

Control of Chemical Substances: National Inventory

Federal Law No. 15,022 came into force on November 14, 2024, establishing the **National Inventory of Chemical Substances** and the **assessment and risk control** of chemical substances used, produced or imported, in the national territory. This law, as part of the existing legal framework in Brazil regarding **chemical safety**, has the express objective of “minimizing adverse impacts on health and the environment” that may be related to the production and use of chemical substances in the country.

Certain categories of chemical substances and products that are already subject to specific regulatory systems were **excluded from the enforcement** of this law, such as radioactive substances, food, medicines, pesticides, cosmetics, sanitizers, fertilizers and explosives, among others, as well as waste.

Pursuant to the new law, **manufacturers and importers** of chemical substances are required to provide information for the formation of the National Inventory, by registering this information in the **National Registry of Chemical Substances**, when production or import reaches, for each substance individually – including when used as a mixture ingredient -, a quantity equal to or greater than 1 (one) ton per year, considering the average of the last 3 (three) years. The deadline for registration will be 3 (three) years from the availability of the National Registry.

A **Technical Committee for the Assessment of Chemical Substances** and a **Deliberative Committee for Chemical Substances** will be created by the public power, and its composition and functioning will be defined in regulation. The duties of these committees shall



include, respectively, the risk assessment of registered substances and the determination of possible risk management measures. The Technical Committee will be responsible for recommending to the Deliberative Committee the chemical substances to be selected and prioritized for risk assessment, considering the criteria

pre-established in the law, such as persistence and bioaccumulation in the environment, toxicity and carcinogenicity, among others.

The decisions of the Deliberative Committee must consider the result of the risk assessment and the social, economic and technological aspects for the adoption of risk management measures, as defined in the regulation. Such measures may range from improving the **communication strategy** and disseminating information about the chemical substance to even **banning** its production, import, export, trade and use.

The information registered in the National Registry will be **publicly accessible**, with the exception of that of a personal nature and that which constitutes an **industry or trade secret**.

Committing a violation of Federal Law No. 15,022, such as, for example, the lack of registration in the National Registry, the provision of false, incomplete or misleading information, or the failure to comply with risk management measures established by the Deliberative Committee, will subject the offender to **administrative sanctions**, which range from the imposition of a warning or fine to the suspension of sale and manufacture of the chemical substance, mixture or article, and may even go as far as closing activities, among others. ■

Contact:

Fernando Tabet
fernando@tabet.com.br

Nicole Pinilla
nicole@tabet.com.br

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.

São Paulo

Al. Campinas, 728, 6º andar, Cj. 64, Jardim Paulista
01404-001 - São Paulo - SP - Brasil
T.: +55 (11) 2985 1070

Rio de Janeiro

Praia de Botafogo, 501, Bl. A, 1º andar, Botafogo
22250-040 - Rio de Janeiro - RJ - Brasil
T.: + (21) 3983 3600