

Chemicals Quarterly

Q4 Regulatory Update 2023



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24th of January 2024



Q&A Session

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Recording



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Mission Statement

A photograph of three business professionals (two men and one woman) standing on a rooftop garden. They are dressed in business casual attire. The rooftop is equipped with rows of solar panels. In the background, a city skyline is visible under a sunset sky. The scene is lit with warm, golden light.

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90k+
Regulations

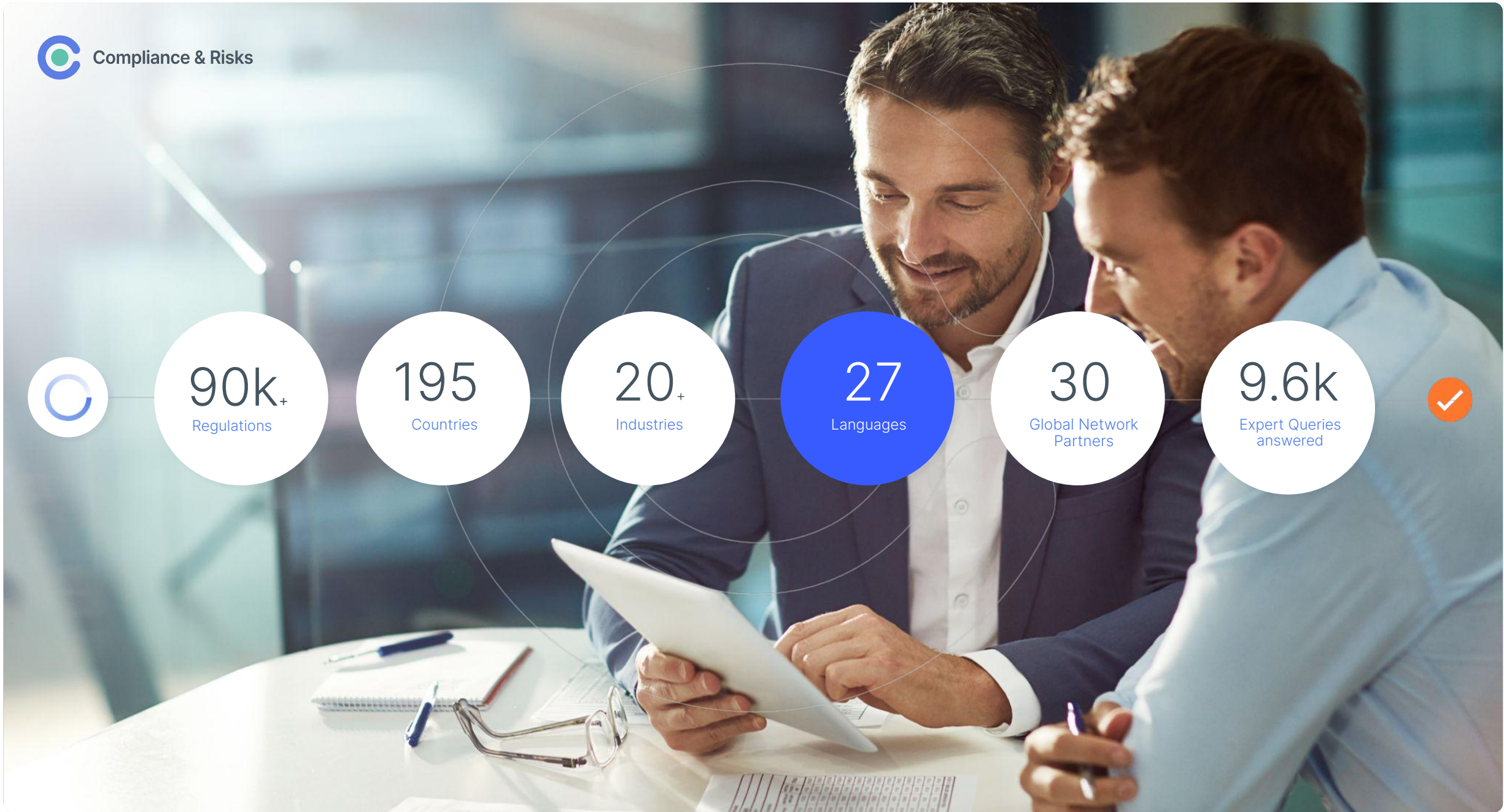
195
Countries

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Industries

27
Languages

30
Global Network
Partners

9.6k
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answered



WHAT WE DO

Unlocking Market Access

Keep on top of regulatory changes and their impact worldwide. Early warning alerts, impact probability, productivity workflow tools and so much more.



Q4 Regulatory Update 2023

Global

Minamata Convention COP-5

21 decisions related to mercury adopted at COP-5

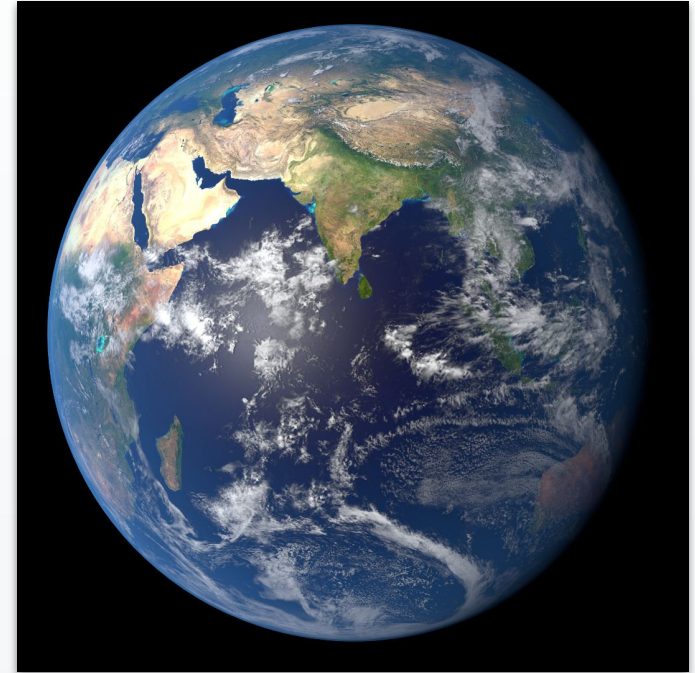
- Annex A new phase-out dates
 - Batteries
 - Switches
 - Relays
 - Fluorescent lamps
- New requirements
 - Phase-down of dental amalgam
 - Cosmetics
- Annex B
 - Phase-out date for the production of polyurethane using mercury catalysts

Global Framework on Chemicals adopted

UNEP informs of GFC adoption at International Conference on Chemicals Management.

Commitments

- By 2030, governments to reduce chemical pollution and implement policies to promote safer alternatives
- By 2030, industry manage chemicals in a way that reduces chemical pollution and adverse impacts
- By 2035, a phase out of highly hazardous pesticides in agriculture where the risks have not been managed and safer alternatives are available



Australia/New Zealand

Australia IChEMS Decisions

Industrial Chemicals Environmental Management (Register) Amendment (2023 Measures No. 1) Instrument 2023 records new scheduling decisions for the following:

- Schedule 6
 - Decabromodiphenyl ether (decaBDE) and nonabromodiphenyl ether (nonaBDE)
- Schedule 7
 - Benzene, 1,2,3,4,5-pentachloro-
 - Octabromodiphenyl ether (octaBDE), heptabromodiphenyl ether (heptaBDE) and hexabromodiphenyl ether (hexaBDE)
 - Pentabromodiphenyl ether (pentaBDE) and tetrabromodiphenyl ether (tetraBDE)
 - Hexabromocyclododecane (HBCDD)
 - Perfluorohexanesulfonic acid (PFHxS)
 - Perfluorooctanesulfonic acid (PFOS)
 - Perfluorooctanoic acid (PFOA)
 - Short chain chlorinated paraffins (SCCPs)

These entries come into effect on 1 July 2024 & 2025



NZ proposed lead restrictions in paints

New Zealand proposal to amend a series of group standards for lead in paint and graphic materials.

If approved, expect the following changes:

- 90 ppm lead limit in the Surface Coatings and Colourants and Aerosols,
- Add lead limits to Corrosion Inhibitors,
- Leaching limits in Graphic Materials incl. references to updated AS/NZS ISO 8124.3,
- Graphic materials marketed to children covered by Graphic Materials, and
- Require evidence of compliance with lead levels where relevant.

Submissions are open until 26 January 2024.



NZ proposes synthetic pyrethroids management

Preparation for the reassessment of selected synthetic pyrethroids (SPs) used in New Zealand.

SPs are insecticides used in multiple sectors including:

- textiles,
- domestic home and garden use.

Submissions close on 29 February 2024.



Asia/Middle East

China revises list of prohibited hazardous chemicals

China's MEE announced updated list of highly restricted toxic chemicals.

Adds:

- Decabromodiphenyl ether (Deca-BDE)
- Perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds

Deletes:

- hexabromocyclododecane (HBCDD)

Revises:

- permitted use of perfluorooctane sulfonate (PFOS), and perfluorooctane sulfonyl fluoride (PFOS-F) to only for the manufacture of fire-fighting foams until December 31, 2023

Details:

- the time-limited use of short-chain chlorinated paraffins (SCCP)

China updates FCM standards

- GB 4806.1-20XX, general safety requirements for food contact materials and articles (DRAFT)
- GB 4806.11-2023, rubber materials and articles - 9/24
- GB 31604.1-2023, migration testing of food contact materials and articles - 9/24
- GB 31604.29-2023, migration quantity of acrylic acid, methacrylic acid and their esters - 3/24
- GB 31604.46-2023, determination and migration quantity of free phenol - 3/24
- GB 31604.47-2023, fluorescent substances - 9/24
- GB 31604.49-2023, multiple elements and multi-element migration - 3/24
- GB 31604.54-2023, migration of bisphenol F and bisphenol S - 3/24
- GB 31604.55-2023, migration of isothiazolinone compounds - 3/24
- GB 31604.56-2023, migration of lauro lactam - 3/24
- GB 31604.57-2023, migration of benzophenones - 3/24
- GB 31604.58-2023, migration of 9 antioxidants - 3/24
- GB 31604.59-2023, validation of chemical analysis methods - 9/24



India updates import rules of azo dye textiles

Import requirements for the presence of azo dyes in textile articles altered with Public Notice No: 14/2023.

Exempts articles imported from the following geographies from testing the presence of azo dyes:

- Australia
- Canada
- Denmark
- European Union (EU) & member states
- Japan
- Poland
- Serbia
- South Korea
- United Kingdom



Saudi Arabia drafts detergents regulation amendments

Changes to mandatory standards appendix include:

Additions	Deletions
<ul style="list-style-type: none">● SASO-GSO-2013 Laundry detergents● SASO-2925 Bathroom toilet cleaner● SASO-GSO-1221 Floor polishing liquid● SASO-2332 Table stain remover● SASO-2983 Toilet rim cleaner● SASO-2067 Hand cleaning powder (borax soap)● GSO-2654 International System of Classification of Chemicals (GHS)● SASO-ISO-8317 Child-resistant packaging● SASO-2919 Oven cleaner and degreaser● GSO-ASTM-D928 Requirements for sodium carbonate● SASO-2065 Detergents for vegetables and fruits	<ul style="list-style-type: none">● SASO GSO 1946 Industrial kitchen cleaners● SASO GSO 1110 Sodium bicarbonate● SASO GSO 884 Liquid glass cleaner● SASO GSO 1894 Liquid hand washing soap● SASO GSO 1944 Transparent, semi-transparent and opaque glycerin soap● SASO GSO 1895 Toilet soap for children● SASO-2620 Washing flower (indigo)● SASO GSO 2172 Olive oil soap● SASO GSO 2301 Industrial paste detergents

Europe

EU phase down of HFCs

The agreement bans:

- products and equipment containing HFCs on the market, including:
 - domestic refrigerators, chillers, foams and aerosols
- <12kW monobloc heat pumps and air conditioning that contain F-gases
- medium & high voltage switchgears relying on F-gases
- equipment needed to repair and service existing equipment

Also sets out:

- mandatory EPR scheme for F-gases in products and equipment which fall under the categories of electrical and electronic equipment subject to Directive 2012/19/EU
- deadlines and extensions for products that use F-gases with a lesser GWP

EU draft amendment to detergents regulation

The proposed Regulation (not likely to be adopted before 2025) would replace 648/2004 and amend 2019/1020.

Changes would include:

- safety requirements for micro-organisms in detergents,
- digital product labelling,
- product passports, and
- abolishment of certain redundant requirements.

Products on the market should be listed in the registry on Ecodesign for Sustainable Products.

EU draft amendment to detergents regulation (con't)

Digital Labeling	Product Passports
<p>Label elements should:</p> <ul style="list-style-type: none">● be provided in one place, separated from other information;● be searchable;● be accessible to all users in the Union;<ul style="list-style-type: none">○ free of charge,○ without the need for registration, download/installation of applications, or passwords● address needs of vulnerable groups and supports necessary access adaptations;● be accessible through compatible digital technologies;● not be conditioned on the geographical location in regards to language; and● remain available for 10 years.	<p>Product passports should:</p> <ul style="list-style-type: none">● correspond to a specific batch of the product;● state that compliance of the product and, indicate the test methods;● contain at least the information included in Annex VI;● be up-to date;● be available in the languages required;● be accessible to end-users, and other economic operators;● be available for a period of 10 years● be accessible through a data carrier; and● fulfil the specific and technical requirements.

EU examines biocidal product substances

Hydrochloric acid:

- Decision 2023/2619 postpones approval expiry date of hydrochloric acid for use in product-type 2

Sulfur dioxide:

- Regulation 2023/2620 approves sulfur dioxide for use in product-type 4

Silver zinc zeolite:

- Decision 2023/2622 **not** approving silver zinc zeolite for use in product-type 4

Formic acid:

- Regulation 2023/2643 approves formic acid for use in product-types 2, 3, 4 and 5

ECHA investigates PVC additives

Focused on 63 PVC additives, including plasticisers, heat stabilisers and flame retardants.

Findings suggest that regulatory action would be needed:

- to minimise risks associated with plasticisers, particularly certain ortho-phthalates;
- to minimise risks from heat stabilising organotin, such as DOTE;
- to reduce emissions of flame retardants; and
- to implement and improve technologies that minimise PVC microparticle emissions.

European Commission to assess the need for a formal REACH restriction proposal.

UK amends POPs Regulations

Adapts Annex 1 to EUR 2019/1021 changing the list of substances to the Stockholm Convention.

Substance:

- Perfluorohexane sulfonic acid (PFHxS), its salts, and PFHxS-related compounds, meaning:
 - PFHxS, including branched isomers;
 - its salts; and
 - substances that contains chemical moiety C₆F₁₃SO₂ that potentially degrades to PFHxS.

Limits:

- PFHxS ≤ 0.025 mg/kg (0.0000025% by weight);
- PFHxS related compounds ≤ 1 mg/kg (0.0001% by weight); and
- PFHxS in fire-fighting foam mixtures ≤ 0.1 mg/kg (0.00001% by weight).

These Regulations extend to England and Wales and Scotland."

Ukraine amends detergents regulation

Res. No. 872 amending Technical Regulation of detergents entered into force 1 October 2023.

The enactment:

- reduces burden and simplifies verification of compliance process of detergents
- no longer requires specification regulatory documents



South America

Peru approves Regulation and Supervision of Dangerous Substances for Domestic, Industrial and/or Public Health Use

- Packaging and labeling in line with GHS
- Health authorization and classification
 - Chemical products for industrial use
 - Disinfectants
 - Pesticides
 - Dangerous products within Rotterdam Convention framework
- Prohibitions of toxic substances in Title III

North America

Cleaning product ingredient disclosures

H.R.5978, Cleaning Product Ingredient Communication Act

Mandatory ingredient disclosures for:

- air care products,
- automotive products, and
- cleaning products.

Exemptions for each defined product type are listed in the Bill.

If H.R. 5978 is enacted, disclosure requirements will take effect on January 1, 2026.

Ban of water beads

H.R.6468, Ban Water Beads Act

Defined as:

- composed, in whole or in part, of water-absorbing superabsorbent polymers, such as polyacrylamides and polyacrylates;
- at the point of sale to a consumer, contains at least 1 individual bead that can
 - fit entirely within the cylinder described in section 1501.4 of title 16, Code of Federal Regulations; and
 - through water absorption, expand to a size of at least 3 millimeters (in 1 or more dimensions).

Only applies to products designed or marketed as toys, educational materials, or art materials.

If enacted, H.R. 6468's prohibition takes effect 180 days following enactment.

PFAS prohibitions in cosmetics

H.R.6519, No PFAS in Cosmetics Act

Would amend Section 601 of the Federal Food, Drug, and Cosmetic Act to prohibit intentionally added PFAS in cosmetics.

PFAS defined as a substance in a class of fluorinated organic chemicals that is man-made and has at least 1 fully fluorinated carbon atom.

If enacted, the H.R. 6519's prohibition takes effect on January 1, 2025.

Expanded polystyrene product restrictions

S.3440, Farewell to Foam Act of 2023

Would prohibit:

- expanded polystyrene coolers;
- an expanded polystyrene food service ware; and
- expanded polystyrene loose fill (packing peanuts).

If enacted, S 3440 will come into force on January 1, 2026.



No Toxics in Food Packaging

HR 6105, No Toxics in Food Packaging Act of 2023

Unsafe for use as food contact substances

- Any chemical belonging to the class of ortho-phthalates
- Any chemical belonging to the class of PFAS
- Bisphenol A, B, S, F, or AF or related compounds.
- Styrene
- Antimony trioxide

If enacted, it will take effect in two years.



Environmental Protection Agency actions

Hydrofluorocarbons

- Phasedown of Hydrofluorocarbons: Management of Certain Hydrofluorocarbons and Substitutes Under Subsection (h) of the American Innovation and Manufacturing Act of 2020 (10/19/2023)
- Phasedown of Hydrofluorocarbons: Notice of 2024 Allowance Allocations for Production and Consumption of Regulated Substances Under the American Innovation and Manufacturing Act of 2020, and Notice of Final Administrative Consequences (10/19/2023)
- Phasedown of Hydrofluorocarbons: Restrictions on the Use of Certain Hydrofluorocarbons Under the American Innovation and Manufacturing Act of 2020 (10/24/2023)
- Phasedown of Hydrofluorocarbons: Technology Transitions Program Residential and Light Commercial Air Conditioning and Heat Pump Subsector

Environmental Protection Agency actions (con't)

Trichloroethylene (TCE); Regulation Under the Toxic Substances Control Act

Decabromodiphenyl Ether and Phenol, Isopropylated Phosphate (3:1); Revision to the Regulation of Persistent, Bioaccumulative, and Toxic Chemicals Under the Toxic Substances Control Act

4,4'-Methylene bis(2-chloroaniline); Request Under the Toxic Substances Control Act for Records and Reports of Significant Adverse Reactions to Health or the Environment



Environmental Protection Agency actions (con't)

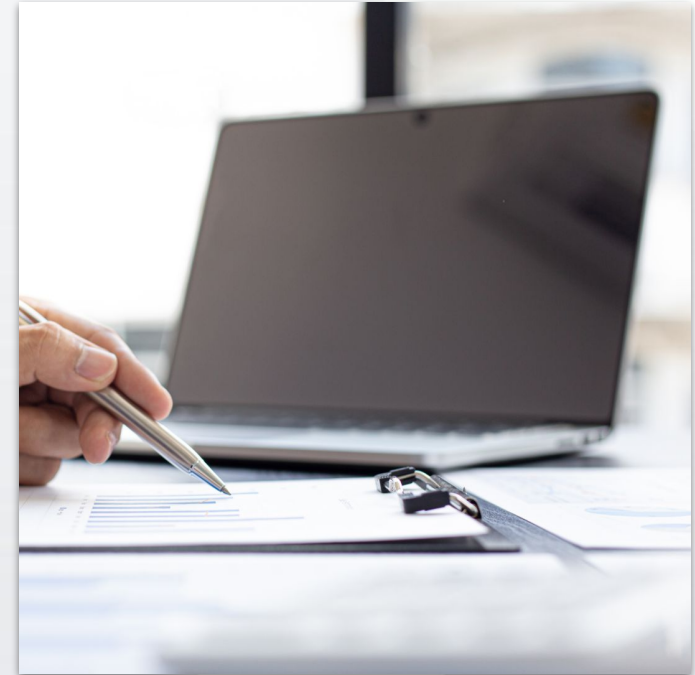
Significant New Use Rules on Certain Chemical Substances (22-2.5e)

- Quaternary ammonium salt of polyisobutene succinic acid (generic)
- 2-Propenoic acid, 2-alkyl-, 2-(dialkylamino)alkyl ester, polymer with .alpha.-(2-alkyl-1-oxo-2-alken-1-yl)-.omega.-methoxypoly(oxy-1,2-alkanediyl) (generic)
- Alkanedioic acid, polymer with cycloalkyl dimethanol, alkyl and cycloalkyl diisocyanates, dimethyl-alkanediol, dihydroxyalkanoic acid methylenebis[isocyanatocyclohexane], hydroxyethyl acrylate- and polyalkyl glycol monoalkyl ether blocked (generic)
- Poly(oxy-1,4-butanediyl), .alpha.-hydro-.omega.-hydroxy-, polymer with 1,1'-methylenebis[4-isocyanatobenzene], caprolactam-blocked
- Tall-oil pitch, fraction, sterol-low (generic)
- Carboxylic acid, reaction products with metal hydroxide, inorganic dioxide and metal (generic)
- Phenol, methylethylidene, polymer chloromethyl epoxide and methylethylidene bis-oxy, bis-amine (generic).
- Amine, methylethylidenebis(oxy) (generic).
- Carbamic acid, N-[3-(trialkoxysilyl)propyl]-, C,C'-[2,2,4(or 2,4,4)-trimethyl-1,6-hexanediyl] ester (generic).

EPA finalizes PFAS reporting rule

Toxic Substances Control Act Reporting and Recordkeeping Requirements for Perfluoroalkyl and Polyfluoroalkyl Substances: A Rule by the Environmental Protection Agency on 10/11/2023

- Reporting requirements for manufacturers (including importers)
- In any year since January 1, 2011
- PFAS uses, production volumes, byproducts, disposal, exposures, and existing information on environmental or health effects
- Effective November 13, 2023



Prop 65 news

Proposed amendment of short-form warning

NSRL = 0.13 micrograms/day for antimony trioxide by inhalation route

Coal-tar pitch, fluoro-edenite fibrous amphibole, and silicon carbide whiskers added to the list

9th U.S. Circuit Court of Appeals states it is unconstitutional for California to require Prop 65 warning on glyphosate products



California cosmetic safety bill enacted

AB 496

- Prohibits the sale of cosmetic products containing, effective January 1, 2027:
 - Lily aldehyde
 - Acetaldehyde
 - Cyclohexylamine
 - Cyclotetrasiloxane
 - Phytonadione
 - Sodium perborate
 - Styrene
 - Trichloroacetic acid
 - Tricresyl phosphate
 - Vinyl acetate
 - 2-Chloracetamide
 - Allyl isothiocyanate
 - Anthraquinone
 - Malachite green
 - Oil from the seeds of *Laurus nobilis* L.
 - Pyrogallol
 - C.I. disperse blue 1
 - Trisodium nitrilotriacetate
 - Specified boron substances
 - C.I. disperse blue 3
 - Basic green 1
 - Basic blue 7
 - 3(or5)-((4-(benzylmethylamino)phenyl)azo)-1,2-(or1,4)-dimethyl-1H-1,2,4-triazolium and its salts
 - Basic violet 4 (CAS no. 2390-59-2).
 - Basic blue 3 (CAS no. 33203-82-6).
 - Basic blue 9 (CAS no. 61-73-4).

California textile fiberglass and flame retardants bill enacted

AB 1059

- Prohibits textile fiberglass in juvenile products, mattresses, upholstered furniture, and components of covered products
- Comes into effect on January 1, 2027



California prohibits sale of certain sodium nitrite products

AB 1210

- Sets limit at 10% unless it includes specific labeling
- Immediate container: “WARNING: LETHAL TO INGEST. If ingested, call for emergency help. The recommended treatment for ingestion of sodium nitrite is intravenous methylene blue.”
- Shipping package: “WARNING: Contains sodium nitrite, which can be fatal if ingested.”

California vetoed bills

AB 1423

- PFAS surfaces in schools

AB 727

- Cleaning products, floor sealers and floor finish containing PFAS

AB 246

- Menstrual products containing PFAS



Maine updates draft rule on toxics in packaging

Would update Chapter 80 regarding food packaging

PFAS = "any member of the class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom"

Phthalates = "any member of the class of organic chemicals that are esters of phthalic acid and that contain two carbon chains located in the ortho position."

Would prohibit:

- food packaging containing intentionally added PFAS
- food packaging with more than incidental amounts of phthalates intentionally added

Minnesota requests comments on PFAS rulemaking

PFAS reporting for products and product components

- description and numeric coding of product
- purpose of any PFAS in the product
- identity of each PFAS
- amount of each PFAS
- manufacturer's contact information

Comment period ended November 28th.

Final adoption of rules by January 1, 2026

New Hampshire Pre-Files

HB 1630

- Packaging EPR
- Will also restrict:
 - Ortho-phthalates;
 - Bisphenols;
 - Per- and polyfluoroalkyl substances (PFAS);
 - Lead and lead compounds;
 - Hexavalent chromium and compounds;
 - Cadmium and cadmium compounds;
 - Mercury and mercury compounds as not covered by existing statute;
 - Benzophenone and its derivatives;
 - Halogenated flame retardants;
 - Perchlorate;
 - Formaldehyde;
 - Toluene;
 - Antimony and compounds; and
 - UV 328 (2-(2H-benzotriazol-2-yl)-4,6-di-tert-pentylphenol).
- Will also prohibit packaging containing:
 - Polyvinyl chloride;
 - Polystyrene; or
 - Polycarbonate.

New Hampshire Pre-Files (con't)

HB 1649

2026 notification requirement

- July 1, 2026
- For the 2028 PFAS-added product banned by this act

2026 labeling requirement

- Five years after the effective date of the applicable section, no PFAS-added consumer products shall be offered for final sale, used, or used in promotional materials in the state unless that product is labeled in accordance with the bill.

2028 prohibition

- On July 1, 2028, the following PFAS-added consumer products shall be prohibited from being offered for final sale or use or distributed for promotional purposes in the state:
 - Carpets or rugs
 - Cosmetics
 - Fabric treatment
 - Feminine hygiene products
 - Fluorine-treated containers
 - Food packaging and containers
 - Juvenile products
 - Personal protective equipment
 - Dental floss
 - Upholstered furniture.

Canada amends Non-Domestic Substances List

Order 2023-87-09-02 Amending the Non-domestic Substances List

Deleted from part I of the list

- 5698-98-6, Magnesium acrylate
- 1815601-65-0 [Oxirane, 2-methyl-, polymer with α -hydro- ω -hydroxypoly[oxy(methyl-1,2-ethanediyl)]], 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane, oxirane and 2-[[3-(triethoxysilyl)propoxy]methyl]oxirane, polyethylenepolypropylene glycol mono-Bu ether monoether with propylene oxide-2-[[3-(triethoxysilyl)propoxy]methyl]oxirane polymer- and polypropylene glycol mono-Bu ether-blocked]

Deleted from part II

- 19489-7 Fatty acids, plant-based oil, conjugated, maleated

Canada proposes PAH and coal tar restrictions

Prohibits sealant products containing coal tars and PAHs exceeded 1000 ppm

- Pavement and roofing sealant products (containing PAHs or coal tars)
- Sealant products for industrial use on metal, structural steel or concrete components (containing coal tars)
- Sealant products on pipelines or other buried services (containing coal tars)

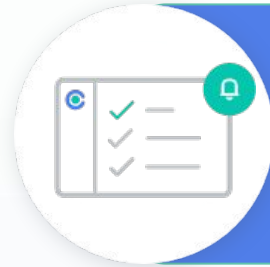
Sets limits for products containing 2-Butoxyethanol

- Automobile cleaner other than automobile degreaser or internal engine cleaner = 10.0 (% w/w)
- Rug or carpet cleaner = 10.0 (% w/w)
- Floor or baseboard stripper = 2.0 (% w/w)
- Paint stripper or thinner = 0.5 (% w/w)
- Laundry stain remover = 22.0 (% w/w)
- Any aerosol cleaner other than a pump-spray cleaner = 5.0 (% w/w)
- Any cleaner other than a non-aerosol cleaner = 6.0 (% w/w)
- Aerosol paint or coating other than a pump-spray paint or coating = 0.1 (% w/w)
- Non-aerosol paint or coating = 0.5 (% w/w)

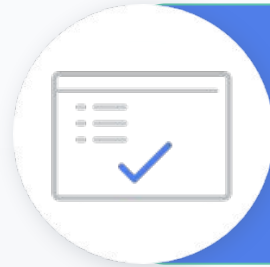
A Smarter Way to Manage Product Compliance

Holistic Market Access Solutions

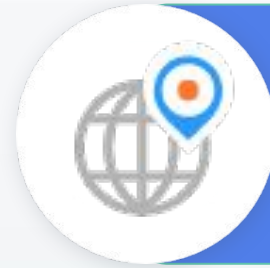
Unlock Market Access, by ...



Demonstrating Compliance



For what is required



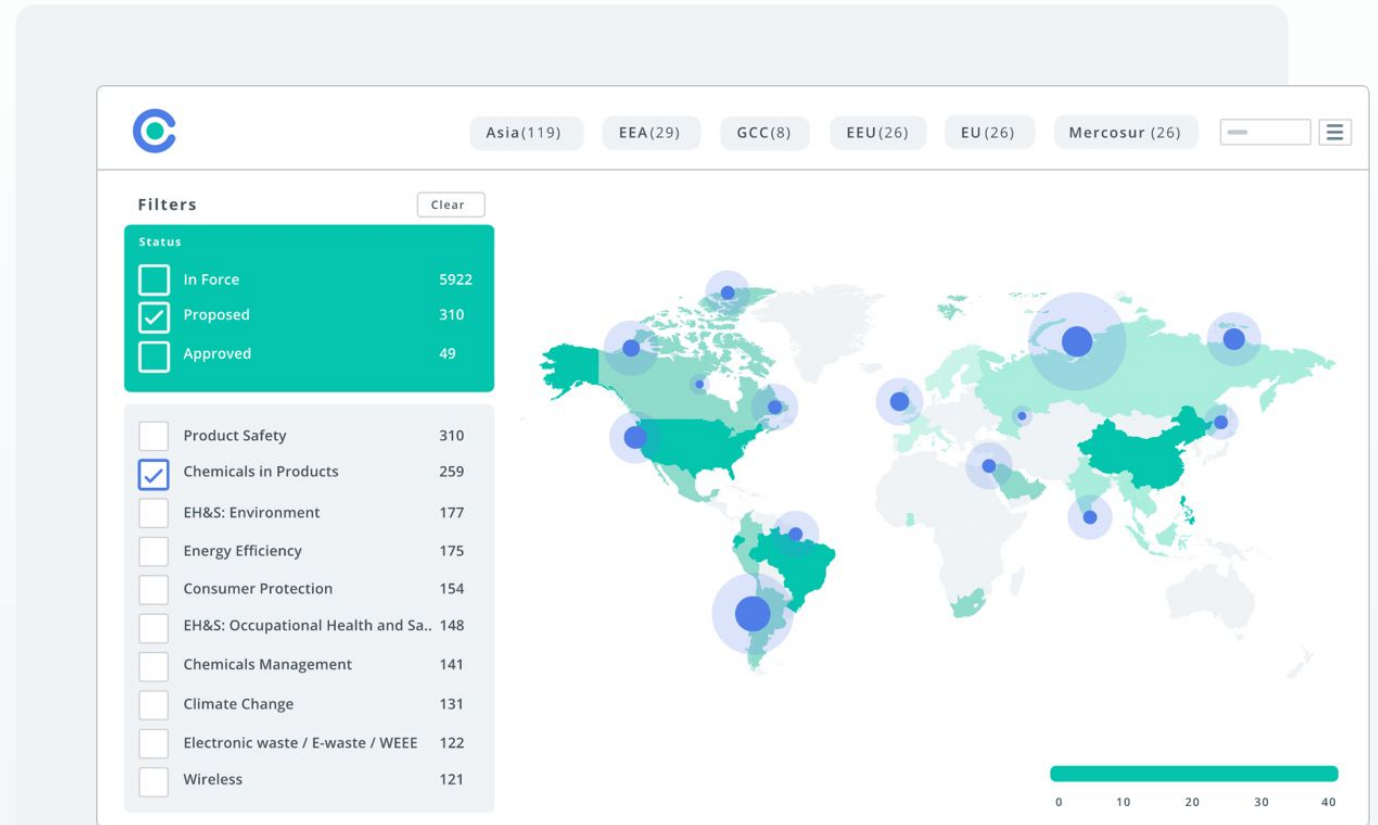
Driven by Global
Regulations & Standards

TECHNOLOGY - C2P

C2P

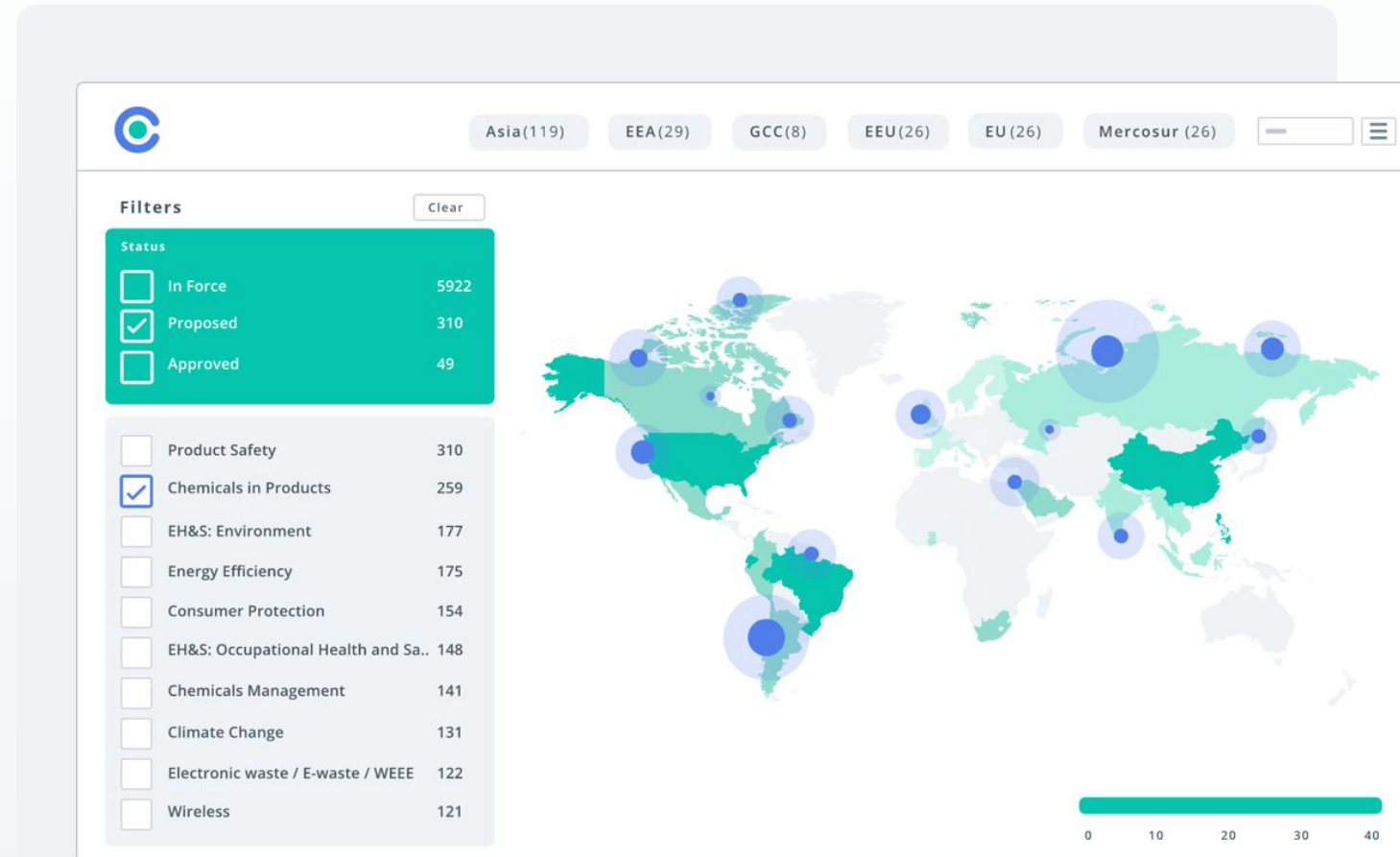
The Key to Unlocking Market Access

- Enterprise grade technology
- Cloud based platform
- Access to regulatory coverage in 195 countries
- Heatmaps with what's hot & where
- Intelligent search
- AI powered probability analysis
- Productivity tools to improve team collaboration



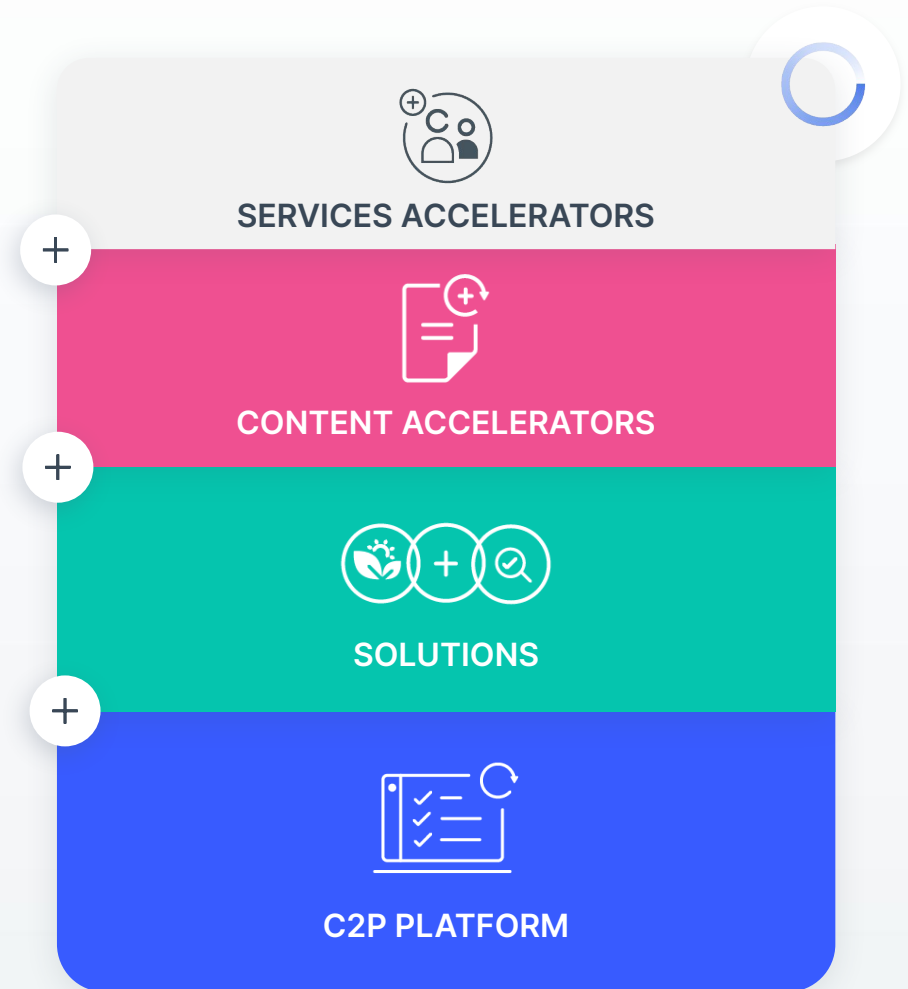
Manage everything in One Place...

- Design, build, and collaborate on new products with confidence
- Keep all compliance evidence up to date & live linked back to their Regulations, Standards & Requirements
- Continually monitor regulatory changes & keep ahead of proposed changes before they happen
- Integrate with other systems to enable streamlined business processes



Tailored to meet your needs...

- Comprehensive capabilities that enable enterprise-wide management of regulations, standards, requirements and evidence
- Add-on packages to accelerate market access through:
 - Use-case specific solutions
 - Global regulatory content
 - Professional services



Q&A

Thank you!



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