



VEIRANO
ADVOGADOS

ENVIRONMENT

CLIENT ALERT

APRIL/2018

SÃO PAULO: ENVIRONMENTAL LICENSING INTEGRATED WITH WASTE TAKE BACK RULES

Today, the São Paulo State Environmental Agency published Ordinance No. 076/2018/C integrating compliance with take back rules (post-consumption environmental liability) to the environmental licensing process.

Referred condition was foreseen in Resolution 45/2015, but had not been effective so far.

According to a detailed schedule, manufacturers, importers, distributors and retailers whose activities are subject to environmental licensing and involve specific products/packages, will have to prove compliance with take back rules, which will be a condition to obtain or renewal their operation licenses.

The products and packages are:

- I. Products which, after consumption, result in waste considered of significant environmental impact:
 - a) Lubricant oil used and contaminated;
 - b) Cooking oil;
 - c) Automotive oil filters;
 - d) Automotive batteries;
 - e) Portable batteries;
 - f) Electronic products and their components;
 - g) Fluorescent light bulbs, light bulbs of sodium vapor, of mercury and of mixed light;
 - h) Used tyres;
 - i) Domestic drugs, whose shelf life expired or not under use.

- II. Packages of products that comprise the dry portion of solid waste or equivalent, except those classified as hazardous by Brazilian laws, such as:
 - a) Food;
 - b) Beverage;
 - c) Personal hygiene products and cosmetics;

PRACTICE AREA

Environment

COORDINATION

Ana Luci Grizzi

For further information, please send a message to news@veirano.com.br

This document was prepared exclusively for informational purposes and does not constitute legal advice or an invitation to an attorney-client relationship. If you have any questions, our lawyers are available for clarification.

It is forbidden to distribute, reproduce or transmit this document, in full or in part, without the prior consent of Veirano Advogados.

© 2018 Veirano Advogados.
All rights reserved.

- d) Cleaning products and equivalents; and
- e) Other consumer goods, at the discretion of the State Environmental Secretary or of CETESB.

III. The packages that, after consumption of the product, are considered waste with significant environmental impact, such as:

- a) Herbicides;
- b) Automotive lubricant oil;
- c) Real estate paintings.

Considering the broad scope and complexity of this new proceeding, CETESB stipulated a gradual work plan, according to the type of product/package and industrial installations, to put this rule into practice.

Besides, the Ordinance details how take back systems shall be implemented and operated, how information on such systems shall be electronically disclosed to CETESB and presents quantitative and qualitative gradual goals to ensure its efficiency.

Our environmental team is available to provide further clarifications and legal advices on such matter

Ana Luci Grizzi
analuci.grizzi@veirano.com.br