



NATIONAL ASSOCIATION OF PRINTING INK MANUFACTURERS

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Subject

Coalition of Northeast Governors Toxics in Packaging Clearinghouse Model Legislation (CONEG) – 2021 Update - Ortho-Phthalates

Overview

The 2021 update to the CONEG legislation adds ortho-phthalates to its list of prohibited chemicals in packaging. This prohibition applies to the “intentional introduction”² of these substances into packaging and packaging components. This update also sets a limit on incidental presence of ortho-phthalates

*Ortho-Phthalates*¹

Prohibition of sale or distribution of package or packaging components containing phthalates. Beginning (see Effective Date below), a manufacturer, supplier or distributor may not offer for sale or for promotional purposes a package or packaging component to which phthalates have been intentionally introduced during manufacturing or distribution in any amount. The sum of the concentration levels of phthalates *incidentally present* in any package or packaging component shall not exceed 100 parts per million by weight (0.01%).

Effective Date: February 16, 2021

Background

In February 2021, the [Toxics in Packaging Clearinghouse](#) (TPCH) announced the organization’s 2021 [update to their Model Toxics in Packaging Legislation](#). The update includes the addition of the class of perfluoroalkyl and polyfluoroalkyl substances (PFAS) and ortho-phthalates as regulated chemicals, as well as new processes and criteria for identifying and regulating additional chemicals of high concern in packaging.

Definitions

¹*Ortho-phthalates* mean all members of the class of organic chemicals that are esters of phthalic acid and that contain 2 carbon chains located in the ortho position.

² *Intentional Introduction* means the act of deliberately utilizing a regulated chemical in the formation of a package or packaging component where its continued presence is desired in the final package or packaging component to provide a specific characteristic, appearance, or quality.

Please contact the NAPIM office at (815) 708-7387 if you have questions or comments.