



PVC TECH CORP COMPLIANCE SUMMARY - 2009

CONEG The Toxics in Packaging Legislation

CONEG stands for the Coalition of Northeastern Governors comprised of the following member states: Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island and Vermont. The coalition was the driving force in Toxics in Packaging Legislation when it created the model legislation many states adopt today.

Therefore, the regulation first created by CONEG served as a template for different states to institute regulations of their own using the language first set by CONEG. Though each state modifies the regulation to a certain extent, the spirit of the regulation remains close to the aims identified by the Model Legislation.

The Regulation

The goal of this legislation is to reduce the sum concentration levels of four incidentally introduced heavy metals, namely lead, mercury, cadmium and hexavalent chromium present in any package or packaging component to not exceed 100 parts per million by weight.

It is important to note that the 100 ppm limit applies to the **combined weight of all the above metals and NOT individually.**

Definitions under CONEG

It defines a Package as “any container, produced either domestically or in a foreign country, providing a means of marketing, protecting or handling a product and shall include a unity package, an intermediate package or a shipping container...This includes unsealed receptacles as carrying cases, crates, cups, pails, rigid foil and other trays, wrappers and wrapping films, bags and tubs.”

It defines a Packaging Component as “any individual assembled part of a package which is produced either domestically or in a foreign country, such as but not limited to, any interior or exterior blocking, bracing, cushioning, weatherproofing, exterior strapping, coatings, closures, inks and labels”.

Please note that again, each state may issue addendums to definitions under the Model Legislation. For instance in California, the definition of Packaging Component includes “dyes, pigments, adhesives, stabilizers and any other additives”.



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Who must comply?

Toxics in Packaging Legislation requires compliance from the following parties:
Manufacturers and/or Suppliers of Packaging and Packaging Components
Product Manufacturers or Distributors who use Packaging

How to Comply?

Under the Model Legislation, manufacturers and suppliers of packaging and packaging components must submit a Certificate of Compliance stating that the package is in compliance with the requirements of the law to the purchaser of these items.

The certificate must be:

- 1) Based on verifiable evidence that no intentional addition of the four metals have occurred.
- 2) Signed by an authorized official of the manufacturing or supplying company.
- 3) Must be kept on file for as long as the packaging is in use.
- 4) Must contain any relevant amendments or modifications reflecting any reformulations to the packaging or packaging component.
- 5) Must be available to any member of the public who requests the certificate.

Important!

Individual states may modify compliance requirements as per their individual statutes, it is important to check with the state concerned when attempting to comply with state regulations.

PVC Tech Corp and Toxics in Packaging

PVC Tech Corp offers a variety of materials currently certified to EN71-3, the European standard specification for migration of elements such as antimony, arsenic, barium, cadmium, chromium, lead, mercury and selenium.

These materials are specially produced to comply within the limits specified under EN71-3. If CONEG certification is a concern for you, please inquire about our EN71-3 qualified materials. Our certifications are traceable to our manufacturers who provide compliance documents as requested.