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Submitted via Email to Standards Coordination Office (SCO) National Institute of Standards and Technology (NIST) at usatbtep@nist.gov

Subject: Comments on CHL/647, Regulation on Disinfectants

The Household & Commercial Products Association¹ (HCPA) appreciates the opportunity to provide comments in response to the World Trade Organization (WTO) Technical Barriers to Trade (TBT) Notification CHL/647, Regulation on Disinfectants. Notification CHL/647 was submitted to the WTO to fulfill Chile's obligations under the TBT Agreement.

HCPA is a voluntary, non-profit U.S. trade association representing approximately 240 companies engaged in the manufacture, formulation, distribution and sale of products for household, institutional, commercial, and industrial use. Through HCPA's Antimicrobial Products Division, HCPA represents the interest of those that manufacture, market, supply, test, and register products and ingredients designed to control or eliminate microbes in any environment. Many members of HCPA manufacture and market disinfectant products and ingredients intended for sale in Chile and are affected by this proposal.

¹ The Household & Commercial Products Association (HCPA) is the premier trade association representing companies that manufacture and sell \$180 billion annually of trusted and familiar products used for cleaning, protecting, maintaining, and disinfecting homes and commercial environments. HCPA member companies employ 200,000 people in the U.S. whose work helps consumers and workers to create cleaner, healthier and more productive lives.

Disinfectants are important because they help to eliminate pathogenic microorganisms from a variety of surfaces. Overall, HCPA supports the proposal as it clarifies the regulatory classification and requirements associated with disinfectant products and moves towards greater regulatory harmonization with other countries in the region. However, HCPA is concerned that several of these new requirements will discourage manufacturers and marketers from entering Chile's market. HCPA suggests the introduction of a use of foreign decision (UFD) pathway that leverages the decision of comparable foreign regulators, such as the U.S. Environmental Protection Agency (EPA), when applying for a market authorization for an identical product in Chile. This pathway would allow regulators in Chile to utilize established technologies and existing data from products that have already undergone rigorous science reviews within long-standing regulatory frameworks. When used as an additional option in proposed registration process, this pathway will help industry bring innovative products to market faster in Chile, benefitting those that use them and preventing any product availability gaps during implementation and phase-in.

HCPA is also concerned with the labeling requirements proposed that differ from other countries around Chile. While beneficial for workers that receive training, HCPA is concerned with the inclusion of GHS language and pictograms for disinfectants used by consumers. Other countries in the region that have adopted GHS for the workplace, such as Mexico and Colombia, have exempted household products and disinfectants from GHS labeling due to concerns that citizens will not be able to fully comprehend the warnings without education.

HCPA also opposes the labeling of "general sale" for typical disinfectants for consumers to use. While HCPA supports the labeling of specialized disinfectants that should only be used by trained professionals, HCPA worries that this type of labeling requirement will discourage the use of safe and effective disinfectant products when used in accordance with label directions that are supposed to protect the general public.

In conclusion, HCPA appreciates the opportunity to provide these comments. Disinfectants provide critical health-based benefits by protecting people from dangerous pathogens. While HCPA supports many of the elements within the proposal, we encourage refinement such that companies will not be discouraged from manufacturing and importing safe and effective products into Chile's market.

Respectfully submitted,



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