Newsletter

Global Chemical, Environmental, Social, and Governance Regulations, Policies, and Standards

IAEG

Vol.5, Issue 1

NEWSLETTER

Global Chemical, Environmental, Social, and Governance Regulations, Policies, and Standards
Issue 1 – 2025

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 chemical, environmental, social, and governance 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 chemical, environmental, social, and governance regulations relevant to the AD industry. Contact Lisa Brown at myrna.l.brown@lmco.com for any questions on this Newsletter. For general assistance on IAEG matters, contact Michele Lawrie-Munro at mlawriemunro@iaeg.com.

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ASIA

China

Notice on optimizing the regulatory measures of low concentration triethanolamine mixtures (in force)

On 5 December 2024, the Ministry of Industry and Information Technology (MIIT), the Ministry of Commerce, and the General Administration of Customs issued a notice (Document No. 377 [2024]) to optimize the regulatory measures for low concentration triethanolamine (TEA; CAS No. 102-71-6) mixtures. The notice aims to enhance the efficiency of import and export management for these chemicals that are used in non-medical disinfectants, synthetic detergents, cosmetics, and inks.

The update specifies that products containing TEA concentrations below or equal to ten percent, excluding single aqueous solutions, are excluded from the controlled items under the Regulations on the Administration of Controlled Chemicals and the Export Control Regulations on Dual-Use Items. Such products no longer require an import and export approval certificate for controlled chemicals or a dual-use items and technology import and export license. However, the actual TEA concentration in these products must be declared in customs documentation.

The notice also clarifies the following:

- products not listed in the provided attachments must comply with existing regulatory requirements, including obtaining necessary permits
- single aqueous solutions of TEA, irrespective of concentration, remain subject to full regulatory control
- this update supersedes the previous 2023 notice in Document No. 394 (2023).

Penalties are not mentioned in the update.

More information can be found in Chinese in this notice from MIIT.

Directive on renewable energy substitution actions (published)

On October 30, 2024, China's National Development and Reform Commission (NDRC), along with other governmental bodies, issued the directive "Guiding Opinions on Vigorously Implementing Renewable Energy Substitution Actions." This directive is part of China's broader strategy to accelerate the replacement of fossil fuels with renewable energy across various sectors, including industry, transportation, construction, and agriculture, to promote green and low-carbon development and enhance energy security. The directive mandates a progressive increase in renewable energy consumption across key industries. It aims to bolster renewables such as solar, wind, and green hydrogen to meet China's commitment of peaking carbon emissions by 2030. A key goal is to ensure that renewable energy consumption surpasses 1.1 billion tons of standard coal equivalent by 2025 and reaches 1.5 billion tons by 2030:

- 2025: Industries must demonstrate a substantial shift toward renewable energy, with clear evidence of replacing fossil fuels with sustainable alternatives

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- 2030: Full compliance is expected, with strict emissions monitoring and mandatory reporting requirements to ensure companies are reducing carbon footprints in line with national goals
- Ongoing audits and evaluations: Enterprises will be regularly monitored by regulatory agencies to verify progress

This directive has implications for the aerospace and defense industry, influencing everything from supply chain sustainability and fuel innovation to manufacturing processes and military infrastructure development.

More information can be found in Chinese in this announcement from NDRC.

Directory of National Hazardous Wastes; Version 2025 (in effect)

On November 8, 2024, China's Ministry of Ecology and Environment (MEE) announced the "Directory of National Hazardous Wastes (Version 2025)" following its approval in the ministry's fifth meeting of 2024. This updated directory, effective from January 1, 2025, was developed in collaboration with the National Development and Reform Commission, the Ministry of Public Security, the Ministry of Transport, and the National Health Commission. The directory provides an updated and comprehensive list of wastes classified as hazardous under Chinese environmental regulations. It aligns with international standards and practices, ensuring consistency in hazardous waste identification and management. The directory provides a clear timeline for industries to comply with the updated classifications.

The aerospace and defense sector should review the updated directory to identify any materials or by-products now classified as hazardous. Compliance will require:

- implementing or updating protocols for the handling, storage, and disposal of newly classified hazardous wastes
- ensuring that personnel are trained in the latest hazardous waste management procedures and that operations adhere to the new regulations
- collaborating with suppliers and contractors to ensure that all parties comply with the updated hazardous waste classifications and management practices

Non-compliance with the updated directory can result in legal penalties, environmental harm, and reputational damage consistent with previous regulation.

More information can be found here in Chinese.

Standards for carbon footprint accounting rules for industrial products (published)

On 15 January 2025, the Ministry of Industry and Information Technology, the Ministry of Ecology and Environment, the National Development and Reform Commission, and the State Administration for Market Regulation jointly announced the first batch of recommended standards for carbon footprint accounting rules of industrial products. These standards aim to enhance the management of carbon footprints, establish a robust carbon footprint management system, and support the green and low-carbon transformation of industrial sectors. The announcement follows a multi-step process, including recommendations from standardization bodies, expert evaluations, and public consultations conducted online. A total of fifteen group standards have been identified and included in this first batch.

More information can be found here in Chinese.

National standard regarding requirements for restricted use of hazardous substances in electrical and electronic products (consultation)

On 20 December 2024, China's State Administration for Market Regulation (SAMR) released a draft national standard (found here in Chinese) for consultation (comments due on 18 February 2025). The standard relates to requirements for restricted use of hazardous substances in electrical and electronic products (EEP). The standard specifies the requirements for labeling, restrictions, and conformity assessment for hazardous substances in EEP. Requirements will apply to EEP produced, sold, and imported within China.

The standard specifies limits for several substances in the homogenous materials used in EEP's with the content of the following substances restricted to 0.1 percent (mass fraction):

- lead (CAS No. 7439-92-1)
- mercury (CAS No. 7439-97-6)
- hexavalent chromium (CAS No. 18540-29-9)
- polybrominated biphenyls
- polybrominated diphenyl ethers
- di-n-butyl phthalate (CAS No. 84-74-2)
- diisobutyl phthalate (CAS No. 84-69-5)
- butyl benzyl phthalate (CAS No. 85-68-7)
- di(2-ethyl)hexyl phthalate (CAS No. 117-81-7)

For cadmium, levels should not exceed 0.01 percent (mass fraction). Labelling conditions are applicable to producers or importers of EEPs, with different marking requirements according to the content of hazardous substances in the products.

More information can be found in this notice from the World Trade Organization.

Law on safety of hazardous chemicals (draft)

The China State Council has approved a draft of the "Law of the People's Republic of China on Safety of Hazardous Chemicals," which will then be submitted for review. The draft law aims to strengthen safety management throughout the entire lifecycle of hazardous chemicals, from production to disposal. It emphasizes the need to establish a robust risk management system, including risk assessment, control measures, and emergency response plans. The law also highlights the importance of clarifying responsibilities for different stakeholders, including businesses and government agencies. Specific provisions for the phasing out and upgrading of old chemical facilities are also included to mitigate the risks posed by aging infrastructure.

The new law is a key part of a broader initiative to improve safety and prevent major accidents. The government's emphasis is on upgrading outdated facilities and improving worker training. No specific actions for manufacturers, importers, retailers, and distributors are necessary at this stage.

More information can be found here in Chinese.

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Draft law on hazardous chemicals safety (consultation)

On 26 December 2024, the Standing Committee of the 14th National People's Congress reviewed the "Draft Law of the People's Republic of China on Hazardous Chemicals Safety" that is now open for public consultation (comments due on 23 January 2024). The draft law aims to strengthen the safety management of hazardous chemicals throughout their entire lifecycle, including production, storage, use, operation, transport, and disposal, to reduce risks to human life, property, and the environment. Key provisions include:

- defining hazardous chemicals and establishing a dynamic hazardous chemicals catalogue
- requiring comprehensive safety management measures, such as risk assessments, emergency response plans, and safety facility audits for production, storage, and transportation activities
- prohibiting the production or use of chemicals restricted or banned by national regulations
- implementing licensing systems for production, storage, and sale of hazardous chemicals
- enhancing government oversight and inter-agency coordination on safety enforcement, particularly in areas like chemical park operations and transportation safety

Feedback can be submitted via the National People's Congress website, the National Laws and Regulations Database, or by mail.

India

Amendments to defer the quality control orders for poly vinyl chloride homopolymers and toluene (in force)

In December 2024, the Indian Department of Chemicals and Petrochemicals issued amendments to defer the Quality Control Orders (QCOs) for two substances: Poly vinyl chloride (PVC) homopolymers and toluene. PVC homopolymers are widely used in manufacturing pipes, cables, flooring, and various construction materials due to their durability and versatility. Toluene, a solvent commonly used in the production of paints, adhesives, and cleaning agents, also finds applications in chemical synthesis and as an octane booster in fuels. The PVC homopolymers QCO third amendment defers the date the QCO comes into force to 24 June 2025. The toluene QCO first amendment defers the date the QCO comes into force to 22 December 2025.

QCOs are gazette orders issued pursuant to Section 16 of the Bureau of Indian Standards (BIS) Act, 2016. They are issued by the government to announce that relevant standards prescribed by the BIS concerning certain products will be mandatory effective from the date specified in the QCO. QCOs apply to products/articles (objects whose function is determined by their shape, surface, or design to a greater degree than their chemical composition). These orders require anyone handling the products/articles, including companies manufacturing or importing and downstream users, to comply with the requirements set out in the QCOs or face a ban. The requirements may be included from Indian Standards (IS) covered by the QCO - handling, packaging, and marking requirements; and sampling methods and tests for substances contained in products/articles. By the issuance of QCOs, the use of standard mark under a license or a certificate of conformity from BIS is mandated.

Non-compliance with QCOs may result in penalties under the Bureau of Indian Standards Act, including fines of up to 5 lakh rupees.

More information can be found in this Regulatory Alert on QCOs from IAEG.

Israel

Policy for environmental regulation of per- and polyfluorinated alkyl substances (in force)

On 10 November 2024, the Israeli Ministry of Environmental Protection published a policy for environmental regulation of per- and polyfluorinated alkyl substances (PFAS) in the industry. The policy covers the following areas:

- preventing and reducing emissions and transfers of PFAS to the environment, including by replacing or reducing the use of materials containing PFAS
- requirements for maintenance and control of equipment containing PFAS
- treatment of waste containing PFAS
- sampling and monitoring obligations for PFAS in industrial wastewater

The Ministry of Environmental Protection is also preparing regulations to enable ratification of the Stockholm Convention (The Convention). The regulations will restrict or prohibit the production, trade, and use of pollutants listed in the Convention, including three PFAS compounds listed in the Convention.

While there are no penalties associated with this update, affected parties should ensure that they are aware of the planned actions and direction of Israeli regulation regarding PFAS.

More information can be found here in Hebrew.

Japan

Updated requirements for labeling, handling, storage, and transfer of firefighting agents containing per- and polyfluoroalkyl substances (in force)

On 10 December 2024, the Ministry of Economy, Trade, and Industry, the Ministry of Health, Labor and Welfare, the Ministry of Environment, the Ministry of Internal Affairs and Communications, the Ministry of Defense, and the Ministry of Land, Infrastructure, Transport and Tourism published new technical standards for firefighting equipment and agents containing per- and polyfluoroalkyl substances (PFAS), including perfluorooctanoic acid, its isomers, salts, and related compounds. The amendment introduces updated requirements for labeling, handling, storage, and transfer of firefighting agents. Key provisions include:

- labeling containers, packaging, and invoices to ensure clear identification of substances
- adherence to updated handling standards for equipment containing PFAS
- regular inspections of containers or the option to use remote monitoring systems
- disposal and storage measures designed to minimize environmental contamination

These changes aim to strengthen the safety and environmental management of PFAS-containing firefighting agents in Japan. The update does not mention penalties.

More information can be found here in English and in Japanese.

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Singapore

Updates on Exemptions for Dechlorane Plus and UV-328 in Singapore (published)

On 12 November 2024, the National Environment Agency (NEA) of Singapore issued a circular detailing exemptions for dechlorane plus (CAS No. 135821-03-3) and UV-328 (CAS No. 25973-55-1) under the Stockholm Convention (the Convention) on Persistent Organic Pollutants (POPs). The Convention is an international treaty aimed at eliminating or restricting the production and use of POPs to protect human health and the environment. These substances were added to Annex A of the Convention for elimination, with specific exemptions permitted.

The circular revises Singapore's policy on these substances, initially set to be prohibited for manufacture, import, and export from 26 February 2025. Based on industry feedback about the critical role of these chemicals and the lack of alternatives, NEA allows specific exemptions listed in Annex I of the circular. Examples include their use in medical devices, aerospace, space, defense applications, and various industrial, automotive, and adhesive applications.

The original deadline of 26 February 2025 for prohibiting all other uses of these substances remains unchanged. Importers and exporters must comply with the Harmonized System and product codes specified in Annex II, subject to the Chemical Control and Management Department's approval.

Regulations on formaldehyde in paints (effective)

On 20 December 2024, the National Environment Agency published new measures to regulate formaldehyde content in paints under the Environmental Protection and Management Act. The measures, effective from 1 January 2026, prohibit the import, manufacture, or sale of interior paints containing 0.01% weight in weight (w/w) or more of formaldehyde for local consumption. Paints for outdoor application or industrial use with a formaldehyde content of 0.01% w/w or more must comply with labelling requirements outlined in Annex A of the regulation.

These measures exclude paints imported for re-export or manufactured for export purposes, although a hazardous substance license will be required for companies engaging in such activities. Manufacturers and importers of interior paints are required to provide test reports upon request, demonstrating that the total formaldehyde content is below 0.01% w/w. Test reports must be prepared by accredited laboratories following methods outlined in Annex B of the regulation. Traders must also use newly defined harmonized system codes and product codes for paints containing formaldehyde when submitting TradeNet permit applications, which will be subject to the approval of the Chemical Control and Management Department.

Penalties are not mentioned in the update.

South Korea

Proposed amendments to the Toxic Chemical Substance Designation Notice (consultation)

On 10 December 2024, the Chemical Substances Safety Center (CSSC) issued Public Notice No. 2024-120 (also here in Korean) initiating a consultation on proposed amendments to the Toxic Chemical Substance Designation Notice under the Act on Registration and Evaluation of Chemicals. The consultation invites stakeholders to provide feedback on revisions aimed at:

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- providing transitional measures for entities handling newly designated toxic substances or those with modified concentration standards
- introducing application provisions for compliance with updated management systems, which now categorize toxic substances into acute human toxicity, chronic human toxicity, and ecological toxicity; these provisions include standards for facility installation and management, as well as business permit requirements
- adjusting the implementation date of three notices from 1 January 2025 to 7 August 2025, reflecting the updated enforcement timeline of the Act
- extending the transitional provisions for businesses engaged with toxic substances between the implementation date and the revised effective date; the grace period for compliance with business permit requirements is extended to 1 July 2026

The amendments specifically apply to three notices:

- National Institute of Environmental Research Notice No. 2022-80
- National Institute of Environmental Research Notice No. 2023-41
- National Institute of Environmental Research Notice No. 2024-3

These changes follow the transfer of delegation for managing toxic chemical substances from the National Institute of Environmental Research to the Chemical Substances Safety Center as of 30 April 2024 (Notice No. 2024-17).

EUROPE

European Union

Amendment to the Classification, Labelling, and Packaging Regulation (published)

On 20 November 2024, the European Union (EU) published Regulation (EU) 2024/2865 that amends Regulation (EC) No 1272/2008. The original regulation, also known as the Classification, Labeling, and Packaging (CLP) Regulation, establishes rules for CLP of hazardous substances and mixtures. The amendment addresses gaps in the CLP Regulation, particularly concerning online sales and digitalization. It aims to enhance safety, ensure compliance by economic operators within the EU, and improve hazard communication through updated labelling practices. Key updates include:

- supplier obligations for online sales – economic operators outside the EU must establish suppliers within the EU to ensure compliance when selling hazardous substances or mixtures online
- digital labelling options – suppliers can use digital labels for certain hazard information, provided these meet accessibility and technical standards, such as being accessible with no more than two clicks
- classification rules – new provisions clarify classification criteria for complex substances and mixtures, including those with multiple constituents or plant-based extractions; harmonized classification takes precedence unless specific conditions are met
- label updates – suppliers must update product labels within six months for significant classification changes; less severe updates have an eighteen-month timeline

- refill stations and packaging – specific rules ensure safety and environmental protection for refillable hazardous substances; exemptions for labeling requirements apply to hazardous substances used by defense forces under specific conditions
- transparency and harmonization – public access to notifier information in classification and labeling inventories is enhanced, safeguarding commercial confidentiality
- distributor responsibilities – distributors must submit emergency response information for hazardous mixtures distributed across borders or rebranded

The European Chemicals Agency will provide guidance to ensure uniform implementation. Transitional measures are introduced to minimize disruptions and align with broader EU objectives of protecting human health and the environment.

Non-compliance with the updated CLP rules may result in legal and administrative penalties, although specific fines are not detailed in the update.

Call for views on the practical implementation of reporting requirements for the microplastic restrictions (consultation)

The European Chemicals Agency (ECHA) conducted a consultation to gather views on the practical implementation of reporting requirements under Entry 78 of Annex XVII of the REACH Regulation (the "microplastics restriction"). The microplastics restriction, introduced by Commission Regulation (EU) 2023/2055, prohibits the placing on the market of synthetic polymer microparticles (SPM) while exempting certain uses. Reporting requirements were introduced to monitor and improve the management of risks associated with exempted uses, contributing to evidence-based regulatory decisions.

The reporting requirements apply to the following exempted uses of synthetic polymer microparticles:

- industrial uses
- SPM contained by technical means
- SPM modified during use such that they no longer fall under the restriction
- SPM permanently incorporated into a solid matrix during intended end use

Manufacturers, industrial downstream users, and suppliers placing these substances or products containing them on the market for the first time are required to i) submit annual reports to ECHA detailing the estimated quantity of SPM released to the environment, and ii) include information covering each use, including transportation impacts. The reporting aims to evaluate the effectiveness of instructions for use and disposal while strengthening the evidence base for managing exempted uses. The proposal for implementing these requirements was reviewed during the consultation to assess its feasibility for affected stakeholders, including private companies, laboratories, non-government organizations, sector associations, and European Union Member State authorities.

The consultation period ended on 20 January 2025. Feedback collected will inform the final implementation approach for reporting requirements. The regulation aims to ensure compliance with environmental protection objectives under the REACH Regulation while maintaining practicality for affected industries. Penalties for non-compliance were not detailed in the consultation document.

Harmonized classification and labeling intentions for eight substances (intention)

On 7 January 2025, the European Chemical Agency (ECHA) updated the status of the registry of classification and labeling (CLH) intentions relating to proposals for new classifications/updates to existing harmonized classifications for eight substances.

1,3,4,6,7,8-hexahydro-4,6,6,7,8,8-hexamethylindeno[5,6-c]pyran (EC No. 214-946-9, CAS No: 1222-05-5). The substance is used in washing and cleaning products, air care products, polishes and waxes, and fragrances. The proposed harmonized classification is as follows:

- repr. 1B, H360Df
- aquatic acute 1, H400
- aquatic chronic 1, H410

3,5,5-trimethylhexanoic acid (EC Number 221-975-0; CAS No. 3302-10-1) and its salts (zinc, calcium, sodium, and potassium salts). 3,5,5-trimethylhexanoic acid is used in hydraulic fluids, laboratory chemicals, lubricants, and greases and coating products. The proposed harmonized classification is repr. 1B, H360Df.

Strontium compounds. The compounds have varied uses, strontium neodecanoate is mainly used in the manufacture of coatings, inks, hydraulic fluids, lubricants, greases, base metals, and alloys. The proposed harmonized classification is repr. 1B, H360D.

Sulphamidic acid (EC No.226-218-8, CAS no: 5329-14-6). This substance is used in washing and cleaning products, air care products, coating products, pH regulators and water treatment products, polishes and waxes and textile treatment products and dyes. The proposed harmonized classification is as follows:

- skin irrit. 2, H315
- eye irrit. 2, H319
- reproductive toxicity
- hazardous to the aquatic environment

ECHA has no publicly registered data indicating whether or in which chemical products the substances below might be used.

3-hydroxy-N-[(Z)-4-methylpentan-2-ylideneamino]naphthalene-2-carboxamide (EC No. 435-860-1; CAS no: 214417-91-1). The proposed harmonized classification is as follows:

- skin sens. 1, H317
- aquatic chronic 1, H410

ethyl 4-dimethylaminobenzoate; 2-ethylhexyl 4-(dimethylamino)benzoate; 3-methylbutyl 4-(dimethylamino)benzoate; padimate A. The proposed harmonized classification is repr. 1B, H360F.

Data on the specific uses of the following borate minerals in the European Union is very limited since naturally occurring minerals are exempted from registration in REACH.

colemanite; boron calcium oxide, hydrate (1:5);colemanite, calcined. The proposed harmonized classification is repr. 1B, H360Df. The classification of mixtures as reproductive toxicant is necessary if the sum of the concentrations of individual boron compounds that are classified as reproductive toxicant in the mixture as placed on the market is ≥ 0.3 %.

tincalconite (EC No. 601-708-8 CAS no: 12045-88-4). The proposed harmonized classification is repr. 1B, H360FD. The classification of mixtures as reproductive toxicant is necessary if the sum of the concentrations of individual boron compounds that are classified as reproductive toxicant in the mixture as placed on the market is ≥ 0.3 %.

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France

Decree No. 2024-1221 amends environmental regulations on battery and waste batteries (published)

On 27 December 2024, France published Decree No. 2024-1221 amending existing environmental regulations to align with the European Union's Regulation (EU) 2023/1542 on batteries and waste batteries. It expands the extended producer responsibility (EPR) obligations to cover all types of batteries and strengthens waste management enforcement. This amendment aims to promote battery recycling and reduce its environmental impact.

The decree establishes categories for different battery types and outlines the responsibilities of producers – including manufacturers, importers, and distributors – for their waste management. Eco-organizations and individual producer systems will be responsible for implementing EPR obligations, covering prevention and waste management. The decree mandates separate collection of batteries and electronic equipment, requiring distributors to place dedicated containers near each other and ensure proper signage for waste separation. A contractual system between waste operators, eco-organizations, or individual producers is introduced to regulate the management of battery waste. The decree also imposes fines on operators who manage battery waste without the necessary contracts. Specific obligations include:

- manufacturers must comply with Article 38 of the EU regulation when placing batteries on the market
- importers must also adhere to Article 38 when applicable and comply with Article 41 of the EU regulation
- distributors are required to follow Article 38 when applicable and comply with Article 42 of the EU regulation
- waste holders must ensure battery waste treatment complies with Articles 70 to 72 of the EU regulation and Article R. 543-127 of the French environmental code

The decree comes into force on 18 August 2025, except for Article 6 and Article R. 543-128, which will be effective on 1 January 2026. Failure to comply with these regulations can result in administrative fines of up to €750 per ton of battery waste for individuals and €3,750 for legal entities.

More information can be found here in French.

United Kingdom

The Producer Responsibility Obligations (Packaging and Packaging Waste) Regulations 2024 (in force)

On 11 December 2024, the United Kingdom published a new regulation concerning producer responsibility for packaging and packaging waste. This regulation aims to shift the financial burden of managing packaging waste from local authorities to the producers of that packaging, thus encouraging more environmentally sustainable packaging practices. The regulations detail how producers should register, report data, and meet recycling obligations.

Producer obligations
The regulations establish that producers of packaging, including brand owners, packers/fillers, importers, distributors, online marketplace operators, service providers and sellers, have a responsibility for the packaging they place on the market. These producers are obligated to register with the appropriate agency, collect and report data on the packaging they supply, and assess the recyclability of their packaging. Large producers are also required to meet recycling obligations and pay disposal and administration fees to a scheme administration.

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Packaging Categories and Sub-categories
The regulations define packaging categories (e.g., aluminum, glass, plastic) and allow for the specification of sub-categories. This enables the scheme administrator to differentiate producer obligations and fees based on the type of packaging.

Recyclability assessments
Producers must assess the recyclability of their packaging using a methodology provided by the scheme administrator. These assessments must be kept under review and updated if changes are made to the packaging or the assessment methodology.

Data collection and reporting
Both large and small producers have data collection and reporting obligations, although the specific data requirements vary. Large producers are required to report more detailed information than small producers. This includes the weight of packaging by material type, and for large producers, details on household vs non-household packaging, and the methodology for data collection.

Compliance schemes
Producers can join compliance schemes that will handle their producer obligations on their behalf. These schemes need to be approved and registered with the appropriate agency and must meet certain conditions of registration. Compliance schemes also have responsibilities with respect to their members, including record-keeping, reporting, and ensuring recycling obligations are met.

Recycling obligations
Producers who are deemed liable are required to meet recycling obligations and can do this by acquiring Packaging Recovery Notes (PRNs) or Packaging Export Recovery Notes (PERNs). PRNs and PERNs are issued by accredited re-processors and exporters of packaging waste, respectively.

The regulation includes provisions for online marketplace operators, who are treated as producers for the packaging of goods sold on their platforms.

The first reports under these regulations are due on or before 1st April 2025, for the period 1st January to 31st December 2024 (or 1st July to 31st December 2024 for some reports). The first recyclability assessment reports are due on or before 1st October 2025, for the period 1st January to 30th June 2025.

The regulations came into force on 1 January 2025.

Non-compliance with the regulations can lead to civil sanctions, including monetary penalties. Producers, scheme operators, re-processors, and exporters can be subject to fines for failing to register, report data accurately, meet recycling obligations, or comply with other requirements. Specific fines are not detailed in the regulation and vary depending on the severity of non-compliance.

Sustainable Aviation Fuel (SAF) Mandate (in effect)

The United Kingdom (UK) government has introduced the Sustainable Aviation Fuel (SAF) Mandate as part of its efforts to reduce carbon emissions in the aviation sector and encourage the use of cleaner fuels. The mandate outlines the requirements for fuel suppliers to include a percentage of SAF in the total aviation fuel supply in the UK. The mandate in in force as of 1 January 2025. The SAF Mandate secures demand for SAF by:

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- obligating the supply of an increasing amount of SAF in the overall UK aviation fuel mix
- incentivizing SAF supply through the award of tradeable certificates with a cash value

The SAF mandate requires fuel suppliers to deliver a minimum percentage of SAF as part of the aviation fuel used in the UK:

- 2025: 2% of the total aviation fuel
- 2030: 10% of the total aviation fuel
- 2040: 22% of the total aviation fuel

The government has not specified exact penalties for non-compliance within the provided framework. However, the mandate is designed to incentivize suppliers to meet these requirements through tradeable certificates, which provide a financial reward for compliance.

Renewable Transport Fuel Obligation scheme (in effect)

The Renewable Transport Fuel Obligation (RTFO) is a United Kingdom (UK) government policy aimed at reducing greenhouse gas emissions from surface transport by promoting the use of low-carbon fuels. It requires fuel suppliers to meet annual obligations for supplying sustainable, low-carbon fuels across various transport modes, including road vehicles, non-road mobile machinery, and maritime transport using renewable fuels of non-biological origin.

As of January 1, 2025, the RTFO no longer applies to aviation fuels. Instead, the Sustainable Aviation Fuel (SAF) Mandate has been introduced to support low-carbon aviation fuels. However, Companies in the aerospace and defense sector that supply or utilize transport fuels in the UK may still need to ensure compliance with the RTFO by meeting the annual obligations for low-carbon fuel supply.

The RTFO applies to fuel suppliers who own and supply 450,000 liters or more of relevant transport fuel for use in the UK during an obligation year (January 1 to December 31). The scheme operates as a certificate trading system, where certificates are issued for the supply of eligible low-carbon fuels. Suppliers must accumulate and surrender a sufficient number of certificates to meet their annual obligations.

The Greenhouse Gas Emissions Trading Scheme (Amendment) (No. 2) Order 2024 (published)

On 18 December 2024, the United Kingdom (UK) government issued The Greenhouse Gas Emissions Trading Scheme (Amendment) (No. 2) Order 2024 (SI 2024 No. 1366). This statutory instrument introduces key amendments to the UK Emissions Trading Scheme (UK ETS) to strengthen its effectiveness in reducing greenhouse gas emissions. The amendment introduces several changes, including reducing the number of allowances available for free allocation, creating a flexible reserve of allowances, and expanding the UK ETS to include flights from Northern Ireland to Switzerland, and venting of carbon dioxide emissions from the upstream oil and gas sector.

It also includes new enforcement mechanisms such as a "deficit notice" and associated civil penalties and makes various corrections and clarifications to the existing regulations. The amendment comes into force on various dates as specified in Article 2.

Non-compliance with the new requirements may result in civil penalties, including fines for failing to surrender allowances or provide required information.

NORTH AMERICA

Canada

Significant new activity notice for iron potassium oxide (published)

On 9 November 2024, the Canadian Department of the Environment published a significant activity notice (SNAc) for iron potassium oxide (CAS No: 12022-41-2). A SNAc notice is a legal instrument that allows the Minister of the Environment to assess the environmental and health hazards related to a substance.

The SNAc provisions aim to gather toxicity information on iron potassium oxide so that the substance, which raises human toxicity concerns, will undergo further assessment before significant new activities are undertaken. Thus, notification requirements are set out for when a significant new activity is proposed. In this case the SNAc applies to the use of iron potassium oxide, other than as a catalyst, where the substance is a nanomaterial.

For this SNAc, nanomaterial means having one or more dimensions at the nanoscale (1–100 nanometers inclusive) where the substance has ten percent or more of its primary particle distribution by number in the nanoscale range or at least one percent (by mass) of the particles in the nanoscale. The SNAc notice excludes use in research and development, in site-limited intermediate substances as defined by New Substances Notification Regulations (Chemicals and Polymers), in manufacturing an export-only product.

This notification is valid immediately and presents no deadline. A significant new activity notification (SNAN) is required 90 days before the substance is used in a significant new activity. Therefore, information required for the SNAN, must be submitted to the Minister at least 90 days before using more than 100 kilograms of the substance in a year in a significant new activity on the day on which the activity begins. The Minister shall review the notification within 90 days after receiving the complete information.

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

United States

Addition of nine per- and polyfluoroalkyl substances to the toxics release inventory (effective)

On 3 January 2025, the U.S. Environmental Protection Agency (EPA) announced the automatic addition of nine per- and polyfluoroalkyl substances (PFAS) to the Toxics Release Inventory (TRI) under the Fiscal Year 2020 National Defense Authorization Act (NDAA). Then, on 6 January 2025, EPA issued a final rule to codify the statutory addition of the nine PFAS to the TRI. These additions bring the total number of PFAS on the TRI list to 205.

The added PFAS are:

- ammonium perfluorodecanoate (PFDA NH4; CAS No. 3108-42-7)
- sodium perfluorodecanoate (PFDA-Na; CAS No. 3830-45-3)

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- perfluoro-3-methoxypropanoic acid (CAS No. 377-73-1)
- 6:2 fluorotelomer sulfonate acid (CAS No. 27619-97-2)
- 6:2 fluorotelomer sulfonate anion (CAS No. 425670-75-3)
- 6:2 fluorotelomer sulfonate potassium salt (CAS No. 59587-38-1)
- 6:2 fluorotelomer sulfonate ammonium salt (CAS No. 59587-39-2)
- 6:2 fluorotelomer sulfonate sodium salt (CAS No. 27619-94-9)
- acetic acid, [(γ-ω-perfluoro-C8-10-alkyl)thio] derivs., Bu esters (CAS No. 3030471-22-5)

The additions were made based on:

- finalized toxicity values – eight PFAS were added after EPA finalized their toxicity values in 2024
- declassification of confidential business information (CBI) – one PFAS was added following its declassification in May 2024

The final rule applies to a wide range of industries, including manufacturing sectors, federal facilities, and activities such as natural gas extraction, chemical manufacturing, power generation, and waste management. Facilities subject to TRI reporting must begin tracking activities involving these PFAS from 1 January 2025, with reporting forms due by 1 July 2026. The rule designates these PFAS as "chemicals of special concern," excluding them from the de minimis exemption, prohibiting their reporting on Form A (Alternate Threshold Certification Statement), and subjecting them to specific reporting limitations. Facilities that manufacture, process, or use these PFAS above threshold quantities must use EPA Form 9350-1 (Form R) for reporting releases and waste management activities.

Non-compliance with TRI reporting requirements under Section 313 of the Emergency Planning and Community Right-to-Know Act may result in civil penalties of up to $25,000 per day for each violation.

Final rule regarding carbon tetrachloride (published)

The U.S. Environmental Protection Agency (EPA) issued a final rule for carbon tetrachloride (CTC; CAS No. 56-23-5). The rule aims to protect workers and occupational non-users from the potential adverse health effects of CTC, such as liver and adrenal toxicity, cancer, and other non-cancer effects from chronic and acute exposures.

The final rule introduces a number of requirements including:

- establishing a workplace chemical protection program (WCPP) for most conditions of use, including domestic manufacture, import, processing as a reactant in the production of hydrochlorofluorocarbons, hydrofluorocarbons, hydrofluoroolefins, and perchloroethylene
- prohibiting the manufacture, processing, distribution in commerce, and industrial/commercial use of CTC for conditions of use where information indicates that the use of CTC has ceased; this includes uses in petrochemical-derived manufacturing except in the manufacture of vinyl chloride, and industrial and commercial use as an industrial processing aid in the manufacture of petrochemical-derived products
- recordkeeping and retention requirements – compliance records include monitoring data and exposure control plans that must be maintained for a period of five years from the date the record is generated
- monitoring and reporting, where owners/operators must ensure that the airborne concentration of CTC does not exceed the established exposure limits and must conduct regular monitoring and reporting of exposure levels
- downstream notification requirements, where companies receiving CTC need to be informed of the restrictions and requirements and Safety Data Sheets (SDS) need to include the new regulatory information in Sections 1(c) and 15

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The final rule is effective on 17 January 2025. Manufacturers, processors, importers, and distributors must comply with the new requirements in line with the compliance timelines. Downstream notification requirements will apply:

- for manufacturers and importers of CTC from 18 February 2025
- for processors and distributors from 16 June 2025
- the prohibitions for the manufacturing, processing, distribution in commerce, and use of CTC for specified conditions of use apply as of 16 June 2025

Non-compliance with the regulation may result in enforcement actions by the EPA, including fines and other penalties.

Amendments to the 2023 Technology Transitions regulations under the American Innovation and Manufacturing Act of 2020 regarding installation of Variable Refrigerant Flow air conditioning and heat pump systems that use hydrofluorocarbons (effective)

On 12 December 2024, the U.S. Environmental Protection Agency (EPA) published a final rule amending the 2023 Technology Transitions regulations under the American Innovation and Manufacturing Act of 2020 (i.e., AIM Act). This rule provides additional time for the installation of Variable Refrigerant Flow (VRF) air conditioning and heat pump systems using hydrofluorocarbons (HFCs) or HFC-containing blends with a global warming potential (GWP) of 700 or higher. Specifically, it extends the compliance deadline to 1 January 2027 for systems using components manufactured or imported prior to 1 January 2026.

For projects issued building permits before 5 October 2023 approving such systems, the compliance deadline is extended to 1 January 2028, provided all components were manufactured or imported before 1 January 2026. These measures aim to prevent the stranding of inventory while maintaining compliance with environmental goals.

The rule maintains existing labeling, recordkeeping, and reporting requirements established in the October 2023 Technology Transitions regulations. Entities must ensure compliance with the GWP threshold for new systems and retain relevant building permits to demonstrate eligibility for extensions. Penalties are not mentioned in the update.

Amendments to the New Source Performance Standards for volatile organic liquid storage vessels (effective)

On 15 October 2024, the U.S. Environmental Protection Agency (EPA) finalized amendments to the New Source Performance Standards (NSPS) for volatile organic liquid (VOL) storage vessels under a new subpart (Subpart Kc) and amendments to an existing subpart. Mandated by Section 111 of the Clean Air Act (CAA), the amendments apply to storage vessels that began construction, reconstruction, or modification after 4 October 2023. The amendments:

- reduce vapor pressure applicability thresholds to include additional storage vessels under the NSPS
- revise volatile organic compound (VOC) standards based on the Best System of Emission Reduction
- introduce requirements to address emissions during the degassing process
- clarify operational definitions for startup, shutdown, and malfunction events
- enhance monitoring, recordkeeping, and electronic reporting obligations
- implement technical improvements to support compliance and enforcement

These amendments aim to reduce VOC emissions from volatile liquid storage and align standards with technological advancements in emission controls. Penalties are not mentioned in the update.

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

On 19 November 2024, the U.S. Environmental Protection Agency finalized revisions to regulations for decabromodiphenyl ether (decaBDE; CAS No. 1163-19-5) and phenol, isopropylated phosphate (3:1) (PIP (3:1); CAS No. 68937-41-7) under the Toxic Substances Control Act. These revisions address implementation challenges and aim to reduce human and environmental exposure to these two substances classified as persistent, bio-accumulative, and toxic (PBT) chemicals.

For decaBDE, the revisions require mandatory use of personal protective equipment (PPE) during specific activities. They also prohibit water releases during manufacturing, processing, and distribution, and allow unintentional amounts of decaBDE in products below 0.1 percent by weight. Additionally, compliance deadlines for certain industries, including nuclear power generation, have been extended, with new recordkeeping and export notification obligations introduced.

For PIP (3:1), the updates impose stricter compliance measures for manufacturers, processors, and distributors. They introduce new exclusions for specific uses, such as wire harnesses and circuit boards, and mandate PPE during manufacturing and processing. A new five-year compliance deadline is established for use in Federal Insecticide, Fungicide, and Rodenticide Act approved marine antifouling coating products.

The regulation became effective on 21 January 2025. Penalties are not mentioned in the update.

Updates to new chemicals procedural regulations under the Toxic Substances Control Act (in force)

The U.S. Environmental Protection Agency (EPA) issued a final rule to amend the new chemicals procedural regulations under the Toxic Substances Control Act (TSCA) to align with the 2016 Lautenberg Amendments. These changes aim to improve the efficiency of EPA's review processes and update the regulations based on existing policies and experience implementing the New Chemicals Program:

- pre-manufacture notices (PMNs) are required if a person intends to manufacture/import a new chemical substance for a non-exempt commercial purpose
- significant new use notices (SNUNs) are required if EPA has determined the use is a significant new use
- microbial commercial activity notices (MCANs) are required when a person wants to commercialize an intergeneric microorganism

The final rule specifies that the EPA must make a determination on PMNs, SNUNs and MCANs before the submitter may commence manufacturing or processing of the chemical substance. The rule lists the five possible determinations on the likelihood of unreasonable risk of injury to health or the environment and the actions required in association with those determinations. Additionally, the amendments clarify the level of detail expected for the information that a submitter is required to include in a PMN, SNUN, or exemption notice. The rule also includes amendments to the procedures for reviewing PMNs and SNUNs, addressing errors, incomplete notices, and amendments during the review period.

A low volume exemption (LVE) allows manufacturers to be exempt from the PMN requirements if they produce a new chemical substance in quantities of 10,000 kilograms or less per year; manufacturers who meet the stated release and exposure criteria are eligible to apply for low release and exposure (LoREX) exemptions regardless of production volume. The amendment makes per- and polyfluoroalkyl substances and certain persistent, bio-accumulative, toxic chemical substances ineligible for LVEs and LoREXs.

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The final rule became effective on 17 January 2025. Non-compliance with the regulation may result in enforcement actions by the EPA, including fines and other penalties.

Addition of four substitutes under the Significant New Alternative Policy program regarding refrigeration, air conditioning, and foam blowing (in force)

The U.S. Environmental Protection Agency (EPA) is updating its list of acceptable substitutes under the Significant New Alternatives Policy (SNAP) program. This program evaluates and regulates substitutes for ozone-depleting substances to ensure they are safe for human health and the environment. The update adds four new substitutes that can be used in various sectors, including refrigeration, air conditioning, and foam blowing:

- R-471A – this substitute is acceptable for retrofitting equipment in cold storage warehouses, industrial process refrigeration, and retail food refrigeration
- R-480A – this substitute is acceptable for retrofitting equipment in cold storage warehouses, commercial ice machines, positive displacement chillers, refrigerated transport, and water coolers
- R-513A – this substitute is acceptable for new self-contained units in residential and light commercial air conditioning and heat pumps
- HFO-1336mzz(Z)/HFO-1234ze(E)/HFC-152a/CO2 blends – these blends are acceptable as foam blowing agents in polystyrene: extruded boardstock and billet

EPA evaluated the environmental and health risks associated with these substitutes, including their ozone depletion potential, global warming potential, flammability, and toxicity. EPA determined that these new substitutes pose similar or lower risks compared to other substitutes already listed as acceptable for the specified end-uses. It is important to note that while a substitute may be deemed acceptable under the SNAP program, it may also be subject to requirements or limitations under other regulations, such as the American Innovation and Manufacturing (AIM) Act. Manufacturers, importers, and users must ensure they comply with all applicable regulations.

The update also highlights the importance of following recommendations in the manufacturer's safety data sheets and adhering to relevant industry standards and safety precautions.

The determination was applicable starting 11 December 2024. The update does not state specific fines or implications for non-compliance but emphasizes that users must comply with regulations from other authorities, like the AIM Act.

Significant new use rules for 65 chemical substances: Batch 22-4.5e and Batch 24-3.5e (announced)

On 12 December 2024, the U.S. Environmental Protection Agency (EPA) issued significant new use rules (SNURs) for the SNUR Batch 22-4.5e under the Toxic Substances Control Act (TSCA) becoming effective on 10 February 2025. Batch 22-4.5e consists of 31 substances.

Then on 17 December 2024, EPA proposed SNUR for the SNUR Batch 24-3.5e under the Toxic Substances Control Act (TSCA). SNUR Batch 24-3.5e consists of 34 substances. Comments were due to EPA on 16 January 2025.

Once finalized, the manufacturers/processors/ importers of these substances must notify EPA by submitting a significant new use notice (SNUN) at least 90 days before manufacturing/processing/importing any of these substances for significant

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new use. The manufacture or processing for the significant new use shall not commence until the EPA makes an appropriate determination on the notice and has taken risk management actions as a result of the decision.

Penalties for non-compliance include imprisonment of up to 15 years and/or a fine of up to $250,000; a convicted organization may be subject to a fine of up to $1,000,000.

Draft risk evaluation for dicyclohexyl phthalate under the Toxic Substances Control Act (TSCA) (consultation)

On 7 January 2025, the Environmental Protection Agency (EPA) published a draft risk evaluation for dicyclohexyl phthalate (DCHP; CAS No. 84-61-7) under the Toxic Substances Control Act (TSCA). This evaluation assesses whether DCHP presents an unreasonable risk to human health or the environment under its conditions of use (COUs). EPA has preliminarily determined that DCHP poses unreasonable risk to human health for nine out of the twenty-four evaluated COUs, primarily due to worker exposure, while no risks were identified for consumers or the general population. The evaluation includes cumulative exposure to phthalates.

The draft risk evaluation concludes that DCHP does not pose risks to the environment and aligns with findings by Health Canada, the European Chemicals Agency, and other regulatory bodies regarding developmental toxicity and androgen insufficiency risks. Following public comments and peer review, EPA will issue a final risk evaluation to confirm whether DCHP presents unreasonable risks under TSCA COUs.

The EPA invites public comments on the draft risk evaluation, encouraging individuals, organizations, academic institutions, and other stakeholders to provide feedback. Submissions may include scientific data, analysis, or other information to support or refute the evaluation's findings. Comments must be submitted online via Regulations.gov, following the docket instructions. Confidential Business Information should not be submitted electronically.

The deadline for comments is 10 March 2025.

Interim framework for advancing consideration of cumulative impacts analysis into the Environmental Protection Agency's processes (consultation)

On 21 November 2024, the U.S. Environmental Protection Agency (EPA) announced a 90-day public comment period on the newly developed document "Interim Framework for Advancing Consideration of Cumulative Impacts" (comments due on 19 February 2025). The framework aims to provide EPA programs with a foundation for incorporating cumulative impact analysis into their processes, with the goal of improving health, quality of life, and environmental outcomes in communities across the United States. Cumulative impacts refer to the combined effects of multiple environmental stressors on health and quality of life. The framework outlines six guiding principles for integrating cumulative impacts into EPA decisions:

- improving human health, quality of life, and environmental conditions in all communities
- addressing the disproportionate and adverse burden of cumulative impacts
- adopting fit-for-purpose approaches to assessing and addressing cumulative impacts
- engaging communities and incorporating their lived experiences
- using available data and information to guide decision-making
- operationalizing and integrating cumulative impact considerations into actions and policies

By incorporating these principles, EPA aims to make decisions and undertake actions that align with the framework's objectives.

More information can be found in the Federal Register.

OCEANIA

Australia

Eight evaluations regarding risk associated with certain chemicals (published)

The Australian Industrial Chemicals Introduction Scheme has published eight evaluations regarding the risks associated with certain chemicals on the Australian Inventory of Industrial Chemicals. These evaluations, issued under Section 78 of the Industrial Chemicals Act 2019, have been updated in the Rolling Action Plan. Draft versions of the evaluation statements were previously open for public comment. The evaluations concern the human health and environmental risks associated with the use of specific chemicals. The document provides a table listing the chemicals under evaluation, the status of public comments received, the outcome of the public consultation, the evaluation outcome, and any recommendations to regulatory bodies.

The substances and their outcomes are as follows:

- H-benzotriazole (CAS No. 95-14-7) and its mono-substituted derivatives. A variation to the evaluation statement was required. The statement was amended to include Australian use information and to clarify the read-across approach for the Globally Harmonized System of Classification and Labelling of Chemicals (GHS). The GHS classification was not changed. There is a recommendation to a regulatory body (workers), and the document includes information relating to safe introduction and use.
- phenolic benzotriazoles. A variation to the evaluation statement was required, with amendments to include Australian use information. The GHS classification was not changed. A recommendation was made to a regulatory body (workers) and the document includes information relating to safe introduction and use.
- tellurium (CAS No. CAS 13494-80-9) and its inorganic compounds. There were no public comments received. There is a recommendation to a regulatory body (workers) and the document includes information relating to safe introduction and use.
- extracts and essential oils primarily composed of methyl salicylate. There were no public comments received. There are recommendations to a regulatory body (public health and workers), and the document includes information relating to safe introduction and use.
- benzoic acid, 2-hydroxy-, 3,3,5-trimethylcyclohexyl ester (homosalate; CAS No. 118-56-9). A variation to the evaluation statement was required because the exposure calculations were amended to reflect information provided. This did not result in a change to the recommendation. There is a recommendation to a regulatory body (public health), and the document includes information relating to safe introduction and use.
- chemicals not considered for in-depth evaluation – not commercially active in Australia. No public comments were received. New exposure information was identified. A variation to the evaluation statement was required. New information indicated the use of some chemicals overseas, which resulted in a variation to the evaluation

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statement. The following chemicals were removed: Quaternary ammonium compounds, C12-14-alkyltrimethyl, chlorides (CAS No. 85409-24-1) and quaternary ammonium compounds, C16-24-alkyltrimethyl, chlorides (CAS No. 106233-03-8). No new means of managing risk are proposed.

- chemicals that are unlikely to require further regulation to manage risks to the environment. A variation to the evaluation statement was not required. The exposure information provided did not indicate a higher risk exposure scenario. The hazard information had already been considered, and no change has been made to the risk conclusions. No new means of managing risk are proposed.
- phenol, 4,4'-(1-methylethylidene)bis- (Bisphenol A; CAS No. 80-05-7). A variation to the evaluation statement was required, and the statement was amended to include Australian use information. The GHS classification was not changed. There is a recommendation to a regulatory body (workers), and the document includes information relating to safe introduction and use.

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

New Zealand

Consultation report on the proposal to restrict methoxychlor, dechlorane plus, and UV-328 (published)

On 5 November 2024, the Environmental Protection Authority (EPA) issued a report on a previous consultation that sought public views on a proposal to restrict three chemicals recently added to the Stockholm Convention on Persistent Organic Pollutants (POPs):

- methoxychlor (CAS No. 72-43-5) – a legacy pesticide not used in New Zealand
- dechlorane plus (CAS No. 135821-03-3) – a flame retardant used in adhesives and sealants, mainly in motor vehicle cables and wires
- UV-328 (CAS No. 25973-55-1) – a UV inhibitor used to protect surfaces like paints against discoloration from sunlight

The Stockholm Convention is an international treaty to eliminate or restrict the production and use of POPs. As New Zealand signed and is a party to this convention, the changes need to be implemented into national legislation by 26 February 2025. Schedule 2A of the Hazardous Substances and New Organisms Act 1996 (HSNO Act) includes the chemicals that are subject to the Stockholm Convention obligations along with any specific exemptions that apply. New Zealand will be amending Schedule 2A of the HSNO Act to implement the restrictions. The report provides recommendations, including on the specific exemptions that may be needed in Schedule 2A.

No specific exemptions are provided in Annex A of the Stockholm Convention with the listing of methoxychlor that would allow for continued import or use in New Zealand or the continued production of dechlorane plus. However, specific exemptions are provided for:

- the continued use of dechlorane plus for certain applications (for a period of five years, i.e., until 26 February 2030)
- for the continued use of dechlorane plus for replacement parts for existing articles, and for the repair of those articles, for certain applications (most until 2044)
- the continued production and use of UV-328 for certain applications (for a period of five years, i.e., until 26 February 2030)
- the continued production and use of UV-328 for replacement parts for existing articles for certain applications (most until 2044)

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New Zealand will need to register the specific exemptions for UV-328 and dechlorane plus with the Stockholm Convention Secretariat before 26 February 2025. The EPA is currently awaiting cabinet approval in order to adopt the changes into the HSNO Act.

Guidance on labeling, safety data sheet and packaging notices (published)

In April 2021, the New Zealand Environmental Protection Authority (EPA) updated three notices regarding labeling, safety data sheets (SDS), and packaging to align with the 7th edition of the Globally Harmonized System of classification and labeling of hazardous substances (GHS 7). These updates included a four-year transitional period to give industry time to meet new requirements, ending on 30 April 2025. As the deadline approaches, the EPA has issued guidance to assist importers, manufacturers, and suppliers in maintaining compliance. This guidance highlights necessary steps, including updates to labelling, SDSs, and packaging to meet the new requirements.

Key changes include:

- updated packaging requirements to align with international standards for child-resistant packaging and dangerous goods transport
- labels and SDSs compliant with GHS 5 likely remain valid under GHS 7, except for substances with desensitized explosive or flammable gas classifications, which may require updates
- no grace period for stock-in-trade after 30 April 2025

The EPA allows alternative compliance provisions, enabling the use of labels, SDSs, or packaging compliant with Australia, the USA, Canada, or the European Union, provided New Zealand-specific information is added. Importers or manufacturers relying on this option must keep records for two years after the substances cease to be supplied.

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