#### THE INTERNATIONAL CADMIUM ASSOCIATION

**REGULATORY UPDATE**

**July 28, 2014**[[1]](#footnote-1)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

# NEW DEVELOPMENTS

New information is available on the following issues in this Update:

Federal Issues

EPCRA Issues

EPA Releases 2013 TRI Preliminary Dataset, page 4

TSCA Issues

Democratic Minority Circulates Redline Of April 22, 2014, CICA Discussion Draft, page 4

EPA Updates Non-Confidential 2012 CDR Database And Fact Sheets On 2012 CDR Data, page 4

Miscellaneous Issues

ACGIH Updates BEI Committee’s Under Study List, May Proceed With NIC For Cadmium In 2015, page 5

Senate Bill Would Phase Out Certain PBT Chemicals, Including Cadmium And Cadmium Compounds, page 5

U.S., China, And EU Discuss Consumer Product Safety, page 6

IRIS Assessment

*EPA Asks Stakeholders To “Join The Conversation,”* page 7

*House Subcommittees Hold Hearing On Status Of IRIS Reforms*, page 7

NIH Puts National Children’s Study On Hold, page 8

Office Of Science And Technology Policy Seeks Information On Critical And Strategic Materials Supply Chains, page 9

State Issues

*California*

GRSP Discusses Approaches To Product Category Identification For Three-Year PP Work Plan, page 9

CDTSC Will Hold Workshops On Three-Year Work Plan, page 10

*Connecticut*

Bill Enacted Restricting Use Of Cadmium In Children’s Jewelry And Creating Task Force, page 10

*North Carolina*

Proposed Amendments Would Update Aquatic Life Protective Concentrations For Cadmium, page 11

*Vermont*

Governor Signs Bill Designating Cadmium And Cadmium Compounds As Chemicals Of High Concern, page 12

Vermont Sues Dollar Tree For Selling Jewelry Containing High Amounts Of Cadmium, page 12

*Washington*

Governor’s Proposal To Improve Clean Water Standards Would Remove Toxic Chemicals From Consumer Products, page 12

International Issues

Australia

Australia Publishes Ninth Tranche Of IMAP Assessments, page 13

China

Four National Standards For Toy Safety Will Take Effect In 2016, page 13

MEP Announces Lower Emissions Standards For Tin, Antimony, And Mercury Refining, page 14

Environment Officials Sentenced To Prison For Role In River Pollution, page 14

Chinese Chemical Plant Closed After Lead Poisoning, page 14

Japan

Japan Lowers Limit On Cadmium In Ship Sewage Water To Be Discharged In Ocean, page 15

Philippines

NGO Questions Use Of Lead Paint On Coffee Mugs And Tea Cups, page 15

NGO Finds “Outrageous” Levels Of Lead And Other Metals, Including Cadmium, In Drinking Glasses, page 15

South Korea

K-REACH Subordinate Decrees To Be Adopted In September; Guidance Published In October, page 15

**FEDERAL ISSUES**

**EPCRA ISSUES**

**EPA Releases 2013 TRI Preliminary Dataset**

On July 21, 2014, EPA announced the availability of the 2013 TRI preliminary dataset containing the most current TRI data now available. According to EPA, users can find out:

* What toxic chemicals a particular industrial facility is using;
* How much is being released into the environment;
* Whether the facility is recycling or treating any of the toxic chemical waste, or burning any of it for energy recovery; and
* Whether a facility initiated any pollution prevention activities in the most recent calendar year.

The TRI list of chemicals includes **cadmium** and **cadmium compounds**. The 2013 preliminary dataset is available at <http://www2.epa.gov/toxics-release-inventory-tri-program/2013-tri-preliminary-dataset>.

**TSCA ISSUES**

**Democratic Minority Circulates Redline Of April 22, 2014, CICA Discussion Draft**

The Democratic Minority has circulated a redline version of the April 22, 2014, discussion draft of the CICA. The redline version is an interesting mix of substantial rewrites, deletions, and additions. The redline version proposes changes that favorably respond to numerous NGO issues and concerns while potentially disappointing them in other areas specifically regarding animal welfare considerations. The redline is likely to be of significant concern to industry in some areas, while other changes appear to be more comforting. More information is available in B&C®’s June 4, 2014, memorandum, which is available at <http://www.lawbc.com/regulatory-developments/entry/tsca-reform-democratic-minority-circulates-redline-of-april-22-2014-cica/>.

**EPA Updates Non-Confidential 2012 CDR Database And Fact Sheets On 2012 CDR Data**

EPA announced on June 11, 2014, that it updated the publicly available non-confidential 2012 CDR database and three fact sheets on the 2012 CDR data. The updated non-confidential 2012 CDR database includes amendments to previously submitted information, as well as information submitted by new companies that had not reported prior to the earlier database release in April 2013. EPA states that the 2012 CDR data reflect manufacturing, processing, and use information for calendar year 2011 from manufacturers (including importers) of certain chemicals on the TSCA Chemical Substance Inventory. The three fact sheets include: “Basic Information”; “Top Uses of Chemicals: Snapshot of the Data”; and “Factors to Consider When Using the Data.” More information is available at <http://www.epa.gov/cdr/>.

**MISCELLANEOUS ISSUES**

**ACGIH Updates BEI Committee’s Under Study List, May Proceed With NIC For Cadmium In 2015**

On July 23, 2014, ACGIH updated the BEI Committee’s under study list into two tiers:

* Tier 1 entries indicate which chemical substances and physical agents may move forward as an NIC or NIE in **2015**, based on their status in the development process. This list includes **cadmium and inorganic compounds**.
* Tier 2 consists of those chemical substances and physical agents that will not move forward, but will either remain on or be removed from the under study list in **2015**.

If the BEI Committee decides to proceed with an NIC for **cadmium and inorganic compounds**, it will make a recommendation to the ACGIH Board of Directors for ratification at its annual meeting. If ratified, the proposed NIC will be published in the annual report of the BEI Committee, which is typically published by February 1. Comments on the NIC would be due **May 31, 2015**. The under study list is available at <http://www.acgih.org/tlv/CSBEIStdy.htm>.

**Senate Bill Would Phase Out Certain PBT Chemicals, Including Cadmium And Cadmium Compounds**

On July 24, 2014, Senator Jeff Merkley (D-OR) introduced the Protecting America’s Families from Toxic Chemicals Act of 2014 (S. 2656), which would require the phaseout of certain PBT chemicals, including **cadmium** and **cadmium compounds**. For substances listed in the bill, including **cadmium** and **cadmium compounds**, not later than one year after the date of enactment, the EPA Administrator shall by order: (1) identify the allowed uses, if any, of each such chemical substance; (2) specify an effective date by which manufacture, processing, and distribution in commerce of the chemical substance for any uses not identified are required to cease, with such effective date not to exceed five years from the date of the allowable use determination; (3) identify any conditions on the manufacture, processing, use, distribution in commerce, and disposal of the chemical substance applicable to the allowed uses needed to protect public health and the environment; and (4) make public the determination of the EPA Administrator. The EPA Administrator may allow manufacturing, processing, and distribution in commerce for a specified use of a listed chemical substance if the Administrator first reviews and considers available evidence and determines that: (a) the use is a critical or essential use; or (b) there is no discernible exposure to humans or the environment. The bill would presume allowable uses of listed chemical substances to include a specific use of lead or **cadmium**, or a compound of lead or **cadmium**, in lamps, solder, glass, ceramics, metal alloys, plating, connectors, or electronic components exempted from RoHS. According to Merkley’s press release, the bill has the support of Safer Chemicals Healthy Families and BizNGO, a coalition of businesses and NGOs, including Staples, Dignity Health, Perkins+Will, and Construction Specialties, Inc. The bill was referred to the Committee on Environment and Public Works. Merkley’s press release is available at <http://www.merkley.senate.gov/newsroom/press/release/?id=29f61808-ddfb-48d1-ade1-1420b2e4a4ee>.

**U.S., China, And EU Discuss Consumer Product Safety**

On June 19, 2014, representatives from the CPSC, China’s AQSIQ, and the EC’s Directorate General for Health and Consumers met to discuss how to strengthen controls across global supply chains to ensure the safety of consumer products. The participants discussed the best way to exchange information between their organizations to ensure products are checked for safety throughout the supply chain. The meeting also addressed product traceability and ways to ensure safety is prioritized. According to Sun Dawai, Vice-Minister of AQSIQ, China has made advances in improving consumer products safety by establishing, with the EC and CPSC, a notification mechanism that would lead to the investigation and sanctioning of non-compliant manufacturers. The agencies issued a joint statement, stating that they intend to engage on the following specific actions within the context of their overall cooperation framework:

* Lay out additional steps, resources permitting, to support implementing the Points of Consensus;
* Exchange information regularly, and as early as possible, on major safety issues and on new and prospective developments in their respective consumer product surveillance systems;
* Specify additional practical aspects of how authorities can cooperate to implement the concept of seamless surveillance, taking into account changes in product safety control systems of authorities and with the objective of providing effective product safety controls and cooperation among authorities;
* Continue education for industry stakeholders, to encourage the adoption and further development of a strong safety culture along the supply and distribution chains;
* Continue discussions on relevant standards for consumer products of shared concern; exchange information on technical regulations and standards for these products; and explore jointly the possible convergence of safety requirements in furtherance of consumer product safety;
* Continue reinforcing consumer product traceability against the backdrop of our respective regulatory systems; and
* Engage other relevant administrative departments or governmental organizations, as appropriate, dealing with consumer product safety in order to maximize opportunities for effective cooperation in the area.

According to the joint statement, the agencies intend to hold another summit in **2016**.

**IRIS Assessment**

***EPA Asks Stakeholders To “Join The Conversation”***

EPA will hold a public workshop on **October 15-16, 2014**, to discuss specific recommendations from NRC’s May 2014 report on IRIS related to improving further the scientific quality of IRIS assessments. According to a July 8, 2014, blog post, NRC’s recommendations fall within the following topics:

* Topic 1 -- Refining systematic review methodology, including methods to evaluate risk of bias;
* Topic 2 -- Advancing methodology to systematically evaluate and integrate evidence streams; and
* Topic 3 -- Combining quantitative results from multiple studies, presenting appropriate quantitative toxicity information, and advancing analyses and communication of uncertainty.

EPA invites stakeholders to provide early comments by commenting on the blog post, which is available at <http://blog.epa.gov/science/2014/07/improving-iris-please-join-the-conversation/>.

***House Subcommittees Hold Hearing On Status Of IRIS Reforms***

As reported in our July 18, 2014, e-mail, on July 16, 2014, the House Science, Space, and Technology Subcommittees on Oversight and Environment held a joint hearing on “Status of Reforms to EPA’s Integrated Risk Information System.” The Subcommittees heard from the following witnesses:

* Dr. David Dorman, Member, Committee to Review EPA’s IRIS Process, NRC;
* Dr. Kenneth Olden, Director, National Center for Environmental Assessment, EPA;
* Ms. Rena Steinzor, Professor of Law, University of Maryland; President, Center for Progressive Reform; and
* Mr. Michael P. Walls, Vice President of Regulatory and Technical Affairs, American Chemistry Council.

During the hearing, Olden testified that EPA needs another three to five years to implement the NRC’s recommendations completely. The witness statements and an archived webcast of the hearing are available at <http://science.house.gov/hearing/subcommittee-oversight-and-subcommittee-environment-joint-hearing-status-reforms-epa-s>.

**NIH Puts National Children’s Study On Hold**

On June 16, 2014, the National Academies announced the availability of a report from NRC and the Institute of Medicine on the National Children’s Study. According to the National Academies’ press release, while the National Children’s Study “could add immensely to knowledge about children’s health and development, and while the study’s proposed design has several strengths, the design needs stronger scientific rationale and further development of several key aspects such as sampling and measurement strategies.” The National Children’s Study would collect a broad range of environmental exposure data on about 100,000 children from birth or before birth to age 21. In response, NIH announced on June 16, 2014, that the National Children’s Study was on hold. According to NIH, the following “critical questions” need to be addressed:

1. Is this study, as currently outlined, actually feasible in the face of significant budget constraints?

2. If yes, how do we move forward to implement necessary changes, including some of those outlined in the NAS report?

3. If no, are there new methods to answer key research questions that are most important to pediatric health today that capitalize on research and technology advances developed in the intervening years since the inception of the study?

The National Academies press release is available at <http://www8.nationalacademies.org/onpinews/newsitem.aspx?RecordID=18826>. The NIH statement is available at <http://www.nih.gov/about/director/06162014_statement_ncs.htm>.

**Office Of Science And Technology Policy Seeks Information On Critical And Strategic Materials Supply Chains**

On July 22, 2014, the Office of Science and Technology Policy published an RFI concerning critical and strategic materials supply chains. According to the *Federal Register* notice, one of the roles of the Critical and Strategic Minerals Supply Chain Subcommittee of the National Science and Technology Council’s Committee on Environment, Natural Resources, and Sustainability is to develop a methodology for identifying critical materials and monitoring changes in criticality on an ongoing basis, providing “early warning” to policymakers and other stakeholders. The notice states that the views of U.S. industry and other stakeholders are important to inform both an understanding of current conditions and the characterization of anticipated future demand for critical materials. Responses are due **August 31, 2014**.

**STATE ISSUES**

***California***

**GRSP Discusses Approaches To Product Category Identification For Three-Year PP Work Plan**

GRSP met on June 25, 2014, to discuss and advise CDTSC about approaches to identification of product categories in the 3-year PP work plan. CDTSC’s background memorandum identifies six possible approaches to use to screen potential product categories for inclusion in the PP work plan. CDTSC notes that each approach offers different screening decision points to identify and narrow the number of product categories for consideration. Other screening methods exist and could be considered for this work plan or in the future by CDTSC. CDTSC states that there is inevitable overlap between various approaches. After screening decisions have been made using a given approach, CDTSC would research available information on product formulations to identify product categories associated with any of the priorities identified using that approach. Each approach relies upon both scientific analysis and CDTSC’s policy priorities. CDTSC asked the GRSP whether the proposed approaches provide the breadth of perspectives they recommended in April. Additionally, it asked GRSP members to offer their assessment about the relative merits and potential challenges associated with these approaches. The possible approaches are:

(1) Hazard Trait and Endpoint Screening Approach;

(2) Route of Exposure Approach;

(3) Chemical Prioritization Approach;

(4) Evidence of Exposure Approach;

(5) Sensitive Subpopulation Prioritization Approach; and

(6) Nomination Process Approach.

More information is available at <http://www.dtsc.ca.gov/SCP/GRSPUpcomingMeetings.cfm>.

**CDTSC Will Hold Workshops On Three-Year Work Plan**

CDTSC will be hosting two workshops for the **2015-2017** PP work plan. The first workshop will be held **August 13, 2014**, and the second workshop will be held **August 19, 2014**. CDTSC will post more information when available at <http://www.dtsc.ca.gov/SCP/workshops.cfm>.

***Connecticut***

**Bill Enacted Restricting Use Of Cadmium In Children’s Jewelry And Creating Task Force**

On June 6, 2014, Governor Dannel P. Malloy (D) signed H.B. 5305, which restricts the use of **cadmium** in children’s jewelry. Under the bill, effective **July 1, 2016**, no person may manufacture, sell, offer for sale, or distribute any children’s jewelry that contains **cadmium** at more than .0075 percent by weight. The bill also establishes a task force to study the threshold at which **cadmium** is safe in children’s jewelry. The task force shall consist of the following members:

(1) One appointed by the speaker of the House of Representatives, who shall represent the jewelry manufacturing industry;

(2) One appointed by the president *pro tempore* of the Senate, who shall represent a not-for-profit organization promoting children’s health and safety;

(3) One appointed by the majority leader of the House of Representatives, who shall be a chemist with expertise in the bioavailability of heavy metals and shall serve as an ex-officio member of the task force;

(4) One appointed by the majority leader of the Senate, who shall be a member of a child advocacy group;

(5) One appointed by the minority leader of the House of Representatives, who shall be a municipal public health director and shall serve as an ex-officio member of the task force;

(6) One appointed by the minority leader of the Senate, who shall represent a jewelry retail business or association in the state;

(7) The House chairpersons of the joint standing committees of the General Assembly having cognizance of matters relating to children and general law, or the chairpersons’ designees;

(8) The Senate chairpersons of the joint standing committees of the General Assembly having cognizance of matters relating to children and general law, or the chairpersons’ designees;

(9) The House ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to children and general law, or the ranking members’ designees;

(10) The Senate ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to children and general law, or the ranking members’ designees;

(11) The Commissioner of Consumer Protection, or the Commissioner’s designee; and

(12) The Commissioner of Public Health, or the Commissioner’s designee.

Not later than **January 15, 2015**, the task force shall submit a report on its findings and recommendations to the joint standing committees of the General Assembly having cognizance of matters relating to children, general law, and public health.

***North Carolina***

**Proposed Amendments Would Update Aquatic Life Protective Concentrations For Cadmium**

On July 15-16, 2014, the Environmental Management Commission held public hearings to consider proposed permanent amendments to various rules that establish the surface water quality standards for North Carolina. The proposals included updated aquatic life protective concentrations for arsenic, beryllium, **cadmium**, chromium III, chromium VI, copper, lead, nickel, silver, and zinc. According to the June 16, 2014, *North Carolina Register* notice, the revisions reflect the latest scientific knowledge regarding the effects of the pollutants on aquatic organisms. The notice states that, with the exception of mercury and selenium, which are both bioaccumulative metals, the state proposes changing to dissolved metal water quality standards. Comments on the proposed amendments are due **August 22, 2014**. More information is available at <http://portal.ncdenr.org/web/wq/ps/csu/swtrirev>.

***Vermont***

**Governor Signs Bill Designating Cadmium And Cadmium Compounds As Chemicals Of High Concern**

On June 10, 2014, Governor Peter Shumlin (D) signed S.B. 239, which designates a number of chemicals, including **cadmium** and **cadmium compounds**, as chemicals of high concern. Beginning **July 1, 2017**, and biennially thereafter, the Commissioner of Health will recommend at least two chemicals of high concern to children in children’s products for review by the Working Group. Unless the Commissioner adopts by rule a phased-in reporting requirement, beginning **July 1, 2016**, and biennially thereafter, a manufacturer of a children’s product or a trade association representing a manufacturer of children’s products shall submit to VDOH a notice for each chemical of high concern to children in a children’s product if the chemical meets certain conditions.

**Vermont Sues Dollar Tree For Selling Jewelry Containing High Amounts Of Cadmium**

The Vermont Attorney General is suing Dollar Tree Stores Inc. for selling jewelry that the state says contains toxic substances. According to the Attorney General’s Office, the chain violated a 2010 settlement with the state to stop selling the jewelry. It says the items contain high amounts of lead and **cadmium** in violation of Vermont law. The Office states that Dollar Tree sold 30,000 pieces of jewelry through stores in five Vermont localities. A spokesperson for Dollar Tree could not comment on the lawsuit.

***Washington***

**Governor’s Proposal To Improve Clean Water Standards Would Remove Toxic Chemicals From Consumer Products**

On July 9, 2014, Governor Jay Inslee announced a proposed update to the state’s water quality standards. According to Inslee, “[t]oday the majority of toxic pollution comes from chemicals that are used to make so much of what we use today, from the brakes on our cars to the flame retardants in our furniture.” In addition to updating Washington’s water quality standards, Inslee stated that the state must also act on the many toxic chemicals from other unregulated sources that the CWA does not address. Inslee is calling on the legislature next year to pass a toxics reduction bill as part of the state’s submittal to EPA. The proposal includes the following steps to remove toxic chemicals from consumer products:

* Pass legislation to require industries to look for safer, alternative approaches when a toxic chemical in commerce is identified that threatens human health or environment;
* Authorize WDOE to ban the use of certain toxic chemicals when such use is creating unacceptable exposure risk and safer alternatives are available;
* Accelerate “green chemistry” to advance the availability of safer chemicals in manufacturing processes; and
* Direct the Department of Enterprise Services to work with WDOE to provide recommendations that ensure state purchasing practices require safer products when available.

Inslee directed WDOE to issue a preliminary draft rule no later than **September 30, 2014**. He intends to submit legislation to the legislature in **2015** and will make a decision on whether to adopt the final rule only after seeing the outcome of the session. More information is available at <http://www.governor.wa.gov/news/releases/article.aspx?id=293>.

**INTERNATIONAL ISSUES**

**AUSTRALIA**

**Australia Publishes Ninth Tranche Of IMAP Assessments**

As reported in our July 22, 2014, e-mail, NICNAS published for public comment the ninth tranche of human health and environmental assessments for chemicals identified as part of the Stage One implementation of the IMAP Framework. Tier II -- human health assessments (chemicals assessed at Tier II because the Tier I assessment indicated that it needed further investigation) include **cadmium fluoride**; **cadmium sulfide**; substances within the category **pigments related to cadmium sulfide**; and substances within the category **sparingly-soluble cadmium salts**. NICNAS states that it seeks comments where information that has the potential to affect the outcome of an assessment has not been considered in the assessment. Comments provided should be evidence-based and the relevance of submitted information should be highlighted. Comments are due **August 15, 2014**. More information is available at <http://www.nicnas.gov.au/chemical-information/imap-assessments/imap-assessments/public-comment>.

**CHINA**

**Four National Standards For Toy Safety Will Take Effect In 2016**

Four mandatory national standards for toy safety, under the umbrella title of GB 6675-2014, will take effect **January 1, 2016**. AQSIQ and SAC recently issued the standards, which will replace the current standard, GB 6675-2003. The standards have a wider scope, and are not only applicable to toys and materials designed or intended for children under 14 years old when playing, but also to toys and materials not designed or intended for playing. The standards set concentration limits for six phthalates, as well as maximum concentration levels, sampling methods, and procedures for test sample preparation and extraction for the migration of antimony, arsenic, barium, **cadmium**, chromium, lead, mercury, and selenium for toy materials and parts of toys. More information is available, in Chinese, at <http://www.miit.gov.cn/n11293472/n11293832/n12843926/n13917057/16013777.html>.

**MEP Announces Lower Emissions Standards For Tin, Antimony, And Mercury Refining**

MEP announced on May 30, 2014, new standards for tin, antimony, and mercury refining, including airborne emissions standards related to sulfur dioxide, particulate matter, mercury, lead, **cadmium**, and other heavy metals. The new standards also include wastewater emissions standards, setting new limits for chemical oxygen demand, total phosphorus, total nitrogen, ammonia nitrogen, and other heavy metal pollutants, such as mercury. Current facilities must comply by **January 1, 2015**. Facilities built after July 1, 2014, must comply as soon as they begin operation. More information is available, in Chinese, at <http://www.mep.gov.cn/gkml/hbb/qt/201405/t20140530_276303.htm>.

**Environment Officials Sentenced To Prison For Role In River Pollution**

On June 9, 2014, Mo Sijian, former director with the Pinggui branch of Hezhou City Bureau of Environmental Protection, and Tang Chuancheng, former head of Hezhou City Bureau of Environmental Protection’s environmental monitoring team, were jailed on Monday for dereliction of duty in a 2013 river pollution case. Mo was sentenced to two years and Tang was sentenced to eighteen months. According to the Babu District people’s court, Mo accepted lavish meals and was entertained by owners of Huiwei, an ore processor that polluted the Hejiang River, before ordering Tang to help the company obtain a pollutant discharge permit to which it was not entitled. The court stated that both Mo and Tang neglected their duties as government officials, resulting in major environmental pollution and causing huge damage to public and private property. The pollution was discovered in July 2013 when dead fish were spotted. Investigations found that the pollutants were thallium and **cadmium**.

**Chinese Chemical Plant Closed After Lead Poisoning**

The State Council announced on June 17, 2014, that three local environmental officials were suspended from their positions pending an investigation into their involvement with a chemical company closed after more than 300 children in Hunan province were found to have excessive lead levels in their blood. Operations at Meilun Chemical Materials Ltd. were suspended June 14 pending an investigation into the company and the local environmental officials. State media reports stated the children in Hengdong county showed lead levels as high as five times the national limit. According to press reports, a villager who lives next to the plant sent dust from the window and balcony of her house for testing. The results showed that the lead content in the dust was 7,780 mg/kg, 21 times the limit for residential areas, the report stated. The dust was also found to contain excessive amounts of zinc, mercury, and **cadmium**.

**JAPAN**

**Japan Lowers Limit On Cadmium In Ship Sewage Water To Be Discharged In Ocean**

The Ministry of Land, Infrastructure and Transport announced on July 10, 2014, that beginning **December 1, 2014**, it will enforce a new limit on cadmium in ship sewage water to be discharged in the ocean. The level will be set at 0.1 mg/L, instead of the current level of 1 mg/L.

**PHILIPPINES**

**NGO Questions Use Of Lead Paint On Coffee Mugs And Tea Cups**

On July 6, 2014, EcoWaste Coalition announced the results of its study of lead paint in coffee mugs and tea cups being sold in the market. Out of 50 samples, 42 (84 percent) were found to contain lead ranging from 3,244 ppm to 31,000 ppm. Lead was specifically detected in the painted design on the exterior of the cup or mug. According to EcoWaste Coalition, tainted cups or mugs often contain a combination of lead, **cadmium**, chromium, antimony, and arsenic at “exceedingly high levels.” More information is available at <http://ecowastecoalition.blogspot.com/2014/07/ecowaste-coalition-questions-use-of.html>

**NGO Finds “Outrageous” Levels Of Lead And Other Metals, Including Cadmium, In Drinking Glasses**

EcoWaste Coalition announced on July 9, 2014, that “[a]fter detecting toxic lead in coffee mugs and tea cups, the EcoWaste Coalition found even higher levels of the infamous chemical poison in drinking glasses.” EcoWaste Coalition bought 100 pieces of decorated drinking glasses from 20 retail outlets in Caloocan, Makati, Manila, Parañaque, Pasay, and Quezon cities. Out of 100 samples, 90 glasses were found to contain lead at concentrations greater than 90 ppm, the targeted threshold limit for lead in decorative paints and other paints under the DENR’s Chemical Control Order for Lead and Lead Compounds. The lead levels found on the design surfaces of the 90 glasses ranged from 14,200 ppm to 81,300 ppm. Of these 90 glasses, 83 had lead above 20,000 ppm, and 21 had over 40,000 ppm of lead or more. EcoWaste Coalition states that the leaded glasses also contained elevated levels of antimony, arsenic, **cadmium**, and chromium. More information is available at <http://ecowastecoalition.blogspot.com/2014/07/outrageous-levels-of-lead-and-other.html>.

**SOUTH KOREA**

**K-REACH Subordinate Decrees To Be Adopted In September; Guidance Published In October**

South Korea notified the WTO that it plans to adopt the K-REACH Presidential and Ministerial Decrees in **September 2014**. MOE intends to publish guidance in **October 2014** that will provide a more detailed explanation, including the process flow, of company obligations under K-REACH and the CCA. The guidance will address the following areas:

* Preparation for the registration of chemicals;
* Only representative appointments;
* Test data gap analysis;
* Substance identification;
* The registration process and the relevant documents needed;
* Procedures for reporting and product notification and the relevant documents required;
* Data quality assessment methods covering quality assessment criteria; and
* Fair cost sharing within consortia.

The first list of existing chemicals subject to registration is expected to be available in **October 2014**. Less than 500 substances are expected to be included. The number of existing chemicals subject to registration is expected to be between 2,000 and around 2,500. Under K-REACH, manufacturers, importers, and sellers must report information about substances to MOE. The tonnage limit for reporting existing substances is one tonne per year or more, but there is no limit for new substances. MOE will use the reporting data, as well as information on substance hazards and risks, to designate substances subject to registration. The first reporting deadline will be **April 30, 2016**. Both K-REACH and the CCA will take effect on **January 1, 2015**.

\* \* \* \* \*

Unless otherwise noted, if you have questions about any item summarized above, please call or e-mail Lynn L. Bergeson at (202) 557-3801 or [lbergeson@lawbc.com](mailto:lbergeson@lawbc.com), or Carla N. Hutton at (202) 557-3809 or [chutton@lawbc.com](mailto:chutton@lawbc.com).

## ACRONYMS

**ACGIH** -- American Conference of Governmental Industrial Hygienists

**AQSIQ** -- General Administration of Quality Supervision, Inspection and Quarantine

**B&C** -- Bergeson & Campbell, P.C.

**BEI** -- Biological Exposure Indices

**CCA** -- Chemicals Control Act

**CDR** -- Chemical Data Reporting

**CDTSC** -- California Department of Toxic Substances Control

**CICA** -- Chemicals in Commerce Act

**CPSC** -- Consumer Product Safety Commission

**CWA** -- Clean Water Act

**DENR** -- Department of Environment and Natural Resources

**EC** -- European Commission

**EPA** -- United States Environmental Protection Agency

**EPCRA** -- Emergency Planning and Community Right-to-Know Act

**EU** -- European Union

**GRSP** -- Green Ribbon Science Panel

**ICdA** -- International Cadmium Association

**IMAP** -- Inventory Multi-tiered Assessment and Prioritization

**IRIS** -- Integrated Risk Information System

**K-REACH** -- Korean Registration, Evaluation, Authorization and Restriction of Chemicals

**MEP** -- Ministry of Environmental Protection

**mg/kg** -- Milligram Per Kilogram

**mg/L** -- Milligram Per Liter

**MOE** -- Ministry of Environment

**NGO** -- Non-Governmental Organization

**NIC** -- Notice of Intended Change

**NICNAS** -- National Industrial Chemicals Notification and Assessment Scheme

**NIE** -- Notice of Intent to Establish

**NIH** -- National Institutes of Health

**NRC** -- National Research Council

**PBT** -- Persistent, Bioaccumulative, and Toxic

**PP** -- Priority Product

**ppm** -- Part Per Million

**RFI** -- Request for Information

**RoHS** -- Restriction of Hazardous Substances

**SAC** -- Standardization Administration of China

**TRI** -- Toxics Release Inventory

**TSCA** -- Toxic Substances Control Act

**VDOH** -- Vermont Department of Health

**WDOE** -- Washington Department of Ecology

**WTO** -- World Trade Organization

1. This Update addresses significant federal, state, and international environmental and occupational safety and health regulatory issues and ongoing advocacy efforts pertinent to the ICdA member companies. A list of acronyms used in this Update is provided. [↑](#footnote-ref-1)