

Global Product Stewardship

EHS Policy and Regulation impacting Products
from Nanomaterials to Aircraft

***Global Product Stewardship
Report (Feb. 2011)***

Vol. 2011-2

Summary

Global Product Stewardship (GPS) service provides companies with seamless access to ever changing and challenging global product-related EHS regulations. GPS service intends to offer the most cost-effective solution to companies and to help their product compliance over 50 jurisdictions.

Young & Global Partners is not a mere information provider. With in-depth industry knowledge, our experts are directly involved in lobbying on behalf of and representing interests of major electronics and chemicals companies in EU, Asia and US policy- and law-making process.

Our GPS service provides solutions to the following questions of customers:

- Do your importers have capacity to ensure compliance with product-related EHS regulations in local markets?
- If not, do you have your own capacity to ensure product compliance for the export markets?
- At the micro level, could you ensure that chemicals in your product are usable today and tomorrow?
- Are you a nanotechnology leader? What happens if your technology may become regulated before the commercialization?

Jurisdictions covered by Global Product Stewardship Service

| Region | Sub-Region | Countries |
|---------------|---------------|---|
| APAC | East Asia | China, Hong Kong, Japan, Macau, Mongolia, South Korea, Taiwan |
| | South Asia | East Timor, India, Pakistan, Bhutan, Bangladesh, Nepal, Sri Lanka, Maldives, Afghanistan |
| | ASEAN | Brunei Darussalam, Myanmar, Cambodia, Indonesia, Laos, Malaysia, Philippines, Singapore, Thailand, Viet Nam |
| | Pacific | New Zealand, Australia, ... |
| EMEA | Europe | European Union, Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden, United Kingdom, Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia, Russia, ... |
| | Middle East | Kuwait, Qatar, United Arab Emirates, Israel, ... |
| | Africa | South Africa, Tanzania, Angola, ... |
| CALA-NA | North America | Canada, United States, Mexico |
| | Latin America | Argentina, Brazil, Chile, Columbia, Chile, Uruguay, Venezuela, ... |
| International | - | APEC, ICAO, FAO, ASTM, ANSI, IARC, OECD, UNEP, OPCW, ... |

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Introduction

115 product-related EHS policy and regulation between Dec. 2010 - Jan. 2011

From December 2010 – January 2011, 115 product-related environmental, health and safety (EHS) policy and regulation were identified in the world. Around 20 issues are related to the enforcement of EU REACH in Member States and EFTA countries.

Figure 1 Geographical Overview (Dec.

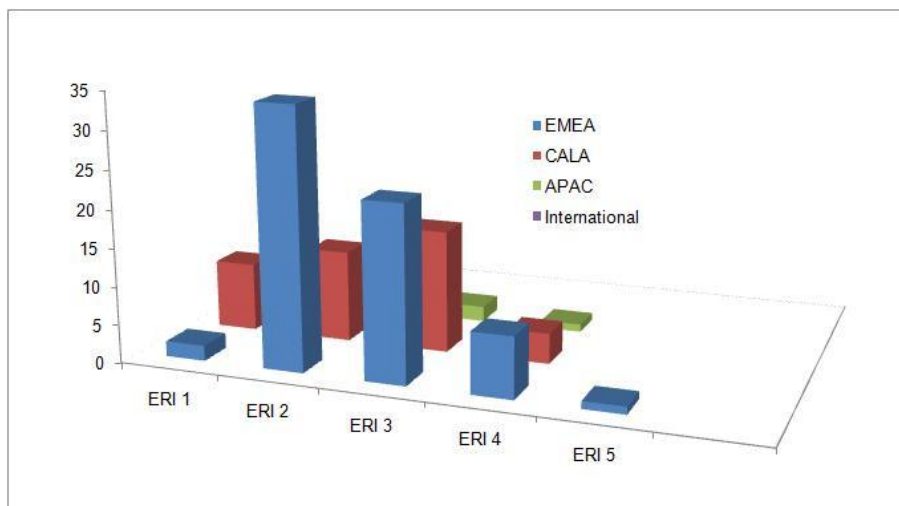
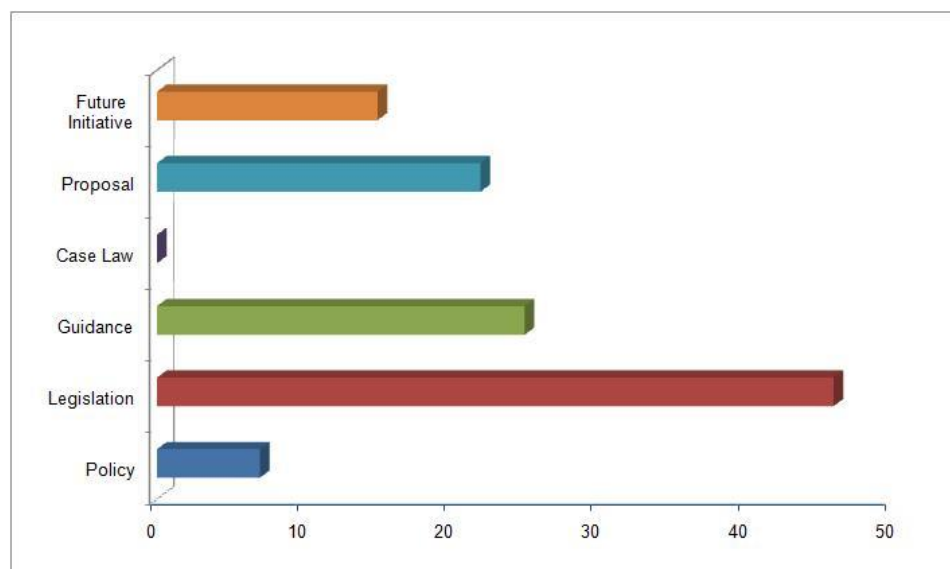


Figure 2 Overview by Information Classification



Overview by Product Life Cycle (Dec. 2010 – Jan. 2011)

The heading “Product Manufacturing”, which contains restriction of chemicals, poses the highest risk, i.e., 6 issues with ERI 4.

France: Draft French decree on an annual declaration on nanomaterials released

European Union: ECHA recommends the inclusion of eight additional SVHC in Annex XIV to REACH Regulation

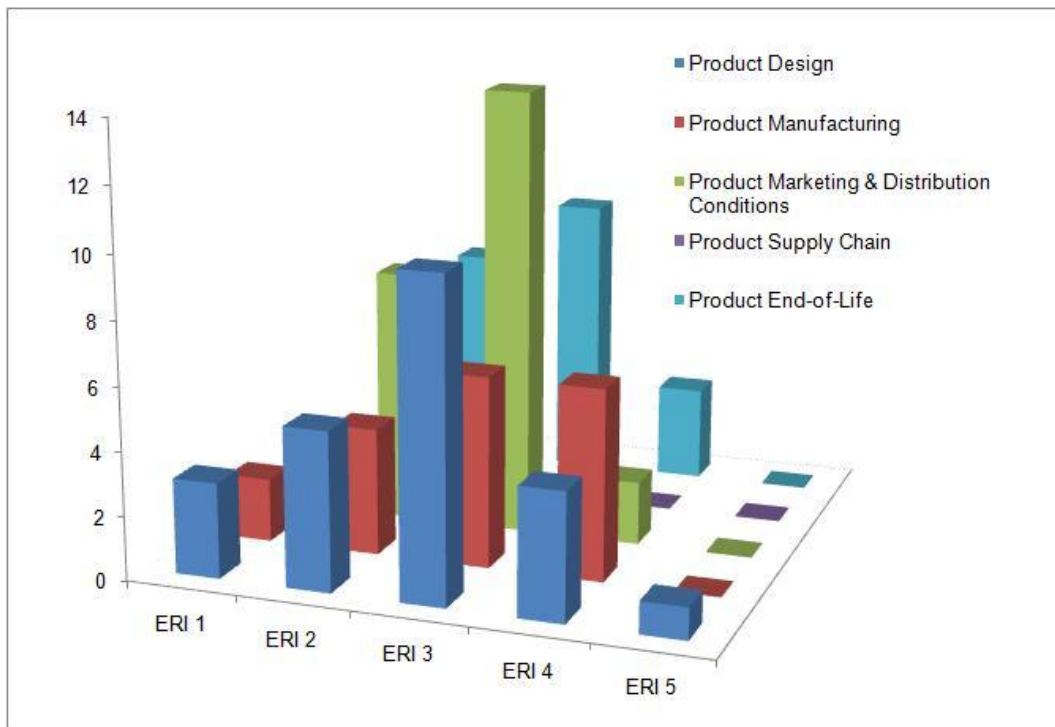
European Union: Cadmium exemption for batteries intended for use in cordless power tools to remain in force for now

European Union: Final SCENIHR opinion for a definition of "nanomaterial" adopted

Hungary: WEEE and RoHS Decrees amended

United States-California: Chemical information call-in for nanomaterials, nano metal oxides and quantum dots requested

Figure 3 Overview by Product Headings (Dec. 2010 – Jan. 2011)



France: Draft French decree on an annual declaration on nanomaterials released

European Union: Final SCENIHR opinion for a definition of "nanomaterial" adopted

United States-California: Chemical information call-in for nanomaterials, nano metal oxides and quantum dots requested

China: List of Nanotechnology related Standards in China

United States-California: DTSC initiates information call-in for nanometals and nanometal oxides

European Union: Definition of "nanomaterial" under consultation

Germany: Legal feasibility study on the introduction of a nanoproduct register published

Netherlands: Regulatory approach on the risks of nanomaterials to workers, consumers and the environment discussed

Regulatory pressure on nanomaterials are significantly growing!!!

**Overview of EHS Regulatory Development by Product Life Cycle
(Dec. 2010 – Jan. 2011)**

| Life Cycle | Headings | Number |
|------------------------------|---|--------|
| Product Design | Product Review / Life Cycle Analysis | 11 |
| | Design for the Environment | 1 |
| | Design for End-of-Life | 1 |
| | Materials Selection | 2 |
| | Non-Ionizing Radiation | 2 |
| | Energy Efficiency / Life Cycle Energy | 34 |
| | Greenhouse Gas Emission | 1 |
| | Safety Requirements / Product Safety | 17 |
| | Controlled & Regulated Substances - General | 2 |
| Product Manufacturing | Chemical & Material Restrictions - General | 20 |
| | Restrictions on Use of Cadmium | 11 |
| | Restrictions on Use of Mercury | 9 |

| | | |
|--|---|----|
| | Restrictions on Use of Lead | 10 |
| | Restrictions on Use of Brominated Flame Retardants | 4 |
| | Restrictions on Use of Polychlorinated Biphenyls | 1 |
| | Restrictions on Use of Chromium | 4 |
| | Plant Protection Products / Pesticides / Biocides | 1 |
| | Restrictions on Use of Nanomaterials | 9 |
| | Restrictions on Use of Other Substances | 6 |
| Product Marketing & Distribution Conditions | Supplier Registration | 5 |
| | Product Registration | 7 |
| | Compulsory Product Certification | 13 |
| | Packaging | 11 |
| | Compulsory Labeling | 41 |
| | User Information | 20 |
| | Import/Export Restrictions | 6 |
| | Publicity | 3 |
| | Industry Initiatives | 2 |
| | Voluntary Labeling | 6 |
| | Purchasing Guidelines | 3 |
| | Fiscal Incentives | 4 |
| Green Awards | 1 | |
| | Product Recalls | 2 |
| Product Supply Chain | Packaging | 2 |
| | Product Declaration / Verification | 2 |
| Product End-of-Life | Take-Back / Reverse Logistics - General | 9 |
| | Recycling / Disposal - General | 8 |
| | Take-Back / Reverse Logistics - Packaging | 10 |
| | Take-Back / Reverse Logistics - Vehicles | 1 |
| | Take-Back / Reverse Logistics - Electrical/Electronic | 18 |

| | | |
|--|--|----|
| | Equipment | |
| | Take-Back / Reverse Logistics - Batteries | 10 |
| | Recycling / Disposal - Packaging | 12 |
| | Recycling / Disposal - Vehicles | 1 |
| | Recycling / Disposal - Electrical/Electronic Equipment | 14 |
| | Recycling / Disposal - Batteries | 8 |

APAC Review (Dec. 2010 – Jan. 2011)

Many Asian countries are working on the advancement of existing chemical regulations, e.g., Draft Korean REACH of Jan. 2011, Existing Chemical Nomination in Taiwan.

In January 2011, the Korean Ministry of the Environment (“MOE”) has released a draft of the “Act on the Registration and Evaluation of Chemicals” (화학물질 등록 및 평가 등에 관한 법률), a Korean version of REACH. The Draft Act currently is under inter-ministerial review and will soon be released for public consultation. The Draft Act is expected to enter into force two years after publication in the Official Journal. The Draft Act would wholly amend the current Korean Toxic Chemicals Control Act (“TCCA”). Specifically, it would introduce many of the same legal concepts as REACH into Korean law, (i.e. pre-registration, registration, evaluation, authorization and restriction). However, in practice, these legal concepts will apply very differently under the Draft Act than as compared to REACH, in particular with respect to the registration of substances.

APAC Issues

- South Korea:** Korean REACH Act proposed
- Taiwan:** More than 100,000 dossiers received for Existing Chemical Nomination
- Australia:** National Environment Protection Measure on Discarded Packaging Materials amended
- Taiwan:** Pesticide Regulation in Taiwan
- Taiwan:** List of 1,092 second phase hazardous and harmful substances proposed
- China:** List of Nanotechnology related Standards in China

EMEA Review (Dec. 2010 – Jan. 2011)

During the autumn of 2010, the Swedish Chemicals Agency (KemI) launched a project with assistance from the Swedish Customs. The Swedish Customs listed companies that between 2007 and 2009 had imported chemical products requiring the companies to report the activity to KemI's products register. The comparison resulted in KemI contacting companies that had not submitted a report on their activity to make it possible for them to comment on their neglect. In cases where companies should have reported their activity to the products register, they were required to submit the information. Breaching the regulations on reporting products to the products register could be considered as obstruction of environmental enforcement and may lead to a fine or imprisonment for a maximum of two years. During 2011, the aim is to expand the project to approach several other companies not having reported their activity.

Enforcement activities on EU REACH are being continued in Member States. Also Member States continue to amend existing law and regulation in order to transpose EU RoHS, WEEE, REACH and CLP Regulation in domestic regulation.

EMEA Issues

Sweden: Inspection of companies importing chemical products

France: Draft French decree on an annual declaration on nanomaterials released

Belgium - Brussels-Capital: UPDATE: REACH enforcement in the Brussels region

Belgium - Federal: Act adopted concerning various provisions, including environmental crimes and the illegal marketing of products

Belgium - Flemish: Environmental policy agreements concerning the take-back obligations for batteries, accumulators, tyres and flashlights adopted

Belgium - Flemish: UPDATE: REACH enforcement in the Flanders region

Belgium - Flemish: Decree concerning

sustainable management of material re-cycling and waste

Bulgaria: UPDATE: REACH enforcement in Bulgaria

Croatia: Ordinance on Rapid Exchange of Official Information about Products Representing a Risk to the Health and Safety of Consumers proposed

Croatia: Act on Amendments and Supplements to the Act on Access to Information adopted

Croatia: New Regulation on Management of Packaging and Packaging Waste proposed

Cyprus: UPDATE: REACH enforcement in Cyprus

Czech Republic: UPDATE: REACH enforcement in Czech Republic

Denmark: UPDATE: REACH enforcement in Denmark

Estonia: UPDATE: REACH enforcement in Estonia

Estonia: Amendments to the Statutes of the register of products of concern proposed

European Union: EU Standard for common charger for data-enabled mobile phones adopted

European Union: ECHA recommends the inclusion of eight additional SVHC in Annex XIV to REACH Regulation

European Union: Cadmium exemption for batteries intended for use in cordless power tools to remain in force for now

European Union: Final SCENIHR opinion for a definition of "nanomaterial" adopted

European Union: Eight further substances included in the candidate list of substances of very high concern (SVHC)

European Union: Consultation on two additional RoHS exemptions launched

European Union: Environment Council calls for recycling certificates and sustainable production and consumption

European Union: Report on the potential energy efficiency requirements of video players/recorders, projectors, and game consoles issued

Finland: Act on environmental crime amended

France: Ordinance on the implementation of the Waste Framework Directive adopted

France: Decree on the safety of toys amended to be adapted to CLP Regulation

France: UPDATE: REACH enforcement in France

Germany: UPDATE: REACH enforcement in Germany

Germany: Clearing House (EAR) launched for simplified EEE notifications

Greece: UPDATE: REACH enforcement in Greece

Hungary: WEEE and RoHS Decrees amended

Hungary: Decree on the register of EMAS participating organisations published

Hungary: UPDATE: REACH enforcement in Hungary

Ireland: UPDATE: REACH enforcement in Ireland

Latvia: UPDATE: REACH enforcement in Latvia

Latvia: Amendments to the Regulation on Procedures for Account of Chemical Substances and Mixtures proposed

Latvia: Proposal for National Occupational Health and Safety Development Plan for 2011-2013 issued

Lithuania: Law on Chemical Substance and Preparations amended

Lithuania: UPDATE: REACH enforcement in Lithuania

Luxembourg: UPDATE: REACH enforcement in Luxembourg

Malta: UPDATE: REACH enforcement in Malta

Netherlands: Amendment Rule on Subsidies for Environmental Technology adopted

Netherlands: UPDATE: REACH enforcement in the Netherlands

Norway: UPDATE: REACH enforcement in Norway

Poland: Ordinance on rates of product fees adopted

Poland: UPDATE: REACH enforcement in Poland

Portugal: Decree-Law on management of

electric and electronic waste amended

Portugal: Decree Law updating the system of legal units of measurement adopted

Portugal: UPDATE: REACH enforcement in Portugal

Romania: UPDATE: REACH enforcement in Romania

Slovakia: UPDATE: REACH enforcement in Slovakia

Slovakia: Draft Regulation implementing Act on Packaging

South Africa: Compulsory specifications amended for personal protective equipment

Sweden: UPDATE: REACH enforcement in Sweden

Switzerland: Amendment of the Ordinance on chemicals risk reduction adopted

Switzerland: Time frame for phasing out

electrical appliances in non-compliance with energy efficiency requirements extended

Turkey: Notification on Import of Batteries and Accumulators 2011/15 published

Turkey: Notification on import of some products which must bear CE mark 2011/9 published

United Kingdom: Government announces changes to the policy on EU legislation implementation

United Kingdom: UPDATE: REACH enforcement in United Kingdom

United Kingdom - Scotland: SEPA launches consultation into better environmental regulation

European Union: More than 3 million classification and labelling notifications made on hazardous chemicals

CALA-NA Review (Dec. 2010 – Jan. 2011)

CALA-NA Issues

United States: Registration in Consumer Product Safety Database in process

Argentina: Bill on mobile phone universal charger discussed in the House of Representatives

Brazil: Requirements for General Product Certifications approved

Brazil: Approved regulations for high pressure sodium bulbs

Brazil: Implementing regulations adopted for the National Solid Waste Policy

Brazil - Sao Paulo: Resolution adopted on listing products subject to take-back requirements

Canada: Significant New Activity adopted on cellulose sulphate, CAS No. 9032-43-3

Canada: Significant New Activity adopted on 2-propenoic acid, 2-methyl-, 3,3,4,4,5,5,6,6,7,7,8,8,8-tridecafluorooctyl ester

Canada: Consumer Products Containing Lead (Contact with Mouth) Regulations adopted

Canada: Phthalates Regulations adopted

Canada: Consumer Product Safety Act published

Canada-Ontario: Regulation proposed to amend Ontario Regulation 82/95 under the Green Energy Act

Mexico: NOM-023-ENER-2010 that regulates energy efficiency in air conditioners adopted

Mexico: Minimum energy efficiency values for

general use lamps (NOM-028-ENER-2010) adopted

Mexico: Regulation on green labels proposed

United States: List of goods using child labor or forced labor updated in 2010

United States: Consumer Product Safety Information Database released

United States: Enforcement of product testing and certification requirements to be tightened

United States: Supplier's Declaration of Conformity (SDoC) not accepted for product-approval process

United States: Test procedures to be amended for residential dishwashers, dehumidifiers and conventional cooking products

United States-California: Maximum Allowable Dose Level (MADL) for di-isodecyl phthalate (DIDP) adopted

United States-California: Chemical information call-in for nanomaterials, nano metal oxides and quantum dots requested

United States-California: Hazard traits and data to be included in Toxics Information Clearinghouse

United States-California: Safer Consumer Product Alternatives regulation proposed

United States-California: Thiabendazole and its hypophosphite salt to be disregarded in Proposition 65 List for reproductive toxicity

United States-New York: Final "Beyond

Waste" solid waste management plan released

United States-New York: Rechargeable Battery Law adopted

Uruguay: Guidance to certify fluorescent compact lamps amended

United States: Sixty-Seventh Report of the TSCA Interagency Testing Committee submitted

United States: Fall 2010 Regulatory Agenda released

United States: Partnership with the European Chemicals Agency (ECHA) announced

United States: Significant New Use Rule issued on 1-propene, 2,3,3,3-tetrafluoro-

United States: Access to CBI given to Access to Science Applications International Corporation

United States: Eight test marketing

exemptions (TME) approved

United States: Receipt and status information on new chemicals released

United States: SNUR on cobalt lithium manganese nickel oxide withdrawn

United States: Petition for the ban of lead fishing sinkers denied

United States: Web-based Chemical Data Access Tool launched

United States: Two proposed test rules on chemicals withdrawn

United States: SNUR for 2-Propen-1-one, 1-(4-morpholinyl)- proposed

United States: Alcatel-Lucent to pay more than \$137 million to settle SEC and DOJ charges

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- China New Chemical Law (2010) in English available
- Global EHS Intelligence Portal last updated on 1 Feb. 2010

Country Profile

Argentina

Audit Protocol

Subscription required

Country EHS Legislation

Argentina

Regulatory Calendar

Argentina

Source of Information

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- Overview by Product Life Cycle
- High Risk EHS Issues
- Monthly Global Overview
- Monthly APAC Overview
- Monthly EMEA Overview
- Monthly CALA-NA Overview

(Updated data from 2010-11-09 to 2011-02-09)

| Global EHS Risk Index 5 | Global EHS Risk Index 4 | Global EHS Risk Index 3 | Global EHS Risk Index 2 | Global EHS Risk Index 1 |
|----------------------------|----------------------------|------------------------------|----------------------------|----------------------------|
| Canada-Ontario 1 | Argentina - Buenos Aires 1 | Australia 2 | Argentina 2 | Canada 1 |
| Czech Republic 1 | Australia 1 | Belgium - Brussels-Capital 2 | Belgium - Federal 1 | Canada-Ontario 1 |
| European Union 1 | Canada 1 | Belgium - Federal 2 | Belgium - Flemish 2 | China 3 |
| France 1 | European Union 12 | Belgium - Flemish 1 | Brazil - Sao Paulo 1 | Colombia 1 |
| India 1 | France 1 | Belgium - Walloon 1 | Bulgaria 1 | Croatia 1 |
| Italy 1 | Germany 3 | Brazil 5 | Canada 3 | European Union 2 |
| Mexico 1 | Hungary 1 | Brazil - Sao Paulo 1 | Colombia 1 | France 1 |
| Slovenia 1 | Israel 1 | Canada 11 | Croatia 1 | Germany 1 |
| Switzerland 1 | Lithuania 1 | China 3 | Cyprus 1 | International 1 |
| United Kingdom 1 | Malta 1 | Costa Rica 1 | Czech Republic 2 | Latvia 1 |
| | Netherlands 3 | Croatia 4 | Estonia 3 | South Africa 1 |
| | New Zealand 1 | Denmark 1 | European Union 12 | Sweden 1 |
| | Poland 1 | Estonia 8 | France 2 | Switzerland 1 |
| | Portugal 1 | European Union 10 | Germany 2 | Syria 1 |
| | Singapore 1 | Finland 1 | Greece 1 | United States 10 |
| | Slovakia 1 | France 5 | Hungary 3 | |
| | South Korea 1 | Germany 1 | International - WTO 1 | |
| | Sweden 1 | Greece 2 | Iraq 1 | |
| | Taiwan 2 | Hungary 1 | Italy 1 | |
| | United States 2 | Indonesia 1 | Latvia 3 | |
| | United States-California 3 | Ireland 1 | Lithuania 1 | |
| | United States-New York 1 | Israel 1 | Luxembourg 1 | |
| | Uruguay 2 | Italy 1 | Malta 1 | |
| | | Lithuania 1 | Mexico 2 | |
| | | Malta 1 | Mongolia 1 | |
| | | Mexico 2 | Netherlands 1 | |
| | | Netherlands 2 | New Zealand 1 | |

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Global EHS Lex is the established electronic source of global regulations on environmental, health and safety issues impacting operation and products of corporations. With a regulations database of over 60 countries, updated every month, we provide accurate and up-to-date regulatory information required for global EHS compliance management. In an average year more than 30% of the regulatory information Global EHS Lex provides, change as a result of amendments, proposals or new issues. Our online subscription service, helps you keep abreast of these changes in an easily accessible and cost-effective way.

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List of EHS legislation
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Last Month: 2468

Country Profile
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