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REGULATORY RADAR

Helping your company's
regulatory compliance



IN THIS ISSUE

AUGUST 2018

REGULATORY ACTION REPORT
PMRA UPDATE
WHIMIS UPDATE
GHS UPDATE
CEPA REVIEW
CMP UPDATE
INTERNATIONAL NEWS

REGULATORY NEWS OF INTEREST
FEDERAL NEWS
PROVINCIAL NEWS
U.S. NEWS
INTERNATIONAL NEWS
CPCA CONNECTS

Note to Members

Member Action Required

Throughout Regulatory RADAR any instances where "***Member Action Required***" is written it highlights information requiring immediate attention and/or action from our members. Please review and respond as appropriate. Actions required will be highlighted in ***red italics***.

Thank you, CPCA

[BACK TO TOP](#)

REGULATORY ACTION REPORT



CPCA REPORT

CPCA Advocacy Activities

- CPCA Provides PMRA with Report of Member Responses to Questionnaire on Several Key Biocides
- Assessment Continues on Impact of Certain Countermeasure Tariffs on Steel/Aluminum and Aerosol Containers and Urges Members to Report Any Significant Impact
- CPCA Members Encouraged to Register for CEPA-ICG Update Conference, scheduled for October 1-3, Toronto
- Paint and Coatings Working Group (PCWG) Minutes Finalized and Distributed
- Members Should Plan for the Next Face-to-face PCWG Meeting on November 1 in Ottawa
- CPCA Follows Up on Health Canada Information Gathering on Color Agent Phenolphthalein
- CPCA Staff Attends Health Canada Pre-notification Teleconference on Benzophenone
- Staff and Members to Participate in CIC Industry Bilateral Meeting with Health Canada on September 14
- CPCA to Participate in Post-2020 Multi-stakeholder Consultation Meeting in November 2018
- Next CPCA Board Meetings Planned for October 2 and December 5, 2018 in Toronto
- CPCA Members Urged to Attend Increasingly Popular Annual Christmas Luncheon on December 5, 2018 in Toronto

Upcoming Events

CEPA Industry Coordinating Group (ICG) Conference

Change and Collaboration

October 1-3, 2018, Toronto, Ontario

Member Action Required: EARLY BIRD FEE Prices available until August 17



Pigment and Color Science Forum & TiO₂ World Summit

October 3-5, Boston

Coatings Summit 2019

Note: Sherwin-Williams, PPG, BASF are among the companies and research groups presenting. Early Bird Registration ends on July 13.

January 30-February 1, 2019, Paris, France

[BACK TO TOP](#)

PMRA UPDATE

CPCA Provides PMRA with Use Information on Several Key Biocides

CPCA is hopeful that its compilation of member data on the true risks associated with these biocides in paint and coatings mixtures will adequately inform PMRA risk assessors on the true risks associated with these mixtures and prevent any undue restrictions from being imposed before 2020.

Thanks to all supplier and manufacturer members who responded to the questionnaire regarding their current or past use of folpet, dazomet, chlorothalonil, sodium omadine, ziram, diodofon and CMIT/MIT.

PMRA Treated Articles Position Statement to be Published in Fall 2018

The PMRA reviewed CPCA members' previous comments on the structure/content of this information note provided in the spring and recently shared an updated draft for CPCA's final consideration. The agency intends to make its position available on its website this fall. PMRA also shared a guidance document on 'acceptable' label claims for antimicrobial treated articles and an Excel spread sheet that lists the current registered antimicrobial active ingredients and end use products. These documents will be linked to the information

note on the website.

Member Action Required: *If you would like to comment on useful/overwhelming/easily searchable aspects of the draft note, related list and guidance on acceptable claims document please contact CPCA prior to August 22.*



WHMIS UPDATE

Fast Approaching WHMIS 2015 Deadlines of September 1 for Distributors and December 1 for Employers

Member Action Required: *Be prepared for full compliance by these two dates.*

WHMIS 2015 Inspection Blitz

Member Action Required: *The Health Canada (HC) inspection blitz will intensify during the fall of 2018 as the two deadlines come into effect.*

CPCA Provides Cost Impact Information Expected from the Adoption of GHS Rev 7 in Canada

Earlier this summer HC distributed a questionnaire to CIC member associations. CPCA surveyed EHS committee members, anonymously compiled member responses and submitted the report to HC by the due date. Thanks to all those members who responded to the questionnaire.

Member Action Required: *You can still provide CPCA with any late company information and highlight any specific concerns.*

WHMIS Desk Answers 3 CPCA Key Compliance Questions Regarding Paint Products Tinted at Point of Sale

Q1: When a supplier adds tint to a resale paint product, is the supplier required to create a new SDS and subsequent WHMIS patch label? If so, how is the supplier expected to know all the relevant data required for creating an SDS when it is manufactured by another company?

WHMIS Desk's Response: There are several small dealers who tint industrial products. When they add colorant, they may add a new hazardous ingredient. If they do, they are expected to:

- Create a new SDS that shows that new hazardous ingredient
- Create a new label that includes any new hazard and/or precautionary statements associated with the new hazardous ingredient.

In the case of a supplier who adds tint to a resale paint product which they purchased from an upstream supplier, the second supplier would have received an SDS prepared according to the requirements of the HPR from their upstream supplier. Therefore, the second supplier should be able to create a new, HPR-compliant SDS for the tinted paint product.

Q2: Is there any latitude for suppliers to provide an up-to-date, accurate product label and SDS with the information at a future date or time (i.e., after the sale)?

Response: The label and SDS must be accurate and compliant with the requirements of the HPR at the time of every sale or importation, which means that the classification, as well as

the hazard information provided on the label and SDS, must accurately reflect the hazards of the hazardous product that is sold or imported. There is no exception or other provision in the HPR that allows a supplier to provide the HPR-compliant label and SDS to the customer after the sale has occurred. These same requirements were also in place under WHMIS 1988.

Q3: Can suppliers simply provide an SDS for the added colorants with no label change? Would that be acceptable?

Response: It is the responsibility of the supplier to determine how best to comply with the labelling requirements of the HPR. However, we can confirm that in a situation where colorants are added to a paint product at the point of sale, it would not be acceptable for the supplier to simply provide an SDS for the added colorants. The SDS that is provided to the customer must be an accurate, HPR-compliant SDS which reflects the hazardous product that is being sold to the customer (i.e., in this situation, the paint product with the colorant added). If the addition of the colorant does not change the classification of the hazardous product, then it would not be necessary to make any change to the pictogram(s), signal word, hazard statement(s) or precautionary statements provided on the label. Section 14.2 of the HPA prohibits suppliers from selling or importing a hazardous product if the label or SDS contains information that is false, misleading or likely to create an erroneous impression with respect to the information that is required to be included on the label or SDS for that hazardous product.

Member Action Required: *Members should inform their dealers who tint industrial products at the point of sales to be compliant with these requirements.*

Industry CIC Face-to-face Bilateral Meeting on September 14

Industry associations, including CPCA, have confirmed an industry-government bilateral CIC meeting to be held on September 14, 2018. Below are a few agenda items planned for discussions:

1. Status of Consumer Products Working Group
2. Policy direction for consumer products used in workplaces
3. True copy and retention of WHMIS labels
4. Re-purposing/future of the CIC
5. Enforcement
6. Audit of web-based SDSs cited in the recent CIC face-to-face
7. Inconsistency in Canada's requirements for cancer classification versus OSHA guidance (OSHA considers the determinations of IARC and NTP as sufficient evidence but classifiers can still perform their own hazard evaluation, determination and justification if it differs from IARC and/or NTP while Canada does not allow for it).

Member Action Required: *Please inform CPCA if you have any specific issue that you would like to be discussed. CPCA will summarize the outcome of this meeting in a future bulletin.*

Consumer Product Safety Program to Introduce a New Approach to Communicate Its Compliance and Enforcement Activities with Stakeholders

This new approach is made under the General Prohibition provisions of the Canada Consumer Product Safety Act (CCPSA) to outline its benefits along with industry's responsibilities.

Member Action Required: Webinar sessions are organized, one in English on Friday, August 17 at 1:00 pm (EDT) and one in French on Monday, August 20 at 1:00 pm (EDT).



GHS UPDATE

IPPIC Report on 35th Session of the UN Subcommittee of Experts on the GHS, July 4-6

IPPIC attended this recent UN Subcommittee of Experts on the GHS (UN-SCEGHS-35 CRP).

Two key adoptions took place:

1. Under 4a, labelling of small packages: The example for sets and kits was adopted. China proposed inclusion of digital options, e.g. QR Codes, as a work item for the 2019-2020 biennium, which is related to an ongoing national pilot program relevant to small packages but also more generally. There is an opportunity for IPPIC to be involved moving forward.
2. Under 4b doc 4: Two precautionary pictograms for 'Keep out of reach of children' were adopted for inclusion in Annex 3 Section 5 (other pictograms may be proposed later). The Annexes 1-3 Working Group will continue to work on text to indicate that competent authorities can choose to allow these in place of the relevant precautionary statements.

IPPIC is planning to submit a paper on the aspiration hazard viscosity paper and the flammable liquids criteria paper.

CEFIC, the European Paint and Coatings Association, will make a proposal on SDS concentration ranges to the subcommittee in December. However, Sub-section A4.3.3.2.3 of Annex 4 states: **"When using a proportion range, the health and environmental hazard effects should describe the effects of the highest concentration of each ingredient, provided that the effects of the mixture as a whole are not available. The concentration ranges to be used in section 3 are typically pre-defined in the company's IT system and reflect the classification boundaries for the relevant hazard classes. The true exact concentration of each substance will lie somewhere within the quoted range, not necessarily at the maximum of the range."**

For copies of the draft IPPIC paper and CEFIC proposal, **please contact CPCA.**

GHS Rev 7 in the USA

The UN delegation from OSHA informed attendees that it intends to release a proposal to update the Hazard Communication Standard (GHS 3) to the 7th version of the GHS. ACA is currently reviewing GHS 7 and will be comparing this version the HCS2012 and releasing a document outlining the major changes in the coming weeks.



CEPA REVIEW

Reminder: CPCA Seeking Members' Input on Government's Final Response to the Recommendations of the Parliamentary Committee on Environment and Sustainable Development

The government tabled its **final response** on June 29. The government agrees with the intent of many of the Committee's recommendations for legislative reforms and has already addressed some of these recommendations through improved policy and programs. It also

describes the many areas where the government is committed to taking further action in the near-term. While the legislative agenda will not accommodate a bill during the current parliamentary session, the government remains committed to introducing a bill to reform CEPA as soon as possible in future sessions. In the meantime, officials will continue their discussions with stakeholders on ways to improve the Act, such as the CEPA ICG Conference and Post-2020 consultations will help shape the CEPA reform further. CPCA published a summary bulletin of the June response.

Member Action Required: CPCA would like to hear from its members any specific concerns that they may have with the current response, especially regarding all near-term actions.



CMP UPDATE

10th Issue of Chemicals Management Plan Progress Report Published

Since the launch of the CMP in 2006, the **Government of Canada** has:

- addressed 3534 of the 4,300 chemicals identified as priorities for attention by 2020-2021, including draft and final assessments;
- found 457 existing chemicals to be harmful to the environment and/or human health;
- implemented 90 risk management actions for existing chemicals (additional tools are in development); and
- received approximately 5,909 notifications for new substances prior to their introduction into the Canadian market. These notifications have been assessed and over 291 risk management actions have been taken, when necessary, to manage potential risks to Canadians and their environment.

Reminder: SNAc Table Available on the Open Canada Website

This **dataset** includes all significant new activity (SNAc) orders and notices published under the authority of the Canadian Environmental Protection Act, 1999 (CEPA). Information is organized by substance and includes links to relevant Canada Gazette publications. Confidential accession numbers and masked names have been presented for confidential substances.

CMP-3 Update

DSAR Published for **Benzophenone: Proposal for Addition to Schedule 1**

On August 3 the **draft screening assessment** report for methanone, diphenyl- CAS RN 119-61-9 was published, which indicates it meets toxicity criteria 64(c). Although there are some uncertainties in the health effects database, there is high confidence that carcinogenicity and renal and liver effects are critical endpoints for benzophenone. Its concentration in interior paint is estimated at 0.1-0.3% and calculated MOEs associated with paint use scenarios are considered potentially inadequate to address health effects. The proposed **risk management scope document** includes quantitative or qualitative targets to reduce dermal exposure in the sources of greatest concern which are cosmetics, consumer paint and coatings products. The proposed risk management scope focuses on adding benzophenone to the Cosmetic Ingredients Hotlist, applying a SNAc notice for certain cosmetics and impose a maximum allowed concentration of 0.1% in paints and coatings.

Member Action Required: *Should CPCA members have any concerns on the DSAR and RM scope, please share your comments with CPCA prior to October 2.*

FSAR Published for Phenacetin

On July 28, the government published the **final screening assessment** report (FSAR) for "phenacetin" (CAS No. 62-44-2) and a **Notice of Intent** to apply SNAC provisions. The 60-day public comment period ends on September 26.

The SNAC will restrict:

- (a) its use in the manufacture of any consumer and cosmetic products (other than hair colour) containing the substance at a concentration greater than 0.1% by weight
- (b) any other activity involving the use of the substance in the above products at a concentration greater than 0.1% w/w, if the total quantity of the substance involved in the activity, exceeds 10 kg per calendar year.

CPCA Follows up on Health Canada Information Gathering on Phenolphthalein

HC is seeking to fill some information gaps regarding phenolphthalein, a colour change agent used in CASE products. CPCA asked members to confirm this colour change agent use and/or share safety data sheets for products that list the colour-change agent. HC wants to know the concentration or a range of concentration, if this information is proprietary.

Member Action Required: *CPCA is still collecting individual member responses until August 31, 2018.*

VOCs: 1-litre Exemption for 10 Categories of Architectural Paint Products

ECCC Contracted PRA Research to Conduct a Study on the 1-litre Exemption in the Architectural VOC Regulations per the Recent Issue in the GTA

CPCA has been asked to review this contractor's national survey design and methodology prior to its launch.

Member Action Required: *All companies selling AIM products in Canada will be contacted within the next several weeks by PRA with respect to a survey of the current extent of use of 1-litre containers under the Architectural VOC Regulations exemptions for 10 categories of products.*

CPCA Relays to Its Members Important ECCC's Information on Bundled Small Containers Related to the Architectural VOC Regulations

ECCC recently distributed an information piece to Canadian paint manufacturers, importers and sellers of paint and coatings products. CPCA immediately relayed this information to EHS committee members, requesting them to forward it to their retailers and large contractors. This information notes that the practice of combining multiple smaller containers of one litre or less into a larger bundle for sale does not align with the intended purpose of the Regulations.

Member Action Required: *If you have not directly received this information, please contact CPCA.*



INTERNATIONAL NEWS

NTP Releases Carcinogenicity Report on 4-Chlorobenzotrifluoride (OX SOL 100)

The NTP Technical Report on the Toxicology and Carcinogenesis Studies of p-Chloro- α,α,α -Trifluorotoluene (CASRN 98-56-6) was **published** in the Natl Toxicol Program Res Rep Ser. 2018 June (TR-594): 1-199. Under the conditions of these 2-year inhalation studies, there was **some evidence of carcinogenic activity** in male Hsd:Sprague Dawley SD rats based on increased incidences of C-cell adenoma in the thyroid gland. There was **clear evidence of carcinogenic activity** in male B6C3F1/N mice based on increased incidences of hepatocellular carcinoma and hepatoblastoma in the liver.

IPPIC Industry Stewardship Committee (ISC) Discusses Support to GEF Project and Possible Modification to Specific Language in the UN Model Law

The UN Lead Paint Alliance is an initiative that has broad global support, high visibility, and is a good opportunity for the paint industry to step forward and advance progress. The ISC recently reviewed its "in-kind" contributions to support the UN Global Environment Facility (GEF) project, which seeks to establish lead paint restrictions legislation or regulations in 40 countries by 2020. The GEF project will focus its efforts in Latin America, Africa, and Asia. IPPIC members agreed to update the Industry Module (PowerPoint Presentation), to help host industry workshops through the regional "champions" idea and to reach out to the three above regions prior to the September 14th EPA, IPPIC, UNEP meeting. IPPIC member agreed to undertake industry awareness events in anticipation of the UN International Week of Action on Childhood Lead Poisoning Prevention (October 21-27).

ISC discussions focused on the adoption of a recently revised policy statement of the UN Model Law. IPPIC member participants were asked to consider the viability of proposing changes that would advance industry support and minimize concerns regarding residual contamination. A DRAFT language will be refined in the coming weeks. Current concerns are how the UN Model Law addresses intentional use (of lead compounds) and residual contamination (or unintentional uses, the so-called 90 ppm limit). IPPIC supported the UN Model Law, despite widespread problems with the limit, in large part because of language that allows for exemptions. Recent concerns arose from some countries (e.g. export/import issues in Israel, paint specifications in the Caribbean, etc). A draft "White Paper" on the residual lead issue will be developed before the first week of September as well as a listing of raw materials likely to have residual non-intentionally added lead content.

New US Regulatory Restrictions Being Developed for Methylene Chloride in Paint Strippers

In Canada, restrictions applicable to Dichloromethane (DCM), also known as methylene chloride [CAS RN. 75-09-2] were evaluated in 1993. DCM was later added to the Toxic Substances List and a **code of practice** developed in 2003 to specifically reduce emissions during paint stripping activities as well as a pollution prevention plan targeting paint stripping, chemical intermediates manufacturing, tablet coating, industrial cleaning and adhesives. DCM was added to Track 2 Life Cycle Management of the Toxic Substances Management Policy which favours P2 plans as a preferred approach. In 2010-2012, the EU gradually banned methylene under REACH. In February 2018, **California began steps** to potentially ban the use of methylene chloride in paint strippers. Last May, the **US EPA announces** its intent to finalize the rule to ban methylene chloride in paint strippers.

[BACK TO TOP](#)

REGULATORY NEWS OF INTEREST



FEDERAL NEWS

International Trade

Tentative NAFTA Agreement This Month

[Canada's ambassador to the United States](#) says predictions that NAFTA talks can be settled by the end of month are "aspirational" – even if American and Mexican officials are close to resolving their differences on complex auto sector issues. Canadian negotiators are prepared to put in the long hours to help make it happen before the end of August.

CFTA Regulatory Reconciliation and Cooperation Table Announces Work Plan

The Canadian Free Trade Agreement (CFTA) established the Regulatory Reconciliation and Cooperation Table (RCT), which is a cooperative intergovernmental body with the objective of resolving barriers to trade, investment or labour mobility resulting from differing regulations across the country. On July 20, 2018, the RCT announced a [work plan](#) containing 23 initiatives. For more information, please see a [communiqué](#) and visit the CFTA regulatory reconciliation and cooperation [webpage](#).

Transportation-related Issues

Treasury Board of Canada Secretariat Seeking Public Views on the Regulatory Review Process

The Treasury Board of Canada Secretariat is coordinating the three-year targeted regulatory review process with federal departments and agencies, beginning with the examination of regulatory requirements and practices in the three key sectors:

1. agri-food and aquaculture;
2. health/bio-sciences; and
3. transportation and infrastructure, including emerging technologies such as autonomous vehicles.

The [consultation](#) is guided by three questions:

1. Are there existing regulatory requirements or practices that impede economic development, competitiveness, or growth for your firm or sector? What are their impacts? How should the Government address these irritants?
2. Are there existing or emerging technologies, processes, or products in your firm or sector facing barriers because of federal regulations? What changes or tools should

the Government consider to facilitate the development, integration, or approval of these technologies, processes, or products for Canadians?

3. Do you see opportunities for regulatory experimentation in your sector, and if so, what would this look like?

Member Action Required: *CPCA encourages members to share their views of the regulatory process for transportation and infrastructure before Sept. 15.*

Transport Canada Publishes Its 2018 TDG Newsletter

See information on TDG Enforcement Tools, Responses to Non-Compliance, Centre of Enforcement Expertise, Standardized Enforcement, Investigation of Alleged Offences, Prosecution, 30-Day Follow-Up Reporting Process and Implementation of TDG Inspection Cycles and Planning Process. The TDG Directorate now publishes a list of Corporate and Non-Corporate Offenders on its website, "**TDG Enforcement Action Summaries**". The 2017 TDG Road Blitz took place in September 26-29 which inspected 1,568 vehicles, 1,370 contained DGs and noted 273 violations. See also information on Highway Tanks with Crossover Piping & Stationary Tanks Permanently Mounted on Trailers, the Emergency Response Guidebook (ERG) 2020 and The Proper Use of CANUTEC's 24-Hour Phone Number on Dangerous Goods Shipping Documents.

Reminder: The TDG Directorate published the updated **Transport Canada Standard TP 14877** (January 2018). Consultation for Containers for TDG transportation by Rail is now over. The proposed amendment is expected in the Canada Gazette Part I this fall and will be finalized in CII in fall 2019.

CEPA

Three Final Orders Amending the DSL

1. Order 2018-112-05-01 adds three substances (living organisms) to Part 7 of the DSL, all of which are identified by their masked name and their CAN.
2. Order 2018-66-05-01 updates the identifier of one substance listed on Part 1 of the DSL.
3. Order 2018-87-05-01 adds 19 substances (chemicals and polymers) to the DSL. Six substances identified by their CAS RN are added to Part 1 of the DSL and 13 substances identified by their masked name and their CAN are added to Part 3 of the DSL.

Health, Safety and the Circular Economy

Standards Council of Canada Invite Comment on New International Standardization Activities

Members of the public are encouraged to comment on the following **proposal** for new international standardization activities regarding Circular Economy by August 28.

CCOHS Publications, Tips & Tools

WHMIS 2015: We're Almost There!

The WHMIS 2015 transition deadline is getting closer but it's not too late to make sure that employers and workers are up to speed with **courses and information to help understand the system**.

On Alert for Anaphylaxis

The **alert provides guidance** on responding to allergic reactions in the workplace ranging from mild skin irritations to severe, life-threatening reactions.

Have Your Say On the Prevention of Harassment and Violence in the Workplace

All Canadians are welcome to participate in this **consultation** which includes a consultation paper and survey.

[BACK TO TOP](#)

PROVINCIAL NEWS



ONTARIO

Recent Ontario TDG Inspections Highly Focused on Parts 5, 7 and 8

Inspectors have recently interviewed warehouse staff to determine their competence with respect to means of containment, **Emergency Response Assistance Plans** (ERAP), and reporting requirements in the event of a spill or release.

Members Required Action: *All employees must be competent with respect to the parts of the TDG regulation indicated on a training card or certificate that are signed by both the employer and employee.*

Bill 148 Update: Ontario Government Reverts Back to Old Public Holiday Pay Formula – For Now!

Ontario Regulation 375/18, filed on May 7, reverts, on an interim basis, to the pre-Bill 148 public holiday formula for all employees that was set to be effective July 1 and delays implementation until December 31, 2019.

Reminder: Workplace Inspection Blitzes in 2018-2019

- Warehouses and “big box” retail blitzes: October 1 to November 23.
- Machine guarding blitz: February 1 to March 29, 2019.
- Chemical handling & manufacturing: April 1 to March 31, 2019

Member Action Required: *High-risk sectors such as chemical manufacturing plants and retail stores are targeted.*



QUÉBEC

Provisions for Processing Requests for Accommodations on Religious Grounds

This **Act** applies to the “public bodies” but remains of interest to any Quebecois employer called upon to process a request for accommodation.

**PRAIRIES**

Manitoba Hosts Safety Committee Leadership Conference

On **September 26** in Winnipeg.

Private Motor Truck Council of Canada 2018 Western Regional Seminar

The seminar will be held on **Wednesday September 12th** in Calgary.

**BRITISH-COLUMBIA**

Proposed Amendments to the *Occupational Health and Safety Regulation*

The Policy, Regulation and Research Division is **requesting feedback** on proposed amendments to Part 16, Mobile Equipment, together with consequential amendments to nine other Parts of the *OHSR*. Public hearings are expected in spring of 2019.

Proposed Policy Amendments and Practice Materials Regarding the Certificate of Recognition (COR) Program

The Policy, Regulation and Research Division is **releasing a discussion paper** on proposed policy amendments to the Certificate of Recognition (COR) Program. In addition, the Industry and Labour Services Department is releasing practice materials on proposed program developments. The COR Program is a voluntary employer certification program designed to encourage employers in B.C. to take a proactive role in OHS. Employers who meet program requirements achieve a COR and may be eligible to receive a financial incentive. Since 2016, approved interim policies for the COR Program were approved while new policies were being developed. The consultation ends on September 15.

MSI (Musculoskeletal Injuries) Worksheets and Calculator

These recently updated resources help identify factors and risks associated with MSIs.

- **Worksheet "A" MSI Risk Factor Identification**
- **Worksheet "B" MSI Risk Factor Identification**
- **Push/Pull/Carry Calculator**

MSA Nuevo Wrap Safety Glasses

Glasses **distributed between October 2017 and April 2018** don't comply with side impact requirements. The glasses may fail to adequately protect wearers against side impact.

[BACK TO TOP](#)**U.S. NEWS**



Chemicals

Nanomaterials Reporting Rule Compliance Date Expired on August 14

The **rule requires** any person that manufactured, imported or processed a covered nanomaterial substance during the three years prior to the rule's effective date to report certain information to US EPA within one year of the effective date of August 14, 2017.

ACA: Prop 65 Regulatory Changes in Effect on August 30

The Prop 65 "clear and reasonable warning" language will **become effective on August 30, followed by a two-year transition period**. For any products manufactured after August 30, 2018, the new warning should be included in order to be compliant.

TSCA Problem Formulation

In July-August, **EPA received comment and data relevant to its problem formulations** for the first 10 chemical evaluations under TSCA. EPA can now refine the conditions of use, exposures and hazards presented in scoping documents and initiate the analytical phase of a risk assessment.

ACA: EPA Review of Dust-Lead Hazard and the Definition of Lead based Paints

EPA is currently **evaluating** the current dust-lead hazard standards (DLHS) and the definition of lead-based paint (LBP). The Agency is proposing to lower the DLHS from 40 mg/ft² and 250 mg/ft² to 10 mg/ft² and 100 mg/ft² on floors and window sills, respectively with no change to the definition of LBP.

EPA Receives Recommendations for Improving Chemical Data Reporting Rule

The **audit of the TSCA's Chemical Data Reporting rule** is now completed and recommendations will be made to help EPA improve transparency and other aspects of the rule. The EPA agreed to issue a standard operating procedure for confirming data quality by October 25.

House Bills to Cut US EPA Budget By \$100m & Change IRIS Assessments

If approved, the bill will cut EPA's funding in 2019. Another bill that **would change the Integrated Risk Information System program's oversight of chemical assessments** has cleared a House committee.

Biocides USA Conference

November 6-7, San Francisco.



Environment

ACA: CARICOM Members Draft Water-Borne Paint Specification

CARICOM members include Antigua and Barbuda, The Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, Montserrat, St. Kitts and Nevis, St. Lucia, St Vincent and the Grenadines, Suriname, and Trinidad and Tobago. The draft specification for the CARICOM Regional Organization for Standards and Quality (CROSQ) on water-borne

paints is to harmonize and circulate regional standards, and if adopted, it would be a standard for all CARICOM member states. VOC test method is ISO11890-1 and the specification switches between ASTM methods and ISO methods for other metrics. VOC limits for flats are 50 g/l, non-flats are 150 g/l, and primers are 200 g/l and apply to coatings tinted at the point of sales. ACA drafted comments on the draft.

ACA: EPA Released Signed Versions of Proposed Rules for Surface Coatings

See [summary of the three rules](#) related to Large Appliances, Metal Furniture, and Printing, Coating, and Dyeing of Fabric and Other Textiles. The HAP limits were not lowered. EPA is proposing changes to what is considered a carcinogen and the OSHA 0.1% threshold Amendments to the Metal Can; Metal Coil; Auto & Light Duty Truck; Miscellaneous Metal and Plastic Parts Surface Coating Rules will follow in the next few months.

Sustainability

Chemical Industry Develops Blueprint for Meeting UN Development Goals

The American Chemistry Council and chemical companies [developed a blueprint](#) for how the global chemical sector can help the UN achieve its Sustainable Development Goals (SDGs). 10 of the 17 UN goals relate to chemistry.

Trade

Let America Lead Coalition

The [Let America Lead Coalition](#) urges President Donald Trump to support the Kigali Amendment to the Montreal Protocol, which would focus on reducing emissions from hydrofluorocarbons.

Senate Approved Bill to Remove Tariffs from Some Imports

The [bill would remove tariffs](#) on some raw materials not usually available domestically.

Notice of Revisions to Listing of Designated and Restricted Routes for Hazardous Materials

This [revision was made on the March 31](#) issue of the National Hazardous Materials Route Registry.

[BACK TO TOP](#)

INTERNATIONAL NEWS

ECHA Update

EU Member States Voted Unanimously for a Proposal to Restrict Four Phthalates in Articles

The **proposal would restrict** four phthalates (DEHP, DBP, DIBP and BBP) to concentrations equal to or above 0.1% w/w individually, or in any combination, in any plasticised material in articles used by consumers or those used indoors.

Ministers from Eight Countries Formed Alliance to Push for a Global Agreement on Managing Chemicals and Waste

The **eight members want an agreement** on chemicals and waste similar to the Paris Agreement on climate change.

UK Working on Draft to Transfer "Responsibilities and Operability" of Echa to a UK agency in the Event of a No-deal Brexit Scenario

The **draft** should be laid out by this autumn.

Member States and NGOs Called on the European Commission to Develop a Harmonized Approach to Identify Endocrine Disruptors Across all EU Regulations

This **consultation on a roadmap** towards a more comprehensive EU framework on EDCs closed in July.

Important Reminders From Last Regulatory Radar Issue:

- **New Database on Candidate List Substances in Articles by 2021**
- **EC Position Paper Pushes Chemical Transparency in Mixtures**
- **EU Ministers Ask EC and Echa to Implement Measures to Trace Substances of Concern in Materials until End-of-life Operations by 2030**

Israel Developing a Lead Paint Standard that Would Restrict Lead in All Paints to 90 ppm

Importers of paints have been saying they do not want a standard that prevents them from importing from the EU and wanted it to be consistent with the EU-REACH law. IPPIC members including CPCA are now brainstorming as to how address this concern.

OECD Makes GHS Mandatory for Member States

The **OECD made mandatory the implementation of the UN's Globally Harmonized System** of classification and labelling of chemicals (GHS).

More Multinationals Join Large-Scale Push for Zero Emission Vehicles

The **Climate Group launched a new initiative** called Zero Emission Vehicle (ZEV) Challenge.

International Publications/Events

- **The Risk Management Guidebook: Strategies, Tools for Success and Other Insights**
- Helsinki Chemicals Forum Report 2019
 - **May 23-24, 2019**, Helsinki, Finland
- 2018 Forum Report
 - **Read the 2018 Forum report** outlining stakeholder views on hot topics in chemicals safety and REACH ambitions.

- Biocides Asia & Regulatory Summit Asia & Food Contact Regulations 2018
 - **November 19-20**, Singapore
 - **November 21-22**, Singapore
 - November 23, Singapore
- **Webinar: Ecotoxicology and CLP/GHS - Substances & Mixture Classification** October 4.

[BACK TO TOP](#)


CPCA CONNECTS

CPCA: Protecting Your Interests Since 1913

CPCA regularly publishes several important publications to ensure members are fully informed of ongoing issues and actions impacting the paint and coatings industry in Canada. These include:

Regulatory RADAR

CPCA Regulatory RADAR reports on news of interest to paint and coatings manufacturers, suppliers and distributors. A members-only publication detailing comprehensive legislative and regulatory actions at all levels of government.

Prime Time News

A publicly available monthly newsletter sent to members, stakeholders and governments to provide a window into the industry for those with an interest or role in the sector.

Business Management & Marketing News

A members-only publication addressing relevant issues for those involved in management, sales and marketing in member companies.

CPCA INSIGHT

Guide & Directory published annually to report on CPCA's work on behalf of members, key trends in the industry, raising awareness of the issues important for the sector and a guide of CPCA members supporting the important work done to sustain a long-standing and viable Canadian industry

Regular Bulletins, Updates, Memoranda and Press Releases

CPCA members are fully informed and can have direct input on actions taken by CPCA's board, technical committees and staff to ensure the industry is represented at the table when decisions are made affecting their business.

All past issues of CPCA Publications can be found online in the Members Only section of www.canpaint.com.

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Our mailing address is:

900-170 Laurier Avenue West

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