

Government of Georgia

Ordinance No 127

April 3, 2024

Tbilisi

On the Approval of the Regulations on the Content of Volatile Organic Compounds (Aon) in Paints, Varnishes and Motor Vehicle Shooting Products, as well as their Import and Placement on the Market.

Article 1

50 of the Law of Georgia on Atmospheric Air Protection¹ On the basis of Article and Product Safety and Article 56(1) and Article 58(2) of the Free Circulation Code, the attached "Technical Regulation on the Content of Organic Compounds (Aon) in Some Paints, Varnishes and Motor Vehicle Shooting Products, as well as their Import and Placement on the Market" (hereinafter – the Technical Regulations).

Article 2

The Legal Entity under Public Law called the Market Supervision Agency ('the Agency') within the system of the Ministry of Economy and Sustainable Development of Georgia shall be designated as the market supervision body for some paints, varnishes and products of motor vehicles provided for by the Technical Regulations.

Article 3

The fulfilment of the requirements of this technical regulation may also be confirmed by "On the Admission of Georgia to the Technical Regulations of Other Countries, the recognition of compliance documents, the access of products with relevant marks to Georgia without additional conformity assessment procedures, and also the placement of products deemed to the regulated field in other countries without restrictions on the Georgian market" In the countries provided for by the annex to Resolution No 50 of March, with conformity documents issued to some paints, varnishes and motor vehicle capture products, which shall be submitted in the language provided for the submission of a document certifying compliance with the Product Safety and Free Circulation Code.

Article 4

1. The LEPL Revenue Service ('the Revenue Service') shall be authorised to suspend the product and notify the Agency of this in the case of reasonable suspicion and/or based on the risk management system and notify the Agency of this in order to carry out oversight measures in the market provided for by the legislation of Georgia. For the same purpose, the Agency shall be authorised to apply to the Revenue Service to suspend the goods if there is a reasonable suspicion and/or risk management system. In such cases, the Revenue Service is obliged to suspend the product for a period specified in the inspection of the product provided for by this article and not to allow the placement of such product on the Georgian market by import.

2. In the case provided for by this article, in the case provided for by this article, in agreement with the Revenue Service, the Agency shall be authorised to supervise the market provided for by the legislation of Georgia in the customs control zone of Georgia, not later than three working days after receiving information from the Revenue Service, except when laboratory research is necessary to determine the compliance of the product.

3. In order to exercise the powers provided for by this article, the Agency shall be authorised to take a product sample in the customs control zone of Georgia for the purpose of testing it in its respective accredited laboratory.

4. If a laboratory examination of a sample is necessary to determine the compliance of a product, the Agency shall establish compliance with the technical regulations of the product within 2 working days after the submission of the expert opinion of the laboratory study of the product sample.

5. If within the time frame provided for by this article it is determined that the product does not comply with the requirements of the Product Safety and Free Circulation Code and/or this technical regulations and/or contains a confirmed threat, the Revenue Service shall be obliged not to allow such product to be placed on the Georgian market through import.

6. Where the production (import) or other customs procedure/re-export of goods cannot be determined within the time limit established by the customs legislation of Georgia, the measures for the disposal of goods provided for by Chapter XV of the Customs Code of Georgia shall be carried out by the decision of the customs authorities, at the expense of the owner / importer of goods.

Article 5

The ordinance shall enter into force from 1 July 2025.

Prime Minister

Irakli Kobakhidze

Technical Regulations on the Content of Volatile Organic Compounds (Aon) in Some Paints, Varnishes and Motor Vehicle Shooting Products, as well as their Importand Placement on the Market.

Article 1. Scope and purpose of the technical regulations

1. The Technical Regulations on the Content of Organic Compounds (Aon) in Some Paints, Stains and Motor Vehicle Shooting Products, as well as their Import and Placement on the Market" ('the Technical Regulations') shall establish requirements for the content of volatile organic compounds in some paints, varnishes and motor vehicle capture products provided for by Annex No 1 of the Technical Regulations, the maximum permissible norms of the content of volatile organic compounds, producers, importers and Distributor's obligations, as well as the labeling of the products for the manufacture of paints, varnishes and motor vehicles.

2. The technical regulations shall not apply to measures, including labeling requirements arising from the legislation of Georgia on the health of consumers and employees and their working environment.

3. The purpose of the technical regulations is to prevent or reduce air pollution caused by the share of AON in the formation of a tropospheric ozone.

Article 2. Definitions of Terms

1. For the purposes of technical regulations, the terms used in it shall have the following meanings:

a) **substances** – any chemical element and its compounds, as they are found in natural condition or are produced in industry, in solid, liquid or gaseous form;

b) **mixture** – a mixture or solution consisting of two or more substances;

c) **organic compound** – any compound that contains, at least elemental carbon and one or more hydrogen, oxygen, sulfur, phosphorus, silicon, nitrogen or halogen atoms, except for carbon oxides and inorganic carbonates and bicarbonates;

d) **volatile organic compound (aon)** - any organic compound whose initial fermentation temperature is less than or equal to 250°C when measuring under standard 101.3 kPa pressure;

e) **volatile organic compound content** – the mass of volatile organic compounds in the conditions of being ready for the use of the product, which is depicted in the product receptor per gram per liter (g/L). The mass of volatile organic compounds in a given product, which is in a chemical reaction when drying in order to produce part of the covering material, is not considered part of the content of volatile organic compounds;

f) **organic solvent** – any volatile organic compound used independently or in combination with other agents to dissolve or dilute raw materials, products or residual materials, or which is used as a purification agent to remove contamination, dispersion area, viscosity regulator, surface tension regulator, plasticizer or preservative;

g) **coating material** – any mixture, including all organic solvents or mixtures containing organic solvents necessary for its proper use, which are used to produce a decorative, protective or other membrane on the surface;

h) **shell** – a continuous layer formed using one or more coating materials on the substrate;

i) **covering material made at the base of water** – a covering material, the viscosity of which is regulated using water;

j) **coating material made at the base of the solvent** – a covering material, the viscosity of which is regulated using an organic solvent;

k) **substrate** – the surface on which the covering material will be laid;

l) **products or products** – some paints, varnishes and products for the shooting of motor vehicles defined in Annex No 1 of this Technical Regulation;

m) **manufacturer** – a manufacturer, a remodeler, as well as any other person whose name, trade or other distinguishing mark is placed on paints, stains and products for the shooting of motor vehicles and who presents themselves as producers of products for the shooting of these paints, varnishes and motor vehicles;

n) **importer** – any natural or legal person who carries out the placement of products from another country on the Georgian market;

o) **distributor** – any natural or legal person involved in the supply chain who is not a producer and importer and who makes products available on the market.

2. Other terms used in the technical regulations shall have the meaning determined by the Product Safety and Free Circulation Code.

Article 3. Requirements for products regarding the content of volatile organic compounds

1. It shall be prohibited to import products determined by Annex No 1 of the Technical Regulations into the territory of Georgia if the content of volatile organic compounds in them exceeds the threshold permissible norms specified in Annex No 2 of the Technical Regulations.
2. It shall be prohibited to place products determined by Annex No 1 of the Technical Regulations on the Georgian market if the content of volatile organic compounds in them exceeds the marginally permissible norms specified in Annex No 2 of the Technical Regulations or they do not comply with the labeling requirements determined by Article 4 of this Technical Regulation.
3. To determine the compliance of volatile organic compounds determined by Annex No 2 of the Technical Regulations with the marginally permissible norms, the analysis methods specified in Annex No 3 of the Technical Regulations shall apply.
4. In products determined by Annex No 1 of the Technical Regulations, which are added to the solvent or other component containing solvent for use, the content of volatile organic compounds shall be determined in the state prepared for use and shall comply with the thresholdally permissible norms specified in Annex No 2 of the Technical Regulation.
5. The requirements provided for by paragraphs 1-4 of this article shall not apply to products intended for use in strictly limited quantities for the purpose of conservation, maintenance, restoration, reconstruction, and restoration of archaeological sites, cultural heritage, material cultural heritage, cultural property, and cultural property defined in accordance with the Law of Georgia on Cultural Heritage. For this purpose, import, purchase and alienation of products in the territory of Georgia shall be permitted on the basis of a written consent issued by the Ministry of Environmental Protection and Agriculture of Georgia.
6. The requirements provided for by paragraph 1 of this article shall not apply to products that are industrial raw materials for activities determined by Annex I to the Law of Georgia on Industrial Emissions.

Article 4. Labeling requirements for products

Products defined in Annex No 1 of the Technical Regulations shall have a label on which the Georgian language shall be placed on the Georgian market:

- a) a subcategory of products specified in Annex No 1 and Annex No 2 of the Technical Regulations and the marginally permissible norms of volatile organic compounds in g/L, in accordance with Annex No 2 of the Technical Regulations;
- b) the maximum content of volatile organic compounds in products in a condition prepared for use in g/l.

Article 5. Manufacturer's Obligations

1. A manufacturer shall be obliged to:

- a) ensure the placement of products on the market that are manufactured in accordance with the requirements of this technical regulations and attach documents confirming this to the product. The manufacturer is obliged to keep the documents provided for by this paragraph for submission to the supervisory authorities on the market, for 10 years after the product is placed on the market;
- b) ensure the compliance of products with the requirements of this technical regulation during serial production;
- c) ensure the traceability of the origin of products placed on the market and remove inappropriate products from the market in order to protect the health and safety of consumers, taking into account the risks posed by products;
- d) keep complaints and information on the products inconsistent with the requirements of these technical regulations and their withdrawal from the market and provide relevant information to the market supervision body in the event of a request;
- e) put on the packaging of products a type, party, series number or any other mark that ensures the identification of products;
- f) indicate his/her own name, registered trademark (if any) and address where the manufacturer can be contacted on the packaging of products. This information shall be indicated in the Georgian language.

2. A manufacturer who becomes aware or has reason to suspect that the products placed on the market by him/her do not comply with the requirements of this technical regulation shall be obliged to immediately take the necessary corrective measures to bring the above products in compliance with the requirements of this technical regulation; If necessary, remove or request products from the market. In addition, the manufacturer is obliged to immediately notify the supervisory authority, provide it with all the necessary information on the non-compliance of the products with the requirements of this technical regulation and the corrective measures taken.

3. A manufacturer shall, upon a substantiated request of the market supervision body, submit to him/her information confirming the ~~compliance of the products with the requirements of this technical regulations and an appropriate document. These documents~~ shall be submitted in the language provided for the submission of documents certifying compliance with the Product Safety and

Free Circulation Code. The manufacturer is obliged to cooperate with the market supervision body on the basis of the relevant request within the scope of all measures aimed at addressing the risks created by the products placed on the market.

Article 6. Importer's Obligations

1. An importer shall be obliged to place on the market only products relevant to the requirements of these technical regulations.
2. Before placing the products on the market, an importer shall make sure that the manufacturer has met the requirements determined by this technical regulations for the content of volatile organic compounds and shall attach the documentation confirming this to the product.
3. An importer shall not place products on the market if he considers or has reason to suspect that he/she does not comply with the requirements of the technical regulations until the products are brought in compliance with the above requirements. In addition, the importer is obliged to notify the manufacturer and the market supervisory authority.
4. An importer shall indicate his/her name, registered trademark (if any) in the Georgian language on the packaging of products or in the accompanying documentation, and the address where the importer may be contacted.
5. An importer shall provide products with conditions of storage and transportation during his/her stay under his/her responsibility, which do not violate the properties of the mentioned products.
6. An importer who holds information or has reason to suspect that the products placed on the market do not comply with the requirements of this technical regulation shall be obliged to immediately take the necessary corrective measures to bring the said products in compliance with the requirements of this technical regulations; If necessary, remove or remove them from the market. In addition, the importer is obliged to immediately notify the market supervision body of this, provide him/her with all the necessary information on the non-compliance of the products with the requirements of these technical regulations and the corrective measures taken.
7. An importer shall keep the documents provided for by paragraph 2 of this article for submission to the supervisory authorities on the market, for 10 years after the products are placed on the market.
8. An importer shall, upon a substantiated request of the market supervision body, provide him/her with all the necessary information and documentation compiled in the language provided for by the language for the submission of documents certifying the compliance of the product with the safety and free circulation code, which confirms the compliance of the products with the requirements determined by this technical regulations. On the basis of request, the importer shall cooperate with the market supervisory authority with respect to all measures aimed at eliminating the risks posed by the products placed on the market.

Article 7. Distributor's Obligations

1. A distributor shall be obliged to comply with the requirements of these technical regulations when ensuring access to the products market.
2. Before placing products on the market, a distributor shall be obliged to make sure that the relevant information is displayed on the product, that it is accompanied by the necessary documentation in the language provided for the submission of documents certifying compliance with the Product Safety and Free Circulation Code. The distributor is also obliged to make sure that the manufacturer and importer meet the relevant requirements of this technical regulation. If the distributor has information or a reasonable suspicion that the products do not comply with the safety requirements provided for by this technical regulations, it is obliged not to make it available on the market until its compliance is ensured with the established requirements. When the products contain risk, the distributor is obliged to notify the manufacturer, importer and market supervisory authority about this.
3. A distributor shall provide products with conditions of storage and transportation during the period under its responsibility, which do not violate the properties of the above products.
4. If a distributor has information or a reasonable suspicion that the products he/she has made available on the market do not comply with this technical regulations, it is obliged to immediately carry out all necessary corrective measures to bring the products into compliance and, in the appropriate cases, request or remove them from the market. In the event that the products contain risk, the distributor must immediately notify the market supervision authority and provide relevant information, including discrepancies and all corrective measures.
5. A distributor shall, upon a substantiated request, provide the market supervision body with all the information and documents prepared in the language provided for by the language provided for by the Product Safety and Free Circulation Code, which is necessary to confirm the compliance of the products with this technical regulation. The distributor shall, upon the appropriate request, cooperate with the market supervision authority within the scope of measures taken to eliminate the risks arising from the products that have made it available in the market.

Article 8. Market Surveillance Procedures

In the process of supervision of the market of products, the market supervision body shall be guided by the procedure for supervising products on the market of products determined by the Product Safety and Free Circulation Code and these technical regulations.

Article 9. Measures in the detection of products produced in violation of the threshold norms of the content of volatile organic compounds determined by the technical regulations

When identifying products placed on the market in violation of the requirements established by the technical regulations, the natural or legal person who has placed these products on the Georgian market shall ensure that the products are placed on the Georgian market before re-placing these products on the Georgian market.

Annex No 1

Scope of action

1. For the purposes of this technical regulation, some paints and varnishes mean materials listed in the sub-categories below and belong to the codes and commodity positions of the national commodity nomenclature of the foreign and economic activities of Georgia determined by paragraph 3 of this Annex, except for aerosols. They are coating materials used to place on buildings, their decorations and facades, and connected structures that have a decorative, functional and protective purpose. For the purposes of this technical regulation, the subcategories of paints and varnishes are:

- a) 'Smooth Coating Materials for Interior Walls and Ceilings' are coating materials intended for use on interior walls and ceilings with a glossy quality $\leq 25@60^\circ$;
- b) 'Glossy Coating Materials for Interior Walls and Ceilings' are coating materials intended for use on interior walls and ceilings with a gloss of $> 25@60^\circ$;
- c) 'Coating materials for exterior walls on a mineral substrate' are coating materials intended for use on the outer walls of stone, brick or plaster;
- d) 'Interior/exterior decoration and fixing paints for wood, metal or plastic' are coating materials designed for use on decoration and apron and produce an opaque shell. These coating materials are suitable for wood, metal or plastic substrate. This subcategory includes ground and intermediate coating materials;
- e) "Interior/exterior décor stains and tonality givers" are coating materials intended for use with decoration and which produce a transparent or semi-transparent membrane for the décor and protection of wood, metal and plastics. This subcategory includes opaque tonality. Opaque tonality givers are coating materials that produce an opaque shell to decorate wood and protect against the effects of atmospheric phenomena, as defined in SST Ann 927-1, in a less sustainable category;
- f) "minimum construction tonality givers" are tonality givers with an average thickness of SST 2808, less than $5 \mu\text{m}$ at the time of inspection according to Method 5A, in accordance with STI En 927-1;
- g) primers are coating materials with hermetization and/or blockage properties intended for use with wood or walls and ceilings;
- h) 'binder primers' are coating materials intended to consolidate the circular parts of the substrate or give hydrophobic properties and/or protect wood from blushing;
- i) 'Single Protective Coating Materials' are protective coatings that are the basis of which are membrane-forming materials. They are designed for special purpose as a primer and end layer for plastic, primer cover for black metal substrates, primer cover for reactive metals such as zinc and aluminum, anti-corrosion layer, coating material for flooring, wood and cement floors, protection against vandalism, flame deterrent and food or beverage production or health care services;
- j) 'double protective coating materials' are coating materials that are used for the same purpose as single protective materials, but a second component is added before use (for example, tertiary amines);
- k) 'Manifold Coating Materials' are coating materials intended to give two tones or varied effects, directly from primary use;
- l) Coating materials with a decorative effect are coating materials designed to give special aesthetic effects on a specially prepared, pre-painted substrate or base layers and are subsequently processed with various tools during the drying period.

2. For the purposes of these technical regulations, 'Products for the shooting of motor vehicles' shall mean materials that are listed in the sub-categories below and belong to the codes and commodities of the national commodity nomenclature of Georgia determined by paragraph 3 of this Annex. They are used to cover motor vehicles or their parts with material as part of the repair,

conservation or decoration of a vehicle outside the enterprise. For the purposes of these technical regulations, the subcategories of products for the shooting of motor vehicles are:

a) 'Preparatory and purification' means materials intended to remove old coating materials and rust, mechanically or by chemical means, or to give tonality to new coating materials:

a.a) preparatory materials include a pulverizer washer (a product intended for cleaning pulverizers and other equipment), paint remover fluids, fat removal agents (including antistatic type plastics) and silicone remover agents;

a.b) 'pre-cleaning' is a cleaning agent designed to clean the contaminated surface before preparing and using the coating material;

b) 'Pasture filler/stopper' are thick compounds intended to replenish deep irregularities on the surface before the use of fillers and fillers;

c) Primer is any coating material intended for use on bare metal or existing cladding for corrosion protection before placing a primer filling:

c.a) 'filler/filler' is a coating material intended for use directly before the last layer is applied to ensure corrosion resistance so that the last layer is glued and the surface is uniform, filling the slightest uneven surface fixes;

c.b) a general primer of metal is a covering material used as primers such as earthworms, hermetics, fillings, ground, plastic primers, wet wet, non-sandy fillers and fillers with pulverizers;

c.c) washing primer – a coating material containing at least 0.5% phosphoric acid and is used directly to ensure corrosion resistance and earthing on the bare surfaces of metal; Coating materials, used as welding primers and tipping solutions for galvanized and zinc surfaces;

d) The "last layer" is any pigmented coating material used to ensure gloss and durability as a single layer or as a multilayer. It includes all related materials such as base coating materials and chalkmarks coating materials:

d.a) 'base coating materials' are pigmented coating materials that give color and any desired optical effect, but do not ensure gloss or surface resilience of the coating system;

d.b) 'Cryala coating material' is a transparent coating material that ensures the final gloss and maturation of the coating system;

e) 'special finishers' are coating materials used to obtain end-layers with special properties such as metal or pearl effects, or single layer as single color and crystal coatings with strong effect (e.g., counterfeiting-resistant and fluoride cutter coating), reflective base coating, special texture giving (e.g., stamping effect), anti-slip, body hermetization mixtures, anti-breaking coating materials, Interior paving and aerosols.

3. Paints, varnishes and products determined by paragraphs 1 and second of this Annex shall belong to the following commodity positions and codes of the National Commodity Nomenclature of Georgia's foreign economic activities:

SSN code	Position Name
3208	paints and varnishes (including enamels and polytours) on the base of synthetic polymers or chemically modified natural polymers, dissolved in a dispersed or anhydrous environment; Solutions, indicated in the 4 notes of the given group:
3209	Paints and varnishes (including enamels and polytours) on the base of synthetic polymers or chemically modified natural polymers, dissolved in a dispersed or watery environment:
3210 00	paints and varnishes rest (including enamels, polytours and adhesive paints); Ready-made watery pigments for breeding skins:

Annex No 2

A. Maximum Marginal Allowable Norms for the Content of Volatile Organic Compounds for Paints and Varnishes

	Product Subcategory	Type	The content of AONs for use in a finished state (qr/L)

A	Smooth interior walls and ceilings (gloss <25@60°)	Yf(*)	30
		GF(**)	30
B	Glossy walls and ceilings of the interior (Gloss >25@60°)	ISBN 978-0	100
		GF	100
G	Walls of the exterior mineral substrate	ISBN 978-0	40
		GF	430
D	Interior/exterior decoration and garment paints for wood and metal	ISBN 978-0	130
		GF	300
E	Interior/exterior décor stains and tonality, including opaque tonality	ISBN 978-0	130
		GF	400
F	Minimal interior and exterior construction tonality	ISBN 978-0	130
		GF	700
G	Primers	ISBN 978-0	30
		GF	350
T	Binder primers	ISBN 978-0	30
		GF	750
I.	Disposable Protective Coating Materials	ISBN 978-0	140
		GF	500
K	Dual jet protective coating materials for specific end-use such as putting floors on the surface	ISBN 978-0	140
		GF	500
L	Variety of coating materials	ISBN 978-0	100
		GF	100
M	Coating materials with a decorative effect	ISBN 978-0	200
		GF	200
(*) Coating material made from the base of the water			
(**) Solvent base made			

B. Maximum Threshold Allowable Norms for the Content of Volatile Organic Compounds for Vehicle Shooting Products

	Material subcategory	Coating Materials	Content of volatile organic compounds g (*)
A	Preparatory and cleansing	Prep	850
		Pre-cleaner	200
B	Faddle Filler / Stopper	All types	250

G	Primer	Filler/filler and general (metal) primer	540
		Washer primer	780
D	Last layer	All types	420
E	Special Finishers	All types	840
(*) The finished product for use except for sub-category (a) shall not take into account any water content in the finished material.			

Annex No 3

Analysis methods to be used to determine the compliance of volatile organic compounds with marginally permissible norms in paints, varnishes and motor vehicle capture products

Parameter	Unit	Check	
		Method	Publication date
The content of volatile organic compounds when it is less than 15% of the mass of the product and no reactive dilution is present	Gr/L	SST ISO 11890-2	2020
The content of volatile organic compounds when it is greater than 15% of the mass of the product and no reactive dilution is present	Gr/L	SST ISO 11890-1	2007
		SST ISO 11890-2	2020
The content of volatile organic compounds when reactive dilution is present	Gr/L	ASTMD 2369	2020