Chemicals

Overview of current legislation

There are two main legislative instruments for safe management of chemicals in Iceland.

The first one is the *Act no 52/1998 concerning* toxic and hazardous substances. The inital provisions of this act states that: *Toxic and hazardous substances must be used with care and precautions in such a way that people and animals are not harmed, and food or the environment are not polluted by the substances.* The Act specifies that special permits are required for manufacturing, and use of toxic substances. Plant protection products and substances used for pest control need to be registered before they are allowed for marketing and use in the Icelandic market. As a member state in EFTA and the European Economic Area (EEA), Iceland has implemented most of the EU-legislation concerning chemicals with bases in the above mentioned act. The most important provisions hereunder are on classification and labelling of substances and preparations, biocides and cosmetics. It also contains provisons for detergents, ozone depleting substances and POPs.

The second one, the *Act no 45/2008 on chemicals and preparations* was set to enable implementation of the EU regulation on Registration, Evaluation and Authorisation of Chemicals (REACH). The overall goal of REACH is to ensure high level of protection of human health and the environment as well as ensuring free circulation of substances on the EEA market while enhancing competitiveness and innovation.

Assessment of chemicals

Classification, packaging and labeling

As a part of the EEA agreement, Iceland has implemented the EU legislation concerning classification, packaging and labeling of hazardous substances (Council Dir. 67/548/EEC), and preparations (Council Dir. 1999/45/EC). Toxic and hazardous substances should be classified according to 10 different hazard-classes. Further more, special rules apply for plant protection products which additionally are also classified into 4 risk groups, X, A, B and C. Toxic plant protection products fall into X and A groups and those who are classified as hazardous fall into B and C groups. Only certified persons are allowed to buy and use products that fall into X and A groups.

All toxic and hazardous products should be labeled. Labels contain relevant pictogram according to class as well as information on hazards and safety precautions. All classified chemicals and preparations should be packaged safely and safety data sheets with more detailed information should be available upon request, to consumers.

Iceland is also planning to implement the new EU regulation no. 1272/2008 on classification, labelling and packaging. It is foreseen that it will enter into force in mid year 2010. This new

regulation applies the general principles of the United Nations system of Global Harmonisation to all chemicals and preparations (mixtures) in the EU. That way the same hazards will be described and labelled in the same way around the world.

REACH

Iceland implemented the REACH regulation (COM Reg. no. 1907/2006) in June 2008. According to REACH, all substances which are manufactured in the EEA or imported into the EEA market, in amounts over 1 tonnes/year should be registered in a central database. The responsibility for registration is on the industry itself and they are required to gather and assess information about the risk of chemicals to the human health or the environment. Substances shall not be manufactured nor placed on the market unless they have been registered.

The European Chemicals Agency (ECHA) evaluates compliance and completeness of registration dossiers, while competent authorities evaluate the chemicals based on test results and other available information which are submitted by industry. The evaluation of a substance can lead to decision that the substance should be subject to a restriction of use or special authorisation. REACH states that all substances of very high concern require an authorisation for use and placing on the market. Authorisation is only granted if it is demonstrated that the risk from using the substance is adequately controlled. If not, then it may also be granted if the socio-economic benefits outweigh the risks and there are no suitable alternative substances or processes. The authorisation procedure should therefore lead to the substitution of substances of very high concern by less problematic substances.

Sound management of toxic and hazardous chemicals

POPs

Persistent Organic Pollutants (POPs) are substances that pose threat to human health and the environment by possessing toxic characteristics and being bioaccumulative. Their persistence and proneness to long-range transport and deposition have made the substances ubiquitous in the environment, resulting in significant quantities in wildlife even in areas such as the Arctic, far from the sources of the contamination. Owing to the transboundary transport of POPs, a global effort is needed in order to deal with the problem by agreeing on minimizing or eliminating the releases of POPs to the environment. Iceland ratified the Stockholm Convention 29 May 2002 and the Convention entered into force 17 May 2004. In addition, Iceland has implemented EU regulations which cover substances that fall under the Stockholm convention, these include COM regulations no. 850/2004, 1195/2006, 172/2007 and 323/2007.

Persistent organic pollutants, e.g. PCBs, DDT, HCB, HCH isomers, trans-nonachlor, trans and cis chlordane, have been monitored in air and precipitation since 1995 at Stórhöfði in the Vestman Islands off the south coast of Iceland. The measurements, reported as monthly mean concentrations, are made as part of the European Monitoring and Evaluation Program (EMEP) that involves twelve measurement sites in nine countries. In addition heavy metals in air and

precipitation are monitored regularly. Further information and results can be found on the EMEP website: http://tarantula.nilu.no/projects/ccc/emepdata.html

Ozone depleting substances

Iceland ratified the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on Substances that Deplete the Ozone Layer in 1989. Iceland has ratified the following amendments to the Montreal Protocol:

- Adjustments and changes made in London on 29 June 1990, ratified in 1993
- Adjustments made in Copenhagen on 25 November 1992, ratified in 1994
- Adjustments made in Montreal on 17 September 1997, ratified in 2000

Iceland has not ratified the adjustments made in Beijing on 3 December 1999. Icelandic regulations on ozone depleting substances are in line with EU legislation for that matter and take note of the EU regulation no. 2037/2000 with subsequent amendments.

In Iceland the use of CFCs were gradually phased out in the 1990s. Now the use of CFCs in Iceland is prohibited.

Until 1. January 2010 it was allowed to import HCFCs to Iceland for use in cooling systems, special quotas were set and all import was subject to strict control. From 1. Jan 2010 – 1. Jan 2015, only recycled HCFCs are allowed on the market in Iceland and then they will be totally phased out.

Biocides

Provisions regarding biocides are in line with EU legislation. Iceland has already implemented Council Dir 98/8/EC regarding placing biocidal products on the market. The Biocidal Product Directive aims to harmonise the European market for biocidal products and their active substances. At the same time it aims to provide a high level of protection for humans, animals and the environment. The basic principles of the Directive are that all active substance has to be assessed before they are allowed for use in biocidal products on the market. Also all biocidal products shall be authorised before placing them on the market.

Most product types in the main group pest control must be authorized according to the legislation relating to PPPs until the active substances have been evaluated according to 98/8/EC. Authorisation of products after the risk assessment of active substances will start in 2010.

Plant protection products – agricultural chemicals

Plant protection products (PPP) may neither be manufactured, imported, sold nor used in Iceland without an authorization (registration) granted by the Ministry for the Environment. Before authorization and marketing, all PPPs undergo an evaluation based on an assessment of the active ingredient and adjuvant, especially as regards: the effects on human health and the

environment, the area of use, dosages and methods of use and the size of packaging. All classified PPPs are labeled in Icelandic.

Plant protection products (PPP) are classified in the hazard classes Tx, T, Xn, N etc. and the risk groups X, A, B and C. The risk groups are used to manage their import, sale and use. Companies importing and selling PPPs in group X, A and B must have a license for import and sale granted by the Ministry for the Environment. In addition, only certified persons are allowed to buy and use products that fall into X/A groups. For a PPP in group B (dangerous) the prospective buyer must sign for it by purchase. No restrictions apply for import and sale of PPPs in group C.

Data on the sales quantity of plant protection products, including non-agricultural pest control, is collected.