

# INTERNATIONAL AFFAIRS REPORT AUGUST 2022

## MEMBER REPORT

Over the past year, ACA worked to advance an international affairs agenda in support of the U.S. coatings industry. The association's activities gained support from allied industry groups, both in the United States and around the globe. While limited in its ability to directly shape policy in other countries, ACA continues to cooperate with these groups and, over the past year, worked to expand its international affairs reach through cooperation, seeking effective policy, and common-sense approaches informed by sound science. These ACA-led efforts have resulted in fostering global consensus on a spectrum of industry interests.

Moreover, through the enhanced leadership of the members of the World Coatings Council — for which ACA serves as Secretariat — proactive measures are being pursued to ensure policy changes in one part of the world are developed in a manner consistent with practices established elsewhere.

The specific international affairs updates that follow provide a glimpse into matters where ACA and the World Coatings Council are providing effective industry advocacy and representation. For more information on the council, its policies, and programs, please visit <https://worldcoatingscouncil.org/>.

## ACA INTERNATIONAL ACTIVITY

Over the past year, ACA expanded its efforts to bring issues of international import that are topical and impactful to members through its Member Webinar series. ACA hosted a variety of transnationally focused webinars that addressed the following matters: an update on the EU's classification of titanium dioxide; an overview of the Global Cool Cities Alliance; and a timely and prescient update on coatings raw material supply for 2022. The latter remains a pressing matter for many coatings companies, as the impact of the disruption of global supply of key raw materials affected many product groups, including pigments, resins, acrylics, solvents, and packaging. Many of these areas were focal points for ACA's international activities over the past year. This section of the report highlights ACA's efforts in the international arena on behalf of industry.

### Titanium Dioxide Classification in Europe

Oct. 1, 2021 marked the effective compliance date for the European Commission's regulation classifying titanium dioxide (TiO<sub>2</sub>) containing greater than 1 percent respirable dust content *by inhalation* as a Category 2 [Animal] Carcinogen. The final Category 2 cancer hazard classification by respirable dust inhalation focuses on conveying a specific hazard where respirable dust exposures occur (i.e., exposure to particles less than 10 µm in diameter). For TiO<sub>2</sub> in formulated products — like liquid paints — this distinction mitigates the required hazard warnings; it does, however, retain them for powder coatings, since they may contain more than 1 percent of respirable dust-size particles.

The requirements for hazard and precautionary labeling for products containing TiO<sub>2</sub> offered for sale in Europe have been in force for some nine months (at this writing); but ACA continues to challenge this classification as a clear departure from the UN GHS criteria, and inconsistent with a variety of other hazard classification and regulatory findings around the world.

#### *ACA Intervention in Legal Efforts to Nullify Classification*

Following the adoption of the European classification in September 2020, ACA and two European counterparts — the European Council of the Paint, Printing Ink and Artists' Colours Industry (CEPE) and the British Coatings Federation (BCF) — filed a motion to intervene in support of a legal challenge against the EU classification. This litigation initiated by the Titanium Dioxide Manufacturers Association in the General Court of the European Union, maintains that there is no reliable, acceptable or available data to suggest that TiO<sub>2</sub> causes cancer; asserts that the classification was adopted in breach of the commission's duty of care and several principles of EU law, including the principles of legal certainty, proportionality, and the right of interested parties to be heard; and seeks nullification of the EU classification.

In March 2021, the General Court of the European Union granted ACA's Joint Application for Leave to Intervene with CEPE and BCF. Thereafter, in May 2021, ACA, CEPE and BCF filed a joint Statement in Intervention arguing in favor of nullification of the classification; and in May 2022, the group filed a Pleading Note to further urge the annulment of the classification. The current expectation is that the General Court of the European Union will rule on the matter in the remaining months of 2022.



## Biocides for Product Preservation

The term “biocides” encompasses a wide range of materials that control the growth of unwanted, deleterious micro-organisms in the environment. Biocides in paints and coatings are used to prevent microbial growth and degradation during manufacturing and product shelf-life; ensure the product does not spoil before being used; and protect the paint film after application.

Increasingly, low-VOC waterborne coatings require the use of “in-can” preservatives. However, the expanding use of biocides in construction products, including paints and coatings, has resulted in increased scrutiny of their inherent safety by regulatory bodies worldwide. To date, the European Union, Canada, and the United States are all evaluating several biocides used in paints and coatings for risk to human health and the environment. On the health side, regulators express concerns about skin sensitization, carcinogenicity, and reproductive toxicity, often based on a review of hazard characteristics and/or use in products that are directly applied to the skin.

ACA, working with the World Coatings Council, has established an advocacy initiative to ensure continued availability of these critical raw materials in the United States and around the world to preserve paint in the container, protect the painted surface, and maintain desired conditions.

### Canada

While many antimicrobials are routinely reviewed on both sides of the border by the U.S. Environmental Protection Agency (EPA) and Health Canada’s Pest Management Regulatory Agency (PMRA), ongoing differences between the two agencies persist regarding publication schedules and timing; risk assessment methodologies and data; re-evaluation decisions; and use registrations. As a result, trade is often disrupted due to misalignment, which in turn negatively impacts production for manufactured products and treated articles, especially paint and coatings.

ACA supports the Canadian Paint and Coatings Association (CPCA) and an industry advisory group consisting of representatives of biocide manufacturers to advise PMRA regarding review methods and data to promote a clear, cross-border understanding of actual risk of biocides as used in coatings products. ACA continues to work with CPCA to pursue opportunities for regulatory cooperation on biocides across the border.

### United States

As part of its routine registration reviews required under the U.S. Federal Insecticide, Fungicide and Rodenticide Act (EPA is required to conduct re-evaluations every 15 years), the agency has scheduled reviews of about 40 biocides it believes relevant to paints and other formulated products, including several isothiazolinones. In comments submitted to EPA on its published review of several isothiazolinones, ACA addressed individual draft risk assessments

by biocide, underscoring that the agency’s Draft Risk Assessment assumptions over estimate exposure and risk. ACA also stressed to EPA that the use levels cited in EPA’s Draft Risk Assessments do not accurately reflect use in paints and coatings, and urged EPA to take no additional risk mitigation measures unless or until new risk assessment measures are evaluated.

Notably, EPA has indicated that it will not meet its regulatory deadline of October 2022 for completion of these reviews. ACA has supported biocide and paint manufacturers through creation of a working group to coordinate advocacy and promoting a harmonized approach with Canada to understanding risk. The working group has met with EPA and provided written comments explaining unique considerations when formulating paint with biocides, while further assessing EPA’s risk evaluations.

Currently, EPA is in the early stages of developing risk mitigation strategies for some biocides used by paint and coatings manufacturers. Strategies may include requiring personal protective equipment for professional painters, label changes for paint containers to convey EPA-identified biocide risks, and protections and related outreach to downstream users by paint companies. ACA is engaged with its working group and meeting with EPA regularly to comment on risk mitigation proposals.

### European Union

The EU has scheduled final evaluations of several isothiazolinones by the end of 2022. However, the EU has revised hazard classifications for several of these, requiring hazard labels at lower thresholds than the GHS thresholds. Some hazard classifications automatically bar the biocide from approval. Hazard classification of a biocide may also prevent manufacturers from using ecolabel and other similar marks on paint and coatings products with the classified biocide. CEPE has been monitoring this issue and participating in official meetings to promote a derogation from ecolabel requirements for paints and coatings.

## OECD Report on PFAS in Coatings and Varnishes

In March 2022, the Organization of Economic Cooperation and Development (OECD) published a final report, *Per- and Polyfluoroalkyl Substances and Alternatives in Coatings, Paints and Varnishes (CPVs)*, addressing commercial availability, uses and efficacy of alternatives, related to per and polyfluoroalkyl substances (PFAS) in coatings, paints and varnishes. The report is part of a series being developed by OECD/UNEP PFC Group (Perfluorochemicals Group), by resolution of the International Conference on Chemicals Management (ICCM 2, 2009). The PFC Group has published reports on standardizing PFAS terminology, PFAS in food packaging, and other topics.

OECD circulated a draft “final” report in November 2021. After consulting ACA members, ACA submitted comments to the U.S. representative to the OECD suggesting revisions to the report’s

product identification, uses of PFAS, and performance-related specifications. OECD also consulted ACA during early stages of drafting the report, to identify relevant information. OECD noted ACA's comments and will engage with ACA for any further analysis related to health and environmental effects, anticipated as a follow up to the 2022 report.

OECD describes the current report as a "market study," explaining uses of PFAS in coatings, paints and varnishes while noting availability and efficacy of alternatives. OECD notes further analysis is needed regarding health and environmental effects. Regulators at both the state and federal level may refer to the report in determining feasibility of regulatory programs. For its analysis, OECD defines PFAS as fluorinated substances that contain at least one fully fluorinated carbon atom, as described in the OECD report *Reconciling Terminology of the Universe of Per- and Polyfluoroalkyl Substances: Recommendations and Practical Guidance (OECD, 2021)*.

OECD, working with a consulting firm, drafted the report on PFAS in CPVs using publicly available reports and information and interviews with manufacturers. The report focuses on three applications: coatings for cables and wiring, front and backsheets of solar panels, and household and architectural paint. For each application, OECD provides an overview of the function of fluorinated chemistries, usually fluoropolymers, as used in CPVs. OECD identifies alternatives while comparing performance characteristics for each application.

OECD's report also considers costs, noting that fluoropolymer alternatives, with higher costs, are used when needed for performance characteristics. Fluoropolymer-based paints used on bridges demonstrate complexity of cost analysis and performance considerations, cited in the report. Although fluoropolymer-based paints are more expensive at the outset, over a 30-year period, their durability makes them less expensive than polyurethane alternatives. Per the OECD report, fluoropolymers have less than 10 percent of the market share for CPV products, while alternatives have more than 90 percent of the market share. For architectural coatings, the fluoropolymer market share is significantly lower, at 1 percent compared to alternatives at 99 percent, states the OECD report.

Notably, OECD's report recognizes limitations in available data related to market shares, alternatives, comparison of performance of alternatives and cost comparisons and recommends gathering additional data through surveys of OECD members, focusing on market share information. OECD also emphasizes the importance of gathering health and safety data of PFAS and alternatives to avoid regrettable substitution. OECD has recommended that trade associations play a role by gathering information utilizing association membership to provide a broad sample size.

## WORLD COATINGS COUNCIL ACTIVITY

The World Coatings Council coordinates the efforts of its members — national and regional associations that represent the coatings industry — on issues collectively deemed to have global importance. As such, it provides a forum for information exchange and cooperation on the key issues and priorities facing the coatings industry worldwide, developing policy and advocacy positions on issues of common interest to the participating organizations. The council promotes product stewardship and environmental responsibility through implementation of principles and practices by coatings companies and associations on a worldwide basis. It also serves as technical expert for coatings and printing inks industries before the United Nations and related organizations.

In 2022, the World Coatings Council was appointed to serve on the United Nations Environment Program (UNEP) Business and Industry Major Group (BIMG), a consortium of trade associations and companies. BIMG provides information about upcoming UNEP/United Nations Environment Assembly-related meetings and coordinates industry positions, as necessary. BIMG is one of nine major sector groups that work with UNEP as they consider issues concerning sustainable development. This is an important recognition that coatings are essential in building and maintaining a sustainable economy and should be contributor to the UN's discussions in this area.

On another point of extending its reach and growth, in 2022 the council welcomed two new members — the Malaysian Paint Manufacturers' Association (MPMA), and ASEFAPI, the Spanish Association of Manufacturers of Paints and Printing — growing its international representation and global voice for industry and its common goals. The council's 16 members represent Australia, Brazil, Canada, China, the European Union, France, Germany, Japan, Malaysia, Mexico, New Zealand, South Africa, Spain, Turkey, the United Kingdom, and the United States, signifying over 90 percent of paint and coatings global sales and volume.

Over the past year, ACA as council Secretariat, hosted monthly webinar meetings with the council members during which members were kept abreast of council activities. These activities include efforts around microplastics, international green building codes and standards, and development of a global industry Sustainability Report, as well as topical developments related to biocide regulations. Council members were also connected through an updated World Coatings Council website, which now features revised briefing statements, located under the Advocacy & Policy section of the site. These briefing statements cover Air Quality (VOC Regulations), Chemicals Management Systems, Restriction of Substances, Sustainability, Plastics, and Microplastics, and are intended to provide an understanding of the issue on a global scale. Member associations may use the

briefing statements to develop and support local/regional advocacy positions. Briefing statements will continue to be developed to provide background information, policy concerns, identification of stakeholders, and references that include relevant links and key documents.

The following information provides an update on the council's key issue management activities and global engagement in 2022.

### UN Global Alliance to Eliminate Lead Paint

The World Coatings Council continues to participate in the Global Alliance to Eliminate Lead Paint (aka Lead Paint Alliance or LPA), which is overseen by a joint secretariat from the United Nations Environmental Program (UNEP) and the World Health Organization (WHO). The LPA is a voluntary collaborative initiative focused on catalyzing the efforts of a diverse range of stakeholders to achieve international goals to prevent children's exposure to lead from paint and to minimize occupational exposures to lead paint.

World Coatings Council member associations support legal restrictions on lead use in paints where there is the potential for exposure and health risks, especially to children. The LPA is focused on developing countries that have not yet put in place controls on lead use in paint. This effort relies on the support of national governments to engage with local industry and environmental groups, and to work with authorities to bring about constructive change.

The LPA includes over 100 entities — non-governmental organizations (NGOs), governmental agencies, intergovernmental organizations, educational centers, and industry — that share an interest in lead-risk reduction. The United States, represented by U.S. EPA, serves as chair of the Technical Advisory Group. World Coatings Council member associations support legal restrictions on lead use in paints where there is the potential for exposure and health risks, especially to children.

#### Progress & Engagement

The LPA has made considerable progress over the last year to work with countries and other stakeholders toward the phase-out of the manufacture, sale and import of paints containing lead through the establishment of laws. As of Dec. 31, 2021, 84 countries had confirmed that they have legally binding controls on lead in paint, which accounts for 43 percent of all countries around the world.

The World Coatings Council has again pledged in-kind resources to support the UN Global Environment Facility (GEF) to advance this initiative in countries that do not have lead standards. Working with UN officials and NGO representatives, the council participated in the development and review of several LPA projects, including the following:

- Lead Paint Reformulation Technical Guidelines;
- Enforcement and Compliance Guidelines; and
- Exit and Sustainability Strategy for the UN GEF-SCAIM (Strategic Approach to International Chemicals Management) project to facilitate the continuation of the Global Team's work.

Additionally, in October 2021, the World Coatings Council issued a statement of support for WHO's International Lead Poisoning Prevention Week of Action. During the campaign week, the LPA aimed to raise awareness about health effects of lead poisoning; highlight countries and partners' efforts to prevent particularly childhood lead poisoning; and urge further action to eliminate lead paint through regulatory action at the country level.

The World Coatings Council continues to participate in monthly meetings with the Global Team and will again support the next International Lead Poisoning Prevention Week in October 2022.

### Microplastics in Aquatic Environments

Regulatory agencies around the globe are focusing on microplastics — that is small pieces of plastic, typically less than 5 mm in size — and their potential impact on the environment and human health. Given the increased focus on this issue from both a marine environmental and human health perspective, the World Coatings Council anticipates regulatory actions for intentional and non-intentionally added microplastics for most industries, including paints and coatings. Both Europe and Canada are currently engaged in regulatory actions that may result in a broad definition of microplastics that will likely include polymers used in coatings.

In Europe, the proposed regulation will set restrictions on all *intentional* uses of microplastics. The World Coatings Council is currently monitoring several studies and literature reviews being conducted by several members. ACA conducted a microplastics literature search to understand the state of the science and available data on microplastics resulting from paints and coatings. CEPE is conducting two studies on the human health and environmental impacts of architectural paints and marine coatings.

Environment Canada recently added "plastic manufactured items" to the List of Toxic Substances to Schedule 1 under the Canadian Environmental Protection Act, which could lead to provincial regulations soon. And in the United States, California has already defined the parameters of microplastics, and the State Water Resources Control Board is conducting a 4-year study that includes testing microplastics in drinking water.

"Secondary microplastics," which have yet to be formally defined in regulations, are increasingly the subject of media reports and academic research. Cognizant of the fact that the release of polymers from self-polishing antifouling coatings is being referenced by media, the World Coatings Council's Antifouling Coatings Committee (AFCC) developed a Statement on Antifouling Polymer Release that provides additional information about antifouling polymers that are designed to dissolve in seawater. To supplement the statement, the AFCC developed a Q&A document in response to several recent studies on microplastics and coatings. The World Coatings Council continues to monitor and track this issue for potential impacts on the global coatings industry.



## Responsible Mica Initiative (RMI)

A 2017 NGO report affirmed that surface mining operations in certain provinces in India use child labor to collect natural mica to produce “effect pigments” used in cosmetics and paints. That same NGO report advocates for industry not to abandon these producers, due to economic hardships; but instead work to promote alternative social constructs that stem the need for child labor and offer alternative activities to advance welfare. In 2018, the NGO report was revised to indicate that child labor is used in mica production in other countries beyond India, making the scope of the problem truly global. In 2020, the NGO published an additional report indicating child labor in the production of “flake” mica, largely produced in Madagascar.

The Responsible Mica Initiative (RMI) — in which the World Coatings Council has been a participant since its founding and serves on the RMI Board and working groups — aims to address child labor concerns in the mica supply chain. In 2022, working through RMI, the council focused on activities to advance effective policy, including development of:

- Global mica procurement specifications, to “increase traceability and implement fair, responsible, and sustainable practices throughout the supply chain;”
- Community development programs and advancement toward living wages to address poverty, economic opportunity, and access to education and basic services in affected communities;
- A legal framework, to ensure RMI activities conform to other UN labor practices; and
- Effective communications to establish consistent messaging.

Over the last year, as RMI continued to expand programs in India, it also began expanding operations into Madagascar. At a recent RMI Board meeting in May 2022, in which the World Coatings Council participated, RMI provided updates on preliminary analyses it conducted — including a living wage analysis — with the goal of legalization of mica collection free of child labor. Currently, RMI is trying to develop consensus around the implementation of rules with local mica processors and government. Several related issues remain to be addressed, including how processors can provide mica in a manner compliant with the rules while remaining competitive on the global market.

The World Coatings Council will remain engaged with RMI to align efforts with the values embraced by the entire supply chain, extending to end users of paints and coatings.

## Marine Coatings

The World Coatings Council monitors regulatory activities affecting antifouling coatings and active substances in countries and regions throughout the world, including the United States, European Union, Japan, Australia, and countries in South America, Central America, and Asia, engaging on behalf on the global industry through the International Maritime Organization (IMO). In 2008, the council, was granted permanent NGO status at the IMO — the UN’s global standard-setting authority that regulates the safety, security, and

environmental performance of international shipping and commerce, along with environmental issues particularly affecting the marine environment. The IMO seeks to create a governing framework for the shipping industry that is fair and effective, and which is universally adopted and implemented; its regulatory reach extends to coatings used in the marine environment. Not only does the IMO address antifouling coatings under the Anti-Fouling Systems (AFS) Convention, it also has established demanding international requirements for certain protective coatings through the IMO’s Performance Standard for Protective Coatings (PSPC).

The World Coatings Council currently has two global committees that address IMO conventions and other port state regulations that impact shipping and coatings applied to ships: 1) the Antifouling Coatings Committee (AFCC) proactively addresses regulations affecting antifouling products; and 2) the Marine Coatings Technical Committee (MCTC), which addresses corrosion prevention.

The World Coatings Council participates as industry representatives and subject matter experts at various IMO meetings, including the Pollution Prevention and Response Subcommittee (PPR), Marine Environment Protection Committee (MEPC), and Maritime Safety Committee (MSC). The World Coatings Council is currently tracking activities related to the IMO’s AFS Convention, Biofouling Guidelines, Marine Plastic Litter, and PSPC.

### *Antifouling Efforts at the IMO*

In 2022, the World Coatings Council attended the IMO PPR 9 and MEPC 78 virtual meetings and participated in discussions on Amendments to Annex 1 to the AFS Convention to include controls on cybutryne, and consequential revision of relevant guidelines. Notably, three different IMO guidelines were revised because of the addition of cybutryne to Annex 1 of the AFS Convention:

- Brief sampling of anti-fouling systems on ships;
- Survey and certification of anti-fouling systems on ships; and
- Inspection of anti-fouling systems on ships.

The council provided its industry expertise and collaborated with member states and NGOs on amendments to all three guidelines, which were finalized at MEPC 78 in June 2022. The final guidelines align with the World Coatings Council’s objectives.

### *IMO Biofouling Guidelines*

For the past year and a half, the World Coatings Council has engaged with the IMO Correspondence Group on the Review of the 2011 Biofouling Guidelines. In 2021, the council submitted informed responses to six questionnaires related to the effectiveness of the Guidelines and best practices, available technologies, and techniques. Several of its recommendations were included in the correspondence group’s final report to IMO PPR 8. However, the correspondence group determined that certain aspects of the Guidelines needed to be discussed and revised further before they were officially finalized. As a result, the IMO Biofouling Correspondence Group was reestablished at PPR 9 to finalize

Guidelines' amendments. The World Coatings Council will continue to participate in this correspondence group to ensure that industry's perspective is considered as the Guidelines are revised and finalized before PPR 10 in 2023.

#### *IMO Marine Plastic Litter Working Group*

The World Coatings Council is also participating in the IMO's Marine Plastic Litter Working Group. This working group was formed three years ago, and its initial focus was establishing standards and requirements for abandoned and lost fishing gear from ships. The output for that work is near completion and the working group is shifting its attention to other possible sources of marine plastic litter and is examining antifouling coatings. The council will continue to monitor this working group's activities and is prepared to intervene if there is any potential impact on the coatings industry.

#### *World Coatings Council Submissions to IMO*

In addition to its involvement on these working groups, the World Coatings Council also submitted two working papers to the IMO in 2021. The first paper includes comprehensive information and recommendations for what the IMO and member states should do and consider before deciding to add a substance to Annex 1 of the AFS Convention. The second paper aims to promote consistent and clear international procedures regarding survey and certification for antifouling coatings under the AFS Convention. Although the council has not been given an opportunity to fully discuss the submissions, due to limited time and reduced agendas of the past few virtual meetings, it intends to work with the IMO, member states, and fellow NGOs on both efforts at future meetings in 2022 and beyond.

#### *IMO Ballast Water Convention & PSPC*

The council's MCTC continues to address the implementation of the IMO's Ballast Water Convention and PSPC, and is studying the potential effect of active substances, including chlorine, used to treat ballast water. The goal is to determine whether those substances have a deleterious effect on coatings that are applied to ballast tanks. To ascertain whether there are any adverse effects, the MCTC developed a test protocol and set of "pass/fail" criteria and decided to conduct more extensive testing on ballast water tank coatings. MCTC finalized a contract with SGS (General Society of Surveillance) to conduct further testing on treated and non-treated ballast water tanks that contain shop primer. The testing project concluded in December 2021 and SGS issued a draft report. MCTC reviewed the draft report in January 2022 and provided preliminary comments, questions, and input to SGS for the final reports. In March 2022, SGS issued the final reports for Systems 1, 2, 3, and 4. MCTC is currently analyzing the results to determine whether it should petition the Association for Materials Protection and Performance to modify its test method criteria based on its findings.

#### *GloFouling Partnerships Project*

The World Coatings Council continues to be a strategic partner to the GloFouling Partnerships project. The project is a collaboration between GEF, the United Nations Development Program (UNDP), and IMO and is intended to help protect marine ecosystems from the negative effects of invasive aquatic species — or biofouling — via ship hulls. The GloFouling Partnerships project focuses on preventing the transfer of aquatic species through biofouling, in other words, the build-up of aquatic organisms on a ships' underwater hull and structures.

In April 2022, the IMO held the 2<sup>nd</sup> Global Project Task Force meeting of the GloFouling Partnerships project. The World Coatings Council participated in the task force meeting, which highlighted the progress and achievements made thus far under the project by the lead partnering countries, regional coordinating organizations, strategic partners, global industry alliance for marine biosafety, and project coordination unit at the IMO. Participants also discussed the outcome of the project's mid-term review and recommendations for moving forward, which resulted in a revised work plan and a clear road map for the future to achieve the project's objectives by May 1, 2025. In its strategic partnership role, the council will continue to engage in this important initiative and provide industry expertise and other support to the project to help advance its goals.

#### *Global Sustainability Report*

With the advancement of the UN Sustainable Development Goals (SDGs), and several reporting schemes for sustainable development-related metrics, the World Coatings Council continues to keep pace, expanding its issue management activities in support of the UN SDG, "People, Planet, and Prosperity." The World Coatings Council has long addressed the industry associations' development of programs to mitigate deleterious environmental, economic, and social impacts.

As a next step, the council is finalizing a Sustainability Report to highlight those efforts. To scope the report, the World Coatings Council conducted a detailed survey of council members. The results showed that most member associations have established programs that demonstrate the industry's role in supporting sustainable development, a key factor in affirming the essential nature of the industry and its products. Informed by the survey results, the council focused on how the industry could work collectively to develop meaningful programs and practices that supported the UN SDGs.

The World Coatings Council is currently developing a comprehensive global sustainability report on the industry, its role in supporting sustainability, and ways in which it can affirm and advance the UN SDGs. The report will be released this fall.



## Transport of Dangerous Goods (TDG)

To ensure consistency between national regulatory systems governing every mode for the transport of dangerous goods (TDG), the UN established appropriate harmonization mechanisms. This harmonization occurs biennially during the meeting of the UN Subcommittee of Experts on the Transport of Dangerous Goods (UN SCE TDG). Every four meetings (every two years), the subcommittee compiles meeting proceedings into an updated version of the UN Model Regulations – recommendations on the transport of dangerous goods. These model regulations are used by many countries as a basis for the country’s TDG regulations.

ACA, through its Transport Committee and the World Coatings Council, is proactively engaged in efforts to harmonize the model regulations to ensure efficiency and cost-effectiveness for cross-border and multi-modal shipments of paint and allied products. The 59<sup>th</sup> Session of the UN SCE TDG was held from Nov. 29 to Dec. 8, 2021 in a hybrid format, with delegations attending both in-person and virtually. Despite no significant issues or concerns for the paint and coatings industry pertaining to any of the proposals or working documents submitted to the TDG meeting in Winter 2021, the World Coatings Council still actively monitored the discussions. After the meeting, the council drafted and circulated a final report to the membership that highlighted the background of each proposal, the discussions, and outcome.

## 60<sup>th</sup> Session of the UN SCE TDG (Summer 2022)

The 60<sup>th</sup> Session of the UN SCE TDG was held in June/July 2022 in a hybrid format, with delegations attending both in-person and virtually. This was the third meeting of the 2021-2022 biennium. In preparation for the 60<sup>th</sup> Session of the UN SCE TDG, the World Coatings Council drafted a working paper regarding transport provisions for small quantities of environmentally hazardous paints, printing inks, adhesives, and related materials. Specifically, the paper outlined an issue and suggested proposals for increasing UN packing requirements from 5 to 30 liters for certain paint products classified as UN 3077 and UN 3082.

The World Coatings Council submitted the working paper in April 2022 and introduced it for discussion and consideration during the June/July meeting. Several delegations intervened with valuable comments and input. Nearly all member states recognized this as an important supply-chain issue and expressed sympathy for industry’s challenges in procuring appropriate packaging for these types of paint products. However, no delegations supported the proposal because they were not convinced that certain products classified as UN 3077 and 3082 should be treated differently than others at this time.

With that said, the chair and some member states encouraged the World Coatings Council to draft a more refined proposal for the next session that includes a risk analysis and additional information

about these specific paint products in the different modes of transport, so that any action taken by the subcommittee is based on proper safety grounds with no actual risks. The World Coatings Council will take all the input it received during the meeting into account as it considers drafting another proposal for the next meeting in November/December 2022.

In addition to its advocacy work on its own submission, the World Coatings Council also monitored other proposals and working documents of interest to the paint and coatings industry during the Summer 2022 meeting. In particular, the council followed discussions on a possible increase to the limited quantity volume for division 2.2 compressed gases and the use of recycled plastic materials that could be used to transport dangerous goods. Although no decisions were made on these proposals during the meeting, the relevant delegations intend to continue the intersessional discussions and refine the proposals for submission at the final meeting of the 2021-2022 biennium in November/December 2022.

After the meeting concluded, the council drafted and circulated final reports to its membership that highlighted the background of each proposal, the discussions, and outcome. The council also flagged decisions that could potentially impact the paint and coatings industry moving forward so that those topics are closely monitored at upcoming UN meetings.

The World Coatings Council will continue to monitor any proposals or working documents of interest to the paint and coatings industry and advocate as necessary during the final meeting of the 2021/2022 biennium.

## Globally Harmonized System of Classification and Labeling of Chemicals (GHS)

The UN created the Globally Harmonized System of Classification and Labeling of Chemicals (GHS) to ensure a consistent, global understanding of hazards caused by chemicals. The UN GHS is an international system that addresses the classification of chemicals by types of hazard and harmonizes hazard communication elements — including labels and safety data sheets — and is used by many countries as the basis for labeling regulations. Harmonization occurs biennially during the meeting of the UN Subcommittee of Experts on the GHS. ACA, through its Occupational Health and Safety Committee and World Coatings Council, is proactively engaged in efforts to promote harmonization to ensure effective and technically sound classification of chemicals and labeling requirements.

The World Coatings Council attended and participated in the UN Subcommittee of Experts on the GHS’ 42<sup>nd</sup> Session, held July 6-8, 2022, in Geneva. During the session, numerous proposals and updates were considered, including working papers related to precedence in hazard classification; non-animal testing methods;

classification criteria for germ-cell mutagenicity; improvements to annexes for precautionary statements; and tests for skin sensitizers. An information working paper proposed by the EU is requesting that the GHS create additional hazard classes for Endocrine Disruptors, PBTs, and additional neurotoxicants.

The World Coatings Council will continue to monitor work on these new hazard classes once they are agreed upon and submitted formally by the UN GHS Subcommittee of Experts, likely at the next meeting of the 43<sup>rd</sup> Session, to be held Dec. 7-9, 2022. Work on outlining the new hazard classes would likely start in the next biennium, 2023-2024.

### World Coatings Summit

The World Coatings Council, in partnership with Vincentz Network, will host the 2022 World Coatings Summit, Dec. 5-7 at the Mandarin Oriental in Miami, Fla. Since its inception in 2003, the summit has evolved into the most sought-after gathering of industry executives and leadership as a forum for addressing topics ranging from economic and market trends to business strategy, sustainability, and innovative technology. The 2022 Coatings Summit already boasts a lineup of distinguished speakers from around the globe and the global industry's largest companies. Learn more and register at <https://www.european-coatings.com/events/2022/the-coatings-summit-2022>.

