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Republic of Latvia

Cabinet

Regulation No. 231

Adopted 3 April 2007

## Regulations Regarding the Limitation of Emissions of Volatile Organic Compounds From Certain Products

*Issued pursuant to  
Section 11, Paragraph two, Clause 12 and Paragraph four  
of the Law on Pollution and  
Section 12, Paragraph three and Section 16  
of the Law On Chemical Substances and Chemical Preparations*

### I. General Provisions

1. These Regulations prescribe:

1.1. the procedures by which the emission of volatile organic compounds from paints, varnishes and vehicle refinishing products (hereinafter - products) shall be limited;

1.2. the requirements for the labelling of products; and

1.3. special environmental requirements for the activities with products with an increased volatile organic compound content.

2. The following terms are used in these Regulations:

2.1. **volatile organic compound** - an organic compound the initial boiling point of which is 250 °C or less at a standard pressure of 101.3 kPa; and

2.2. **volatile organic compound content** - the mass of volatile organic compounds (expressed in grams per litre (g/l)) in the formulation of the product that is ready for use, with the exception of the part of the volatile organic compound content, which react chemically during drying, forms a part of the coating.

3. These Regulations shall apply to the products specified in Annex 1 to these Regulations, which are manufactured or put on the market, except for the following:

3.1. products that are used in installations which in accordance with regulatory enactments regarding the procedures by which the emission of air pollutants from stationary sources of pollution shall be prevented, restricted

and controlled are included in the list of the Latvian Environment, Geology and Meteorology Agency. The referred to list is available to the public on the Internet home page of the Latvian Environment, Geology and Meteorology Agency; and,

3.2. products that are put on the market according to Paragraphs 7 and 8 of these Regulations.

## **II. Procedures by which the Volatile Organic Compound Content in Products shall Be Limited and the Requirements for the Labelling of Products**

4. The products specified in Annex 2 to these Regulations shall be put on the market if the volatile organic compound content in the products does not exceed the limit values of volatile organic compound content specified in the referred to Annex and such products are labelled in conformity with these Regulations and other regulatory enactments which regulate the requirements for the labelling of chemical substances and chemical preparations.

5. The labelling of the product in addition to the general requirements prescribed by regulatory enactments regarding the labelling of chemical substances and chemical preparations shall specify the following information on a label or packaging:

5.1. the subcategory of the product and the relevant limit values of volatile organic compounds (g/l) in accordance with Annex 2 to these Regulations; and

5.2. the content of volatile organic compounds (g/l) in a ready to use product.

6. The maximum limit values of volatile organic compound content specified in Annex 2 to these Regulations shall apply to the ready to use products, as well as to those ready to use products that have been obtained by adding an organic solvent or other components containing organic solvents to the products specified in Annex 1 to these Regulations.

## **III. Procedures by Which Licences Shall be Issued for the Purchasing or Trade of Products with an Increased Content of Organic Solvents**

7. A private individual (trader) shall be allowed to put on the market products, the volatile organic compound content of which exceeds the limit values specified in Annex 2 to these Regulations, if such trader has received a licence for the sale of such products with an increased content of organic solvents (hereinafter - licence).

8. A private individual (hereinafter - purchaser) shall be allowed to purchase on the market products, the volatile organic compound content of which exceeds the limit values specified in Annex 2 to these Regulations, if such person has received a licence. A licence shall be issued if the relevant products are necessary in order to renew the coating of vintage vehicles, restore, renovate or maintain cultural monuments (for example, buildings, historical centres of towns or other populated areas, as well as separate parts and fragments thereof) in accordance with regulatory enactments regarding the protection of cultural monuments.

9. A trader who puts on the market products, the volatile organic compound content of which exceeds the limit values specified in Annex 2 to these Regulations, shall maintain records of the buyers of the aforementioned products. The registration documents shall contain the name and amount of the products sold, as well as the following:

9.1. for natural persons - the given name, surname, personal identity number, address and licence number of the purchaser; or,

9.2. for legal persons - the company name, registration number, legal address and licence number of the purchaser.

10. The trader shall keep the registration documents specified in Paragraph 9 of these Regulations for five years and shall present such upon the request of the control institution specified in Paragraph 23 of these Regulations.

11. The licence shall be issued by the regional environmental board of the State Environmental Service.

12. In order to receive a licence, a trader or a purchaser shall submit a submission to the regional environmental board of the State Environmental Service (Annex 3). If a licence is necessary for the purchase of products, in order to restore, renovate or maintain a cultural monument, a certification issued by the State Inspection for Heritage Protection regarding the conformity of the relevant object to the status of a cultural monument shall be appended to the submission. If a licence is necessary for the purchase of products, in order to renew the coating of a vintage vehicle, a certification issued by the society "Latvijas Antīko automobiļu klubs" [Latvian Vintage Automobile Club] regarding the conformity of the vehicle with the status of a vintage vehicle.

13. In order to receive a certification for the purchase of products specified in Paragraph 12 of these Regulations, the purchaser shall submit a submission (Annex 4) to one of the following institutions:

13.1. the State Inspection for Heritage Protection in order to purchase products for the restoration, renovation or maintenance of a cultural monument; or,

13.2. the society Latvian Vintage Automobile Club in order to purchase products for the renewing of the coating of a vintage vehicle.

14. The State Inspection for Heritage Protection or society Latvian Vintage Automobile Club within 20 days after the receipt of a submission specified in Paragraph 13 of these Regulations, shall issue a certification or inform the applicant regarding a refusal to issue a certification, if the object does not conform with the status of a cultural monument or a vehicle does not conform with the status of a vintage vehicle.

15. The regional environmental board of the State Environmental Service within 30 days after the receipt of a submission specified in Paragraph 12 of these Regulations shall issue a licence (Annex 5) or a justified refusal to issue a licence.

16. The State Environmental Service shall maintain the register of the licences that have been issued. The register shall be available to the public on the Internet home page of the State Environmental Service.

17. The regional environmental board of the State Environmental Service shall not issue a licence in the following cases:

17.1. a submission does not contain all the necessary information or false information has been provided; or

17.2. a purchaser has not submitted the certification specified in Paragraph 12 of these Regulations.

18. If a control institution establishes that the recipient of a licence violates the conditions of the licence or does not comply with the requirements specified in Paragraph 9 or 20 of these Regulations, the licence shall be cancelled in accordance with the following procedures:

18.1. the control institution shall draw up a statement regarding the violation established. The statement shall indicate the time limit for the violation to be eradicated and the measures to be performed. The State Sanitary Inspection shall send a copy of the statement to the issuing institution of the licence - the regional environmental board of the State Environmental Service;

18.2. if a repeat violation has been established, the regional environmental board of the State Environmental Service shall take a decision regarding the cancellation of the licence and shall make a relevant entry in the register of the licences; and

18.3. the unused products within a time period of three months after the cancellation of a licence shall be transferred to a person who has a relevant licence or shall be managed according to regulatory enactments which regulate the management of hazardous waste.

19. A decision of the regional environmental board of the State Environmental Service that has been taken in respect of the requirements of these Regulations may be disputed in the Environment State Bureau according to the procedures specified in the Administrative Procedure Law.

20. The recipient of a licence shall:

20.1. each year by 1 February submit to the regional environmental board of the State Environmental Service a report regarding the amount of products purchased, marketed or used up in the previous year (Annex 6); and

20.2. be responsible for the compliance with the conditions of the licence and shall not be entitled to transfer the licence to other persons or transfer the products to persons who do not have the appropriate licence.

## **IV. Requirements for the Manufacturers of Products**

21. A product manufacturer shall ensure that the volatile organic compound content in a product conforms with the maximum limit values of volatile organic compound content specified in Annex 2 to these Regulations.

22. A product manufacturer shall indicate information regarding the volatile organic compound content of the products specified in Annex 2 of these Regulations in the technical documentation of product manufacturing.

## **V. Control Institutions**

23. The following institutions, in conformity with their competence, shall control the compliance with the requirements of these Regulations:

23.1. the State Sanitary Inspection - the marketing of products; and

23.2. the State Environmental Service - the manufacture and professional use of the products.

24. For the non-compliance with the requirements of these Regulations, persons shall be held administratively liable in accordance with the Administrative Violations Code of Latvia.

25. The State Sanitary Inspection shall control the conformity of the products with the requirements of these Regulations and shall examine the activities of the persons who are associated with the marketing of the products. Each year by 1 February the State Sanitary Inspection shall submit to the State Environmental Service compiled information regarding the results of the marketing control of the products in the previous calendar year.

26. The State Environmental Service shall prepare an informative report regarding the implementation of the requirements of these Regulations. The report shall include the following information:

26.1. information regarding the inspections performed by the control institutions and the results thereof in accordance with Paragraphs 23 and 25 of these Regulations;

26.2. information regarding the licences issued in accordance with Paragraph 16 of these Regulations; and,

26.3. information regarding the amount of products purchased or marketed in the previous year in conformity with the reports submitted by the recipients of the licences.

27. The State Environmental Service shall submit the informative report to the Ministry of the Environment in the following time periods:

27.1. by 1 May 2008 - for the time period from 1 January 2007 until 31 December 2007;

27.2. by 1 May 2011 - for the time period from 1 January 2010 until 31 December 2010; or,

27.3. commencing from 1 January 2011 - every five years by 1 May of the following year.

28. The determination of volatile organic compounds in a product shall be permitted to be performed by laboratories that are accredited by the State agency "Latvijas Nacionālais akreditācijas birojs" [Latvian National Accreditation Bureau] according to standards LVS EN ISO/IEC 17025:2005 "General Requirements for the Competence of Testing and Calibration Laboratories", and regarding which the Ministry of Economics has published a notice in the newspaper *Latvijas Vēstnesis* [the official Gazette of the Government of Latvia], as well as laboratories accredited in the European Union and the European Economic Area. For analysis the methods of analysis specified in Annex 7 to these Regulations shall be applied.

29. The State Environmental Service after co-ordination with the Ministry of the Environment shall place the informative report on the Internet home page thereof.

## VI. Closing Provisions

30. Cabinet Regulation No. 833 of 1 November 2005, Regulations regarding the Limitation of the Emission of Volatile Organic Compounds from Specific Products (*Latvijas Vēstnesis*, 2005, No. 181) is repealed.

31. Products which have been produced prior to the dates specified in Annex 2 to these Regulations and the volatile organic compound content of which exceeds the limit values of organic compound content specified in the referred to Annex are permitted to be put on the market for a time period not longer than 12 months after coming into force of the limitations.

32. The manufacturer or trader of the products specified in Annex 2 to these Regulations shall:

32.1. perform an inventory of the products specified in Paragraph 1 of Annex 2 to these Regulations for the second period specified in Annex 2 to these Regulations - by 31 December 2009;

32.2. within a time period of 30 days after the expiry of the time period specified in Sub-paragraph 32.1 of these Regulations submit to the corresponding regional environmental board of the State Environmental Service a written statement regarding the amount of products recorded during the inventory.

## Informative Reference to European Union Directive

These Regulations contain legal norms arising from Directive 2004/42/EC of the European Parliament and of the Council of 21 April 2004 on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain paints and varnishes and vehicle refinishing products and amending Directive 1999/13/EC.

Prime Minister A. Kalvītis

## **Products and Subcategories Thereof to Which the Regulations Shall Apply**

1. These Regulations shall apply to paints and varnishes (excluding aerosols) - chemical preparations that are utilised to form coatings (a preparation which contains organic solvents and which is utilised in order to obtain a decorative, protective or other type of film) applied to buildings, their trim and fittings, as well as structures associated with these. Coatings of the group of paints and varnishes shall be divided into the following subcategories:

1.1. matt coatings for interior walls and ceilings - coatings designed for application to interior walls and ceilings and whose degree of gloss is  $\leq 25@60^\circ$  (25 - level of gloss,  $60^\circ$  - the angle at which the degree of gloss has been determined);

1.2. glossy coatings for interior walls and ceilings - coatings designed for application to interior walls and ceilings and whose degree of gloss  $> 25@60^\circ$  (25 - level of gloss,  $60^\circ$  - the angle at which the degree of gloss has been determined);

1.3. coatings for exterior walls of mineral substrate - coatings designed for application to exterior walls of masonry, brick or stucco;

1.4. interior or exterior trim and cladding paints for wood, metal or plastic - coatings for undercoats and intermediate coatings designed for application to trim and cladding and which produce an opaque film (a continuous layer resulting from the application of one or more coats to a substrate);

1.5. interior and exterior trim varnishes and woodstains - coatings designed for the decoration and protection of wood, metal and plastic and which produce a transparent or semi-transparent film, as well as opaque woodstains - coatings for the decoration of wood and protection against damp, which produce an opaque film (in accordance with the standard LVS EN 927-1:2000 "Paints and Varnishes - Coating materials and systems for exterior wood works - Part 1: Classification and Selection") within a semi-stable concentration;

1.6. minimal build woodstains - woodstains which (in accordance with the standard LVS EN 927-1:2000 "Paints and Varnishes - Coating materials and systems for external wood works - Part 1: Classification and Selection") have a mean thickness of less than 5  $\mu\text{m}$  (in testing the 5A method specified in the standard LVS EN ISO 2808:2000 "Paints and Varnishes - Determination of coating thickness" shall be used);

1.7. primers - coatings with sealing or blocking properties designed for use on wood, walls or ceilings;

1.8. binding primers - coatings that are designed to stabilise loose substrate particles or impart hydrophobic properties, as well as to protect wood against blue stain;

1.9. one-pack performance coatings - coatings which are based on a film-forming material and which are designed in order to ensure a special performance, for example, primers and topcoats for artificial materials, primer coat for ferrous substrates, primer coat for reactive metals (for example, zinc, aluminium), anticorrosion finishes, coatings for wood and cement floors, graffiti resistance, flame retardant, to ensure hygiene standards in food production or health care;

1.10. two-pack performance coatings - coatings specified in Sub-paragraph 1.9 of this Annex, to which a second component (for example, tertiary amines) is added prior to application;

1.11. multicoloured coatings - coatings which give a two-tone or multiple-colour effect directly from the primary application; and

1.12. decorative effect coatings - coatings designed to give special aesthetic effects over specially prepared pre-painted substrates or base coats and that are specially treated during the drying period.

2. These Regulations shall apply to vehicle refinishing products used for the coating of vehicles or parts thereof with industrial or commercial purposes outside of manufacturing installations during the vehicle repair, surface protection measures or decoration, when performing the following activities:

2.1. the coating of road vehicles or parts thereof during the vehicle repair, conservation or decoration (except for the industrial manufacture of road vehicles and parts thereof);

2.2. the original coating of road vehicles or parts thereof, by using refinishing products (except for the industrial manufacture of road vehicles and parts thereof); or

2.3. the coating of trailers of category O (also semi-trailers).

3. Coatings of the group of vehicle refinishing products shall be divided into the following subcategories:

3.1. surface preparatory and cleaning products designed for the mechanical or chemical removal of old coatings and rust, in order to prepare the surface as a basis for a new coating:

3.1.1. products for cleaning spray-guns and the equipment thereof - paint strippers, degreasers (including anti-static degreasers for the degreasing of artificial materials) and removers of silicone compounds; and

3.1.2. pre-cleaners - cleaning products designed for the removal of surface contamination during the preparation of the surface for the application of coating products;

3.2. body filler/stopper - heavy-bodied compounds designed to fill deep surface imperfections prior to the application of the surfacer - filler;

3.3. primer - a coating that prior to the application of a primer surfacer is designed for application to bare metal or existing finishes to provide corrosion protection of the surface. Primer coatings shall be divided as follows:

3.3.1. surfacer - filler - a coating designed for application immediately prior to the application of the topcoat to fill deep surface imperfections, in order to ensure the adhesion of the topcoat, corrosion protection and formation of a uniform surface;

3.3.2. general metal surface primer - coatings designed for application as primers, for example, adhesion promoters, sealers, surfacers, undercoats, plastic primers "wet-on-wet", non-sand fillers, spray fillers; and,

3.3.3. wash primer - a coating containing at least 0,5% by weight of phosphoric acid and designed to be applied directly to bare metal surfaces to provide adhesion and increase corrosion resistance, as well as used as a weldable primer and mordant solution for galvanised zinc surfaces;

3.4. topcoats - any pigmented coating that is designed to be applied as a single-layer or as a multiple-layer base to provide gloss and durability. They shall include:

3.4.1. base coatings - pigmented coatings designed to provide colour (shade) and other desired optical effects, but not the gloss or surface resistance of the coating system; and,

3.4.2. varnishes - transparent coatings designed to provide the final gloss and resistance properties of the coating system;

3.5. special finish coatings - products designed for application as topcoats if special properties are required in a single layer, for example, metallic or pearl effect, high-performance solid-colour or clear varnishes (for example, anti-scratch or fluorinated varnish), reflective base coating, texture finish coatings, anti-slip coatings, under-body sealers, anti-chip protective varnishes, interior finish varnishes and aerosols.

Minister for the Environment R. Vējonis

**Annex 2**  
Cabinet Regulation No. 231  
3 April 2007

## Maximum Limit Values of the Volatile Organic Compound Content

1. The maximum limit values of the volatile organic compound (hereinafter - VOC) content for paints and varnishes are specified in Table 1 of this Annex.

Table 1

No.	Product subcategory	Solvent type	Period I - from 1 January 2007 VOC limit value (g/l) <sup>1</sup>	Period II - from 1 January 2010 VOC limit value (g/l) <sup>1</sup>
1.	Matt coatings for interior walls and ceilings) (gloss <25@60°)	WB <sup>2</sup> SB <sup>3</sup>	75 400	30 30

2.	Glossy coatings for interior walls and ceilings) (gloss >25@60°)	WB	150	100
		SB	400	100
3.	Coatings for exterior walls of mineral substrate	WB	75	40
		SB	450	430
4.	Interior or exterior trim cladding paints for wood and metal	WB	150	130
		SB	400	300
5.	Interior or exterior trim varnishes and woodstains (including opaque woodstains)	WB	150	130
		SB	500	400
6.	Interior or exterior minimal build woodstains	WB	150	130
		SB	700	700
7.	Primers	WB	50	30
		SB	450	350
8.	Binding primers	WB	50	30
		SB	750	750
9.	One-pack performance coatings	WB	140	140
		SB	600	500
10.	Two-pack reactive performance special coatings	WB	140	140
		SB	550	500
11.	Multi-coloured coatings	WB	150	100
		SB	400	100

<sup>1</sup>Solvent concentration for use in a ready to use product.

<sup>2</sup>WB - water based coating material - a coating material the viscosity of which is regulated with water.

<sup>3</sup>SB - solvent based coating material - a coating material the viscosity of which is regulated with water.

2. The limit values of the volatile organic compound content for vehicle refinishing products are specified in Table 2 of this Annex.

Table 2

No.	Product subcategory	Coating type	From 1 January 2007 VOC concentration (g/l)
1.	Surface preparatory and cleaning products <sup>1</sup>	surface preparatory products	850
		pre-cleaners	200
2.	Body filler/stopper	all	250
3.	Primer	surfacers - filler and general metal surface primer	540
		wash primer	780
4.	Topcoat	all	420
5.	Special finish coatings	all	840

<sup>1</sup> The water content of the ready to use product shall be taken into account exclusively in respect of the products of this subcategory.

Minister for the Environment R. Vējonis

**Annex 3**  
Cabinet Regulation No. 231  
3 April 2007

## The Submission for the Receipt of a Licence for Activities with Paints, Varnishes and Vehicle Refinishing Products with an Increased Organic Solvent Content

To the \_\_\_\_\_ regional environmental board of the State Environmental Service

Please issue

\_\_\_\_\_  
(the given name, surname, personal identity number, address, telephone number of a natural person)

\_\_\_\_\_  
or the firm name, legal address, registration number of a legal person)

a licence for the activities with paints, varnishes and vehicle refinishing products with an increased organic solvent content. It is intended to perform activities with the following products:

1. \_\_\_\_\_  
(product subcategory)                      (litres)
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

\_\_\_\_\_  
(the activity to be performed - putting on the market or purchase)

Appended:

1. A copy of the registration certificate of the merchant issued by the Register of Enterprises or a document that certifies the establishment of the institution.

2. A copy of the certification issued by the State Inspection for Heritage Protection regarding the conformity of the object to the status of a cultural monument or a copy of the certification issued by the society Latvian Vintage Automobile Club regarding the conformity of the object to the status of a vintage vehicle.

(Date) \_\_\_\_\_

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(given name, surname)

Place for a seal

Minister for the Environment R. Vējonis

**Annex 4**  
Cabinet Regulation No. 231  
3 April 2007

## The Submission for the Receipt of Certification Regarding the Conformity of an Object to the Status of a Cultural Monument or Vintage Vehicle

To the State Inspection for Heritage Protection

To the society Latvian Vintage Automobile Club

Please certify that \_\_\_\_\_, where \_\_\_\_\_,  
(the name and address of the object)

\_\_\_\_\_  
(the given name, surname of a natural person or the firm name of a legal person)

wishes to  
perform \_\_\_\_\_



(the activity to be performed - restoration, renovation or maintenance)

conforms to the status of a cultural monument or conforms to the status of a vintage vehicle.

(Date) \_\_\_\_\_

\_\_\_\_\_  
(signature of the applicant)

\_\_\_\_\_  
(the given name, surname)

I CERTIFY

\_\_\_\_\_  
(signature of the head of the inspection or society)

\_\_\_\_\_  
(the given name, surname)

(Date) \_\_\_\_\_

Place for a seal

Minister for the Environment R. Vējonis

**Annex 5**  
Cabinet Regulation No. 231  
3 April 2007

## A Licence for Activities with Paints, Varnishes and Vehicle Refinishing Products with an Increased Organic Solvent Content

No. \_\_\_\_\_

Issued to:

\_\_\_\_\_  
(the given name, surname, personal identity number, address, telephone number of a natural person  
or

\_\_\_\_\_  
the firm name, registration number, legal address of a legal person)

for activities with the following products:

1. \_\_\_\_\_  
(product subcategory) (litres)

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

Activity to be performed

\_\_\_\_\_  
(putting on the market or purchase)

Registration date

Licence is valid from

\_\_\_\_\_  
(date)

The Director of the regional environmental board of

the State Environmental  
Service

\_\_\_\_\_  
(signature and full name)

Place for a seal

Minister for the Environment R. Vējonis

**Annex 6**  
Cabinet Regulation No. 231  
3 April 2007

**A Report**  
**Regarding Activities with Paints, Varnishes and Vehicle Refinishing Products**  
**with an Increased Organic Solvent Content**  
\_\_\_\_\_ year

\_\_\_\_\_  
(the given name, surname, personal identity number, address, telephone number of a natural person or

\_\_\_\_\_  
the firm name, legal address, telephone number of a legal person)

\_\_\_\_\_  
(activity performed - putting on the market or purchase)

In the performance of the specified activity, the following has been purchased or marketed:

1. \_\_\_\_\_  
(product subcategory) (litres)

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

Surplus at the end of the reporting year:

1. \_\_\_\_\_  
(product subcategory) (litres)

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

Licence recipient

AGREED  
The Director of the regional environmental board

\_\_\_\_\_  
(the given name, surname, signature)

\_\_\_\_\_  
(the given name, surname, signature)

(Date) \_\_\_\_\_

(Date) \_\_\_\_\_

Place for a seal

Minister for the Environment R. Vējonis

**Annex 7**

## Methods of Analysis to Determine the Volatile Organic Compound Content in a Product

No.	Parameter to be determined	Unit of measurement	Method of analysis	Date of publication
1.	Volatile organic compound content	g/l	LVS EN ISO 11890-2 "Paints and Varnishes. Determination of volatile organic compound content - Part 2: Gas-chromatography method"	2001
2.	Volatile organic compound content if reactive diluents are added	g/l	ASTMD 2369	2003

Minister for the Environment R. Vējonis

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