

# SAFEGUARDS

## CONSUMER GOODS AND RETAIL

HARDGOODS, TOYS & JUVENILE PRODUCTS, SOFTLINES, ELECTRICAL & ELECTRONICS

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## US CALIFORNIA INCORPORATES DIISONONYL PHTHALATE (DINP) INTO PROP 65 LIST

California has recently added diisononyl phthalate (DINP) onto the Proposition 65 (Prop 65) list. The new amendment takes effect on 20 December 2013.

On 12 December 2013, the Office of the Environment Health Hazard Assessment (OEHHA) announced the addition of diisononyl phthalate (DINP) onto the Prop 65 list of chemicals as a chemical known to the state of California to cause cancer. The new amendment takes effect on 20 December 2013<sup>1</sup>. DINP is among the phthalates commonly used as plasticisers in various polyvinyl chloride (PVC) products such as wire and cable coatings, wall coverings, roofing, coated fabrics, self-adhesive films and automobile parts.

The listing of DINP has the following impacts for businesses and companies:

- Businesses have until 20 December 2014 (12 months) to provide a '**clear and reasonable warning**' before knowingly and intentionally exposing anyone to DINP
- Companies have until 20 August 2015 (20 months) from knowingly discharging DINP into sources of drinking water.



The inclusion of DINP onto the Prop 65 list expands the number of phthalates from 5 to 6 phthalates (BBP, DBP, DEHP, DIDP, DINP and DnHP). Five of these phthalates (BBP, DBP, DEHP, DIDP and DINP) are also regulated by a number of jurisdictions.

Highlights of the 6 phthalates under Prop 65 and a comparison of phthalates under California AB 1108 (2007), CPSIA, the CCPSA and ANNEX XVII of REACH are summarised in Table 1.

<sup>1</sup> [Chemical listed effective December 20, 2013, as known to the state of California to cause cancer: Diisononyl phthalate \(DINP\), Prop 65, Office of Environmental Health Hazard Assessment \(OEHHA\)](#)

TABLE 1.

PHTHALATE	JURISDICTION / CITATION				
	US CALIFORNIA		US FEDERAL	CANADA	EU
	PROP 65	CHAPTER 762, STATUTES OF 2007 (AB 1108)	PUBLIC LAW 110-314 (CPSIA) <sup>2</sup>	CCPSA (S.C. 2010, C.21) PHTHALATES REGULATION (SOR/2010-298) <sup>3</sup>	REACH, ANNEX XVII [REGULATION (EC) 552/2009] <sup>4</sup>
BBP	√	√	√	√	√
DBP	√	√	√	√	√
DEHP	√	√	√	√	√
DIDP	√	√	√	√	√
DINP	√	√	√	√	√
DNOP	---	√	√	√	√
DnHP	√	---	---	---	---

**Note**

√ = listed

-- = not listed

**DEFINITIONS**

ITEM	ACRONYM	NAME
1	BBP	Benzylbutyl phthalate
2	DBP	Dibutyl phthalate
3	DEHP	Di-(2-ethylhexyl) phthalate
4	DIDP	Diisodecyl phthalate
5	DINP	Diisononyl phthalate
6	DNOP	Di-n-octyl phthalate
7	DnHP	Di-n-hexyl phthalate
8	CPSIA	Consumer Product Safety Improvement Act of 2008
9	CCPSA	Canada Consumer Product Safety Act

<sup>2</sup> [Public Law 110-314-110th Congress](#)<sup>3</sup> [Phthalates Regulations-SOR/2010-298](#)<sup>4</sup> [Table of substances/group of substances, which are restricted by Annex XVII to REACH Regulation](#)

Throughout our global network of laboratories, we are able to provide a range of services, including analytical testing for substances in consumer articles like craft products, toys and children's products, household products, cosmetics, jewellery, accessories, and plastic products for compliance with Prop 65. If a Prop 65 substance is detected, SGS is also able to provide a Safe Harbor Assessment by a DABT toxicologist. This assessment may allow you to avoid withdrawal of the product from market and avoid penalties established by the law when the exposure to a listed chemical is higher than the Safe Harbor Limit. Please do not hesitate to contact us for further information.



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