

# Bill to Amend the Chemical Substances Control Law

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Ministry of Economy, Trade and Industry

Ministry of Health, Labour and Welfare

Ministry of the Environment

## 1. Purpose of the amendment

- (1) In recent years, public interest in safety and security has increased, and so has public concern over chemical substances. At the global level, an agreement was reached at the World Summit on Sustainable Development to minimize adverse effects of chemicals on human health and the environment. Since then, the situation concerning control of chemical substances has changed substantially, as seen in Europe, where a new regulation on all chemical substances entered into force in 2007.
- (2) The Act on the Evaluation of Chemical Substances and Regulation of Their Manufacture, etc. (hereinafter the “Chemical Substances Control Law”) has imposed strict pre-marketing evaluation of chemical substances that were introduced on the market from 1973 onward (i.e., after the enactment of the Law). On the other hand, the government, on its own, has been conducting risk assessment of chemical substances that had been in the market before the enactment of the Law (hereinafter “the existing chemical substances”) and has taken regulatory measures under the Law as needed. However, not all of the existing chemical substances have been assessed yet.
- (3) Therefore, there is a need to steadily implement risk assessment and to further enhance strict control of chemical substances in Japan by obliging manufacturers and importers of the existing chemical substances to notify the amount of chemicals they have handled in each fiscal year and by requiring them to submit toxicity information as needed. In addition, the government aims to allow related ministries to share increased amounts of information gathered under the amended Law and enforce more effective regulations on chemical substances pursuant to relevant laws and ordinances.

- (4) Another purpose of the amendment is to eliminate international inconsistencies and construct rational evaluation and regulation systems in Japan. Although additional substances are expected to be listed under the Stockholm Convention on Persistent Organic Pollutants, corresponding provisions concerning the uses permitted exceptionally under the convention are not provided for in the Chemical Substances Control Law, which domestically implements the convention.

## 2. Summary of the amendment

### (1) Introduction of a comprehensive control system that covers the existing chemical substances

- (a) Companies that have manufactured or imported any chemical substance, including existing one, in excess of the specified amounts are newly obliged to notify quantity and other information for every fiscal year.
- (b) Chemical substances which the government identifies, from the content of their notifications and available knowledge of their hazardous properties, as having higher priority in risk assessment shall be designated as “Priority Assessment Chemical Substances.”
- (c) Manufacturers and importers of those Priority Assessment Chemical Substances may be required to submit information on hazardous properties and companies handling them may be required to report their uses.
- (d) Among the Priority Assessment Chemical Substances, substances which raise concerns about adverse effects on humans or the environment through the information gathering and the risk assessment shall be subject to regulations on manufacture and use as “Specified Chemical Substances,” as in the existing Law.
- (e) In addition to “chemical substances which is persistent in the environment”, which have been under control, “chemical substances which is not persistent in the environment” are regulated in the amended law.

### (2) Appropriate control on chemical substances in the supply chain

To prevent environmental pollution by the Specified Chemical Substances and products containing them, the amended Law requires companies handling them

to adhere to specific handling standards and obliges them to label them as needed for transactions.

(3) Rationalization of evaluation and regulation systems in light of international trends

The government eliminates international inconsistencies in its regulations, for example, by reviewing regulations on Class I Specified Chemical Substances in order to permit the exceptional use of substances that will be listed under the Stockholm Convention in the future under strict control.

3. Necessity to submit the bill to the current ordinary session of the Diet

Accelerating the risk assessment of chemical substances and enhancing the regulations on hazardous chemical substances are essential for ensuring public safety and security and achieving the goals agreed on at the World Summit on Sustainable Development. With additional chemical substances expected to be listed under the Stockholm Convention in this spring, the government needs to promptly take action toward implementation of the convention in Japan. Therefore, there is an urgent need to make necessary amendments to the Chemical Substances Control Law.