



Welcome

Compliance Trends 2020

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Webinar Outline

- **Regulatory Overview of 2019:**
- Recap of the regulatory highlights of 2019 and their impact on manufacturers, particularly those in the electronics sector, retailers & supply chain partners.
- **What Lies Ahead:**
- A global look what to expect in the year ahead



Agenda

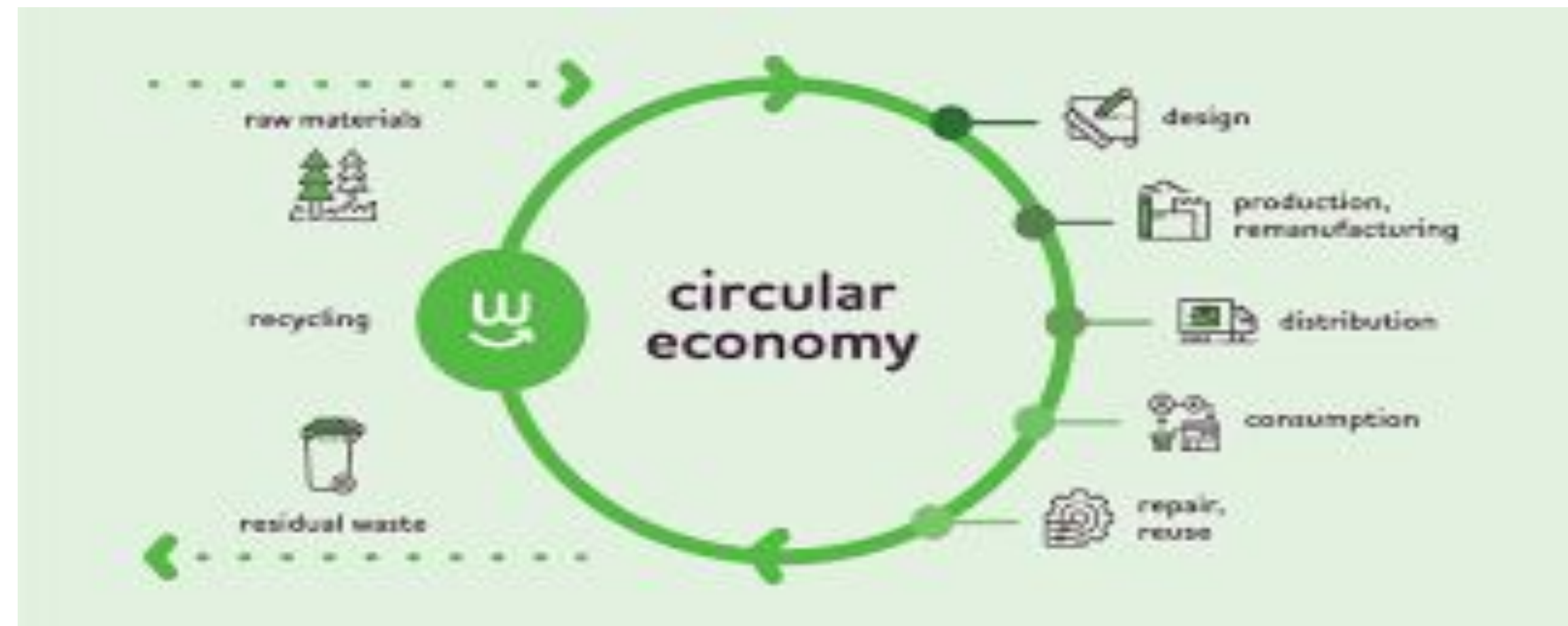
- Circular Economy
- Ecodesign
- WEEE
- RoHS
- REACH
- Prop 65
- POPs
- Conflict Minerals
- Packaging
- Basel Convention
- Batteries
- Product Safety

Circular Economy

Circular Economy

What is the Circular Economy?

“In a circular economy the value of products and materials is maintained for as long as possible; waste and resource use are minimised, and resources are kept within the economy when a product has reached the end of its life, to be used again and again to create further value.”



Circular Economy - EU

This year the EU Commission released a number of reports reviewing the implementation of the Circular Economy Action Plan.

The reports outline plans for;

- the extension of measures to batteries,
- the use of environmental taxation,
- green tax reforms, and
- the extension of producer responsibility.



Circular Plastics Alliance

This September more than 100 companies, business organisations and public authorities signed the “Declaration of the Circular Plastics Alliance”.

Participants have agreed to prioritize the following;

1. the collection and sorting of plastic waste,
2. product design for recycling,
3. the use of recycled plastic content in products,
4. R&D and investments, including chemical recycling, and
5. monitoring of recycled plastics in the EU.



EU Green Deal

On the 11 December 2019, the EU Commission announced the “**Green Deal**”.

It outlines the EU’s aims to;

- be the first carbon neutral continent by 2050,
- initiate new policies to cut emissions and increase investment in cutting edge research,
- preserve Europe's natural environment,
- increase the use of recycled materials, and
- help companies become world leaders in clean products and technologies.



Circular Economy - Germany

On the 5th August 2019 the BMU proposed the adoption of the Draft Law on the implementation of recent changes to the EU's **Waste Framework Directive** (Directive 2008/98/EC).

If approved the Draft will;

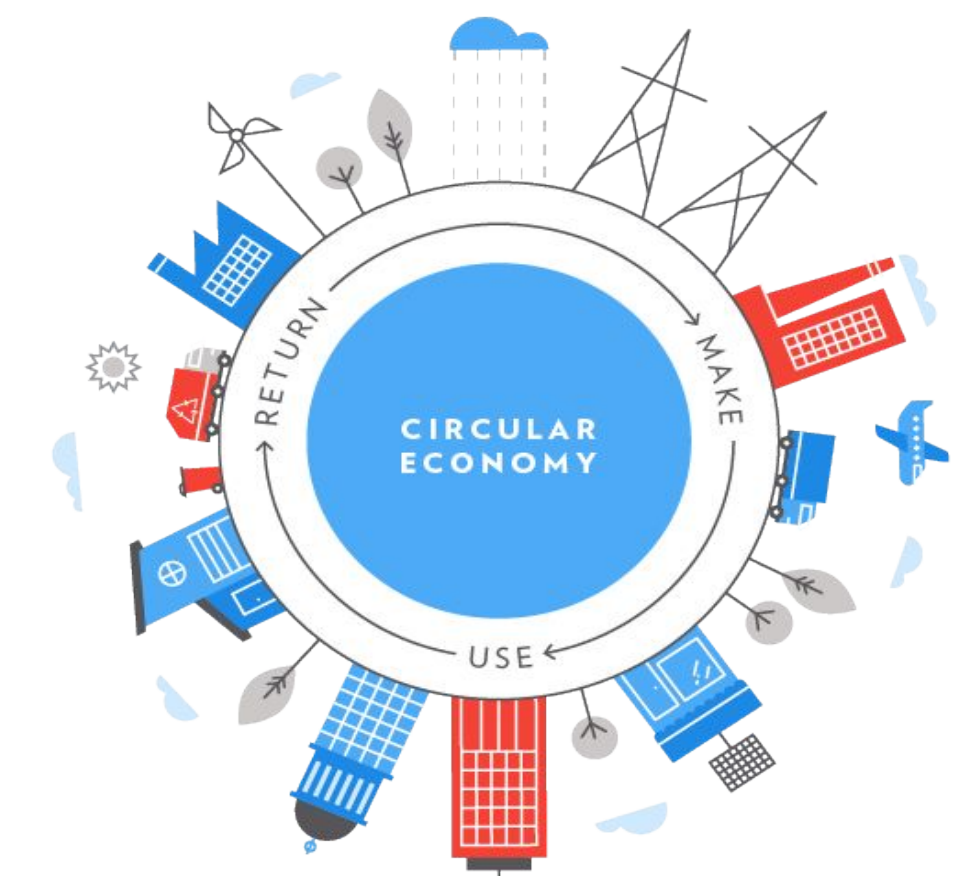
- amend Germany's current recycling and waste management Act (Kreislaufwirtschaftsgesetz - KrWG),
- Implement Directives (EU) 2019/904 and (EU) 2018/851,
- strengthen product responsibility obligations placed on manufacturers (section 23),
- implement the extended recycling requirements of the WFD with incorporation of given quotas for the recycling/recovery of specific waste types (section 14),
- strengthen separate collection obligations for waste (specified by type of waste) (section 20(2)),
- reorganise the voluntary take-back of products by manufacturers and distributors in the light of current case law (section 26), and
- clarify the legal standing of public waste management authorities (section 18(8)).

Circular Economy - Drafts in the rest of the EU

On the 15 January 2019, the French Senate released the Bill on the implementation of EU measures on the circular economy.

On the 8 April 2019, the Czech Parliament proposed the adoption of the Draft Law on the amendment of the packaging Law and the implementation of EU Directives 2018/851 and 2018/852.

On the 19 July 2019, the Dutch Ministry of Infrastructure and Water Management proposed the Draft Decree on extending producer responsibility, if approved it will enter into force on the 1 July 2020.



Circular Economy - Singapore

On the 4 October 2019, the Parliament of Singapore released the Act on resource sustainability.

In accordance with Singapore's **Zero Waste Masterplan**, the Act aims to minimise waste production in Singapore, through the introduction of mandatory reuse and recycling obligations for certain waste producers.

The Act applies to the following 3 waste streams;

- EEE,
- Packaging waste, and
- Food waste.



Circular Economy - Singapore

The five product classes that will be regulated are:

- i. Solar photovoltaic panels;
- ii. Information and Communications Technology (ICT) equipment;
- iii. Large appliances;
- iv. Batteries; and
- v. Lamps.

Further guidelines on which products are covered can be found in, the **Resource Sustainability (Prescribed Regulated Products) Regulations 2019**.

Circular Economy - Packaging in Singapore

The Act defines “packaging” as any “*material or combination of materials used for the containment, protection, handling, delivery or presentation of any goods, but does not include any material that remains in the possession of a producer of specified packaging to be re-used for the containment, protection, handling, delivery or presentation of any goods*”.

In accordance with Part 4 of the Act, packaging producers will be required to report on the types of packaging they are introducing to the Singapore market.

Packaging producers will also be required to submit plans to the National Environment Agency, detailing how they intend to reduce, re-use or recycle such packaging.

Those who fail to meet the obligations set out in the Act will face a fine not exceeding \$5,000, for a first time offence.

Circular Economy - India

On the 23 July 2019 the Indian Ministry of Environment, Forest and Climate Change proposed the Draft National Resource Efficiency Policy.

The Draft outlines a three-year resource management action plan across several sectors – automotive, plastic packaging, building and construction, electrical and electronic equipment, solar photovoltaic, steel and aluminium.

A large focus of the Draft is the reduction of waste from vehicles, by encouraging greater levels of recycling in the sector (75 percent to 90 percent recycling rate for vehicles, depending on the year of manufacture).

The Draft aims to reduce India's dependence on imports of raw materials for electronics etc, through the efficient reuse of resources.

The Draft calls for a 100% recycling and reuse rate for PET plastic by 2025, 100 percent recycling of PET plastic and 75 percent recycling and reuse rate of other plastic packaging materials by 2030. It also suggested a ban on the “disposal of recyclable waste (plastics, metals, glass, paper, cardboard and biodegradable waste) to landfills by 2022.”

Circular Economy - Developments in the rest of the world

24 April 2019 the Kenyan Ministry of Environment & Forestry proposed the National Sustainable Waste Management Draft Policy

2 September 2019 the Uruguayan Ministry of Industry, Energy and Mining released the Circular Economy Action Plan

September 2019 California fails to pass Circular Economy and Plastic Pollution Reduction Act



Ecodesign

Ecodesign - EU

In October 2019, the EU Commission adopted **10** ecodesign implementing regulations, setting out energy efficiency and other requirements for the following product groups:

- Refrigerators
- Washing machines
- Dishwashers
- Electronic displays (including televisions)
- Light sources and separate control gears
- External power suppliers
- Electric motors
- Refrigerators with a direct sales function (e.g. fridges in supermarkets, vending machines for cold drinks)
- Power transformers
- Welding equipment



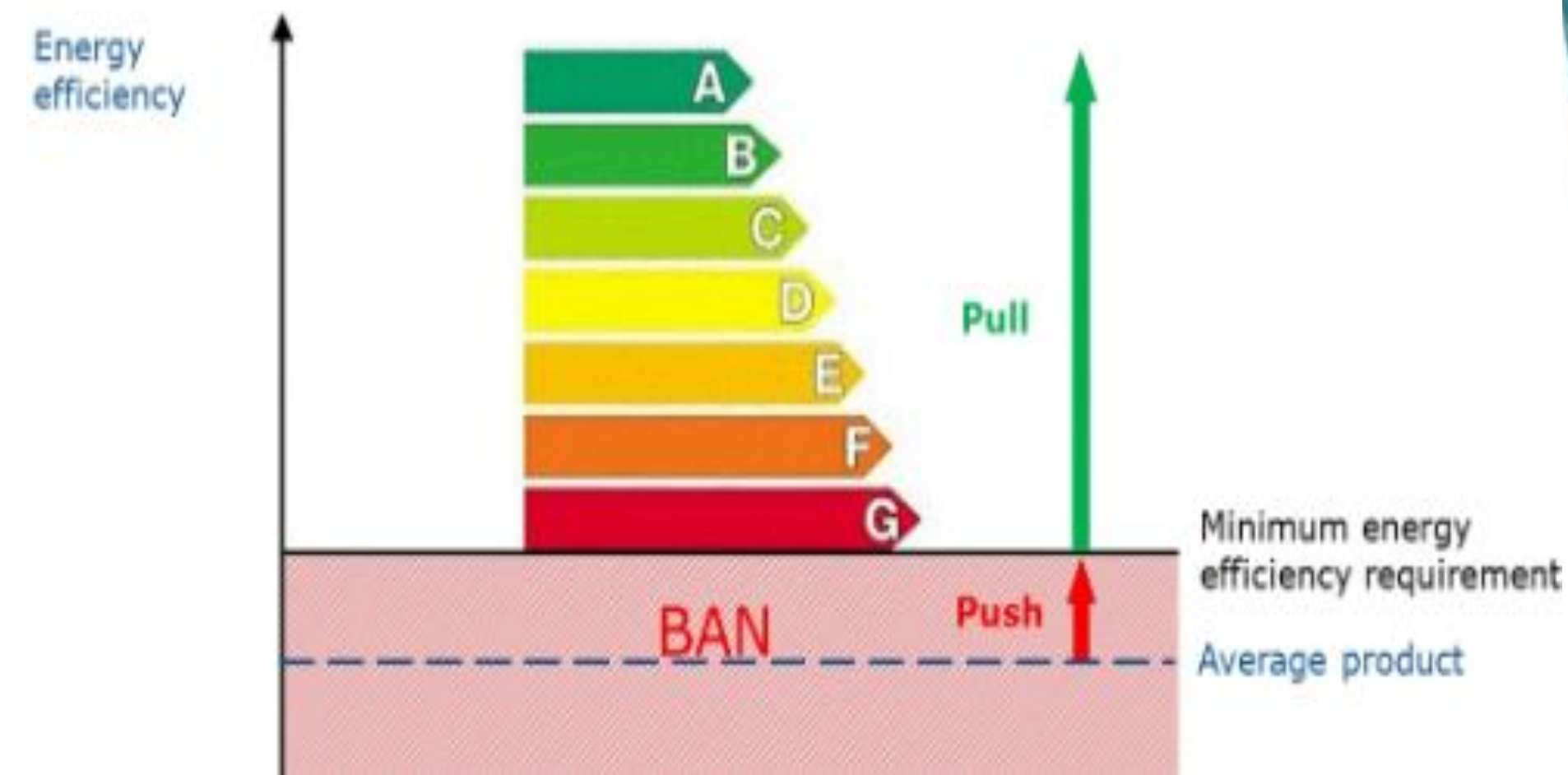
Ecodesign - EU

Eight of these regulations revise already existing requirements, whereas **refrigerators with a direct sales function** and **welding equipment** are regulated for the first time.

The regulations entered into force on the **25 December 2019**.

The regulations introduce measures to;

1. **Improve the reparability and durability of appliances, and**
2. **Improve better water use.**



WEEE

WEEE - Brazil

25 October 2019, São paulo's Environmental Agency published Decision No. 114/2019/P/C, establishing procedures for the implementation of the reverse logistics system.

31 October 2019, the Brazilian sectoral agreement for the implementation of a reverse logistics system for electro-electronic products and their components was signed.

The agreement establishes the obligation of reverse logistics for electro-electronic products and the participation of manufacturers, importers, distributors and traders of such products.

It defines;

- **Electro-electronic products** - as household equipment, which depends on electrical currents with a nominal voltage not exceeding 240 volts.
- **Components** - as parts, materials, substances and other fixed parts not removable, which are integral parts of the physical structure of the electro-electronic product, without which the proper product use remains undermined.

Recycling & Take Back Obligations for EEE - South Korea

Issued on the **31 December 2019**, the amendment adds **23** new products to Annex 3 of the Enforcement Ordinance on the Recycling of Electrical and Electronic Equipment and Vehicles Act 2007.

These electrical and electronic products will be subject to **collection, transfer** and **recycling** by the prescribed manufacturers and importers.

The amendment entered into force on **1 January 2020**, but item 5 of Annex 3 (solar panels) will become effective from **1 January 2023**.

The amended provisions of Annex 3 will apply to the EEE released or sold by obligatory producers and distributors after the implementation of this amendment.

The 2020 recycling and collection plan for the newly added products can be submitted until **29 February 2020**.

Recycling & Take Back Obligations for EEE - South Korea

- dehumidifiers
- navigation display devices
- wireless routers
- beam projectors
- scanners
- toasters
- electric kettles
- electric water heaters
- electric frying pans
- hair dryers
- treadmills
- security cameras
- food dryers
- electric massage machines
- foot baths
- sewing machines
- video game consoles
- bread makers
- fryers
- coffee makers
- hot pots
- dehydrators
- solar panels

Draft Waste Management Regulation - Saudi Arabia

Proposed on the 10 January 2020, the Draft aims to reduce waste production, and manage activities such as sorting, storing, collecting, transporting and recycling of recyclable materials in order to achieve environmental sustainability and preserve public health.

The following wastes are covered;

- **WEEE/ e-Waste**
- **Waste batteries**
- Hazardous waste
- Industrial waste both hazardous/ non-hazardous
- Construction and demolition waste
- Municipal solid waste
- Agricultural waste
- Medical waste
- Sewage waste
- Waste tyres, etc.



Global WEEE Developments

In January 2019, Massachusetts proposed the draft Act requiring producer responsibility for the collection, reuse and recycling of discarded electronic products.

In April 2019, Poland released two regulations on recording and reporting data on the management of WEEE.

In September 2019, the Dominican Republic published a draft technical regulation regarding the management and final disposal of waste electrical and electronic equipment.

On the 8 November 2019, the Peruvian President signed Supreme Decree No. 009-2019-MINAM, approving a new Regulation on Management of Waste Electrical and Electronic Equipment (WEEE).

In December 2019, Germany released new clearing house fees for WEEE.

On the 30 December 2019, Colombia proposed a draft resolution, which seeks to adopt a management model for collection and management systems of WEEE.

RoHS

RoHS - EU

On the 5 February 2019, the EU Commission published **10 new Directives** amending Annex 3 of the RoHS Directive.

The amendments entered into force on the **25 February** and renewed existing exemptions for;

- lead oxide in seal frit used for making window assemblies for certain laser tubes,
- cadmium and its compounds in electrical contacts,
- lead in solders to complete a viable electrical connection between semiconductor die and carrier within integrated circuit flip chip packages,
- lead as activator in the fluorescent powder of discharge lamps containing phosphors,
- lead in bearings and bushes applied in certain non-road professional use equipment,
- lead and cadmium in printing inks for the application of enamels on glasses,
- lead in PZT based dielectric ceramic materials for certain capacitors,
- lead in dielectric ceramic materials in certain capacitors,
- lead in the plating layer of certain diodes, and
- lead bound in crystal glass as defined in Directive 69/493/EEC.

RoHS - EU and future policy

Following the EU's restriction of 4 phthalates in July the EU Commission announced a public consultation on the RoHS Directive aiming to assess its performance with the view of finding ways to improve its *efficiency, effectiveness, relevance* and *coherence*.

Comments from numerous stakeholders covered concerns relating to ;

- an incoherence between RoHS, REACH, WEEE, the Ecodesign Directive, and the Circular Economy,
- the cost of complying with RoHS for B2B industrial products,
- The EU's time management of exemption applications,
- ensuring information flow regarding hazardous substances in the entire material life cycles, and
- limiting hazardous chemicals entering the economy in the first place.

A working document is planned for the **fourth quarter of 2020**, and RoHS 2 evaluation work is scheduled to be complete by **July 2021**. The outcome of the review and the drafting of legislation will be the beginnings of a RoHS recast, or **RoHS 3**.



RoHS - EU and future policy

On the 5 December 2019, the European Commission appointed the Oeko-Institut and Fraunhofer IZM to technically assist in a “Study to support the review of the list of restricted substances and to assess a new exemption request under RoHS 2 (Pack 15)”.

The substances currently under consultation include:

1. Tetrabromobisphenol-A (TBBP-A);
2. Medium Chain Chlorinated Paraffins (MCCPs); and
3. Diantimony trioxide.

The consultation will end on the **30 January 2020**.



RoHS - EU and future policy

On the 10 January 2020, the Oeko-Institut and Fraunhofer IZM opened a consultation on behalf of the EU Commission on the review of two exemption requests. One for an **exemption renewal** and one for a **new exemption**.

Requested renewal of existing exemption

Annex IV, 12	<i>“Lead and cadmium in metallic bonds creating superconducting magnetic circuits in MRI, SQUID, NMR (Nuclear Magnetic Resonance) or FTMS (Fourier Transform Mass Spectrometer) detectors.”</i>	Japan Superconductor Technology, Inc. (JASTEC)
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Request of new exemptions

2019-4	<i>“bis-(2-ethylhexyl) phthalate (DEHP) in plastic components in MRI detector coils”</i>	COCIR
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Interested parties are invited to submit comments by the **20 February 2020**.

RoHS - China

On **12 March 2019**, the Chinese RoHS 2 catalogue entered into force.

On **16 May 2019**, the Chinese State Administration for Market Regulation published the Implementation Measures on the Conformity Assessment System for the Restricted Use of Hazardous Substances in Electrical and Electronic Products.

Electrical and electronic products which are listed in the RoHS 2 Catalogue and manufactured or imported after **1 November 2019** must comply with the implementation measures.

Companies may choose either of the following methods to complete the conformity assessment:

1. *Voluntary Certification for Restricted Use of Hazardous Substance in Electrical and Electronic Products*, or
2. *Company Self-declaration*.

RoHS - China

On **2 July 2019**, the Chinese State Administration for Market Regulation (SAMR) issued an Announcement clarifying the appearance of the mark to be applied by self-declaring suppliers for RoHS compliance.



On **5 September 2019**, the Chinese Quality Certification Centre (CQC) published a Notice on Starting Certificate Conversion of Voluntary Certification System for Restricted Use of Hazardous Substances in Electrical and Electronic Equipment. This Notice abolishes the original national RoHS certificate, and states that the new national RoHS certificate will take place with category number 330101-330112 in accordance with new certification rules CQC21-NV330-2019. For those holding original national RoHS certificates, it is now necessary to convert the certificate to a new national RoHS certificate. This certificate conversion must had to be completed before **31 December 2019**, after which all original national RoHS certificates were cancelled. *Conversion is free of charge.*

China RoHS 2 - Scope of application

1. Communications equipment,
2. Broadcasting equipment,
3. Computers and other office equipment,
4. Electrical and electronic products for household use,
5. Electronic instruments,
6. Electrical and electronic products for industrial use,
7. Power tools,
8. Medical electronic equipment and devices,
9. Lighting products, and
10. Electronic products for cultural, educational, art and craft, sporting and entertainment purposes.

RoHS - Brazil

In December 2019, Brazil held a consultation on the implementation of a national version of “IEC 63000:2016 on technical documentation for the assessment of electrical and electronic products with respect to the restriction of hazardous substances”.

The Draft is modelled on the the EU’s RoHS Directive, with one exception, its scope extends to cars.



REACH

EU REACH

On **31 July 2019**, Regulation (EU) 2019/1148 on the marketing and use of explosives precursors, **amending** Regulation (EC) No 1907/2006 and repealing Regulation (EU) No 98/2013 entered into force.

On **16 October 2019**, Regulation (EU) 2019/1390 amending, for the purpose of its adaptation to technical progress, the Annex to Regulation (EC) No 440/2008 laying down test methods **pursuant to** Regulation (EC) No 1907/2006 on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) entered into force

On **30 October 2019**, Regulation (EU) 2019/1691 of 9 October 2019 **amending** Annex V to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) entered into force.

On **30 October 2019**, Regulation (EU) 2019/1692 on the **application** of certain registration and data-sharing provisions of Regulation (EC) No 1907/2006 after the expiry of the final registration deadline for phase-in substances entered into force.

None of the above amendments have been included in a consolidated version of REACH.

EU REACH

On **26 June 2019**, the EU Commission and ECHA released an Action Plan outlining measures to ensure the compliance of REACH registrations. In order to achieve the Plan's aims, ECHA will start to evaluate 20% of registration dossiers in each tonnage band to improve the compliance of REACH registrations. This will mean approximately 30% of all registered chemicals will be checked. The Commission also released plans to amend REACH, in order to raise the current 5% minimum target for compliance checks to 20% of registration dossiers in each tonnage band.



EU REACH

In **October** ECHA proposed the evaluation of 74 substances under the Community rolling action plan (CoRAP) for 2020-2022.

At present, 14 substances are planned to be evaluated in 2020, while 60 substances are listed for evaluation in 2021 and 2022.

The ECHA's Member State Committee are in discussions on the draft CoRAP and will prepare an opinion on the draft plan for **February 2020**. Based on the opinion, ECHA will adopt and publish the CoRAP update for 2020-2022 in **March 2020**.

EU - SCIP

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

Companies supplying articles containing substances of very high concern (SVHCs) on the Candidate List in a concentration above 0.1% weight by weight (w/w) on the EU market have to submit information on these articles to ECHA, as from **5 January 2021**.

If you have any questions on SCIP submissions, Compliance and Risks have a free webinar for download on our website.

SCIP Database



K-REACH

On **1 January 2019** the amended K-REACH entered into force.

On **28 January 2019**, the South Korean Ministry of Environment issued Notice No. 2019-32 updating the existing chemical substances inventory to 44,478 substances (37,088 in Annex 1 and 7,390 in Annex 2).

On **19 April 2019**, the Korean National Institute of Environmental Research issued an amendment (Notice No. 2019-7) to the Designation of Toxic Substances under K-REACH. The amendment adds 17 new substances following hazard evaluation in accordance with the Chemical Control Act. The amendment also adds 21 newly registered substances which were found toxic after their hazard evaluation under K-REACH.

On **8 May 2019**, the South Korean Ministry of Environment issued with immediate effect an amendment to the Inventory of Existing Chemical Substances Notice 2014-237. The amendment added additional substances to Annexes 1 and 2.

On **13 June 2019**, the South Korean National Institute of Environmental Research issued an amendment (Notice No. 2019-23) to the Regulations on Testing Methods for Chemical Substances. The amendment aims to align with 9 of the revised OECD Guidelines for the Testing of Chemicals. The adopted testing methods aim to assess the potential effects of chemicals on human health.

K-REACH

On **16 September 2019**, the South Korean Ministry of Environment issued an amendment to the Enforcement Rules of the Registration and Assessment of Chemical Substances Law. The amendment mainly simplifies and speeds up new chemical registration and approvals of exemptions for research and development purposes.

On **17 September 2019**, the South Korean Ministry of Environment issued a draft amendment to the K-REACH Enforcement Ordinance. In order to prevent the risk of disruption of new chemical substances registration, the draft mainly expands the deadline for simplified registration of new chemical substances from 30 December 2019 to 31 December 2021.

On **15 October 2019**, the South Korean National Institute of Environmental Research issued with immediate effect an amendment (Notice No. 2019-42) to the Notice on Designation of Toxic Substances under K-REACH. The new Notice designates 18 new toxic substances following hazard evaluation under the Registration and Assessment of Chemical Substances Law.

Global developments in chemical restriction

On **21 August 2019**, EPA proposed to designate 20 chemical substances as high-priority substances for risk evaluations pursuant to section 6(b) of the Toxic Substances Control Act (TSCA), 15 U.S.C. 2605(b). The Agency is asking for public comments on the proposed designations by November 21, 2019. The 20 proposed chemicals are the same the agency identified in March as potential High-Priority Substances. The 20 proposed high-priority candidate chemicals include seven chlorinated solvents, six phthalates, four flame retardants, formaldehyde, a fragrance additive, and a polymer precursor.

On **27 September 2019**, the Thai Department of Industrial Works amended the List of Hazardous Substances under the Hazardous Substances Act.

REACH - Nanomaterials

From the **1 January 2020**, companies must provide more information on nanomaterials on the EU market under the REACH Regulation.

The new information requirements concern companies that **manufacture** or **import nanoforms of substances** that are subject to registration under REACH. Nanoforms of substances are those that fulfil the European Commission's recommendation for a definition of a nanomaterial. The revised REACH annexes addressing nanoforms introduce clarifications and new provisions for:

- characterisation of nanoforms or sets of nanoforms covered by the registration (Annex VI);
- the chemical safety assessment (Annex I);
- registration information requirements (Annexes III and VII-XI); and
- downstream user obligations (Annex XII).

The purpose of this is to make sure companies provide enough information to demonstrate the safe use of their nanoforms for human health and the environment. The amendments apply to all the new and existing registrations covering nanoforms. This means that registrants were expected to update their existing dossiers with nanoform-specific information by **1 January 2020**.

REACH- Nanomaterials

Last year ECHA announced plans for the release of guidance documents to help companies comply with the changes in Annex VI. The guidelines were scheduled for release before the end of 2019, so should be released early in 2020.



Prop 65

Prop 65

In **28 June 2019** - p-chloro- α,α,α -trifluorotoluene (para-Chlorobenzotrifluoride, PCBTF) was added to the list of chemicals known to the State of California to cause cancer for purposes of Proposition 65.

In **13 September 2019**, OEHHA added the following substances;

- 2-amino-4-chlorophenol (CAS No. 95-85-2),
- 2-chloronitrobenzene (CAS No. 88-73-3),
- 1,4-dichloro-2-nitrobenzene (CAS No. 89-61-2),
- 2,4-dichloro-1-nitrobenzene (CAS No. 611-06-3),
- *N,N*-dimethylacetamide (CAS No. 127-19-5), and
- *para*-nitroanisole (CAS No. 100-17-4)

to the list of chemicals known to the State of California to cause cancer for purposes of Proposition 65.

Prop 65 - Overuse of short form warnings

Recently the California Office of Environmental Health Hazard Assessment has expressed concern relating to the over use of short form Prop 65 warnings.

Oehha had initially designated the short form warning for use on small products, however manufacturers have adopted the warning for larger products.

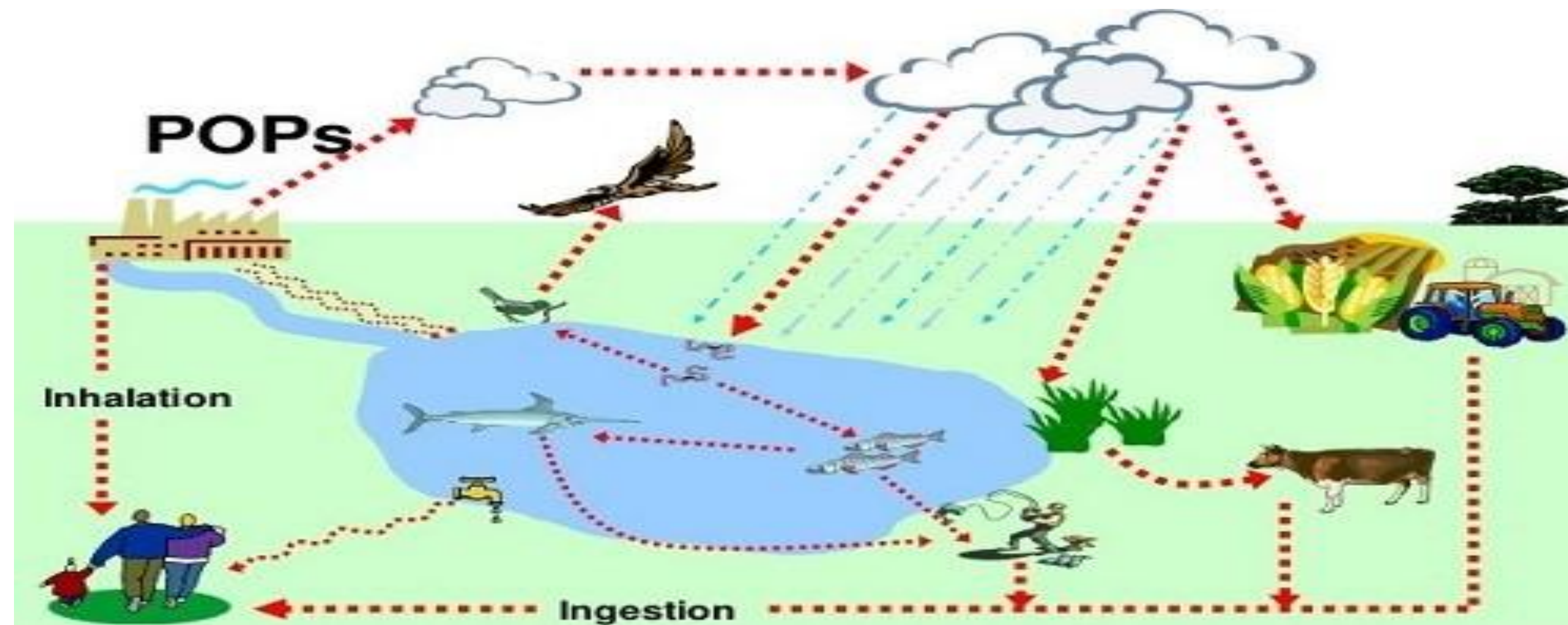
No official action has been taken, but Oehha is reviewing whether to introduce restrictions.



POPs

Persistent Organic Pollutants

"Persistent organic pollutants (POPs) - are chemical substances that persist in the environment, bioaccumulate through the food web, and pose a risk of causing adverse effects to human health and the environment. This group of priority pollutants consists of pesticides (such as DDT), industrial chemicals (such as polychlorinated biphenyls, PCBs) and unintentional by-products of industrial processes (such as dioxins and furans)."



POP's - EU

On the 15 July 2019 the EU's new persistent organic pollutants Regulation recast entered into force.

The updated rules bring the regulation in line with the latest amendments to the Stockholm Convention, which provides the global legal framework for the elimination of the production, use, import and export of persistent organic pollutants.

Several changes align the regulation more closely with the general EU legislation on chemicals. As a result of these changes, there will be more clarity, transparency and increased legal certainty for all parties involved in the implementation of the regulation.



POPs - China

On 18 September 2019, the Chinese Ministry of Ecology and Environment (MEE) opened a public consultation to collect from industry information on the production and use of six persistent organic pollutants (POPs). The proposal aims to further align with the prohibition or restrictions of these substances under the Stockholm Convention.

The substances are:

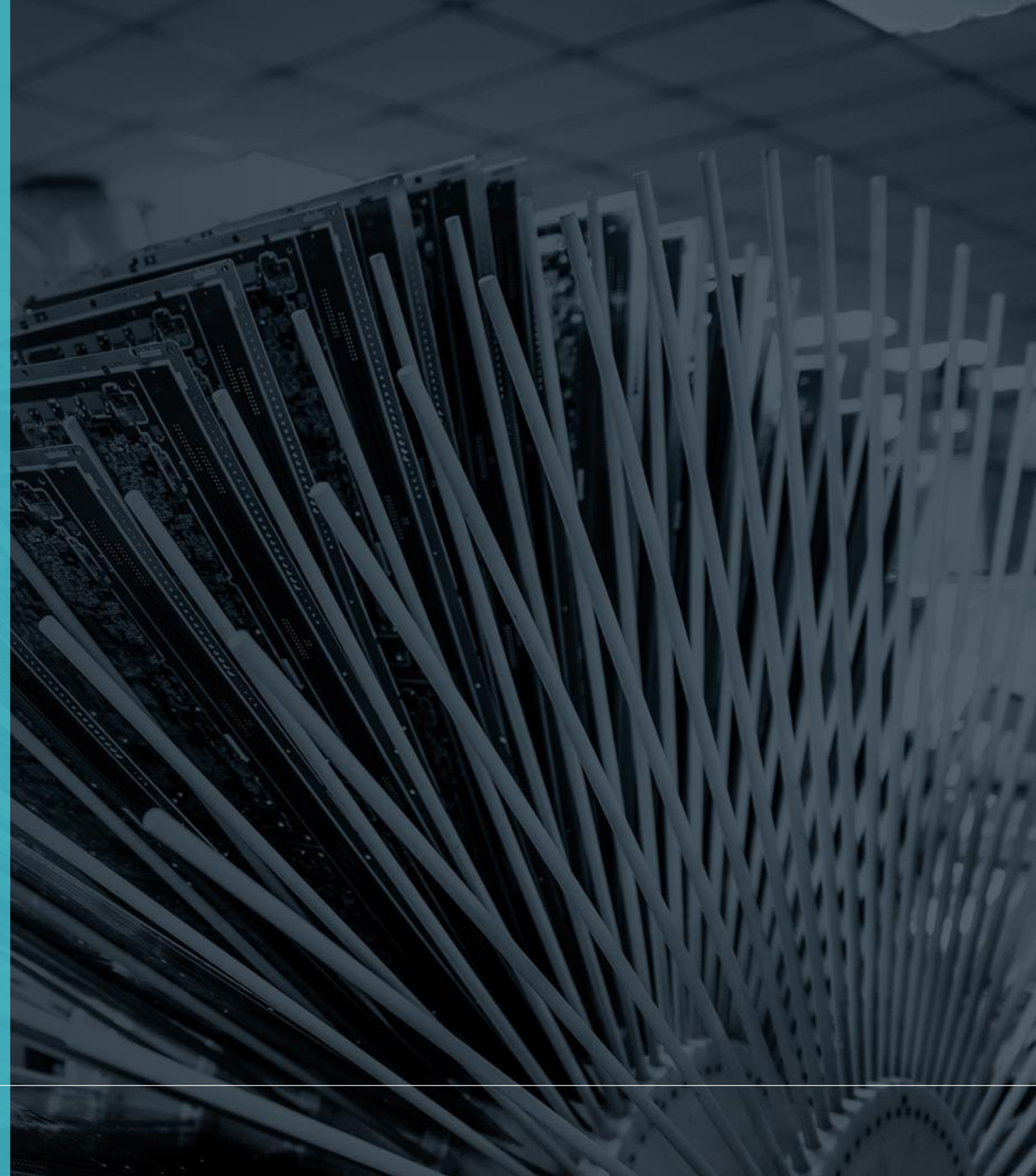
- **decabromobiphenyl ether (DecaBDE)** *(a flame retardant used to protect electronic equipment, vehicles, aircrafts etc)*
- **polychlorinated naphthalenes (PCN)** *(a flame retardant used to protect electrical products),*
- hexachlorobutadiene (HCBd),
- pentachlorophenol (PCP) and its salts and esters,
- short-chained chlorinated paraffins (SCCPs),
- perfluorooctanoic Acid (PFOA) and its salts and related compounds.

POP's - Global developments

1. In March 2019, Singapore opened a public consultation on the addition of 11 chemicals to the list of hazardous substances requiring licencing under the Environmental Protection and Management Act (EPMA).
2. In May 2019, Sierra Leone released the National Implementation Plan for the Stockholm Convention on Persistent Organic Pollutants.



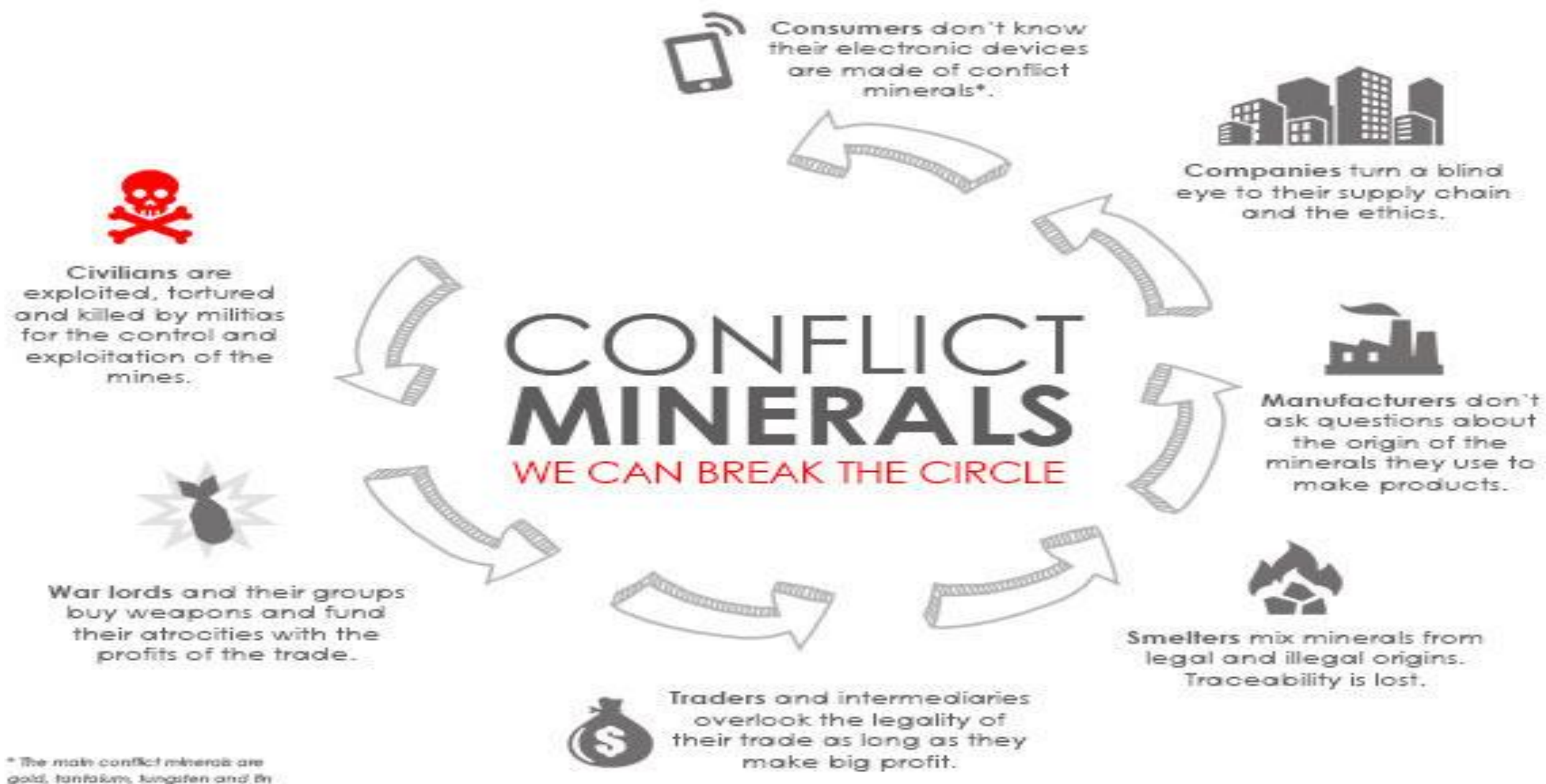
Conflict Minerals



Conflict Minerals

What are conflict minerals?

Conflict resources are natural resources, which are extracted from a conflict zone and sold to perpetuate fighting.



Conflict Minerals - EU

On 1 January 2021 a new law will apply across the EU – the **Conflict Minerals Regulation**.

It aims to help stem the trade in four minerals – **tin, tantalum, tungsten** and **gold** - which sometimes finance armed conflict or are mined using forced labour.

The regulation will mean changes for you and your business, whether you:

- import minerals or metals
- smelt or refine them, or
- own a due diligence scheme.



TIN



TANTALUM



TUNGSTEN



GOLD

Conflict Minerals - EU

EU: Methodology and Criteria for the Assessment and Recognition of Supply Chain Due Diligence Schemes concerning Tin, Tantalum, Tungsten and Gold, Regulation (EU) 2019/429

This Regulation sets out rules on the methodology and criteria allowing the Commission to assess whether supply chain due diligence schemes concerning tin, tantalum, tungsten and gold facilitate the fulfilment of the requirements of Regulation (EU) 2017/821 by economic operators and to recognise such schemes, pursuant to Article 8 of that Regulation.

This Regulation explains the methodology and criteria to assess and recognise supply chain due diligence schemes.

As per the EU's 2017 quick guide to the Conflict Minerals Regulation, the Commission will be releasing a list of conflict affected and high-risk areas shortly, which will also include useful information for companies carrying out due diligence

'Due diligence ready!'

On the **20 November 2019**, to support the implementation of the Conflict Minerals Regulation the European Commission launched 'due diligence ready!'. This initiative aims to support the responsible sourcing of minerals and metals, by helping SME's comply with their legal obligations.

Via the 'due diligence ready!' online portal, SMEs will be able to access information, tools and training materials in several languages.



Packaging

Packaging - New York

On the **5 February 2019**, the New York State Assembly proposed the adoption of the Bill amending the environmental conservation law, in relation to the reduction and recycling of packaging.

If approved the Bill would require all packaging to be used in New York State after **1 January 2022**, to be "environmentally sound." Packaging would qualify as "environmentally sound" if it is "reduced," "reusable," "recycled" or "recyclable." **Within five years** of enactment, however, to qualify as a "recycled" package, 45% post-consumer recycled content would be required.

Labels indicating compliance from the Act's provisions would be required on all packaging. Unconditional exemptions are provided for packaging necessary to comply with federal food, drug and cosmetic laws and regulations, packaging for products in concentrate form, and certain not-for-profit organizations and inventories of packaging manufactured prior to 2022. Conditional exemptions may be authorized by DEC for packaging for which no alternative is available.

Packaging - Developments across the globe

On the **15 January 2019**, the Indiana Senate proposed the Bill 619, on the takeback and recycling of waste packaging. If approved a person may not sell, offer for sale, barter, exchange, give, or distribute in Indiana a product that would result in waste packaging or waste printed paper, unless the producer of the product participates individually, or jointly with other producers in an approved producer recycling program plan for waste packaging and printed paper. A person who knowingly or intentionally violates this section commits a Level 6 felony.

On the **18 February 2019**, the UK opened a consultation on the introduction of a plastic packaging tax. The government proposes that the tax would apply to all plastic packaging manufactured in the UK and unfilled plastic packaging imported into the UK. It would only apply to plastic packaging with less than 30% recycled content.

On the **28 June 2019**, the packaging and printed paper stewardship plan entered into force in British Columbia.

On the **28 July 2019**, the Act Relating to the responsible management of plastic packaging entered into force in Washington State.

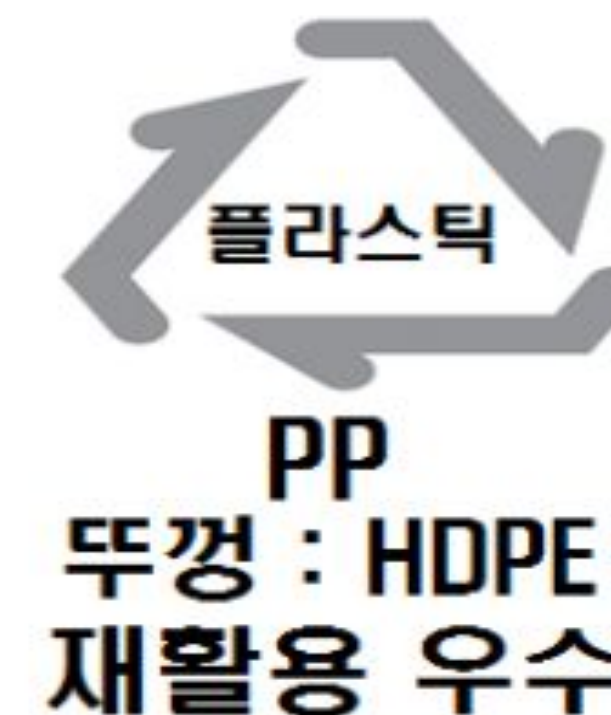
Packaging - South Korea

In **2019**, the the South Korean Ministry of Environment, established draft criteria (**Draft Notice 2019-646**) for packaging material structural grade marking.

Four types of packaging grading are specified, depending on the ease of recycling the packaging materials: **best/excellent /medium /difficult**.

If approved the provisions will apply to all packaging subject to recycling in accordance with Article 18 of the Enforcement Ordinance of the Act.

가. 분리배출 표시가 있는 경우



Packaging - South Korea

On **11 December 2019**, the South Korean Ministry of Environment, proposed revised guidelines (**Draft Notice 2019-920**) to clarify procedures for the evaluation of quality and structure of packaging materials in accordance with Article 9.2 of the Promotion of Saving and Recycling Resources Act.

On **24 December 2019**, the South Korean Ministry of Environment issued **Notice No. 2019-244** establishing quality and structural criteria for packaging materials in accordance with Article 9.2 of the Act on the Promotion of Saving and Recycling Resources. This Notice applies to all producers obligated to recycle packaging materials and to the following materials used in the manufacture of packaging placed on the Korean market:

- laminated, shrink-wrapped or coated (coated) packaging materials,
- coloured polyethylene terephthalate bottles,
- PET bottle label adhesive that does not peel off from the bottle according to the guideline of evaluation method for packaging materials.

Basel Convention

Basel Convention

What is the Basel Convention?

The convention aims to reduce the movement of hazardous waste between countries, and specifically to prevent this being sent from developed to developing countries, through the 'prior informed consent' procedure.



BASEL CONVENTION

Basel Convention - Plastic Ban

In May 2019, the Fourteenth Meeting of the Conference of the Parties to the Basel Convention has held.

The meeting resulted in the adoption of 29 decisions, including;

- proposed amendments to the annexes to include plastic waste,
- the establishment of a **Partnership on Plastic Waste** (*launches in Geneva on the 12 November*), and
- the interim adoption of the technical guidelines on transboundary movements of electrical and electronic waste and used electrical and electronic equipment.

Following the approval of Norway's proposals, the "**plastics ban amendments**" will become law on the **1 January 2021**. The approval of the amendments are poised to represent the end of an era for many nations, which managed their plastics recycling programs through a heavy reliance on exports to developing nations.

The plastics ban, extends to all plastics casings or "e-plastics" used in electronic products.

Basel Convention - Ban Amendment

Following Croatia's ratification of the "Basel Ban Amendment" on the 6th September 2019, the amendment has now become international law.

The amendment prohibits the export of hazardous wastes, including electronic wastes from the 29 wealthiest countries of the Organization of Economic Cooperation and Development (OECD) to non-OECD countries.

The amendment will become a new Article in the Convention and will enter into force in the 97 countries after 90 days – on the **5 December 2019**.

However the US, Canada, Japan, Australia, New Zealand, South Korea, Russia, India, Brazil, and Mexico have yet to ratify the amendment.



Batteries



EU - Sustainable Batteries Draft Law

In June 2019 the EU Commission opened a public consultation on commencing an initiative to make the EU a global leader in the production and use of sustainable batteries. The initiative envisaged achieving this goal through the promotion of high performance battery cells and battery modules/packs with the smallest possible environmental footprint.

The Commission had originally planned on adopting a Law on sustainable batteries by the third quarter of 2019, however no Draft has been released yet.



EU - Sustainable Batteries Draft Law

The Draft is set to regulate the following;

1. the recovery and sustainable sourcing of critical raw materials such as cobalt and natural graphite,
2. developing measures (**social standards**) to prevent the sourcing of raw materials from regions of conflict i.e. lithium-ion batteries, and
3. introduce measures to ensure the efficient reuse and recycling of batteries.



Batteries - Germany

The German Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU) is currently working on a draft to amend the German Battery Law.

Although no official draft has been released a working text can be found online.

The text aims to address problems relating to;

1. the take back and disposal of old portable batteries, i.e disputes between the Common Return System (GRS) and the manufacturer's take-back systems (HRS), and
2. increases in the cost of disposal.



Batteries - Germany

The working document proposes the following changes;

1. New registration requirements for manufacturers,
2. The further integration of the German national register for waste electric equipment (stiftung ear),
3. New requirements for battery take-back systems, and
4. Requirements to use the GRS battery return systems, unless a member of a manufacturers return system.



Batteries - Ontario

On **9 May 2019**, the Ontario Minister of the Environment, Conservation and Parks proposed regulations setting requirements for the collection, management, consumer education and waste reduction activities for batteries.

The proposal sets out three defined categories within the battery class:

1. Small single use batteries weighing 5 kilograms or less,
2. Small rechargeable batteries weighing 5 kilograms or less, and
3. Large batteries weighing more than 5 kilograms.

The regulation encourages producers to reduce waste associated with the regulated products they supply into the Ontario market.

Batteries - Developments Globally

Battery waste treatment

- New York (USA): Product Stewardship Program for Primary Batteries, Senate Bill 2610, 2019
- California (USA): Electronic Waste Recycling Act (EWRA), Senate Bill 20 Enacted, 2003 - Proposed Amendment - (on lithium-ion battery recycling program) Assembly Bill 1509, 2019
- China: HJ 519-20XX Technical Specifications of Pollution Control for Treatment of Waste Lead-Acid Battery, Draft Standard, September 2019
- Brussels Capital Region Belgium Management of Waste Batteries and Accumulators Agreement June 2019
- Poland: Templates for Record Keeping and Certificates of Processed Waste Batteries and Accumulators, Regulation Nr. 813, 2019

Batteries - Developments Globally

Lithium Batteries

- Massachusetts (USA): Consideration of Recovery and Recycling of Lithium-ion Vehicle Batteries, House Bill 808, 2019
- Thailand: Industrial Product Standard for Lithium Batteries, Notice No. 5277, 2019
- Vietnam: Approving National Technical Regulation on Safety of Secondary Lithium Batteries, Draft Circular, July 2019
- Brazil: Technical Requirements and Test Procedures For Conformity Assessments of Cell Phone Lithium Batteries, Act No. 3484, 2019
- Moldova: Approving Regulation on Batteries and Accumulators and Waste Batteries and Accumulators, Draft Decision, August 2019

Product safety

Product safety - EU

On the 15 July 2019, Regulation (EU) 2019/1020 on market surveillance and compliance of products entered into force.

The Regulation aims to strengthen market surveillance in order to ensure that products placed on the EU market are safe and compliant with EU legislation. The regulation also ensures **stricter enforcement of EU rules** in an effort to increase consumers' confidence in products placed on the EU market.

Articles 29, 30, 31, 32, 33 and 36 of the Regulation will apply from the **01 January 2021**, while the rest of the Regulation will apply from the **16 July 2021**.





Thank You

If you have any questions please email me at:

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