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ELECTRICAL & ELECTRONICS, SGS HONG KONG

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## TPCH UPDATES MODEL TOXICS IN PACKAGING LEGISLATION

Established in 1992, **TPCH (Toxics in Packaging Clearinghouse)** is mainly responsible for promoting the 'Model Toxics in Packaging Legislation' to all of United States, and to support and coordinate the implementation of the regulation.

Due to the successful promotion of the legislation, the regulation on the control of hazardous substances in packaging materials in the United States are often referred to TPCH. The current TPCH Model Legislation and laws enacted in 19 states prohibit the intentional use of cadmium, lead, mercury, and hexavalent chromium in any finished package or packaging component, while the total concentration of the four heavy metals being limited up to 100 ppm.



With **SGS's** packaging services, you can ensure your packaging protects products, complies with regulations, reduces product loss and controls environmental issues in the distribution of your products.

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On February 16, 2021, the US TPCH issued the 2021 update to the Model Toxics in Packaging Legislation.

The revised Model Legislation contains, inter alia, several important changes:

- Expands the list of regulated chemicals to include (ortho) phthalates and perfluoroalkyl and polyfluoroalkyl substances (PFAS)
- Adds new processes and criteria for identifying and regulating additional chemicals of high concern in packaging;
- Provides a new definition for "Post-consumer recycled material"

Highlights of the regulated chemicals in packaging and packaging component in the revised Model Legislation are summarized below:

TOXIC SUBSTANCE	REQUIREMENTS	EFFECTIVE DATE
Lead, cadmium, mercury and chromium (VI)	≤ 100 ppm (sum)	February 16, 2021
Phthalates	≤ 100 ppm (sum)	
PFAS	Prohibited (Not detected)	

#### Others:

1. Each state may adopt changes to its existing law or adopt a new law to address toxics in packaging
2. From the effective date of this statute, the state administrative agency may prohibit by rule the sale of packaging and packaging components to which the toxic chemical has been intentionally introduced, by adding the chemical to Section 4 of this statute with an effective date no later than two years after rule promulgation, or the state administrative agency may recommend to the state legislature that the toxic chemical be added to the prohibited chemicals identified in Section 4 of this statute, with an effective date no later than two years after date of enactment
3. Upon request, a Certificate of Compliance (CoC) stating that a package or packaging component complies with the requirements of this Act shall be furnished by its manufacturer or supplier to the purchaser of the packaging or packaging component.

This revised Model Legislation has come into effect on the date of its publication. The electrical and electronic industry has a huge demand for packaging, and relevant enterprises shall pay attention to the latest restricted requirements for toxic substances in the updated Model Toxics in Packaging Legislation to avoid the risk of non-compliance.

### FOR ENQUIRIES

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