

Draft of new chapter concerning consumer products in the Norwegian Product Regulations:

Chap x. Hazardous substances in consumer products

I. Prohibition on certain hazardous substances in consumer products

Section x-1. Purpose

The purpose of this chapter is to limit the harmful effects on human health and the environment from consumer products, as well as to limit the content of hazardous substances in waste.

Section x-2. Scope

For consumer products, this chapter shall take precedence to other provisions in these regulations, unless indicated to the contrary in this chapter.

The chapter does not apply to food products, food packaging, fertilizers, medical equipment and tobacco, as well as means of transport, permanently mounted equipment for means of transport and tyres and similar accessories for means of transport.

Section x-3. Definitions

By the term *consumer product* is meant any product that is intended for consumers or that can reasonably be expected to be used by consumers, in line with the definition in section 2a of the Norwegian Act of 11 June 1976 No. 79 relating to the control of products and consumer services (the Product Control Act).

Section x-4. Prohibition on consumer products that contain certain hazardous substances

It is prohibited to produce, import, export or sell consumer products that contain substances in the table below when the content of the substance in the product's homogeneous component parts are greater or equal to the limiting values specified in the table.

Group of substances	Substance encompassed by the prohibition	CAS No.	Limit value (percent by weight)
brominated flame retardants	hexabromocyclododecane (HBCDD)	25637-99-4, 3194-55-6	0.1
	tetrabromobisphenol A (TBBPA)	79-94-7	1
chlorinated paraffins	medium-chained chlorinated paraffins, C14-C17 (MCCP)	85535-85-9	0.1
metals and metallic compounds	arsenic and arsenic compounds		0.01
	lead and lead compounds		0.01
	cadmium and cadmium compounds		0.01

organic tin compounds	tributyltin compounds (TBT)		0.001 in articles
	triphenyltin compounds (TPT)		0.001 in articles
fragrance substances	musk xylene	81-15-2	0.05
	musk ketone	81-14-1	0.05
perfluorinated compounds	Perfluorooctyl acid (PFOA) and individual salts and esters of PFOA	335-67-1, 3825-26-1, 335-95-5, 2395-00-8, 335-93-3, 335-66-0, 376-27-2, 3108-24-5	0.005 For textiles and other coated materials: 1 µg/m ²
surfactants	DTDMAC	68783-78-8	in total 0.1
	DODMAC/DSDMAC	107-64-2	
	DHTDMAC	61789-80-8	
other substances	Bisphenol A	80-05-7	freely available substance: 0.005 from [date], ¹ 0.0025 from [date] ²
	diethylhexylphtalate (DEHP)	117-81-7	0.1
	pentachlorophenol	87-86-5	0.1
	triclosan	3380-34-5	0.001

For metals, the prohibition in the first subsection does not apply to natural occurrences in coal, ore and ore concentrate.

II. Products and product groups that are not covered by the prohibition on certain hazardous substances in consumer products

Section x-5. Arsenic and arsenic compounds

The prohibition in section x-4 on products containing arsenic and arsenic compounds does not apply for:

- lead accumulators/sulphuric acid batteries,
- brass products,
- crystal and lead glass,

¹ When entry into force.

² Three years after entry into force.

- ship-bottom paint and wood preservatives that are regulated in section 2-7 of these regulations.
- arsenic-treated timber that is regulated in section 3-6 of these regulations.
- cosmetics and hygiene articles that are regulated in the Norwegian Cosmetics Regulations (26 October 1995)

Section x-6. *Lead and lead compounds*

The prohibition in section x-4 on products containing lead and lead compounds does not apply for:

- sailboat keels and ballast usages,
- glazings and enamels on products that must be presumed not to come into contact with food products,
- crystal and lead glass,
- lead diving belts,
- lead storage batteries,
- aviation fuels,
- paint that is regulated in section 2-5 of these regulations,
- ammunition, including shot pellet that is regulated in section 2-5 of these regulations,
- fuel that is regulated in section 3-16 of these regulations,
- packaging, batteries and electrical and electronic products and equipment that are regulated in sections 3-11, 3-13 through 3-14 and 3-17 through 3-19 of these regulations.
- cosmetics and hygiene articles that are regulated in the Norwegian Cosmetics Regulations (26 October 1995)

Section x-7. *Cadmium and cadmium compounds*

The prohibition in section x-4 on products containing cadmium and cadmium compounds does not apply for:

- electrical contacts for every application area that is surface-treated with cadmium or cadmium compounds in order to ensure the reliability required for the device in which they are installed,
- paints and lacquers with a high zinc content having a residual cadmium concentration of up to 0.1 percent by weight,
- use of cadmium in pigments, as a stabiliser in products and with the surface treatment of metal, provided its use is due to reasons of safety,
- galvanic anodes,
- cadmium in packaging, batteries and electrical and electronic products and equipment that are regulated in sections 3-11, 3-13 through 3-14 and 3-17 through 3-19 of these regulations.
- cosmetics and hygiene articles that are regulated in the Norwegian Cosmetics Regulations (26 October 1995)

Section x-8 *Tributyltin and triphenyltin compounds*

The prohibition in section x-4 on products containing tributyltin and triphenyltin compounds does not apply for application areas that are regulated in sections 2-8 of these regulations.

Section x-9. *Musk xylene and musk ketone*

The prohibition in section x-4 on products containing musk xylene and musk ketone does not apply for washing agents that are regulated in sections 3-10 of these regulations.

- cosmetics and hygiene articles that are regulated in the Norwegian Cosmetics Regulations (26 October 1995)

Section x-10. *The tensides DTDMAC, DODMAC/DSDMAC and DHTDMAC*

The prohibition in section x-4 on products containing the tensides DTDMAC, DODMAC/DSDMAC or DHTDMAC does not apply for washing agents that are regulated in sections 3-10 of these regulations.

Section x-11. Bisphenol A

The prohibition in section x-4 on products containing bisphenol A does not apply for:

- jointless floors,
- brake fluid,
- thermal paper
- plastic fillings for dental treatment
- cosmetics and hygiene articles that are regulated in the Norwegian Cosmetics Regulations (26 October 1995)

Section x-12. *DEHP*

The prohibition in section x-4 on products containing DEHP does not apply for:

- construction materials outdoor use
- toys and children's products that are regulated in section 3-12 of these regulations.
- cosmetics and hygiene articles that are regulated in the Norwegian Cosmetics Regulations (26 October 1995)

Section x-13. Pentachlorophenol

The prohibition in section x-4 on products containing pentachlorophenol does not apply for:

- textiles and leathers that are regulated in section 3-4 of these regulations.
- cosmetics and hygiene articles that are regulated in the Norwegian Cosmetics Regulations (26 October 1995)

Section §x-14. *Triclosan*

The prohibition in section x-4 on products containing triclosan does not apply for:

- Cosmetics and hygiene articles that are regulated in the Norwegian Cosmetics Regulations (26 October 1995)