

# Legislation Outlook

March 2020

This monthly legislation briefing is a **supplement** to your Activ Comply service to help you to **plan ahead** for maintenance of your ISO 14001, OHSAS 18001/ISO 45001, ISO 50001 and ISO 27001 systems. In addition to giving you advance warning about important legislation that will affect your compliance with the standards, we'll provide news, newly-published guidance and government consultations that you might find useful, as well as any other significant legislation beyond the scope of the standards listed that will potentially impact your organisation. Unlike other services, we only report items of value: we don't waste your time on items such as an increase in administrative fees or changes that only affect enforcement agencies.

When legislative changes are announced with short notice (<1 month) they are not reported here. All changes are automatically delivered direct into your [Activ Comply](#) system as they come into effect so you can be confident that you are always 100% up to date.

The amount of legislation coming through the pipeline is noticeably increasing now that the Brexit logjam has been cleared – we anticipate that this increase will continue over the next few months at least. You should also be aware that new EU law will still come into force until the transition period ends in December 2020.

## Upcoming Standard-Related Legislation

### OHSAS 18001 / ISO 45001

Regulation (EU) 2020/171 amending Annex XIV to Regulation (EC) No 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)

This [Regulation](#) adds the following substances to the list of substances in Annex XIV whose use is prohibited without an authorisation:

- 1,2-Benzenedicarboxylic acid, dihexyl ester, branched and linear;
- Dihexyl phthalate;
- 1,2-benzenedicarboxylic acid, di-C6-10-alkyl esters; 1,2-benzenedicarboxylic acid, mixed decyl and hexyl and octyl diesters with  $\geq 0,3$  % of dihexyl phthalate;
- Trixylyl phosphate;
- Sodium perborate; perboric acid, sodium salt;
- Sodium peroxometaborate;
- 5-sec-butyl-2-(2,4-dimethylcyclohex-3-en-1-yl)-5-methyl-1,3-dioxane [1], 5-sec-butyl-2-(4,6-dimethylcyclohex-3-en-1-yl)-5-methyl-1,3-dioxane [2] [covering any of the individual stereoisomers of [1] and [2] or any combination thereof];
- 2-(2H-benzotriazol-2-yl)-4,6-ditertpentylphenol (UV-328);
- 2,4-di-tert-butyl-6-(5-chlorobenzotriazol-2-yl)phenol (UV-327);
- 2-(2H-benzotriazol-2-yl)-4-(tert-butyl)-6-(sec-butyl)phenol (UV-350); and
- 2-benzotriazol-2-yl-4,6-di-tert-butylphenol (UV-320).

The prohibitions come into force between 27 August 2021 and 22 May 2022. Users of any of the above substance will need to ensure that they have authorisation in place before the prohibitions come into effect.

Regulation (EU) 2020/217 amending, for the purposes of its adaptation to technical and scientific progress, Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures and correcting that Regulation

This [Regulation](#) amends, from 9 September 2021, the hazard classifications for the following substances:

- Phenyl bis(2,4,6-trimethylbenzoyl)-phosphine oxide;
- Cobalt;
- Nickel bis(sulfamidate);
- Nickel sulfamate;
- Thylene oxide; oxirane;
- Metaldehyde (ISO); 2,4,6,8-tetramethyl-1,3,5,7-tetraoxacyclooctane;
- 2-benzyl-2-dimethylamino-4'-morpholinobutyrophenone;
- Pyridate (ISO); O-(6-chloro-3-phenylpyridazin-4-yl) S-octyl thiocarbonate
- Dodecyl methacrylate;
- 2-phenylhexanenitrile;
- Thiabendazole (ISO); 2-(thiazol-4-yl)benzimidazole;
- 2 diethyltoluamide (ISO); N, N-diethyl-m-toluamide; [deet];
- Titanium dioxide; [in powder form containing 1 % or more of particles with aerodynamic diameter  $\leq 10 \mu\text{m}$ ];
- Methylmercuric chloride;
- Benzo[rs]pentaphene;
- Dibenzob,def]chrysene; dibenzo[a,h]pyrene;

- Ethanol, 2,2'-iminobis-, N- (C13-15-branched and linear alkyl) derivs;
- Cyflumetofen (ISO); 2-methoxyethyl (RS)-2- (4-tert-butylphenyl)-2-cyano-3-oxo-3-( $\alpha,\alpha,\alpha$ -trifluoro-o-tolyl)propionate;
- Pentapotassium 2,2',2'',2''',2''''-(ethane-1,2- diynitrilo)pentaacetate;
- N-carboxymethyliminobis (ethylenenitrilo)tetra (acetic acid);
- Pentasodium (carboxylatomethyl)iminobis(ethylenenitrilo)tetraacetate
- Diisohexyl phthalate;
- Fludioxonil (ISO); 4-(2,2- difluoro-1,3-benzodioxol4-yl)-1H-pyrrole-3-carbonitrile
- Halosulfuron-methyl (ISO); methyl 3-chloro-5-[[4,6- dimethoxypyrimidin-2-yl) carbamoyl]sulfamoyl]-1- methyl-1H-pyrazole-4- carboxylate;
- 2-methylimidazole;
- (RS)-2-methoxy-Nmethyl-2-[ $\alpha$ -(2,5-xylyloxy)-o-tolyl]acetamide; mandestrobin;
- Carboxin (ISO); 2-methyl-N-phenyl-5,6- dihydro-1,4-oxathiine-3- carboxamide; 5,6-dihydro2-methyl-1,4-oxathiine-3- carboxanilide;
- Metaflumizone (ISO); (EZ)-2'-[2-(4-cyanophenyl)-1-( $\alpha,\alpha,\alpha$ -trifluoro-mtolyl)ethylidene]-[4-(trifluoromethoxy)phenyl] carbanilohydrazide [E-isomer  $\geq$  90 %, Z-isomer  $\leq$  10 % relative content]; [1] (E)-2'-[2-(4-cyanophenyl)- 1-( $\alpha,\alpha,\alpha$ -trifluoro-m-tolyl) ethylidene]-[4-(trifluoromethoxy)phenyl]carbanilohydrazide [2]; and
- Dibutylbis(pentane-2,4- dionato-O,O')tin.

The Regulation also introduces new hazard statements for the labelling of substances that can form hazardous respirable droplets or dust during use.

**Remember: short-notice changes to legislation are not reported in this briefing; all changes are delivered direct into your Activ Comply system as they come into effect.**

## Guidance

### Manual Handling

The HSE has updated its [guidance](#) on manual handling for employers. The updated version includes more information on the simple risk filters for lifting, lowering and carrying operations and simplified advice on pushing and pulling, with new simple filter pushing/pulling illustrations.

### Working at Height

The Construction Industry Advisory Committee (CONIAC) Managing Risk Well Working Group has developed the 'Safety Steps' [guidance](#). This guidance provides general information on work at height for designers, clients, managers, supervisors and operatives, and includes flowcharts, training materials, posters, toolbox talks and other information that can be used to keep people who work at height safe.

### Upper Limb Disorders

The HSE has revised its [guidance](#) for employers on managing upper limb disorders (ULDs) which affect the shoulders, arms, wrists, hands and neck. In addition to offering practical advice on ULDs and managing the risks around them, it now includes a simple filter to help identify low-risk tasks which do not need further assessment.

## Consultations

### Chemical Waste

The Environment Agency has launched a [consultation](#) seeking views on its proposed [guidance](#) 'Appropriate measures for permitted facilities that take chemical waste'. The proposed guidance aims to replace technical guidance note EPR 5.06 'Guidance for the recovery and disposal of hazardous and non-hazardous waste (May 2013)'.

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