

**Subcommittee on
Toys and Children's Products Safety (Additional Safety Standards or
Requirements) Regulation,
Toys and Children's Products Safety Regulation (Repeal) Regulation and
Toys and Children's Products Safety (Amendment) Ordinance 2013
(Commencement) Notice**

Control of Phthalates in Other Jurisdictions

Purpose

This paper provides information on the control of phthalates in consumer products other than toys and children's products implemented in other jurisdictions, and whether the Mainland has implemented control of phthalates in toys and children's products, as requested by Members at the meeting on 14 March 2014.

Control of Phthalates in Consumer Products other than Toys and Children's Products in Other Jurisdictions

2. Some jurisdictions have implemented control of phthalates in consumer products other than toys and children's products. These consumer products include cosmetics, food contacting materials, footwear, products for indoor use and materials for products which may come into contact with skin or mucous membranes. Details are set out in the Annex.

3. The safety of consumer products is at present regulated by the Consumer Goods Safety Ordinance (Cap. 456). The Customs and Excise Department, as the enforcement agency, will make reference to relevant reasonable safety standards adopted by other jurisdictions and consult experts in determining whether consumer products comply with the general safety requirement of the Ordinance (i.e. the products should be reasonably safe).

Control of Phthalates in Toys and Children's Products in the Mainland

4. According to our research, the Mainland has made proposals to update its Toys Safety Standard GB6675 to control phthalates in toys, as follows -

Scope of Application	Type of restricted phthalate	Restriction
All toys	DBP	Concentration of DBP, BBP and DEHP \leq 0.1%
	BBP	
	DEHP	
Toys that can be placed into the mouth	DNOP	Concentration of DNOP, DINP and DIDP \leq 0.1%
	DINP	
	DIDP	

5. For children's products, the Mainland has not yet made similar proposals.

Commerce, Industry and Tourism Branch
Commerce and Economic Development Bureau
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Control of Phthalates in Certain Products in Other Jurisdictions

	Cosmetics	Food contacting materials	Footwear	Products for indoor use and materials in products that may come into contact with skin or the mucous membrane
European Union	<p><i>Regulation No. 1223/2009 on cosmetic products –</i></p> <p>Cosmetic products shall not contain any prohibited substances, including DEHP, DBP and BBP.</p>	<p><i>Regulation No. 10/2011 on plastic materials and articles intended to come into contact with food –</i></p> <ul style="list-style-type: none"> ● DEHP, DBP, BBP, DINP and DIDP used are subject to specified limits on migration to food. ● Requirements on use - <ul style="list-style-type: none"> (a) DEHP and DBP: can be used as plasticizers only in repeated use materials contacting non-fatty foods (b) BBP, DINP and DIDP: can be used as plasticizers in repeated use materials, or single-use materials contacting non-fatty foods except infant/ follow-on formulae, cereal-based foods and baby foods. 	-	-

	Cosmetics	Food contacting materials	Footwear	Products for indoor use and materials in products that may come into contact with skin or the mucous membrane
Canada	<p><i>Food and Drugs Act and “List of Prohibited and Restricted Cosmetic Ingredients” administered by the Health Canada –</i></p> <ul style="list-style-type: none"> ● No person shall sell any cosmetics that has in or on it any substance that may cause injury to the health of the user when the cosmetic is used. ● DEHP is currently one of the prohibited and restricted substances. 	-	-	-
Australia	<p><i>Industrial Chemicals (Notification and Assessment) Act 1989 –</i></p> <p>DEHP is banned from use in cosmetics.</p>	-	-	-
Singapore	<p><i>Health Products (Cosmetic Products - ASEAN Cosmetic Directive) Regulations 2007 –</i></p> <p>DEHP, DBP and BBP must not form part of the composition of cosmetic products.</p>	-	-	-

	Cosmetics	Food contacting materials	Footwear	Products for indoor use and materials in products that may come into contact with skin or the mucous membrane
United States	-	<p><i>Part 178 Section 3740 in Title 21 (Food and Drugs) of the Code of Federal Regulations –</i></p> <ul style="list-style-type: none"> ● BBP used in food containing materials is subject to specified limits by weight of dibenzyl phthalate. ● The use of DINP is subject to specified limits by weight of vinyl chloride homo- and/ or copolymers used in the food contacting materials. 	-	-
Mainland China	-	<p><i>Hygiene Standards for Uses of Addictives in Food Containers and Packaging Materials GB9685-2008 –</i></p> <ul style="list-style-type: none"> ● DEHP, DBP, DINP and DIDP used are subject to specified limits on migration to food. ● DEHP, DBP, DINP and DIDP should be used only in materials contacting non-fatty foods, but not in materials contacting infants and baby foods. 	-	-

	Cosmetics	Food contacting materials	Footwear	Products for indoor use and materials in products that may come into contact with skin or the mucous membrane
Turkey	-	-	<p><i>Communication of Product Safety and Inspection No. 2012/30 –</i></p> <p>DEHP, DBP, BBP, DINP, DIDP and DNOP are subject to specified limits by weight in the following types of footwear -</p> <ul style="list-style-type: none"> ● All kinds of footwear for women and men. ● All kinds of footwear for children and babies. ● All kinds of footwear classified as unisex. ● Plastic footwear and slippers. ● Sport shoes, training shoes and similar. ● Slippers and shoes wearing at home. ● Shoes with a heel height higher than 3 mm. 	-
California of the United States	-	-	<p><i>California Proposition 65 –</i></p> <p>Accessible components of footwear are subject to a specified concentration limit of DEHP, DBP or BBP.</p>	-

	Cosmetics	Food contacting materials	Footwear	Products for indoor use and materials in products that may come into contact with skin or the mucous membrane
Denmark	-	-	-	<p><i>Executive Order 1113 of 26 November 2012 –</i></p> <p>Products for indoor use and materials in products that may come into contact with skin or mucous membranes must not contain DEHP, DBP, BBP or DIBP above a specified concentration limit by weight of the material parts which contain phthalates. (For electrical and electronic equipment covered under Directive 2011/65/EU, the implementation date is 1 December 2014.)</p>

Legend

- DEHP - di(2-ethylhexyl) phthalate (also known as bis(2-ethylhexyl) phthalate or diethylhexyl phthalate)
- DBP - dibutyl phthalate
- BBP - benzyl butyl phthalate
- DINP - diisononyl phthalate
- DIDP - diisodecyl phthalate
- DNOP - di-n-octyl phthalate
- DIBP - diisobutyl phthalate