory tract, and nervous system)
- » proposed specific concentration limits:
 - ATE (oral) = 1080 mg/kg
 - ATE (inhalation) = 18.50 mg/L

1-nitropropane is used in solvents, as well as in coatings intended for consumer use. The proposed classification is:

- » flam. liq. 3, H226
- » acute tox. 4, H302
- » acute tox. 3, H331
- » carc 1B, H350
- » repr. 1B, H361Df
- » STOT RE 2, H373
- » proposed specific concentration limits:
 - ATE (Oral) = 506 mg/kg
 - ATE (Inhalation) = 5.50 mg/L

If the proposed new classifications above are approved, new risk management, labeling and packaging requirements might apply.

On different dates, ECHA also proposed regulatory updates to classification and labeling under the CLP Regulation for [2-methyl-2H-isothiazol-3-one hydrochloride](#) and [2-bromo-2-\(bromomethyl\)pentanedinitrile](#).

2-methyl-2H-isothiazol-3-one hydrochloride is used in biocides, such as disinfectants and pest control products. The proposed classifications include acute toxicity, skin corrosion, eye damage, skin sensitization, and aquatic toxicity. The adopted opinion suggests that the CLP entry should be updated as follows:

- » acute tox. 3, H301
- » acute tox. 3, H311
- » acute tox. 2, H330
- » skin corr. 1, H314
- » eye dam. 1, H318
- » skin sens. 1A, H317
- » acute aquatic 1, H400
- » acute chronic 1, H411

2-bromo-2-(bromomethyl)pentanedinitrile is used in a wide range of products for consumers and occupation use, e. g. household cleaning products and other detergents, car care products, wax and other polishing preparations for floors, adhesives, paints, and metalworking fluids. The submission process began on 1 December 2015, by the Czech Republic. Proposed classifications include acute toxicity, eye damage, skin sensitization, and aquatic chronic toxicity. The adopted opinion suggests that the CLP entry should be updated as follows:

- » acute tox. 4, H302
- » acute tox. 2, H330
- » STOT RE 2, H373 (thyroid, central nervous system)
- » eye dam. 1, H318
- » skin sens. 1A, H317
- » aquatic chronic 2, H411

The classifications for the three substances above have not legally been adopted yet. They must be approved by the European Commission and published in the EU Official Journal. Should they be adopted, new labeling and packaging requirements will apply.

On 4 December 2023, classification and labeling intentions were submitted for [3-aminopropyldiethylamine](#) (EC No. 203-236-4; CAS No. 104-78-9) and [3-aminopropyldimethylamine](#) (EC No. 203-680-9; CAS No. 109-55-7). 3-aminopropyldiethylamine is used as a component in adhesives, as a curing agent in epoxy resins, and as an intermediate and in coatings. 3-aminopropyldimethylamine is used as a corrosion inhibitor, in surfactants, and liquid soaps. These substances are used in

fuels, lubricants, and greases and as well as by professional workers in laboratory chemicals, building and construction work, textile, paper and paper products, and rubber products.

The proposed classifications for 3-aminopropyldiethylamine are:

- » acute toxicity
- » skin sensitization
- » reproductive toxicity
- » endocrine disruptor for human health
- » endocrine disruptor for the environment

The proposed classifications for 3-aminopropyldimethylamine are:

- » flam. liq. 3, H226
- » acute tox. 4, H302
- » acute tox. 3, H311
- » skin corr. 1B, H314
- » skin sens. 1A, H317
- » repr. 1B, H360
- » STOT SE 3, H335

Should these proposed classifications for the two substances above be approved, new labeling and packaging requirements will apply to these substances and products containing them.

Updates to the Authorization List (consultation)

The European Chemical Agency (ECHA) released consultations concerning i) five substances proposed for inclusion in the Authorization List, ii) an amendment to an Authorization List entry, and iii) one substance proposed to be restricted. ECHA regularly assesses the substances from the Candidate List to decide which ones should be included in the Authorization List (REACH Annex XIV) as a priority.

The following five substances are proposed for inclusion in the Authorization list, with comments due by 7 May 2024:

- » [S-\(tricyclo\[5.2.1.0-\(2,6\)\]deca-3-en-8\(or 9\)-yl\) O-\(isopropyl or isobutyl or 2-ethylhexyl\) O-\(isopropyl or isobutyl or 2-ethylhexyl\) phosphorodithioate](#) (EC No. 401-850-9; CAS No. 255881-94-8)
- » [melamine](#) (EC No. 203-615-4; CAS No. 108-78-1)
- » [siphenyl\(2,4,6-trimethylbenzoyl\)phosphine oxide](#) (EC No. 278-355-8; CAS No. 75980-60-8)
- » [bis\(2-ethylhexyl\) tetrabromophthalate](#) covering any of the individual isomers and/or combinations thereof (EA and CAS Nos. not available)
- » [barium diboron tetraoxide](#) (EC No. 237-222-4; CAS No. 13701-59-2)

Additionally, ECHA is consulting on a draft recommendation to amend [dibutyl phthalate](#) (DBP; EC No. 201-557-4; CAS No. 84-74-2) Annex XIV entry following the identification of endocrine disrupting properties for the environment, in addition to the already identified toxic for reproduction properties (Category 1B). The proposed amendment would add a temporary derogation to the latest application date and sunset date for food contact materials and medical devices. The consultation is open until 7 May 2024.

Finally, ECHA opened a call for evidence to gather more information on [aromatic brominated flame retardants](#) to help decide if a restriction dossier needs to be prepared (comments due on 5 April 2024). The consultation aims to gather information on the sectors where aromatic brominated retardants are used, materials, concentrations, end-uses, volumes, information on releases as well as end-of-life information per use.

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

On 18 January 2024, the European Commission (EC) published a [draft amendment to Regulation \(EC\) No 1272/2008](#) on classification, labeling and packaging (CLP) – comments were due on 18 March 2024. The draft is to serve as an adaptation to technical progress, making sure CLP regulations remain updated with the latest scientific and technical progress. CLP aims to protect human health and the environment, and to ensure free movement of substances, by establishing a list of substances with their harmonized classifications and labeling elements.

Specifically, the EC amends Part 3 of Table 3 in Annex VI to Regulation (EC) No 1272/2008, introducing new and revised entries for the classification and labeling of forty-two substances or substances groups and deleting one entry. The entries include the details of the chemical substances, the hazard classes and statements, and labeling requirements.

United Kingdom

Annual reporting of exports and imports of Prior Informed Consent chemicals (published)

On 23 January 2024, the Health and Safety Executive (HSE) published an [announcement](#) concerning the annual reporting of exports and imports of Prior Informed Consent (PIC) chemicals. This applies to PIC chemicals exported from Great Britain⁷ (GB) or imported into GB during 2023, including movement to or from Northern Ireland.

The PIC regime in GB regulates the export and import of certain hazardous chemicals and is administered by the HSE, including the export notification system. PIC chemicals include those banned or severely restricted in GB. The PIC list also lists chemicals banned for export from GB.

HSE has requested that companies provide the details of quantities (in kilograms or kg) of PIC chemicals that were exported from or imported into GB during 2023 using the templates available on the HSE website. The HSE states that for European Union (EU) exports and imports, indication of specific EU countries is not necessary, but indication will be helpful for where the movement of chemicals was to or from Northern Ireland.

Some cases that are exempted from reporting are listed as follows:

- » special reference identification number (RIN) requests for exports in quantities not exceeding 10kg per year to each importing country for purposes of research or analysis
- » imports for research and analysis in quantities not exceeding 10kg per year from any country

For mixtures and articles, only the quantity of PIC chemicals within the mixture or article should be reported. In a case where a particular PIC-listed chemical in 2023 is not imported, but an export notification was submitted, a response is needed to confirm it as a “NIL” return.

Due date for data submittal to HSE at ukdna@hse.gov.uk, with the subject line of the email as “GB PIC - Annual Reporting - Article 10 - 2023 - company name,” was 31 March 2024.

⁷ i.e., England, Wales, and Scotland.

Intention to legislate a continuous recognition of certain European Union requirements (announcement)

On 24 January 2024, the United Kingdom (UK) announced its intention to legislate a continuous, indefinite recognition of European Union (EU) requirements, including the CE marking, beyond 31 December 2024 for many products. Comments were due on 26 March 2024. Once this legislation is in place, businesses can use either the UKCA or CE marking to sell products in Great Britain. Products covered fall under the eighteen product regulations under the responsibility of the Department for Business and Trade, Ecodesign for Energy-Related Products Regulations 2010 (Department for Energy Security and Net Zero), the Explosives Regulations 2014 (Department for Work and Pensions [Health and Safety Executive]), and the restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2012 (Department for Environment, Food, and Rural Affairs).

The UK also intends to introduce a “Fast-Track UKCA” measure, allowing manufacturers to use the UKCA marking to demonstrate compliance in GB with either UKCA product requirements or EU product requirements where they are recognized. Where products are covered by multiple regulations, a mixture of both UKCA and CE conformity assessment procedures can be used.

For the restriction of hazardous substances (RoHS) in electrical equipment regulation, the government is taking a two-part approach:

- » where products meet the maximum concentration values in Annex II to the EU RoHS Directive (2011/65/EU), current EU regulations and CE marking will be recognized
- » where a product relies on an exemption, the government will also continue to recognize current EU regulations and CE marking, provided there is an equivalent exemption under the GB RoHS regulations

To implement these changes, the government released the draft [Product Safety and Metrology etc. \(Amendment\) Regulations 2024](#) via the World Trade Organization (WTO). This legislation applies to GB but not Northern Ireland. The intended legislation does not apply to regulations for medical devices, construction products, marine equipment, rail products, cableways, transportable pressure equipment and unmanned aircraft systems regulations.

Amendments to Regulation (EU) 2019/1021 on persistent organic pollutants (in force)

On 29 June 2023 and 15 November 2023, the United Kingdom (UK) published two amendments to its retained Regulation (EU) 2019/1021 on persistent organic pollutants (POPs). The POP (Amendment) (EU Exit) Regulations 2019 was retained by UK from the European Union aim to protect human health and the environment by eliminating or restricting the production and use of POPs as defined in the Stockholm Convention or the Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on POPs. It seeks to minimize, or eliminate where possible, releases of such substances, and regulate waste containing or contaminated by them.

The [first amendment](#) affects Part A of Annex 1 of the Regulation. It extends the period for which the specific exemption applies in Annex 1 applicable to perfluorooctanoic acid (PFOA; EC No. 206-397-9; CAS No. 335-67-1), its salts, and PFOA-related compounds for certain personal protective equipment from 4 July 2023 to 3 December 2025.

The [second amendment](#) also affects Part A of Annex 1 of the Regulation. It adds perfluorohexane sulfonic acid (PFHxS; EC No. 206-587-1; CAS No. 355-46-4), its salts, and PFHxS-related compounds to Annex 1, Part A. These substances are used in various applications, including water and stain-protective coatings, surfactants and foams, packaging, electronics, agrichemicals, and to produce PFAS-based products. This amendment is intended to implement the listing of these substances under Annex A of the Stockholm Convention and follows their listing under the EU POPs on 28 August 2023. The

amendment adds specific concentration limits up to which the newly listed substance may be present as an unintentional trace contaminant.

There are no additional penalties associated with this update beyond the penalties already included within the text of the POPs regulation.



NORTH AMERICA

Canada

Amendment to the Non-domestic Substances List (in force)

On 4 February 2024, under the Canadian Environmental Protection Act (CEPA), the Department of Environment announced an [amendment](#) to the Non-domestic Substance List (NDSL). The amendment came into force on 18 January 2024. The NDSL is an inventory of substances that are not on the Domestic Substances List (DSL) but are in commercial use internationally. Substances that are listed on the NDSL are subject to lesser information requirements compared to substances listed on the DSL.

Part I of the non-domestic substances list is amended by deleting the following substances:

- » tin(2+) neodecanoate (CAS No. 49556-16-3)
- » siloxanes and silicones, di-Me, Me octyl (CAS No. 70900-22-0)

Earlier on 29 January 2024, the Minister of environment issued [Order 2024-87-01-02](#) under subsection 87(5) of CEPA to amend the NDLS by adding specific substances to the DSL. The Order removes two substances, identified by their CAS Nos. 49556-16-3 and 70900-22-0, from Part I of the NDSL. These deletions indicate changes in the regulatory status of these substances under Canadian environmental protection regulations. Order 2024-87-01-02 became effective on 18 January 2024. There are no specified penalties associated with non-compliance with this Order.

Notice on an implementation framework for the right to a healthy environment under the Canadian Environmental Protection Act (consultation)

On 8 February 2024, Environment and Climate Change Canada and Health Canada published a notice that they are collaborating on the development of an [implementation framework](#) for the right to a healthy environment within the context of the Canadian Environmental Protection Act, 1999 (CEPA), with consultation open till 8 April 2024. This framework will outline how this right will be considered in the administration of CEPA, including any reasonable limits imposed. Moreover, it will provide clarity on how principles such as environmental justice, intergenerational equity, and non-regression will inform CEPA's administration.

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Bill S-5, the Strengthening Environmental Protection for a Healthier Canada Act, was granted Royal Assent on June 13, 2023. The bill marks a modernization of CEPA, acknowledging the right to a healthy environment. Furthermore, it enhances Canada's chemicals management framework and promotes greater transparency in its administration.

More information is available [here](#).

United States

The Environmental Protection Agency extends deadline for polymer exemption reports and accompanying claims (in force)

On 16 February 2024, the Environmental Protection Agency (EPA) published a final rule in the [Federal Register](#) amending the Toxic Substances Control Act (TSCA) regulations for polymers manufactured under the terms of the polymer exemption to extend the submission deadline for reporting. Under the terms of the polymer exemption, companies can manufacture polymers meeting the exemption criteria without submission of a premanufacture notice or an exemption notice under the TSCA New Chemicals Program. The polymer exemption is intended to encourage the manufacture of safer polymers by reducing the industry's reporting burden for this category of chemicals, and to concentrate the Agency's review resources on substances expected to pose a higher risk.

The regulation obligates the submission of a report of manufacture or import by January 31 of every subsequent year to initial manufacture of polymers manufactured under the terms of the exemption. On 7 June 2023, EPA had amended the regulation so that the exemption reporting should be made electronically but EPA experienced technical difficulties with the launch of the new electronic reporting tool. Therefore, EPA is extending the reporting period for 2024, originally 31 January 2024, to now be 31 March 2024 to allow additional time to submit reports and accompanying claims using the electronic reporting tool.

The final rule is effective from 16 February 2024.

Rules to enhance and standardize climate-related disclosures for investors (announced)

On 6 March 2024, the Securities and Exchange Commission (SEC) issued a [press release](#) announcing that it has adopted rules to enhance and standardize climate-related disclosures by public companies and in public offerings. The final rules reflect SEC's efforts to respond to investors' demand for more consistent, comparable, and reliable information about the financial effects of climate-related risks on a registrant's operations and how it manages those risks while balancing concerns about mitigating the associated costs of the rules. Further, they will also require that climate risk disclosures be included in a company's SEC filings, such as annual reports and registration statements rather than on company websites.

The final rules will become effective 60 days following publication in the Federal Register, and compliance dates for the rules will be phased in for all registrants, with the compliance date dependent on the registrant's filer status. The rule is already facing legal challenges that may delay its ultimate effective date.

Notice of receipt and status information for new chemicals for the month of January 2024 (consultation)

On 22 February 2024, the Environmental Protection Agency (EPA) published a [notice](#) of receipt and status information for certain new chemicals for the month of January 2024. Comments were due on 25 March 2024. Under the Toxic Substances Control Act (TSCA), EPA is required to make publicly available information pertaining to submissions under TSCA Section 5 publicly available. The published notice includes:

- » premanufacture notices (Table 1)
- » significant new use notices (Table 1)
- » microbial commercial activity notice (Table 1)
- » notice of commencement of manufacture (including import) for new chemical substances (Table 2)
- » test information received from 1 to 31 January 2024 (Table 3)

Proposed rule requiring manufacturers to submit copies of certain unpublished health and safety studies (pre-proposal)

The Environmental Protection Agency (EPA) is developing a [proposed rule](#) under the Toxic Substances Control Act Section 8(d), requiring manufacturers of specified existing chemical substances to submit copies of certain unpublished health and safety studies. The substances subject to this rulemaking will include existing chemical substances being considered for prioritization or risk evaluation, and the EPA intends to use the submitted data to help identify chemicals for prioritization.

The proposed rulemaking was [announced](#) in March 2024 for stakeholder comments before a final rulemaking in September 2024. There are no penalties associated with this update.

Proposed rule to designate certain per- and polyfluoroalkyl substances as hazardous constituents (draft)

On 8 February 2024, the Environmental Protection Agency (EPA) published a proposed rule in the [Federal Register](#) adding nine per- and polyfluoroalkyl substances (PFAS) to the Resource Conservation and Recovery Act (RCRA) hazardous constituent list (40 CFR part 261 Appendix VIII) with comments due on 8 April 2024. The rule adds the following nine PFAS, their salts, and structural isomers to the RCRA list:

- » perfluorooctanoic acid (CAS 335-67-1)
- » perfluorooctanesulfonic acid (CAS 1763-23-1)
- » perfluorobutanesulfonic acid (CAS 375-73-5)
- » hexafluoropropylene oxide-dimer acid (CAS 13252-13-6)
- » perfluorononanoic acid (CAS 375-95-1)
- » perfluorohexanesulfonic acid (CAS 355-46-4)
- » perfluorodecanoic acid (CAS 335-76-2)
- » perfluorohexanoic acid (CAS 307-24-4)
- » perfluorobutanoic acid (CAS 375-22-4)

The addition of these nine PFAS to Appendix VIII means that additional corrective action would be facilitated to address releases of specific PFAS under the RCRA. For example, RCRA section 3004(u) requires that any permit issued to a hazardous

waste treatment, storage, and disposal facility after 8 November 1984 require corrective action for all releases of hazardous waste or hazardous constituents from solid waste management units at the facility.



OCEANIA

[Australia](#)

The Industrial Chemicals Environmental Management (Register) Act 2021 regarding persistent organic pollutants (amendment)

On 12 December 2023, the Department of Climate Change, Energy, the Environment, and Water published an [amendment](#) to the Industrial Chemicals Environmental Management (Register) Act 2021 (the Act), strengthening the regulation of persistent organic pollutants (POPs) in Australia. The amendment adds definitions for both “hazardous waste permit” and “unintentional trace contamination,” and makes amendments to Schedules 6 and 7 of the Act.

Schedule 6 lists industrial chemicals that are likely to cause serious or irreversible harm to the environment with essential uses. Specifically, the following substances are added to Schedule 6, with the entry coming into effect on 1 July 2025:

- » decabromodiphenyl ether (CAS No. 1163-19-5)
- » nonabromodiphenyl ether (CAS No. 63936-56-1)

Schedule 7 lists chemicals that have no essential uses. The following substances are added to Schedule 7:

- » 1,3-butadiene, 1,1,2,3,4,4-hexachloro- (CAS No. 87-68-3) – entry into effect on 1 July 2023
- » benzene, 1,2,3,4,5-pentachloro- (CAS No. 608-93-5) – entry into effect on 1 July 2024
- » hexabromocyclododecane (CAS Nos. 25637-99-4, 3194-55-6, 134237-50-6, 134237-51-7, and 134237-52-8) – entry into effect on 1 July 2024
- » octabromodiphenyl ether, heptabromodiphenyl, and hexabromodiphenyl ether (CAS Nos. 32536-52-0, 68928-80-3 and 36483-60-0, respectively) – entry into effect on 1 July 2024
- » pentabromodiphenyl ether and tetrabromodiphenyl ether (CAS Nos. 32534-81-9 and 40088-47-9, respectively) – entry into effect on 1 July 2024
- » perfluorohexanesulfonic acid (CAS No. 355-46-4) – entry into effect on 1 July 2025
- » perfluorooctanesulfonic acid (CAS No. 1 763-23-1) – entry into effect on 1 July 2025
- » perfluorooctanoic acid (CAS No. 335-67-1) – entry into effect on 1 July 2025
- » short chain chlorinated paraffins (alkanes, C10-13, chloro) – entry into effect on 1 July 2024

The additional entries provide relevant prohibitions regarding the manufacture, import, and use of these substances, listing any specific exemptions and the dates from which these prohibitions enter into force.

Affected parties should ensure that they are compliant with any new restrictions or prohibitions before the application dates listed within Schedules 6 and 7. Non-compliance with this amendment constitutes a violation of the Act and is subject to associated sanctions.

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SOUTH AMERICA

Brazil

Standard on solid waste classification (consultation)

The Brazilian Association of Technical Norms opened a consultation on the standard affecting solid waste. Comments were due on 18 March 2024 through the Brazilian Association of Technical Standards (ABNT) portal.

The Solid Waste Management Special Study Commission announced a national consultation to review the amendments to the standards established in standard NBR 10004-1 on solid waste classification requirements, and standard NBR 10004-2 on the general classification of these wastes. The initiative, led by the ABNT, aims to develop an updated standard for the classification and handling of hazardous and solid waste.

There are no penalties associated with this update.

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

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