NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

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| **1.** | **Notifying Member:** Switzerland  **If applicable, name of local government involved (Article 3.2 and 7.2):** |
| **2.** | **Agency responsible:**  Federal Office for the Environment FOEN Worblentalstrasse 86 CH-3063 Ittigen Postal address: CH-3003 Berne Switzerland [chemicals@bafu.admin.ch](mailto:chemicals@bafu.admin.ch), [www.bafu.admin.ch](http://www.bafu.admin.ch)  **Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:**  State Secretariat for Economic Affairs SECO Holzikofenweg 36 CH-3003 Berne Switzerland [tbt@seco.admin.ch](mailto:tbt@seco.admin.ch), [www.seco.admin.ch](http://www.seco.admin.ch) |
| **3.** | **Notified under Article 2.9.2 [****X],** **2.10.1 [****],** **5.6.2 [****],** **5.7.1 [****],** **other****:** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Pentachlorophenol (PCP, CAS RN 87-86-5), its salts and esters. Perfluorooctane sulfonic acid and its derivatives (PFOS) as a substance on its own and as a constituent of other substances, in mixtures, or in articles or any part thereof. This include substances with the following CAS RNs: 1763-23-1, 2795-39-3, 29457-72-5, 29081-56-9, 70225-14-8, 56773-42-3, 251099-16-8, 4151-50-2, 31506-32-8, 1691-99-2, 24448-09-7, 307-35-7, and others. Perfluorooctanoic acid (PFOA), CAS RN 335-67-1, its salts and PFOA-related substances as a substance on its own and as a constituent of other substances, in mixtures, or in articles or any part thereof. Perfluorocarboxylic acids containing 9 to 14 carbon atoms in the chain (C9-C14 PFCA), their salts and related substances as a substance on its own and as a constituent of other substances, in mixtures, or in articles or any part thereof. The term "C9-C14 PFCAs" is used as an abbreviation for: Perfluorononan-1-oic acid (C9-PFCA), CAS RN 375-95-1; Nonadecafluorodecanoic acid (C10-PFCA), CAS RN 335-76-2; Henicosafluoroundecanoic acid (C11-PFCA), CAS RN 2058-94-8; Tricosafluorododecanoic acid (C12-PFCA), CAS RN 307-55-1; Pentacosafluorotridecanoic acid (C13-PFCA), CAS RN 72629-94-8; Heptacosafluorotetradecanoic acid (C14-PFCA), CAS RN 376-06-7; C9-C14 PFCA related substances can be transformed in the environment to C9-C14 PFCA. Perfluorohexane sulfonic acid (PFHxS), CAS RN 355-46-4, its salts and PFHxS-related substances as a substance on its own and as a constituent of other substances, in mixtures, or in articles or any part thereof. Polycyclic aromatic hydrocarbons (PAH) in granules or mulches used as infill materials in synthetic turf pitches or in loose form on playgrounds or in sport applications. PAH is used as abbreviation for eight carcinogenic substances: Benzo[a]pyrene (BaP), CAS RN 50-32-8; Benzo[e]pyrene, CAS RN 192-97-2; Benzo[a]anthracene, CAS RN 56-55-3; Chrysen, CAS No 218-01-9; Benzo[b]fluoranthene, CAS No 205-99-2; Benzo[j]fluoranthene, CAS No 205-82-3; Benzo[k]fluoranthene, CAS No 207-08-9; Dibenzo[a,h]fluoranthene, CAS No 53-70-3. Appliances and equipment with asbestos-containing components. Substances stable in the atmosphere. Foams and articles with foams containing ozone-depleting substances.; Reclaimed rubber in primary forms or in plates, sheets or strip (HS 4003) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Draft Ordinance of the Federal Council concerning amendments to annexes 1.1, 1.2, 1.4, 1.5, 1.6, 1.10, 1.16, 2.9, 2.10 und 2.11 of the Ordinance on the Reduction of Risks relating to the Use of Certain Particularly Dangerous Substances, Preparations and Articles (Chemicals Risk Reduction Ordinance, ORRChem, Fedlaw number: SR 814.81) (21 page(s), in German) |
| **6.** | **Description of content:** The draft Ordinance contains adaptations of existing and new regulations in the Chemical Risk Reduction Ordinance (ORRChem) in the areas of   * persistent organic pollutants (Annex 1.1), * halogenated organic substances (Annex 1.2), * substances that deplete the ozone layer (Annexes 1.4 and 2.9), * substances stable in the atmosphere (Annexes 1.5 and 2.10), * asbestos (Annex 1.6), * carcinogenic, mutagenic and reprotoxic substances (Annex 1.10), * per- and polyfluoroalkyl substances (PFOS, PFOA, C9-C14 PFCA, PFHxS; Annexes 1.16 and 2.11), * oxo-degradable plastics (Annex 2.9), and * polycyclic aromatic hydrocarbons (PAH; Annex 2.9).   The existing prohibition for the placing on the market of wood, textiles and leather goods containing pentachlorophenol (PCP), its salts and esters will be extended to any other products containing PCP, its salts and esters.  The placing on the market of substances that are stable in the atmosphere will, for specific uses, be allowed in refillable containers only. Labeling requirements will be updated to specify containers with reclaimed or recycled substances.  Medical devices will be exempted from the ban on supply to the general public of substances with carcinogenic, mutagenic, or reprotoxic properties (CMR-substances), and mixtures that contain such substances.  Existing exemptions from the prohibition of the placing on the market and use of PFOS and PFOS-related substances as well as preparations and articles containing these substances are repealed (photoresists or anti-reflective coatings for photolithography processes; photographic coatings applied to films, papers, or printing plates) or time limited (mist suppressants for non-decorative hard chromium (VI) plating in closed loop systems).  The manufacture, placing on the market and use of PFHxS and related substances, as well as mixtures and articles containing such substances, will be prohibited.  Existing restrictions for PFOA and its precursors are extended to longer-chain perfluorocarboxylic acids (C9-C14 PFCA) and their precursors as well as mixtures and articles containing such substances.  The placing on the market and use of granules and mulches used as infill material in synthetic turf pitches or in loose form on playgrounds or in sport applications will be prohibited if they contain more than 20 mg/kg of the sum of eight listed PAH.  The placing on the market and use of plastic products containing additives that cause the plastic to break down into fragments (oxo-degradable plastics) will be prohibited.  Existing reporting requirements for stationary systems containing refrigerants will be extended with information requirements specific to heat pumps. The placing on the market of temporary ice-rinks containing a refrigerant with a global warming potential higher than 4000 will be prohibited.  A new exemption will be introduced for the manufacture and placing on the market of foams containing substances with an ozone depletion potential smaller than 0.0005, as well as for the manufacture and placing on the market of articles containing such foams. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** The purpose of this revision of the Chemical Risk Reduction Ordinance (ORRChem) is to ensure the protection of human health and the environment from adverse effects of hazardous chemicals; Protection of human health or safety; Protection of the environment; Reducing trade barriers and facilitating trade |
| **8.** | **Relevant documents:**  The current draft legal text is only available in German (see attachment and section 11).  Draft legal text in German, French and Italian of March 2021:  [Draft modification of ORRChem (German)](https://fedlex.data.admin.ch/filestore/fedlex.data.admin.ch/eli/dl/proj/6021/12/cons_1/doc_1/de/pdf-a/fedlex-data-admin-ch-eli-dl-proj-6021-12-cons_1-doc_1-de-pdf-a.pdf)  [Draft modification of ORRChem (French)](https://fedlex.data.admin.ch/filestore/fedlex.data.admin.ch/eli/dl/proj/6021/12/cons_1/doc_1/fr/pdf-a/fedlex-data-admin-ch-eli-dl-proj-6021-12-cons_1-doc_1-fr-pdf-a.pdf)  [Draft modification of ORRChem (Italian)](https://fedlex.data.admin.ch/filestore/fedlex.data.admin.ch/eli/dl/proj/6021/12/cons_1/doc_1/it/pdf-a/fedlex-data-admin-ch-eli-dl-proj-6021-12-cons_1-doc_1-it-pdf-a.pdf)  The draft legal text of March 2021 was modified in certain points (in particular deletion of restrictions for the placing on the market and use of cyclic siloxanes D4, D5, and D6). |
| **9.** | **Proposed date of adoption:** February 2022  **Proposed date of entry into force:** 1 April 2022 |
| **10.** | **Final date for comments:** 60 days from notification |
| **11.** | **Texts available from: National enquiry point [** **]** **or address, telephone and fax numbers and email and website addresses, if available, of other body:**  Federal Office for the Environment FOEN Air Pollution Control and Chemicals Division Industrial Chemicals Section 3003 Berne E-mail: [chemicals@bafu.admin.ch](mailto:chemicals@bafu.admin.ch)  <https://members.wto.org/crnattachments/2021/TBT/CHE/21_7243_00_x.pdf> |