



Revised May 2018

TPCH Statement on Glass Exemptions

The Toxics in Packaging Clearinghouse (TPCH) regularly receives inquiries regarding the interpretation of “packaging component” *in the absence of the vitrified label exemption* for glass and ceramic packages (Model Toxics in Packaging Legislation, Section 5.g.). TPCH responds that *in the absence of this exemption*, each enamel used to create a vitrified label is considered a distinct packaging component for the purposes of toxics in packaging laws, and therefore is subject to the 100 ppm concentration limit for the sum of the four regulated metals incidentally present in any packaging component. Each enamel is also subject to the “no intentional introduction” requirement.

It should be noted that the TPCH previously recommended that the TPCH member states adopt an exemption that reflected the properties of vitrification, and treat glass or ceramic with vitrified labels as one packaging component. It is important to point out that this exemption does not apply to mercury in vitrified labels or enamels, and the resulting ‘single packaging component’ of glass or ceramic with vitrified label remains subject to TCLP sample preparation, testing procedures, and leaching limits for the other three metals regulated by the law.

As with all provisions of the model legislation, however, exemptions are only applicable if enacted into law by the individual states, as each state has its own body of law. The model legislation’s exemption has been enacted in only one TPCH member state, New Hampshire.

Finally, because there have been no recent changes in the requirements of the laws in member states, there is no need for an implementation period.