

Chemical Notification -Food contact 2009

Arlington, VA



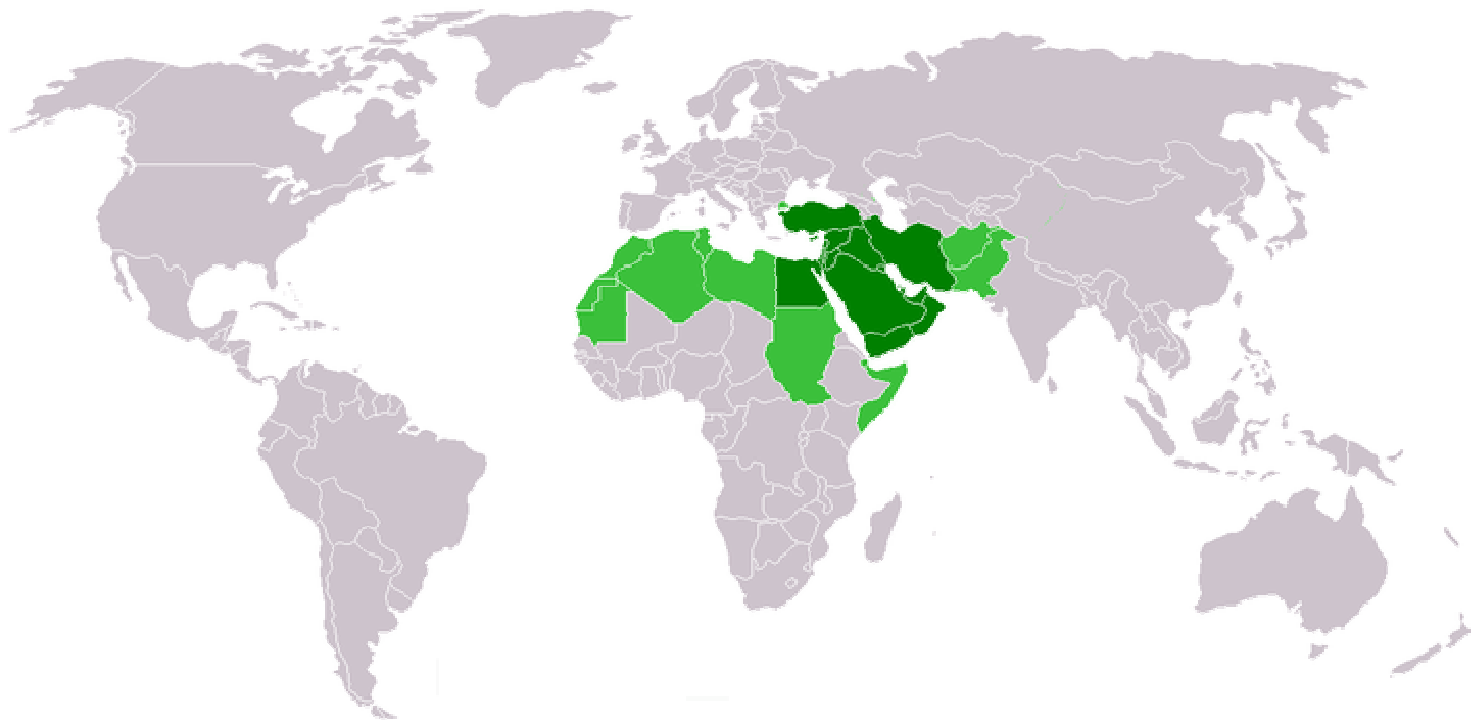
Chemical Control Regulations In the Middle East

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3E Company
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ArielTM

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Middle East Regulations



Middle East Regulations



- Outline:
 - Turkey
 - Israel
 - Saudi Arabia
 - Oman
 - Pakistan
- Gulf Cooperation Council (GCC)
- General considerations

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Agencies and Legislation

Where do chemical control regulations reside?

- Ministry of Environmental Protection
- Ministry of Labor
- Ministry of Health
- Presidency of Environment and Meteorology
- Ministry of Commerce and Industry
- Ministry of Regional Municipalities, Environment, and Water Resources
- Environment Protection Agency
- Ministry of Industries, Production and Special Initiatives
- Standardization agencies

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Turkey: Legal Framework



Regulating Agency

- Ministry of Environment and Forestry

Relevant national legislation/topics covered

- Turkey and the EU
- Dangerous Chemicals Regulation / Import restriction / SDS regulation
- New Dangerous Chemicals Regulatory Framework!

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Turkey and the EU

TeACH - Technical Assistance for Turkey to Strengthen the Institutional and Administrative Capacity in the Field of Chemicals



The purpose of TeACH was to harmonize the following Directives:

- Classification, packaging and labeling of dangerous substances (67/548/EEC)
- Classification, packaging and labeling of dangerous preparations (1999/45/EEC)
- Safety Data Sheet (91/155/EEC)
- Risk assessment of substances notified in accordance with 67/548/EEC (93/67/EEC)

- To help establish an efficient chemicals management system

- The TeACH project commenced December 2005 and was finalized in May 2007

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Dangerous Chemicals Regulation (2001 amendment)

Framework legislation on chemicals in Turkey

- Partially transposes EU Directive 67/548/EEC, 99/45/EC, and 76/769/EEC

Transposes:

- Definitions (except notification and notifier and EINECS)
- Safety Data Sheet
- Symbols and indication of danger
- Nature of special risk attached to dangerous substance
- Safety advice

Partially transposes:

- Objectives and scope
- Packaging and labeling
- Implementation and exemptions of labeling requirements
- List of dangerous substances



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Dangerous Chemicals Regulation (2001 amendment) cont.



- Adopts the EU definition of 'dangerous'
- Contains list of classified substances
- Contains Risk and Safety Phrases
- No new chemical notifications exist under this regulation!

Import Restrictions and Licensing Requirements under DCR

- Partially transposing EU Marketing and Use Directive 76/769/EEC
 - Restrictions on PCB, PCT and PBB/Asbestos
- Manufacturer or Importer responsible for providing information and making declarations

Communiqué on the Safety Data Sheet (2002)

- Promulgated to achieve full transposition of Directive 91/155/EEC
- The 16 section MSDS format must be completed in Turkish

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Turkey:

New Regulatory Developments

- Implementing Regulation on the Classification, Packaging and Labeling of Dangerous Substances and Preparations
- Implementing Regulation on the Procedures and Principles of the Inventory, Notification and Risks of Chemical
- Implementing Regulation on Restrictions Concerning the Use and Supply of Some Dangerous Substances, Preparations and Articles in the Market
- Implementing Regulation on Distribution and Preparation of the Forms for Dangerous Substances (of very high concern) and Preparations

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Israel Legal Framework: Chemical Control Regulations



Regulating Agencies

- Ministry of Environmental Protection
- Ministry of Industry, Trade and Labor
- The Standards Institute of Israel

Relevant national legislation

- Hazardous Substances Law No. 5753 - 1993, as amended
- Safety at Work Regulations (Safety Data Sheet)
- Israeli Standard IS 2302-1 - 2004 on the classification, packaging, labeling, and marking of dangerous materials

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Hazardous Substances Law No. 5753 1993, as amended (through 2004)



- Main legal tool for “cradle-to-grave” management of hazardous substances
- Defines Hazardous Substances and Poisons as those listed in the Schedules; sets out detailed permitting requirements
 - Schedule 1: Harmful chemicals and mixtures
 - Schedule 2: Poisons and mixtures
 - Schedule 3: Poison permit application
- *Article 6:* Containers and packages containing poisons must be clearly marked with the name of the material and the word “poison” in Hebrew, Arabic and English
- No new chemical notification provisions

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Safety at Work Regulations (Material Safety Data Sheets) (amended in 2000)

- 16 section format - based on EU MSDS Directive
- Safety Data Sheets must be written in Hebrew or English
- Updates mandated upon change



Israeli Standard 2302: The Classification, Packaging, Labeling & Marking of Dangerous Substances, 2004

- Definition and classification of Dangerous Substances follows EU classification system (Directive 67/548/EEC)
- Labeling on imported goods must be written in Hebrew,
 - **Although English is allowed in some cases**
- Provides Risk and Safety Phrases (in Hebrew)

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נספח ג -
סמלי קבוצות הסיכון על פי הדירקטיבה של האיחוד האירופי 67/548/EEC
(נורמטיבי)

| | | |
|--|--|--|
| | | |
| חומרים רעילים (T) חומרים רעילים מאוד (T+) | חומרים דליקים מאוד (F) חומרים דליקים ביותר (F+) | חומרים מגירים (Xi) חומרים מזיקים (Xn) |
| | | |
| חומרים מחמצנים (O) | חומרים טאכלים (קורוזיביים) (C) | חומרים מסוכנים לסביבה (N) |
| | | |
| חומרים מתפוצצים (E) | | |

Israeli Standard 2302:
The Classification, Packaging, Labeling & Marking of Dangerous Substances, 2004

Israel & REACH



Israel is NOT adopting REACH

Israel may consider adopting it in the future, but this would be difficult due to its complexity.

Resources perhaps are not readily available or allocable

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Gulf Cooperation Council (GCC)



Member states: Bahrain, Kuwait, **Oman**, Qatar, **Saudi Arabia**,
United Arab Emirates

Purpose: Promoting coordination and integration through unified regulations in the fields of economy, trade, customs, environment, etc.

Areas of cooperation: Eleven (11) areas of cooperation, including the environment and hazardous chemicals management

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GCC: Chemical Control Regulation

Common System for the Management of Hazardous Chemicals, 2002

- Main regulation addressing hazardous chemicals
- The Common System provides a framework for dealing with hazardous chemicals. These are minimum requirements only.
- Regulation addresses the following issues (general framework):
 - Licensing requirements (Articles 3 and 5)
 - Import provisions and MSDS requirements (Article 6)
 - Packaging and labeling requirements (Article 7)



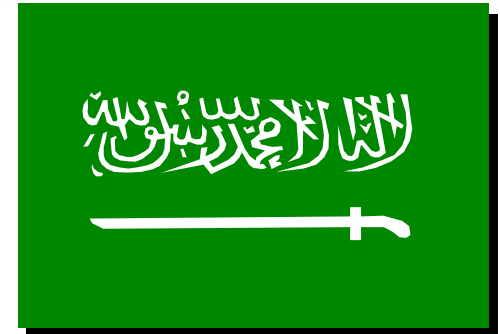
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Saudi Arabia: Legal Framework

Regulating Agency

- Presidency of Meteorology and Environment



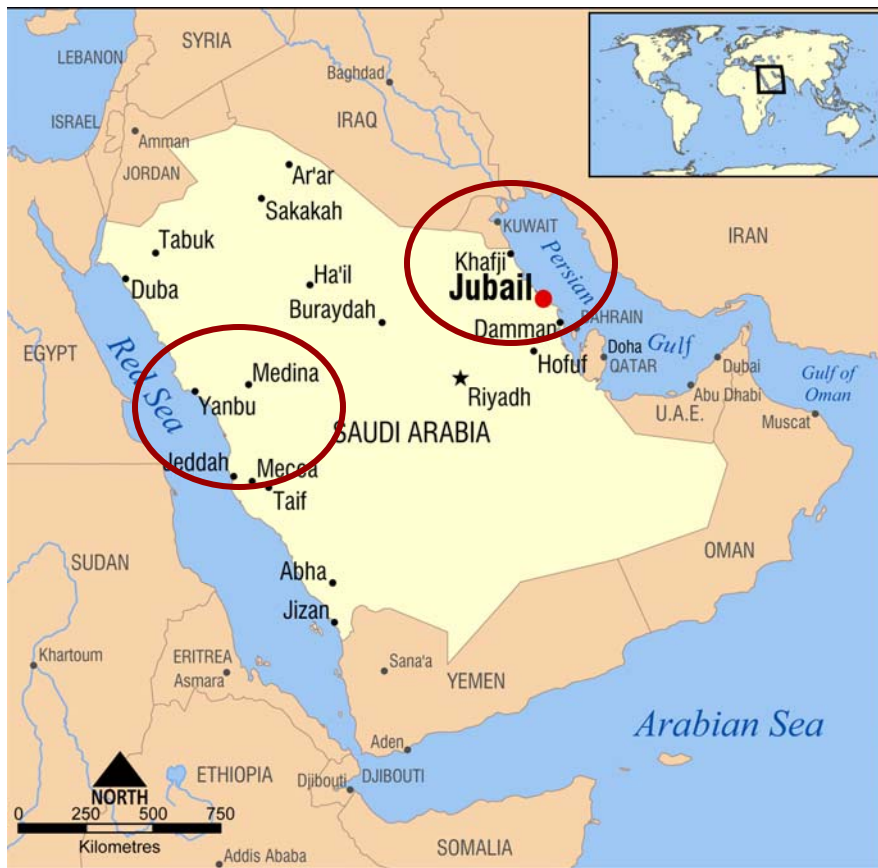
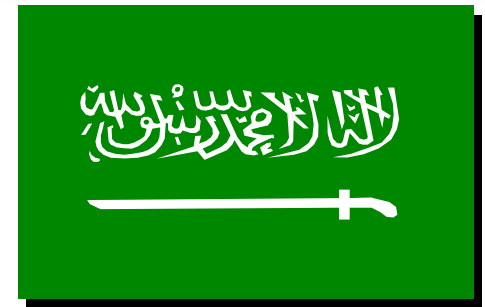
Relevant legislation

- Public Environment Law (Royal Decree M/34, 29 September 2001)
 - Laying the foundation for General Environmental Regulations and Rules for Implementation, 2003 and administered by PME
- Royal Commission Environmental Regulations, 2004
 - Regulations for the industrial cities Jubail and Yanbu

Saudi Arabia is a member of GCC

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Jubail & Yanbu



Jubail and Yanbu are two cities conceived on the drawing board and planned to provide a purpose-built and highly efficient environment for modern industrial production.

Jubail and Yanbu – located on the Arabian Gulf and Red Sea respectively – are the key to Saudi Arabia's national industrialization plans.

The cities provide the bases for the country's program to develop hydrocarbon-based and energy intensive industries.

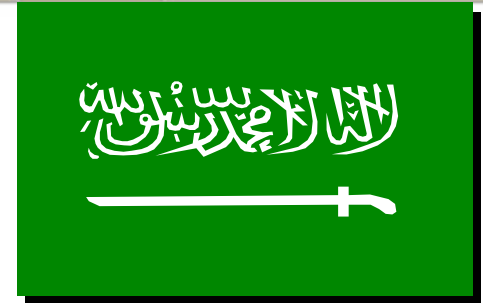
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Saudi Arabia: HazMat Management

Royal Commission Environmental Regulations, 2004

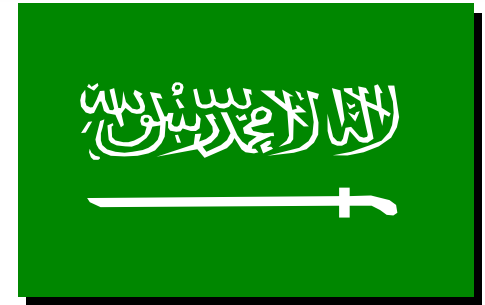
- Section 4 addresses HazMat Inventory & Storage, Handling and Management
- 4.2. Hazardous Materials Inventory Regulations
 - The operator of a facility shall retain on file current MSDS info for all hazardous materials
 - present at the facility.
- 4.3. Hazardous Materials Storage and Handling Regulations
 - Containers holding hazardous materials shall be individually labeled to reflect the actual
 - contents of the container. The labeling shall include either:
 - contents and associated hazards (according to the UN HazChem classification system), or
 - a unique identification that is cross-referenced to a document which lists the contents and the hazards



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Saudi Arabia: Import & Licensing

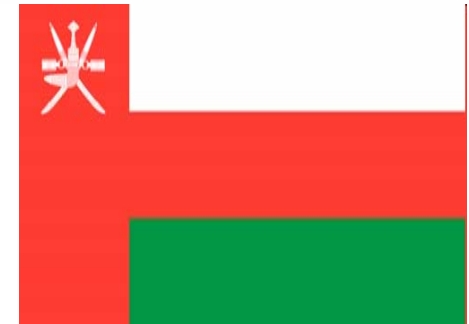


- Import license for commercial chemicals must be obtained from the Ministry of Commerce
 - Except for dangerous explosives and chemicals (approved by the Ministry of Interior), and chemicals legalized by the Ministry of Health, and approved by the Ministry of Health
- Import license and approval for chemicals imported by the national industries must be obtained from the Ministry of Industry & Electricity
- No new chemical notification provisions

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Oman: Legal Framework



Regulating Agency

- Ministry of Regional Municipalities, Environment and Water Resources, Department of Chemicals

Relevant legislation

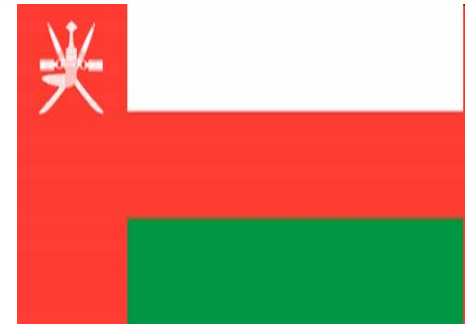
- Royal Decree 46/95 “Issuing the Law of Handling and Use of Chemicals”;
- Ministerial Decree 248/1997 “Regulation for the Registration of Chemical Substances and the Relevant Permits
- Ministerial Decree 317/2001 “Regulations for the Packing, Packaging, and Labeling of Hazardous Chemicals.

Oman is a member of GCC

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Oman: Import Restrictions and Licensing



Ministerial Decree 248/1997 “Regulation for the Registration of Chemical Substances and the Relevant Permits

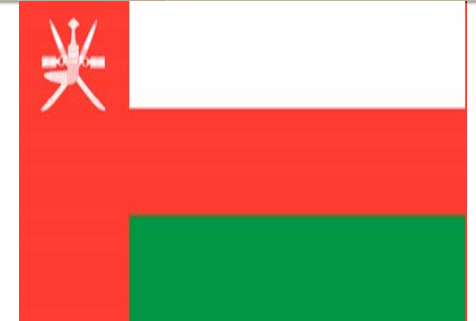
- Department of Chemical Substances shall maintain a list of hazardous chemicals according to international classifications (Rotterdam and Stockholm Conventions)
- List contains 311 substances
- Environment permit should be obtained for import of hazardous chemicals
- A temporary environmental permit may be granted for qualified scientific institutions for experimental use

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Oman: Labeling Requirements

Pursuant to Ministerial Decree 317/2001
Annex 1, labels on containers should include:



- Scientific and commercial names of the content plus quantity;
- Physical and chemical properties;
- Degree of risk plus its international hazard classification in **both Arabic and English;**
- Chemical safety guidelines for handling or dealing with chemicals especially during an emergency;
- Purpose of use of contents and expiry date;
- Full name and address of manufacturer or producer
- Storage instructions relating to temperature, pressure, light, etc.
- Labels should be clearly written, easily readable and firmly fixed

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Oman: Chemical Safety Sheets

Ministerial Decree 248/1997, Annex 2,
provides guidelines for Chemical Safety Sheets,

13 Sections:

- Scientific name;
- Commercial or common name;
- CAS number;
- Chemical and physical properties;
- Chemical composition;
- Stability and reactivity;
- Toxicity and hazard to man and environment (cf. Annex 1 of the same Decree);
- Safety precautions;
- First aid and accidental release measures;
- Packing, handling and storage measures;
- Transport information;
- Disposal considerations
- Other Information (Such as expiration date)



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Pakistan: Legal Framework

Regulating Agencies

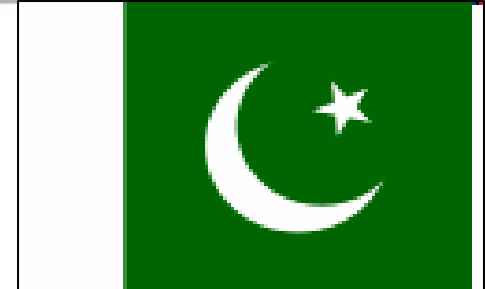
- Ministry of Environment; Ministry of Industries, Production and Special Initiatives, Environment and Water Resources, Pakistan Environment Protection Agency

Relevant legislation

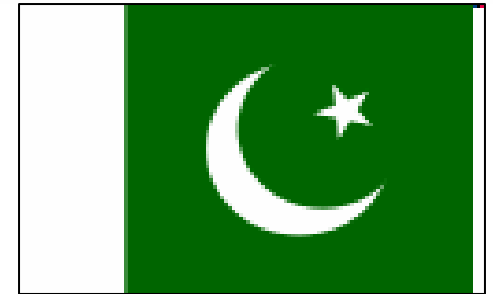
- Environment Protection Act, 1997
- Hazardous Substances Rules, 1999 (2003 amendment)
 - Factories Act, 1934;
 - Hazardous Occupations Rules, 1963;
 - Mines Act, 1923; and
 - Workmen's Compensation Act

No new chemical notification

Fragmented regulatory framework / Colonial history



Pakistan: Restricted Substances



Hazardous Substances Rules, 2003 amendment, Schedule 1

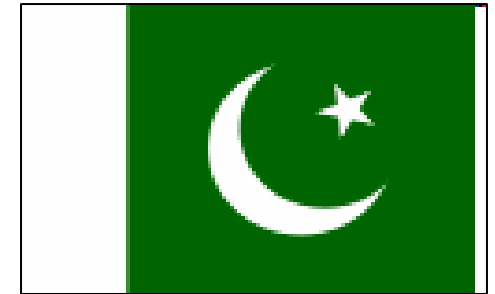
- **List of Prescribed Substances or any other Synthetic Chemical**
- **243 substances on the list**

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Pakistan:

Import and Licensing provisions



Hazardous Substances Rules, 2003 amendment

Licensing requirements: Articles 4-8 and 13-15

- A license must be obtained from the Federal/Provincial Agency for import and transport of hazardous substances
- License must be accompanied by a Environmental Impact Assessment (relevant for local industry)

Import requirements: Article 20

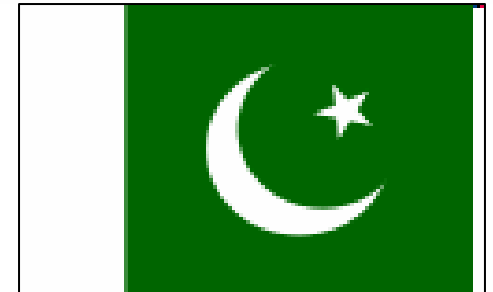
- Port of entry into Pakistan
- Transport content
- Quality of imported substance
- Complete information detailing safety precautions
- Proposed usage of imported substance

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Pakistan: Labeling

Hazardous Substances Rules, 2003 Amendment



Labeling requirements: Article 9

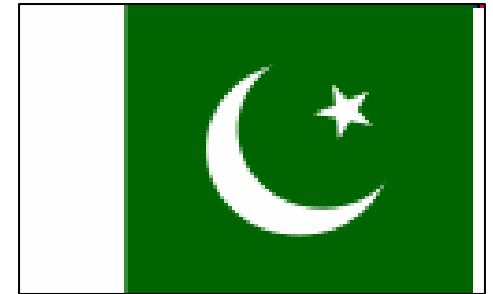
- Name of hazardous substance
- Name, address, license number of licensee
- Contents (volume or weight);
- Manufacture and expiration date;
- Warning statement comprising of the word DANGER! in red on contrasting background / pictures of a skull and cross-bones / instructions for use, storage and handling; and
- Instructions regarding disposal or return of empty container.

Basic emergency instructions should be provided, preferably in local language

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Pakistan: MSDS



- No legal provisions for Safety Data Sheets in Pakistan
- EU SDS's are accepted either in Urdu or English.
- International Chemical Safety Cards can also be used – not legally binding.
 - The Centre for the Improvement of Working Conditions and the Environment (CIWCE) maintains a database of these Safety Cards

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GHS

Finally something in common!

Awareness level – but no real action.

Turkey

- Turkey has expressed interest in receiving assistance with GHS Capacity Building

Israel

- # Ministries identifying existing legislation to facilitate GHS implementation.
No movement yet.

Saudi Arabia & Oman

- Participated in the Regional Workshop on Chemical Hazard Communication and GHS Implementation for Arab Countries held in Alexandria, Egypt in the fall of 2006
- Oman has requested assistance with GHS Capacity Building

Pakistan

- From 2006-2009, Pakistan is receiving capacity building advice from UNITAR/ILO/SAICM ---
Research provides no details on this “alleged” interaction

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International Conventions

A number of international conventions have been signed, acceded to and ratified in the Middle East:

- Basel Convention
- Rotterdam Convention (PICs)
- Stockholm Convention (POPs)
- Montreal Protocol
 - Chemical Weapons Convention
 - United Nations Convention against Illicit Traffic in Narcotic Drugs
- Synergy/power in numbers. Adopting conventions produce interdependence, interconnectedness and – perhaps ? – a system of checks and balances.

- شكرا
- Teşekkür ederim
- תודה רבה
- شكريه
- Thank you!

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