

Kingdom of Belgium

FEDERAL PUBLIC SERVICE HEALTH, FOOD CHAIN SAFETY AND ENVIRONMENT

Unofficial translation of

22 DECEMBER 2017. - Koninklijk besluit tot wijziging van het koninklijk besluit van 27 mei 2014 betreffende het op de markt brengen van stoffen geproduceerd in nanoparticulaire toestand

22 DECEMBRE 2017. - Arrêté royal modifiant l'arrêté royal du 27 mai 2014 relatif à la mise sur le marché des substances manufacturées à l'état nanoparticulaire

December 22nd 2017 - Royal Decree amending the Royal Decree of May 27th 2014 concerning the placing on the market of substances produced in nanoparticulate state

PHILIPPE, King of the Belgians,

To all those present and to come, Greetings.

Having regard to the Law of December 21st 1998 on standards for products intended for promotion of sustainable production and consumption methods and protection of the environment, health and workers, Article 5, § 1, first paragraph, 2°, amended by the Laws of December 27th 2004 and July 27th 2011;

Having regard to the Royal Decree of May 27th 2014 concerning the placing on the market of substances produced in nanoparticulate state, Articles 1 and 24;

Having regard to the Commission Recommendation No 2011/696/EU of October 18th 2011 on the definition of nanomaterial;

Having regard to the involvement of the regional governments in the drafting of this Decree, within the framework of the Inter-ministerial Conference on the Environment (CIE), held on November 30th 2016;

Having regard to the opinion of the National Labour Council, given on December 20th 2016;

Having regard to the opinion of the Central Council for the Economy, given on December 20th 2016;

Having regard to the opinion of the Federal Council for Sustainable Development, given on December 20th 2016;

Having regard to the opinion of the Superior Health Council, given on December 7th 2016;

Having regard to the opinion of the Consumption Council, given on December 27th 2016;

Having regard to the opinion of the High Council for Prevention and Protection at Work, given on January 11th 2017;

Having regard to the opinion of the Inspector of Finances, given on January 9th 2017;

Having regard to the approval of the Minister of Budget, given on March 29th 2017;

Having regard to opinion 62.017/1/V of the Council of State, given on August 24th 2017, in application of Article 84, § 1, first paragraph, 2°, of the laws on the Council of State, coordinated on January 12th 1973;

Upon the proposal of the Minister of Economy and Employment, the Minister of Public Health, the Minister of Environment and upon the advice of the Ministers meeting in Council,

We have decreed and hereby decree:

Article 1. Article 1 of the Royal Decree of May 27th 2014 concerning the placing on the market of substances produced in nanoparticulate state, shall be supplemented with the provision under 9°, reading:

“9° Cosmetic products falling within the scope of the Royal Decree of July 17th 2012 on cosmetic products.”

Art. 2. In Article 24, § 1, of the same Decree, the second paragraph shall be replaced with the following:

“The provisions of Articles 3 to 10 shall enter into force on January 1st 2018 with regard to mixtures.”

Art. 3. In Article 24, § 2, of the same Decree, the second paragraph shall be replaced with the following:

“Mixtures that are already on the market prior to January 1st 2018 shall be subject to the registration referred to in the present Decree before January 1st 2018.”

Art. 4. In Article 24, § 3, of the same Decree, the second paragraph shall be replaced with the following:

“As regards the mixtures referred to in section 1(2), the updating referred to in Article 9 shall be performed before March 31st 2019.”

Art. 5. Articles 2 and 3 of this Decree shall take effect on December 31st 2016.

Art. 6. The Minister for Economy, the Minister for Employment, the Minister for Public Health and the Minister for Environment are responsible, in their own fields, for the implementation of this Decree.

Drawn up in Brussels on December 22nd 2017.

PHILIPPE

On behalf of His Majesty:

The Deputy Prime Minister and Minister of Economy and Employment,

K. PEETERS

The Minister of Public Health,

M. DE BLOCK

The Minister of Environment,

M. C. MARGHEM