

Latin America

Chemical Regulatory Updates in Latin America

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Topics

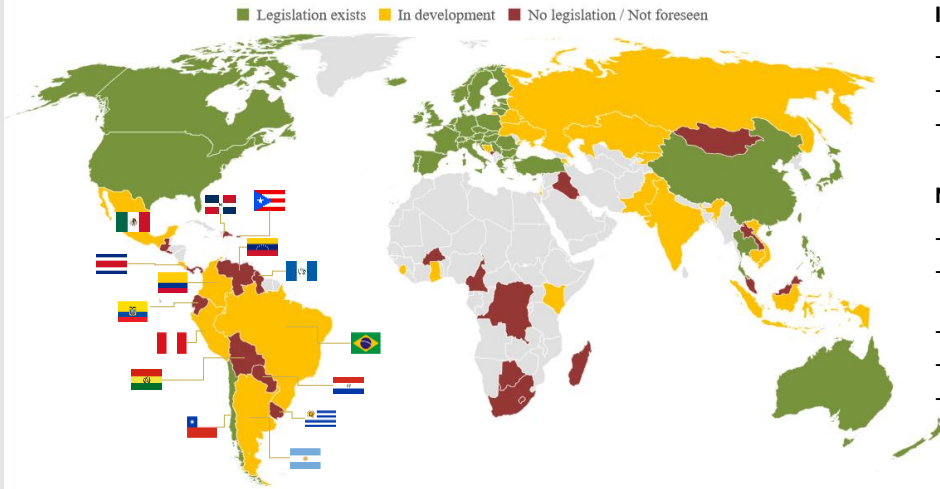
- Worldwide Quick Look
- Regional Configuration
- Regional Updates
- Recent Regional Initiatives
- National Chemical Regulations
 - Argentina, Brazil, Chile, Colombia, Mexico, and Peru

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Worldwide Quick Look



Global overview on national chemical management systems. Based on and adapted from OECD (2021).

In Development:

- Argentina
- Brazil
- Colombia
- Costa Rica
- Mexico
- Peru

No Legislation:

- Bolivia
- Dominican Republic
- Ecuador
- El Salvador
- Guyana
- Panama
- Paraguay
- Porto Rico
- Uruguay
- Venezuela

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Regional Configuration

Mercosur

- Argentina
- Brazil
- Paraguay
- Uruguay



Population: ~295 million (2018)
GDP: ~4.6 trillion USD (2019)

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Regional Configuration

Andean Community

- Bolivia
- Ecuador
- Peru
- Colombia



Population: ~100 million (2010)
 GDP: ~902 billion USD (2017)



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Regional Configuration

Central American Integration System

- Panama
- Costa Rica
- Nicaragua
- El Salvador
- Honduras
- Guatemala
- Belize
- Dominican Republic



Population: ~45 million
 GDP: ~108 billion USD



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Regional Configuration



Regional Updates

UNEP programmes in the region:



Objectives:

- Promote cooperation and actions at regional and national levels towards an integrated approach of sound management of chemicals
- Considers institutional capacity to develop, adapt, monitor and enforce policies, legislations and regulations

Survey results:

Countries appeal for:

- Resources mobilization
- Resources facilitation
- Face-to-face training
- Support in project development

Recent Regional Initiatives



Recent Regional Initiatives



National Chemical Regulations (focused countries)

Mercosur

- Argentina
- Brazil
- Paraguay
- Uruguay

Andean Community

- Bolivia
- Ecuador
- Peru
- Colombia



Pacific Alliance

- Chile
- Colombia
- Mexico
- Peru

Central American Integration System

- Panama
- Costa Rica
- Nicaragua
- El Salvador
- Honduras
- Guatemala
- Belize
- Dominican Republic

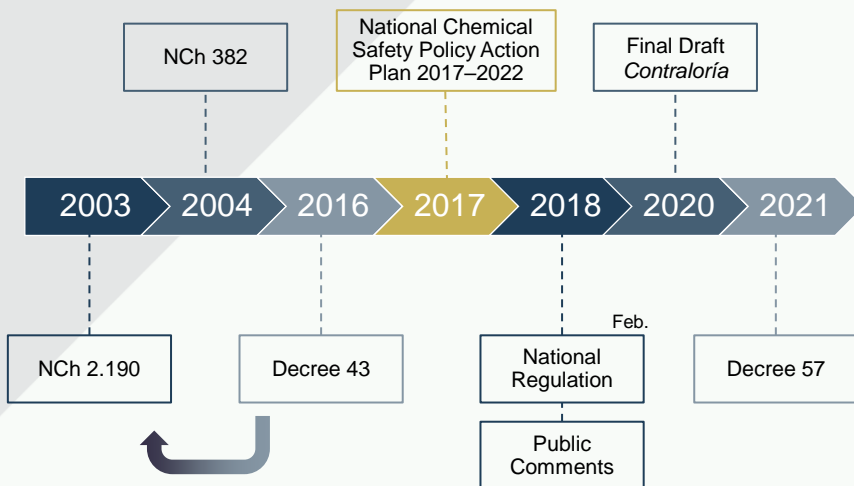
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Chile



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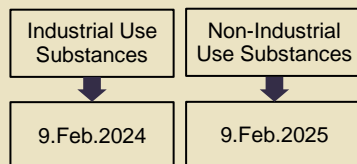


Chile

Decree 57: Regulation on the classification, labeling and notification of chemical substances and mixtures (2021)

- Authority: Ministry of Health
- National Chemical Regulation
- Make GHS mandatory (7th version)
- Manufacturers/importers >1ton/year
- Updates made every 2 years

Gradual Implementation



Industrial Use Mixtures: 2027
Non-Industrial Use Mixtures: 2029

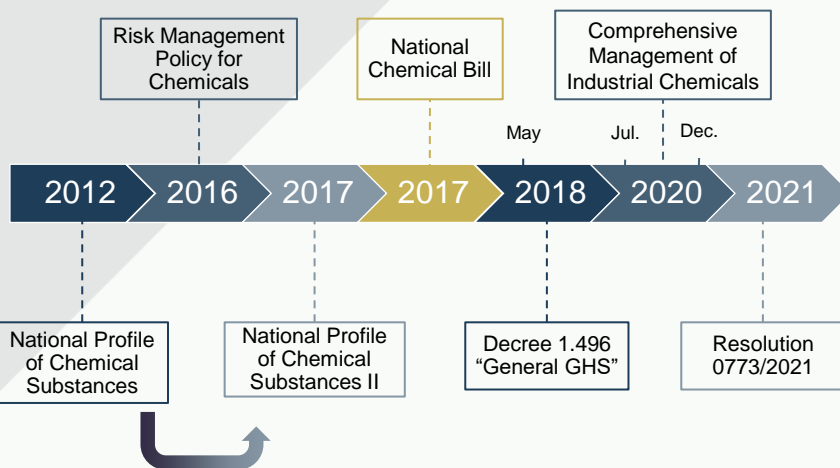
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Colombia



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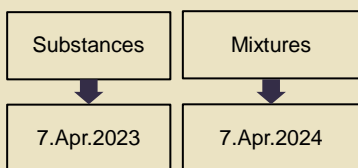


Colombia

Resolution 0773/2021: GHS in the Labor Sector

- Authorities: Ministry of Labor
- Adopts GHS 6th version
- Follows European CLP

Transitional periods



Comprehensive Management of Industrial Chemicals (2020)

- No regulation number yet
- Industry responsible for risk consideration
- Manufacturers/Importers >100 Kg/year
- Open for public participation until February 2021

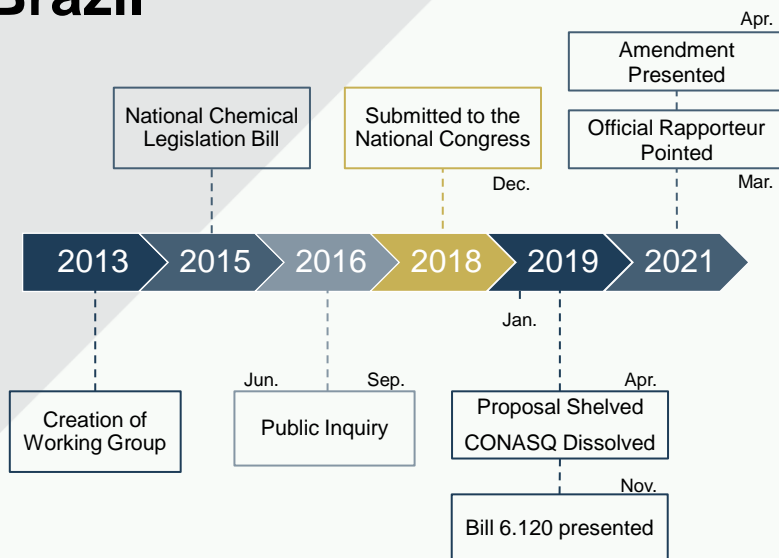
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Brazil



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Brazil

Bill 6.120/2019: Provides for the inventory, evaluation and control of chemical substances

- Amendment captures important elements (e.g., Register of Substances)
- Scope Manufacturers and Importers >1ton/year
- Has to be approved by 4 commissions (Deputies' Chamber)

In this pace, when the bill will be officially approved and enter into force?

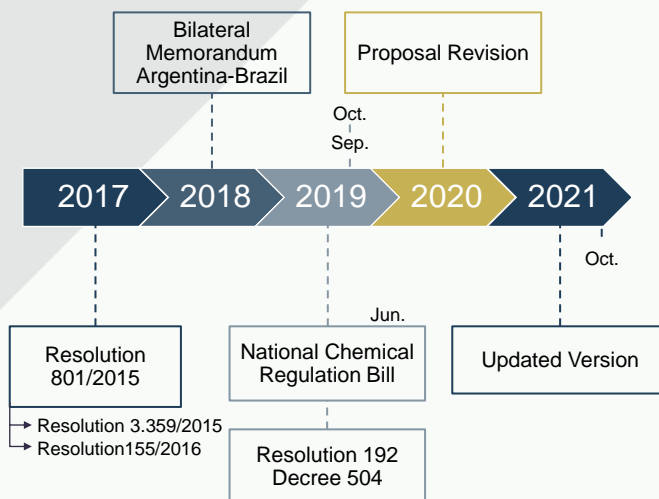
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Argentina



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Argentina

What is expected?

- Argentina is running new elections in October
- Updated version may not be published until then

Chemical Regulation (last draft)

- Authority: Ministry of Labor
- Special Committee for Chemical Evaluation
- Priority List for Chemical Management
- Annual Update from Manufacturers and Importers
- 3 years transitional time

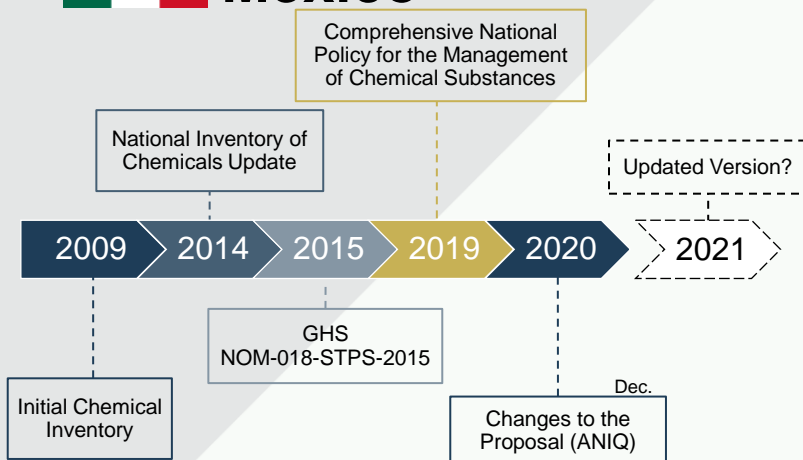
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Mexico



Main Differences between Proposals:

- The initial proposal is formulated by General Health Council (CSG)
- ANIQ is the Chemical Industry Association

Inventory vs. Registry

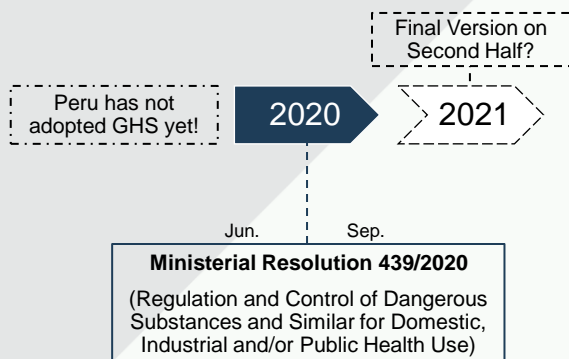
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Peru



Regulation and Control of Dangerous Substances and Similar for Domestic, Industrial and/or Public Health Use (Ministerial Resolution 439/2020):

- Authority: Ministry of Health
- Creates a National Register of Chemicals
- Address the Classification and Labeling
- Substances under a Risk Assessment
- Substances of VHC under Risk Management
- Proposes an Authorization Renewal every 3 years

Elections held in June!

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Summing Up

Country	Argentina	Brazil	Chile
Observation	Prospective OECD member	OECD key partner (requested to join in 2017)	OECD member (2010)
National Legislation	Regulatory framework for chemical substances risk management (Bill 4.339/2019)	Implements the inventory, risk assessment and control of chemical substances (Draft, 2018; Bill 6.120/2019)	Regulations for the classification, labeling and notification of hazardous chemicals and mixtures (Decree 57)
Risk consideration under	Government	Government	Industry
Amount threshold	≥ 1 ton/year	≥ 1 ton/year	≥ 1 ton/year
Status	Delivered to Congress in September 2019	Draft (2018) shelved; Bill 6.120/2019 under revision in Deputy Chamber	At official gazette on February 2021

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Summing Up

Country	Colombia	Mexico	Peru
Observation	OECD member (2020)	OECD member (1994)	Prospective OECD member
Legislation Name	Comprehensive management of chemicals for industrial use (2020)	Comprehensive National Policy for Management of Chemical Substances (2019)	Regulation and control of dangerous substances and similar for domestic, industrial and / or public health use (MINSAs 439/2020)
Risk consideration under	Industry (expected)	Industry (expected)	Industry (expected)
Amount threshold	≥ 100 Kg /year	-	No threshold
Status	Open for public participation until February 26, 2021	The Industry association proposed changes to the current draft (Dec. 2020)	Joint GHS and chemical regulation to be close implemented. Public consultation ended on September 24, 2020

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Take-home Messages



Latin America is considered an Hotspot

- At least 6 countries are working on Chemical Regulations



Chemical industry associations have great impact on the proposals



General elections can considerably influence the legislative proposal fate

Regional Drivers:



- Willingness to join OECD
- Existing regulation: EU REACH, UK REACH, US TSCA ...



The sure thing is that chemical regulations will take place sooner or later

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Thank You.

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