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International agreements with national legislation

Brasil

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Brazilian chemical industry

• The 6th largest in the world;
• The leader in Latin America;
• 10% of the Brazilian industrial GDP;
• US$ 156.7 Billion on net sales (2014);
• Represents a strategic footing on the international marketplace.
Brazilian chemical industry

Net Sales - 2014
(US$ bn)

- Industrial chemicals: US$ 69.7 bn
- Pharma: US$ 28.2 bn
- Fertilizers: US$ 16.4 bn
- Soaps and detergents: US$ 7.5 bn
- Perfumes and cosmetics: US$ 15.2 bn
- Agrochemicals: US$ 12.2 bn
- Paints and varnishes: US$ 4.1 bn
- Others: US$ 2.2 bn
- Fibers: US$ 1.2 bn

Total: US$ 156.7 bn

(*) Estimated.
National Commission on Chemical Safety

- Established in 2000;
- 22 institutions;
- Discuss all chemical safety issues, such as industrial chemicals, pesticides, mercury, lead in paints and many others.
- Action plan to 2020 Goal on environmentally sound management of chemicals, based on the Overall Orientation and Guidance (OOG) of SAICM;
- Elaborate and propose the Draft Law on industrial chemicals;
Brazilian regulatory framework

- Shipping dangerous goods/hazardous materials
- Chemicals
- Wood preservatives
- Asbestos
- Chemical dispersants
- Oil Pollution
- Chlor Production
- Transportation of hazardous substances
- ILO Convention nº 170: Chemical Products on workplace
- Classification and Labelling schemes of substances, mixtures and transportation of hazardous substances
- Pharmaceuticals, cosmetics, household cleaning products
- Wastes
- Explosives
- Mercury
- Benzene
- Levels of lead in paints
- ODS’s
- Remediation
- Polychlorinated Biphenyls
- Pesticides
- Fertilizers (contaminants)
Brazilian regulatory framework – main aspects

- Enforcement and competencies shared between various bodies, depending on the uses and potential risks.

- Control of just a few products and substances previously identified for the uses practiced with various approaches such as:
  - Efficacy (and/or)
  - Physical risks (and/or)
  - Health risks (and/or)
  - Risks to the environment

  Ex: Pesticides, Cosmetics, Sanitizing products, etc.
The gap on industrial chemicals

Comprehensive legislation on Industrial Chemicals:

- Absence of an inventory on industrial chemicals placed on the market;
- Absence of measures to assess and manage their risks.
Filling the gap

Draft Law to establish:

- A national inventory on industrial chemicals;
- GHS as the system of classification;
- Use of available and reliable national and international databases and substance information sources to reduce costs;
- Industry to provide data, to contribute in assessing hazards and risks to health and environment;
- Substance prioritization based on risk;
- Risk management measures.

* Multi stakeholder working group under National Commission on Chemical Safety: Government (Environment, Health, Labour, Mining, Industry and Trade) – Civil society (Environment and Employees) and Industry.
Principles of the Draft Law

- Prioritization
- Risk based
- Use of available information
- Cooperation and Colaboration
Registry of chemicals / National inventory

- To know the universe of chemicals circulating in the country;

- Get information to identify substances that should be prioritized for further evaluation;

- Reply more easily and with agility to national and international requests received;

- Build transparency for population on substances used in the country and its hazard classification according to GHS;

* 3 years to submit information, then the substances will be considered new in the country.
Assessment and control of chemicals

• Based on science;

• Transparent;

• Use of available information to reduce costs;

• Industry providing data and collaborating to the hazard and risk assessments;

• That is sufficient to determine whether a substance requires measures to control their risks and what measures are most appropriate;

• Popular participation so that all stakeholders are heard and contribute to the analysis.

Sectoral technical evaluation to support the decision of the Deliberative Committee
The Draft Law “Flow”

- **Producers / Importers**
  - Select industrial chemicals for evaluation according to health and environment criteria
  - Studies, informations, SDS

- **Technical Committee (MoE, MoH, MoL e MoI)**
  - Risk assessment and suggestions on risk management measures

- **Deliberative Committee (MoE, MoH, MoL e MoI)**
  - Set out risk management measures

- **Private sector**
  - Adopt risk management measures

* MoE - Ministry of Environment; MoH - Ministry of Health; MoL - Ministry of Labour; MoI - Ministry of Industry*
Public Consultation

From June 30 to September 28 (90 days)

Website of MMA - online survey

Documents available:
- Draft Law on chemicals;
- Support paper with technical notes and background of the discussions.
Summary of the Public Consultation

- Total amount of 248 inputs, many of them with the same content;
- Private sector mainly
  - Sectors: chemical, food and feed (human and animal), pharmaceuticals, veterinary, cosmetics, pesticides, cleaning products, electronics, textile, leather, plastics, specialized consultants, among others;
- Contributions of international bodies.
Next steps

- Take in considerations all suggestions received in the Public Consultation (ended in September 28, 2016);
- Systematize, evaluate and provide public justifications for acceptance or rejection (ongoing);
- Discuss and approve the final text of the amended Draft Law by CONASQ;
- Subscription by the Ministers of Environment, Health, Labor and Industry;
- Send the Draft Law to the Congress.
Thank You!
Obrigada!

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