

THE DECREE 1630

On November 30, 2021, Colombia published and implemented Decree 1630, a national framework for industrial chemical substances and their management. Decree 1630 is an amendment to Decree 1076 of 2015, which is responsible for governing the country's environmental and sustainable development policy. Decree 1630 regulates **hazardous chemical** substances identified and classified under the GHS.

Compliance is compulsory for producers, importers, users, marketers, distributors, and transporters of hazardous chemicals.

EXEMPTIONS FROM DECREE 1630

Decree 1630 refers to 13 exempted items, which will not have to comply or observe the upcoming rules. These are:

- Chemical addressed by existing regulation (e.g., **pharmaceuticals** and **cosmetics**)
- Substances of unknown or variable composition, of complex reaction products or of biological materials (**UVCB**)
- **Articles**
- Impurities
- Natural substances
- Substances resulting from environmental factors exposure
- Substances that are not manufactured, imported or marketed as such resulting from a chemical reaction
- By-products that have not been imported or marketed as such
- Hydrates of a substance or hydrated ions
- **Polymers** and **monomers**
- Substances in customs transit
- Non-isolated intermediates
- Substances without commercial values

Key Terms and Definitions

Industrial Use: It refers to any transformation, formulation, consumption, storage, conservation, treatment, packaging, transfer, mixing, production of an article, or any other use of a chemical substance or mixture in industry.

User of Industrial Chemicals: Any natural or legal person established in the country, who uses a substance, either mono-constituent, multi-constituent, or in the form of a mixture, during its industrial activities.

Mono-constituent Substance: This is a constituent present at a minimum concentration of 80% (w/w) and contains up to 20% (w/w) of impurities. A mono-constituent substance is named based on the main constituent.

Multi-constituent Substance: Defined by its quantitative composition, it presents more than one constituent with concentration $\geq 10\%$ (w/w) and $< 80\%$ (w/w). The multi-constituent substance is the result of a chemical reaction in the manufacturing process.

Mixture: It is a solution that is obtained by intentionally joining two or more substances without producing a chemical reaction.

NOTIFICATION OBLIGATIONS

The **manufacturers** and **importers** of substances classified as hazardous and of hazardous substances present in mixtures will have to notify the Colombian government when dealing with amounts ≥ 100 kg per annum.

Information to be submitted:

- the manufacturer or importer identification data
- amount of substance produced or imported per annum
- substance identification and CAS number
- The hazard classification of substance
- Identified uses of substance

THE NATIONAL CHEMICAL INVENTORY

After the first notification deadline, authorities are expected to consolidate the gathered information and publish an official Chemical Inventory.

This Chemical Inventory is a database that allows the identification of each chemical substance produced or imported into the country with the purpose of associating the respective quantities, identified uses, and hazardousness.

Manufacturers and importers have the duty to keep the data up-to-date and submit information to the portal whenever new information is available. **Updates on produced or imported substances are mandatory once a year.**

DEADLINES SUMMARY



Manufacturers and importers are required to submit updates once a year. The update deadline is yet to be announced.

Furthermore, for new substances (those not notified within the initial notification period), you are required to present information within a 6-month time window. However, when the deadlines start to count, you will have to be clarified by the authorities.

COMPLIANCE ADVISE

We would suggest to your business to:

- Set up a regulatory team
- Identify substances and amounts placed in Colombia
- Update labels
- Update SDS information
- Update their substance hazardous classification
- **Do not forget to notify your substance before the deadline!**



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