Japan Machinery Center for Trade and Investment

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October 11, 2021

State Administration for Market Regulation
(Standardization Administration of the P.R.C.)

Dear Sirs

The Japan Machinery Center for Trade and Investment ("**JMC**") is a non-profit organization with the character of a public-interest corporation. It was established in December 1952 in accordance with the Japanese Export and Import Trade Law under the authorization of the Minister of Economy, Trade and Industry of Japan. The objective of the JMC is to engage in activities that enhance the common benefit of member companies and promote the sound development of international trade and investment by the machinery industry. The JMC comprises member companies engaged in machinery and systems-related exports and foreign investments such as machinery manufacturers, trading houses and engineering companies. At present, the total number of JMC member companies is about 240.

Our committee handles environmental and product safety issues of products for trade and is strongly concerned with overseas environment and product safety-related regulations on products. From this standpoint, we would like to send the attached comment on the draft of National Standard of the P.R.C., Limits of Hazardous Substances for Musical Instruments.

If you have any questions, please feel free to contact our secretariat (Mr. Chiaki Morikawa, E-mail: morikawa@jmcti.or.jp).

Sincerely yours,

KANNO Yasuhiko
Chairman
Environment Law Committee

Our comment on the draft of National Standard of the P.R.C.,
Limits of Hazardous Substances for Musical Instruments.

October 11, 2021

Dear Sirs,

We, the Japan Machinery Center for Trade and Investment (JMC), would like to express our gratitude for your efforts on the consultation document regarding National Standard of the P.R.C., Limits of Hazardous Substances for Musical Instruments.
https://members.wto.org/crnattachments/2021/TBT/CHN/21_5205_00_x.pdf

We are firmly committed to protecting human health, product safety and the environment, as well as complying with various regulations as defined by countries worldwide.

In this spirit, we have carefully and conscientiously examined the proposed document regarding the National Standard of the P.R.C., Limits of Hazardous Substances for Musical Instruments and would like to offer the following comments toward making the proposed decree more practicable, feasible and permanent, while ensuring appropriate and sufficient protection of the environment. We would greatly appreciate it if you could take them into careful consideration.

We are concerned about where this draft is inconsistent with global chemical regulations that have been established as safe for users and practicable. We believe it would be desirable for them to be harmonized with such existing standards.

The following comment is based on the draft of the National Standard of the P.R.C., Limits of Hazardous Substances for Musical Instruments.

1. Regarding individual requirements

- **As for hazardous substances in electronic components (5.6 and 6.6)**

Electronic components need exemptions for technically irreplaceable applications. We would like you to set the same exemption as those in the EU RoHS Directive[1].

[1] EU RoHS Directive 2011/65/EU
https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:32011L0065

- **As for Polycyclic Aromatic Hydrocarbons (PAH) (5.2, 6.2 and Appendix A)**

Sixteen substances of Polycyclic aromatic hydrocarbons (PAHs) are listed in Appendix A, as opposed to eight substances in the EU REACH Regulation[2]. We believe it is desirable for them to be harmonized with the EU REACH regulation.

- **As for Volatile Organic Compounds (5.4, 6.4, Appendix C, and Appendix D)**

The requirements for volatile organic compounds are the same as those in the past (GB/T 28489-2012), but similar regulations are unprecedented, and it seems premature to make them mandatory standards. It may be desirable to keep them at the current recommended standard.

In addition, the colorimetric analysis method using MBTH specified in the formaldehyde measurement method is not very common. We would also like you to consider a high-performance liquid chromatography method using a DNPH cartridge that is the current generally applied test method. As for the measurement method of benzenes and total volatile organic compounds, we would like you to approve the measurement method as well according to the international standard ISO for the same reason as the above.

- **As for aromatic amine dyes, tetrachlorophenols, and pentachlorophenols (5.5, 6.5, and Appendix B)**

Twenty-four aromatic amines are listed in Appendix B, which exceed the EU REACH Regulation. We believe that the same Twenty-two substances as the EU REACH Regulation[3] are desirable.

Tetrachlorophenol (TeCP) has no existing chemical regulations in articles. It may be desirable to remove it from the limiting substances.

A 5 mg/kg limit amount for pentachlorophenol (PCP)[4] should be appropriate and is the same as in the POPs regulations.

2. <u>Regarding Inspection method (7.1, 7.2 and 7.3)</u>

We believe that it is rational to inspect parts and raw materials instead of conducting a type inspection of finished musical instruments.

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[2] EU REACH Annex XVII Entry 50 - Polycyclic-aromatic hydrocarbons (PAH)
https://echa.europa.eu/documents/10162/4f099937-658f-8b86-2f62-5e767fab4d6e

[3] EU REACH Annex XVII Entry 43 - Azocolourants - List of aromatic amines
https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02006R1907-20210825&from=EN:#page=542

[4] COMMISSION DELEGATED REGULATION (EU) 2021/277
https://eur-lex.europa.eu/eli/reg_del/2021/277/oj

For hazardous substances contained in products, we would like you to consider an inspection method for parts and raw materials based on the risk assessment results, such as IEC63000, and for a method for inspecting Volatile Organic Compounds, we would like you to approve an inspection method for the part / raw material according to US TSCA Title VI[5].

3. <u>Regarding the schedule</u>

A sufficient preparation period of at least eighteen months is required, including evaluation and verification of product design and quality in accordance with the standards, ordering of alternate materials, mass production, and dealing with the clearance of stock products that do not comply with the standards.

End

[5] Formaldehyde Emission Standards for Composite Wood Products https://www.epa.gov/formaldehyde/formaldehyde-emission-standards-composite-wood-products