

BRAZIL'S COMMUNICATION REGARDING THE IMPLEMENTATION OF OBLIGATIONS UNDER ARTICLE 4 OF THE MINAMATA CONVENTION ON MERCURY

The Federative Republic of Brazil respectfully informs the Secretariat of the Minamata Convention on Mercury that the implementation of the obligations set forth in Article 4 of the Convention, concerning the manufacture and placing on the market of mercury-added cosmetic products, does not, in principle, pose a significant regulatory challenge for the country.

Recalling what was presented in the 2nd Comprehensive National Report for the Convention, the following are currently in effect in the country:

- a) **Collegiate Board Resolution (RDC) No. 528/2021**, which establishes the list of permitted preservatives for personal care products, cosmetics, and perfumes, and incorporates MERCOSUR Resolution GMC/ MERCOSUR No. 35/20, which completely excludes mercury from that list, and;
- b) **Collegiate Board Resolution (RDC) No. 529/2021**, which prohibits the use of mercury and mercury compounds in personal care products, cosmetics, and perfumes.

Brazil's national legal framework already prohibits the use of mercury in cosmetic products. Accordingly, the existing domestic regulatory framework is fully consistent with the obligations established under Article 4 of the Convention.

Nevertheless, Brazil recognizes that certain implementation challenges may persist regarding the enforcement against the illegal importation and marketing of mercury-containing cosmetic products originating from other countries, including those offered through e-commerce platforms. Addressing such situations requires coordinated action among the competent authorities responsible for sanitary surveillance, customs enforcement, and market surveillance.

In light of the above, Brazil is pleased to inform the Secretariat of the Minamata Convention that it has in place national regulations prohibiting the use of mercury in cosmetic products and, accordingly, does not identify any significant challenges in implementing the obligations established under Article 4 of the Convention.