MINISTRY OF REGIONAL DEVELOPMENT AND CONSTRUCTIONS
OF THE REPUBLIC OF MOLDOVA

THE CURRENT STATE OF THE CONSTRUCTION WASTE PAINTS

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CHISINAU
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LEGAL FRAMEWORK

Law No 721 of 02 February 1996 ***on Quality in Constructions***, with later amendments, provides the following:

Article 6. Essential requirements:
B - safety in operation;
D - hygiene, human health, recovery and protection of the environment;

Article 9. - Construction quality system is the set of organisation structures, liabilities, regulations, procedures and means that concur to the achievement of quality in all construction phases: concept, design, execution, exploitation and post-use, covering the following:
b) **certification of construction products.**

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LEGAL FRAMEWORK

Article 11 para (2) The construction products shall be certified at the initiative of the producer or supplier, according to the methodology and procedures prescribed by law.
para (3) The use of uncertified construction products **is prohibited** in construction works that must ensure the level of quality according to the essential requirements.
Article 24. The performers of construction works have the liability to fulfill the main duties related to the quality of construction, which are the following:
g) when carrying out construction works one shall use **only the products** and procedures stipulated in the design, which are **certified** or have technical agreements, which ensures fulfillment of the essential requirements and management of witness evidence;

INTERNATIONAL CERTIFICATIONS ISO 9001

LEGAL FRAMEWORK

The Government Decision No 226 of 29 February 2008 approving the *Technical Regulation on Construction Products,* lays down in **Section 3** the group of products mandatory subjected to the compliance assessment, which determines **varnishes and paints.**

Section 9.3. Hygiene, Health and Environmental Protection

The construction works must be designed and built in such a way that they will **not be a threat** to the hygiene or health of their occupants or neighbours, by not allowing:

a) toxic gas emissions;
b) harmful particles or gases into air;
c) specific smell of chemicals upon commissioning and during the exploitation period of constructions;
d) migration of chemicals with toxic effect for the human body, avoiding their cumulation and carcinogen, mutagen and allergic impact.

LEGAL FRAMEWORK

According to **Section 20** - *Compliance Control Methods*, **of the Decision No 226** - For purposes of assessing the compliance of the product, **the producer must** use the requirements stipulated in a regulatory document, which is included in the **List of Related Standards**, drawn up by the central public authority in constructions, published in the Official Gazette of the Republic of Moldova.

Section 54 The person in charge of placing the product on the market must also submit to market surveillance authority the technical documents **- test reports that certify the product's compliance**.

REGULATORY FRAMEWORK

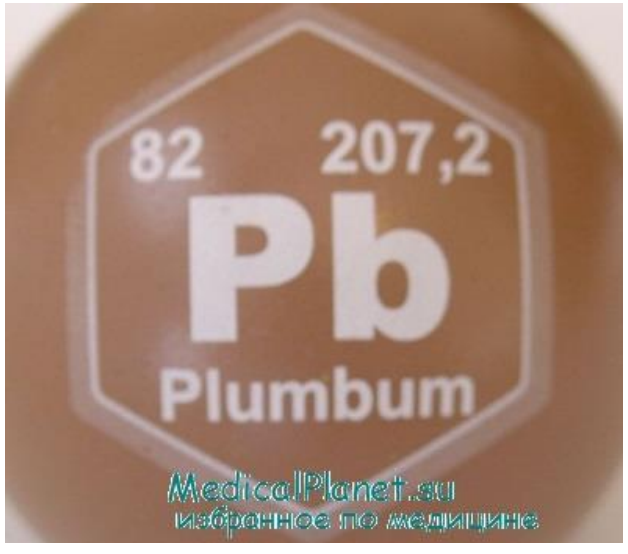
Excerpt from the **List of Related National Standards** on varnishes and **paints**:

1. GOST 10503-71 Oil paints ready for use Specifications
2. GOST 11279.1-83 Organic dyes . Testing method of dyeability (concentration), shade and purity
3. GOST 11279.8-83 Organic dyes. Testing method of PVC film colours fastness to dry and wet rubbing.
4. GOST 11481-75 Water colour paints for artists use. Specifications
5. GOST 11583-74 Polimer materials, building and finishing. Methods for the determination of light resistance and uniformity of painting and lightness
6. GOST 11826-77 Oil paints and pentaoil for artists use. Specifications
7. GOST 18958-73 Silicate paints
8. GOST 19279-73 Polymer-cement paints
9. GOST 28196-89 Water-dispersion paints. Specifications
10. GOST 8292-85 Oil and paste colour paints. Specifications
11. GOST 30884-2003 Ready-mixed oil paints. General specifications.

REGULATORY FRAMEWORK

The following national standards may be used for **laboratory tests to determine the lead content** in varnishes, paints, painters and glazed tiles:

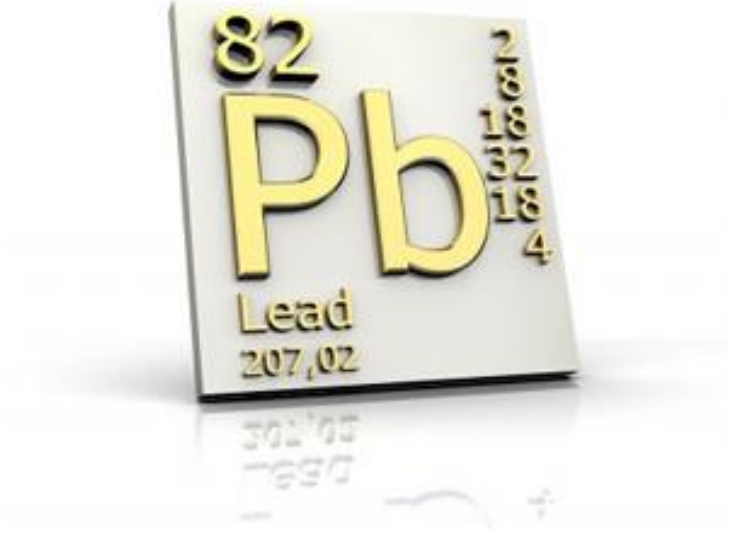
1. GOST 19151-73 (ISO 510-77) Red lead. Specifications.
2. GOST 5539-73 Litharge. Specifications.
3. SM STB EN ISO 10545-15:2010 Ceramic tiles and flags. Part 15: Determination of emissions of lead and cadmium by glazed tiles.
4. SM SR ISO 3856-1:2013 Paints and varnishes. Determination of “soluble” metals content. Part 1: Determination of lead content. Flame atomic absorption spectrometric method and dithizone spectrophotometric method
5. SM SR ISO 3711:2013 Lead chromate pigments and lead chromate-molybdate pigments. Specifications and analytical methods.

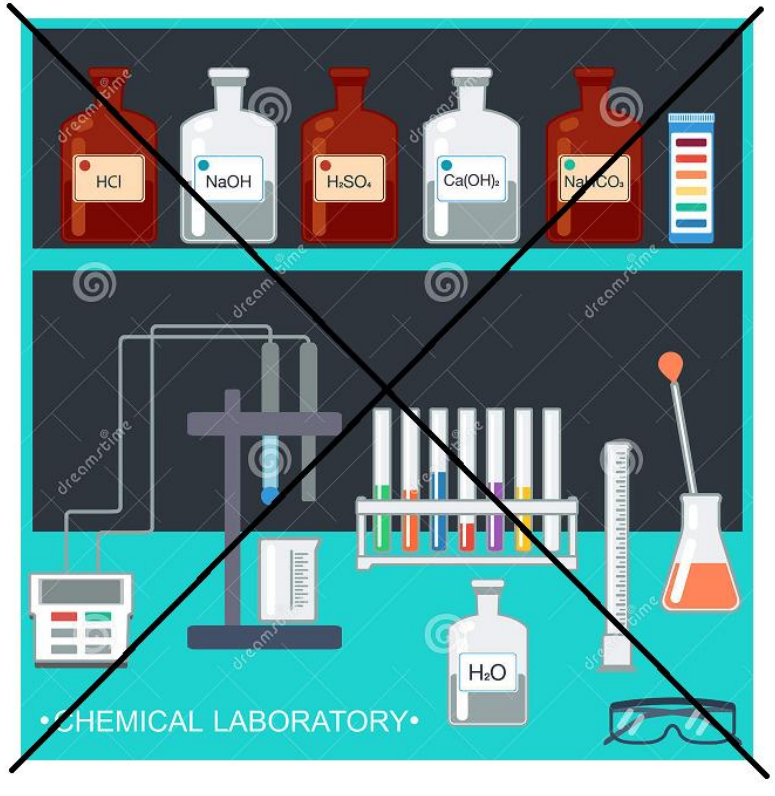


CURRENT STATE

In the area of **construction products**, **23 test laboratories** are accredited and recognised, of which only **2 laboratories** have needed authorisation to test **paints and varnished** used in construction.

They **do not test the chemical composition of the paints**, especially the **lead content**, but only use the following methods: visual, gravimetric, sensory, physical, electrical and chemical, physical and mechanical, potentiometer.





CURRENT STATE

None of the paints, either produced in the Republic of Moldova or **imported, are subjected to laboratory tests** for chemical composition (**lead content**) and are certified.

This can be explained by the lack of appropriate equipment, devices and reagents needed to perform the chemical analyses of **paints** and varnishes.
Appropriate endowment requires a considerable financial effort to be made by the business operators.

CURRENT STATE

The Government Decision No 226 of 29 February 2008 transposes partially the Directive 89/106/EEC of the Council *on the approximation of laws, regulations and administrative provisions of the Member States relating the construction products,* which was abolished by the **(EU) Regulation No 305/2011 of the European Parliament and of the Council** of 9 March 2011 ***laying down harmonised conditions for the marketing of construction products.***
This Regulation stipulates the categories of products subjected to certification, references to the European Assessment Documents and the list of European Documents approximated in the construction products field, which **do not include paints and varnishes**.

CURRENT STATE

According t**o Government Decision 808 of 07 October 2014** ***approving the National Action Plan implementing the EU-Moldova Association Agreement for 2014-2016*** and **DCFTA** (Deep and Comprehensive Free Trade Area), the Republic of Moldova committed itself to draw up the Draft Government Decision ***approving the Regulation on Establishment of Some Conditions Approximated to the Marketing of Construction Products***.
Concurrently with the development of this Government Decision, the relevant legislation shall be also amended, which will regulate the **procedure of certification of pains used in construction**.

CURRENT STATE

The Republic of Moldova imports paints for construction from the CIS (mostly from Belarus, Russia, Ukraine) and from EU countries: Poland, Romania, Bulgaria and others.

For example, as revealed by a study of International Persistent Organic Pollutants Elimination Network, Belarus produces over 100 types of paints and varnishes, a third of which contain lead. The lead content in some of them exceeds 600 ppm.

In addition, some of the paints (varnishes) produced in Russia, with a lead content exceeding 600 ppm, are freely available on the construction products market.

Some of the paints imported from European countries are not an exception.

THANK YOU FOR YOUR ATTENTION!

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Seminarul regional pentru Europa de Est, Caucaz și Asia Centrală cu privire la reglementarea conținutului de plumb în vopsele

19-20 mai 2016, Chișinău

Dr. Tatiana Țugui, manager
Environmental Pollution Prevention Office

Global International Policy Acts and MEAs

- Ratified global Chemical MEAs:
  - Basel Convention (1998)
  - Stockholm and Rotterdam Conventions (2004)
  - Montreal Protocol (1996)
- Other ratified MEAs
  - UNECE Protocols on Persistent Organic Pollutants and Heavy Metals to the Convention LRTAP (2002)
  - UNECE PRTR Protocol to the Aarhus Convention (2013)
  - UNECE Industrial Accidents Convention (1993)
- Signed multilateral environmental agreements:
  - Minamata Convention on Mercury (2013)

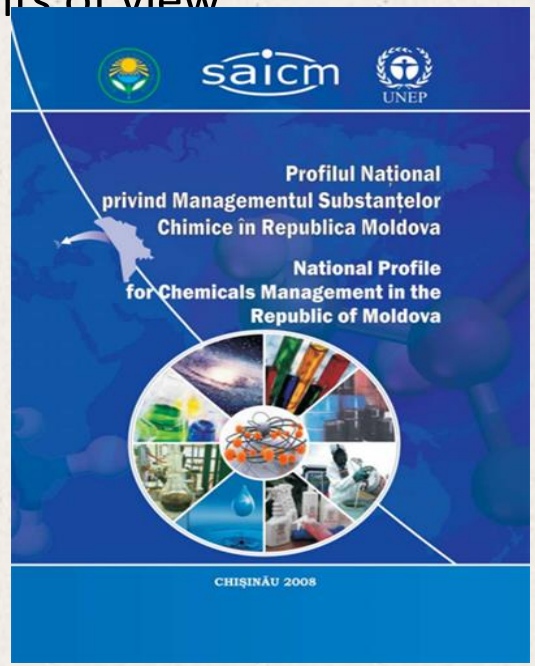
National Policy and Legal Acts

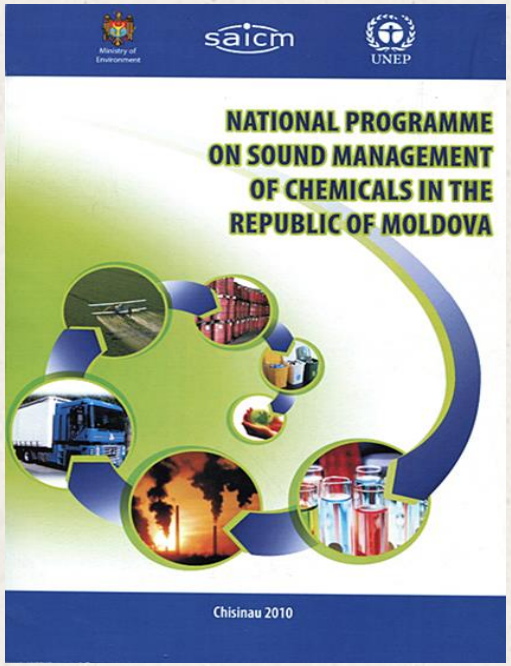
- National Programme on Sound Management of Chemicals (2010-2020): Government Decision no. 973 of 18 October 2010;
- Government Action Programme: 2016-2018
- National Strategy on Waste Management (2013-2023): Government Decision no. 428 of 10 April 2013;
- Strategy on Environment Protection: Government Decision no. 301 of 24 April 2014;
- National Plan on Implementation of the Association Agreement: 2014-2016
- Association Agreement between the European Union and the Republic of Moldova, ratified by Law no. 112 of 02.07.2014.

National Programme on Sound Management of Chemicals

The main document of long term strategic planning, approved by the Government Decision No. 973 of 18 October 2010, which determines the development objectives of the sound chemicals management system until 2020.

The overall aim of the programme is developing and establishment of system on integrated chemicals management on their entire life cycle, being efficient from the technical, economic, social and environmental points of view





Chemicals legislation

- Draft Law on Chemicals that will transpose 13 European Directives, including:
  - Regulation (EC) 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)
  - Regulation (EU) 649/2012 concerning the export and import of hazardous chemicals
  - Regulation (EC) 1272/2008 on classification, labelling and packaging of substances and mixtures
- Proposal for modification and completion of some environment legislative acts –Law on atmospheric air protection 1422-XIII din 17.12.1997 (first reading)
  - establishes prohibitions and restrictions on production, import, placing on the market and use of hazardous chemicals, including **lead in paint**, fuel, and other products.

Laboratory capabilities to determine lead

National Center of Public Health

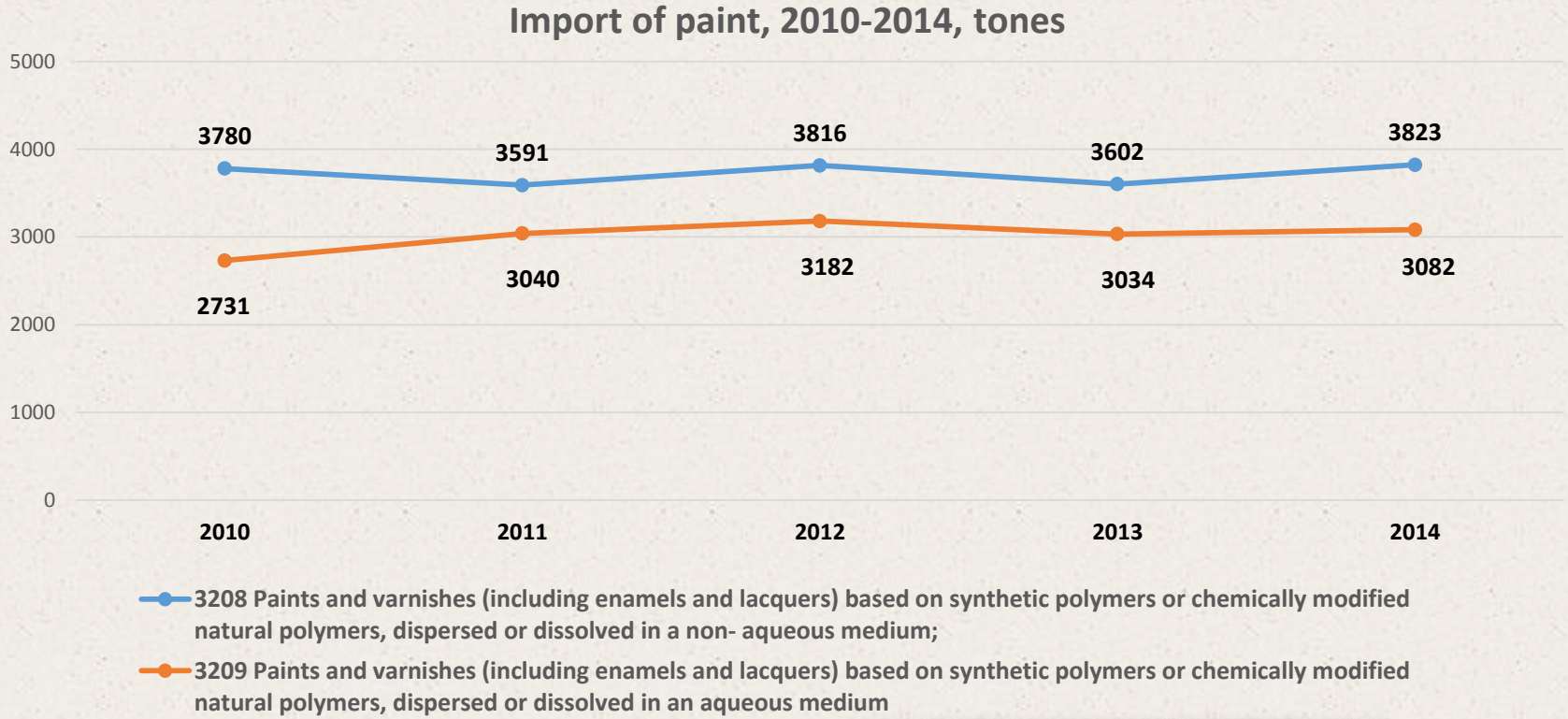
- determines lead and cadmium in food products, water, electric equipment, toys, textiles and shoes, etc.

Apă Canal Chișinău

- determines lead and cadmium in surface, used and treated waters.

Analyses Centre PIELART-AIRIN S.R.L.

- Determines migration of mercury, lead and cadmium in toys.

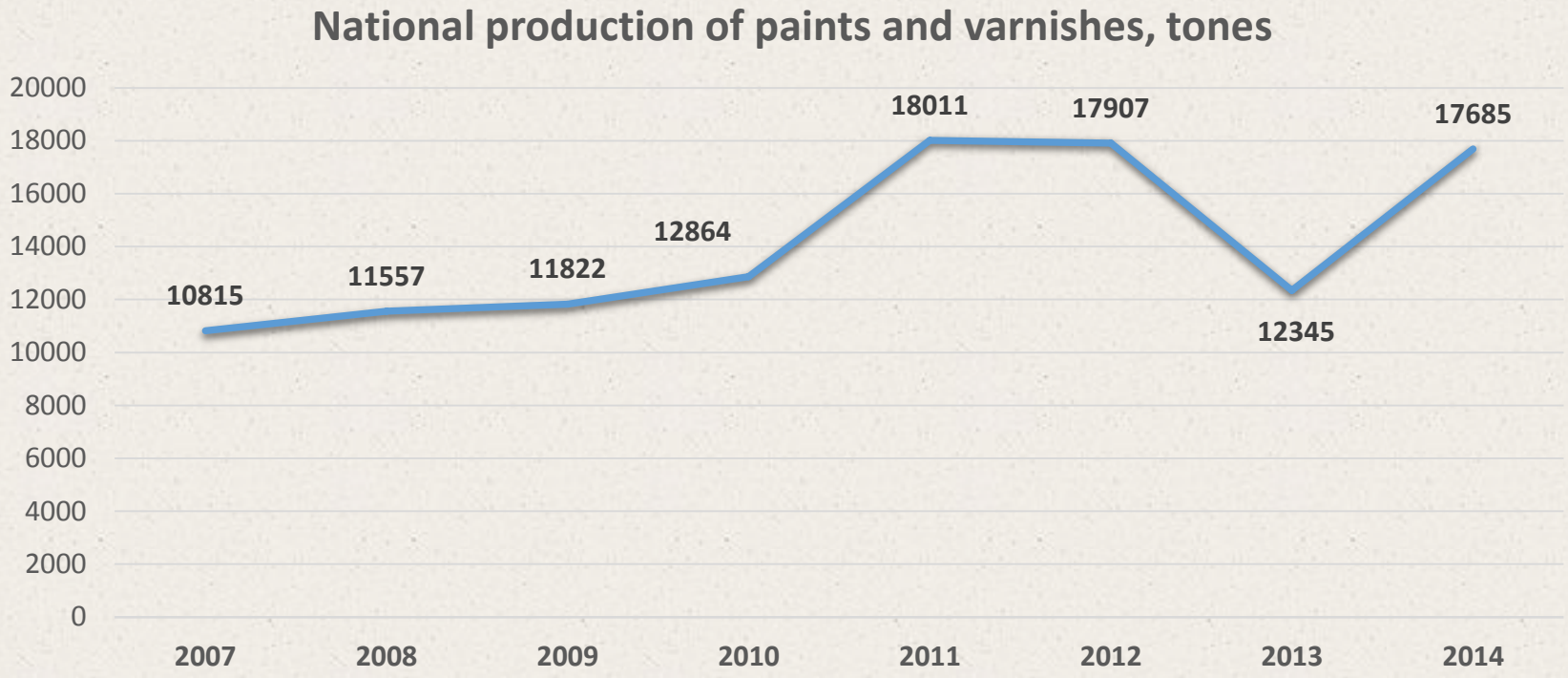


The biggest importers:

- "MODEM" SRL
- "ASTARN-DESIGN"SRL
- "M.C.F.-ENGROS" SRL
- "FTALI-CHIRIAC"II
- "RUTADOR" SRL

Photo made by: Andrei Isac

Source: Customs Service of the Republic of Moldova



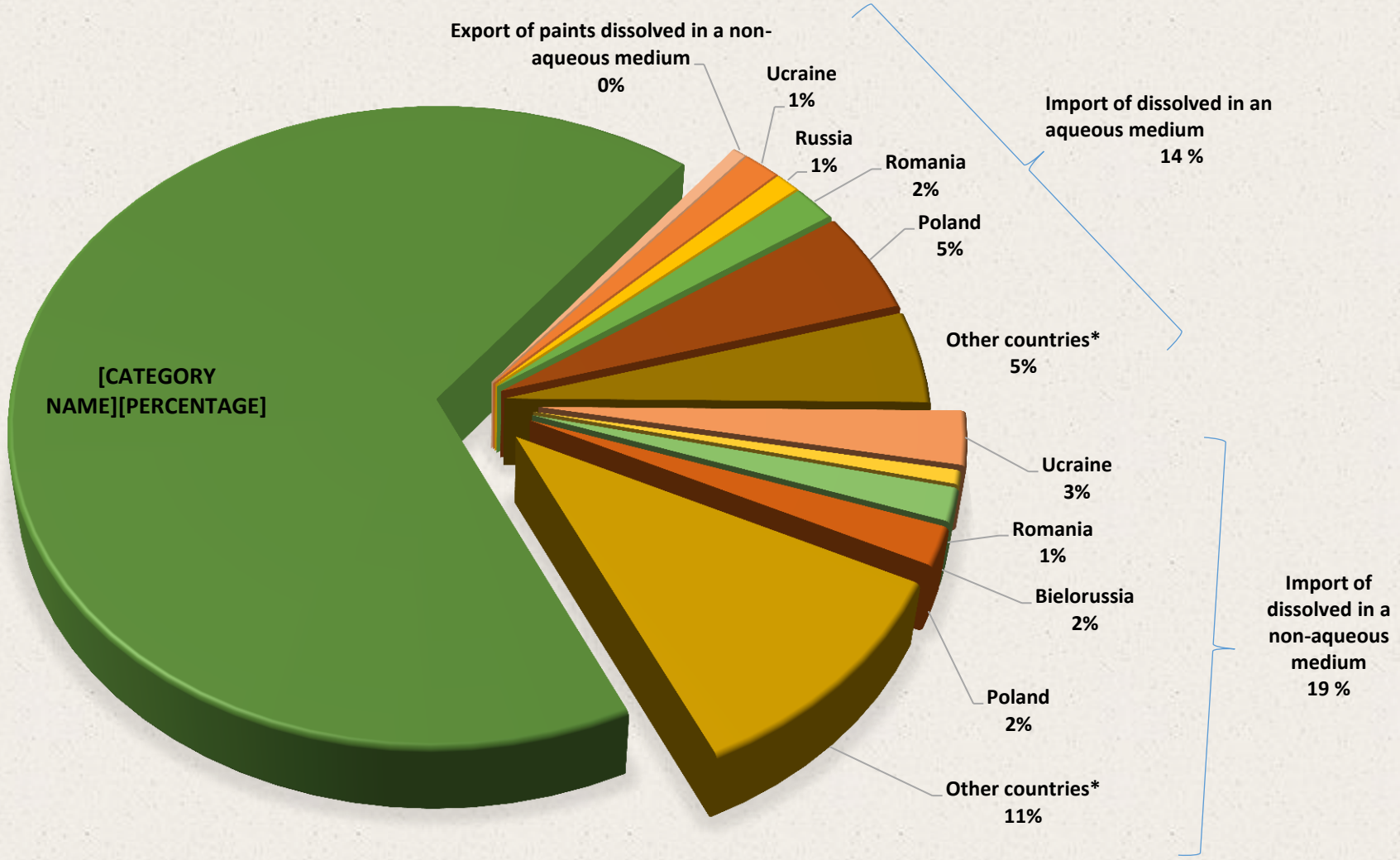
The main producers:

- Supraten S.A.
- Midgard Terra S.A.
- Anticor S.A.
- Cheton Grup S.R.L.

Source: National Statistic Bureau of the Republic of Moldova

Photo made by: Andrei Isac

QUANTITY OF PAINT PLACED ON THE MARKET OF THE REPUBLIC OF MOLDOVA, 2014



* Slovenia, Hungary, Turkey, Byelorussia, Greece, Lebanon, Czech Republic, Austria, Switzerland, Belgium, China, Estonia, Italy

Needs and challenges

- Develop the framework for the manufacture, import, use and export of paint containing lead, including the labeling requirements;
- Set maximum limits for lead content in the paint
- Establish a mechanism for promoting and implementing

regulations on the elimination of lead in paint;

- Establish penalties for non-compliance with regulations for elimination of lead in paint;
- Conduct public information and awareness activities among the population

Thank you for your kind attention !

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Photos made by: Anastasia Gangal