

## Reinstatement of the National Commission on Chemical Safety (CONASQ)

Pursuant to Federal Decree No. 11,686, of September 05, 2023, the National Commission on Chemical Safety (CONASQ) has been reinstated, in the context of the Ministry of the Environment and Climate Change (MMA), with the purpose to promote integrated actions for the **adequate management of chemical substances**, aiming the protection of human health and the environment.

CONASQ was originally established in 1999, in the form of a committee (COF-III), to coordinate the participation of Brazil in the 3<sup>rd</sup> Session of the Intergovernmental Forum on Chemical Safety – IFQS (Salvador, 2000), which, in its turn, was part of an initiative conducted jointly by the United Nations Environment Programme – UNEP, the International Labour Organization – ILO and the World Health Organization – WHO to promote the implementation of actions aiming the achievement of the goals in connection with chemical safety that were established during the **UN Conference on Environment and Development – UNCED** (Rio de Janeiro, 1992). In the year 2000, it was denominated Coordinating Commission of the Action Plan for Chemical Safety (COPASQ), until it received, in 2003, its current designation. Until early 2019, when it was formally extinct, CONASQ acted as an interinstitutional forum of discussion about topics related to chemical safety, as well as to the promotion of integrated activities among its various member institutions.

In 2014, CONASQ initiated a wide and detailed analysis work and discussion about the main existing regulatory models in the world on the control of chemical substances, especially the ones of the USA, European Union and Canada. Such work culminated in the preparation of a draft national bill on this matter, which final version, after being subject to a public consultation, was approved and sent to the government in 2018, but ended being shelved. However, in 2019, based on such draft, Deputy Flávio Nogueira (Labour Party – State of Piauí) presented **Bill No. 6,120** to the Chamber of Deputies. Such Bill addresses the creation of a **national inventory of chemical substances** and is currently awaiting the



opinion of the Final Wording Rapporteur, Deputy Lucas Redecker (Brazilian Social

Democracy Party – State of Rio Grande do Sul), in the Commission of Constitution, Justice and Citizenship, before heading to the Senate.

The reinstatement of CONASQ creates the expectation that a new impulse to the debate on the matter of chemical safety in the country and the need to build a more robust and systematized regulatory framework on this theme at national level, also considering **Brazil's accession process to the Organization for Economic Cooperation and Development (OECD)**, which includes, in its legal instruments, important guidelines and recommendations in this field.

Under its current mission, CONASQ has the following tasks, among others: (i) to coordinate the **preparation and proposal of strategies** for the environmentally adequate management of chemical substances and its wastes, and to monitor and evaluate its implementation; (ii) to provide **subsidies to the representation of Brazil** in the processes of **negotiating international instruments** related to chemical safety; (iii) to follow the **implementation of obligations** arising from national and international normative instruments related to chemical safety; (iv) **to propose** to the competent authorities the preparation, review and harmonization of **regulatory instruments** related to chemical safety. Under its current mission, CONASQ has the following tasks, among others: (i) to coordinate the **preparation and proposal of strategies** for the environmentally adequate management of chemical substances and its wastes, and to monitor and evaluate its implementation; (ii) to provide **subsidies to the representation of Brazil** in the processes of **negotiating international instruments** related to chemical safety; (iii) to follow the **implementation of obligations** arising from national and international normative instruments related to chemical safety; (iv) **to propose** to the competent authorities the preparation, review and harmonization of **regulatory instruments** related to chemical safety.

CONASQ will be comprised by representatives from agencies and entities of the public sector and non-governmental sectors with activities in the realm of chemical safety, including representatives from civil society, private sector, academic-scientific community and professional class associations.

Under the new regulation, CONASQ will be allocated in the National Secretariat of Urban Environment and Environmental Quality and shall meet, on an ordinary basis, every four months and, extraordinarily, whenever summoned by its coordinator. CONASQ will still have to prepare and approve its internal by-laws within ninety days as from September 06, 2023 (date of publication of the Decree). ■

This publication is addressed to the clients of this firm. It does not constitute legal advice and its purpose is to inform about the main changes in the Brazilian legislation and relevant news in the environmental field. For any further clarifications, the collaborating attorneys remain at your entire disposal.

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