

## **Introduction of PPD**

### **What's New?**

The European Paint and Products Directive (PPD) has been written into UK law.

There are now **two** pieces of VOC legislation in operation

- The PPD, which covers the repair of motor vehicles, and
- The SED, the older Solvent Emissions Directive

The paint activity associated with the **repair** of motor vehicles will now be governed by the PPD but the paint activity associated with the **manufacture** of motor vehicles will be governed by the SED.

Defra have reflected this by obsoleting the old guidance note PG6/34 (04). It has been replaced by two **new** guidance notes:

- UK PG6/34A (06) for trailer manufacturers, body builders and car manufacturers (SED)
  - The user has to demonstrate compliance
- UK PG6/34B (06) for motor vehicle repair (PPD)
  - Suppliers can only sell VOC compliant products for this use

### **What does this mean?**

Vehicle repair is now governed by the PPD. This requires that all paint sold for vehicle repair must be PPD compliant (i.e. VOC compliant) from 01.01.07. However, paint manufacturers and distributors are allowed to sell non PPD compliant product made before 01.01.07 up to the end of 2007 or until stock runs out.

The attached notes outline the implications of the new legislation:

#### **1. Implications for paint users**

- a) Vehicle Repairers – PPD regulated
- b) Commercial Transport OE bodyshops – SED regulated
- c) Other sectors – SED regulated

#### **2. Implications for their suppliers**

- a) Distributors
- b) Paint manufacturers

#### **3. Appendix**

- a) Frequently asked questions
- b) Which law and guidance notes apply to which paint activities
- c) Useful web-sites

# 1. IMPLICATIONS OF THE NEW LEGISLATION FOR PAINT USERS

## **a) Vehicle Repairers – PPD regulated paint usage**

This includes car repairers and commercial vehicle repairers and covers painting activities which include, for example, repair, refurbishment, restoration, customisation and re-livery.

The refurbishment, re-livery and repair of commercial transport vehicles fall under the PPD.

(Note that bodyshops undertaking commercial transport work (CT) could be affected by the PPD or the SED, depending on what the painting activity is).

### **Large Vehicle Repairers**

- The use of PPD compliant coatings is already a requirement
- Will need to be registered with the local authority (as per the existing Local Area Pollution Prevention and Control (LAPPC) mechanism)
- Application and subsistence costs will be lower than current to reflect the simplified process by the use of compliant coatings

The PPD and guidance note UK PG6/34B (06) applies.

### **Small Vehicle Repairers**

- Will have to convert to PPD compliant products in future, but
- Can buy non PPD compliant product in 2007, providing that is from available stock that was manufactured before 01.01.07
- Will only be able to buy PPD compliant coatings from 01.01.08
- Are not required to register with their local authority

The PPD and guidance note UK PG6/34B (06) applies.

## **b) Commercial Transport – SED regulated paint usage**

Bodyshops undertaking CT work could be affected by the PPD or the SED, depending on the work they do.

Trailer painting, body building and manufacturing (OE) falls under the SED and PG6/34A (06) applies.

The user has to demonstrate compliance with the law. Compliance can be achieved in one of two ways, either by

- abatement technology, or
- submission of a solvent reduction plan.

Compliance is easier to achieve when the bodyshop uses PPD compliant products, but non PPD compliant products can be used legally.

### **c) Other Sectors**

Any paint activity that is not associated with the **repair** of motor vehicles is governed by the **SED**.

The existing guidance notes apply and have not been changed following the introduction of the PPD:

- PG6 / 20 (04) OE - Paint application in vehicle manufacturing
- PG6 / 23 (04) LIC - Coating of metal and plastic processes
- PG6 / 41 (04) Trains and Trams - Coating and recoating of rail vehicles

The user has to demonstrate compliance with the law. Compliance is easier to achieve when the bodyshop uses PPD compliant products.

Non PPD compliant products can be used legally for SED governed painting activities.

### **Summary**

In the Appendix at the back of this document we have added a table showing which law applies to which painting activity and the guidance notes that apply.

## **2. IMPLICATIONS OF THE NEW LEGISLATION FOR SUPPLIERS**

### **a) Distributors**

#### **Sales to Motor Vehicle Repairers**

Distributors are governed by the PPD in the supply of paint products to motor vehicle repairers.

Large repairers should already be using PPD compliant products. The law allows distributors to buy and sell non PPD compliant products manufactured before 2007 to those smaller repairers who have yet to convert. From 1.01.08 all sales to the motor vehicle repair sector must be of PPD compliant products only.

This means that:

- With immediate effect

The PPD requires distributors to supply only VOC compliant products to large repairers undertaking motor vehicle repair.

- From 01.01.07

The PPD allows distributors to buy and sell non PPD compliant products manufactured before 2007 to those motor vehicle repairers who should convert to PPD compliant products during 2007.

Distributors must comply with PPD labelling regulations for any distributor mixes they sell for the purpose of motor vehicle repair. (We will supply further information about this).

- From 01.01.08

The PPD requires distributors to sell only PPD compliant paint to repairers undertaking motor vehicle repair, regardless of the repairer's size or when the paint was manufactured.

#### **Sales to Other Markets**

Some distributors sell paint products to customers regulated by the SED, e.g. for painting activities such as original equipment manufacture and light industrial coatings.

The SED requires the user of the product to demonstrate compliance and they may choose to use either PPD compliant or non PPD compliant products.

Distributors will be able to purchase and sell non PPD compliant products for the purpose of SED regulated painting activities.

The SED does not place any restrictions of sale on the supplying distributor. For example there are no restrictions on the date of manufacture for these sales.

## **b) Paint Manufacturers**

### **Sales of product for the purpose of motor vehicle repair**

Paint manufacturers are governed by the PPD in the supply of paint products for the end purpose of motor vehicle repair.

This means that:

- From 31.12.06

Paint manufacturers must stop the manufacture of non PPD compliant products for motor vehicle repair.

- From 01.01.07

Stock of products made before 31.12.06 may be sold into the vehicle repair market up to the end of 2007.

Paint manufacturers must comply with PPD labelling regulations for PPD compliant products.

- From 01.01.08

Paint manufacturers will only be able to sell compliant paint for vehicle repair, regardless of the date of manufacture.

Paint manufacturers will no longer be able to sell any stock of non compliant products made before 31.12.06 into the vehicle repair market.

### **Sales to Other Markets**

Paint manufacturers are not governed by the PPD in respect of sales to markets not regulated by the PPD. This includes UK SED regulated paint activities and markets outside of the EU. Different legislation applies to these markets.

Paint manufacturers will be able to manufacture and sell non PPD compliant for these markets on an on-going basis. There are no restrictions on the date of manufacture for these sales.

### **3. APPENDIX**

#### **a) Frequently Asked Questions**

##### **I am a small vehicle repairer. Do I have to convert to PPD compliant paints before 01.01.07?**

No. You will be able to buy non PPD compliant products throughout 2007 whilst stocks last but you will have to convert to PPD compliant products once they run out. From 01.01.08 you will only be able to buy PPD compliant products.

##### **What is the definition of a small vehicle repairer?**

England, Wales & Northern Ireland – below 1 tonne VOC emissions pa  
Scotland – below 2 tonnes VOC emissions pa

##### **I am a large vehicle repairer. Do I have to convert to PPD compliant paints before 01.01.07?**

You should already be using PPD (i.e. VOC) compliant products.

##### **What is the definition of a large vehicle repairer?**

England, Wales & Northern Ireland - over 1 tonne VOC emissions pa  
Scotland – over 2 tonnes VOC emissions pa

##### **I repair CT vehicles. Should I be using PPD compliant products?**

Yes – this paint activity falls under the PPD regulations, but depending on your size you may be able to buy non PPD compliant paints in 2007.

##### **Does the PPD mean that bodyshops must only use water-based paints?**

No. Even solvent based paint can be PPD compliant if its solvent content is below the required maximum level.

##### **Does the PPD mean that bodyshops must stop using isocyanate paints?**

No. The PPD is only concerned with the solvent content of paint used for vehicle repair. Paint can be PPD compliant **and** contain isocyanates.

##### **Are aerosols exempt from the PPD?**

No. The PPD applies to aerosols being used for vehicle repair. To be PPD compliant aerosols must contain less than the stated VOC maximum for the subcategory “special finishes”, i.e. less than 840g solvent per litre of product.

##### **How can I tell if a paint product is PPD compliant?**

All PPD compliant products made after 01.01.07 should carry a VOC booklet symbol, the VOC content limit and product category on its label.

As this requirement does not apply to certain products such as hardeners, thinners etc PPG has decided to add a Globe symbol to the labels of all products that can be used in a compliant mode for vehicle repair.

### **What if a bodyshop has a mixture of work? Which law applies?**

It depends which painting activity is undertaken. In theory a bodyshop could apply for a permit for PPD regulated activities and, separately, a permit for SED regulated painting activities, both relating to a single site. In this case the bodyshop could use both PPD compliant and non PPD compliant products legally, providing they are used for the correct activity.

### **What rules apply to customising cars?**

The PPD. Customising a motor vehicle is considered a repair activity.

### **Are historic cars exempt from the PPD?**

Not yet. Defra are currently working on proposals for a licensing scheme which will implement the derogation (exemption) within the Directive for historic vehicles and buildings. This work is in progress by an organisation appointed by Defra to conduct an RIA, a Regulatory Impact Assessment. When the derogation comes into force this will remove the repair of historic vehicles from the requirements of the PPD. Until then the PPD rules and PG6/ 34B (06) apply.

### **What rules apply to motor bikes?**

The SED, because motor bikes are not motor vehicles as defined by the EU. The user is obliged to meet the solvent reduction targets of the SED by either solvent abatement or solvent reduction plan if they are over 5 tonnes.

However Defra have concerns that if this was tested in court (specifically the European Courts of Justice) then it might be concluded that the definition of a motor vehicle is for illustrative purposes only and that the refinishing of motorbikes must also comply with the requirements of the PPD.

Until there is a legal case to test this then the refinishing of motor bikes can be considered to be an SED governed painting activity, subject to PG6 / 23 (04).

### **What is the definition of a motor vehicle?**

As defined in a separate EU legislation from 1970:

“*vehicle* means any motor vehicle intended for use on the road, being complete or incomplete, having at least four wheels and a maximum design speed exceeding 25 km/h, and its trailers, with the exception of vehicles which run on rails and of agricultural and forestry tractors and all mobile machinery,”

The following are NOT motor vehicles and fall outside of the PPD:

- Agricultural vehicles
- Trains & Trams
- Snow mobiles
- Motor bikes

### **What rules apply in Northern Ireland?**

Repair businesses in Northern Ireland are governed by the Northern Ireland Executive (NIE). The NIE have yet to publish their guidance notes for the PPD. Until they are available the existing SED rules apply.

**b) Which law and guidance notes apply to which activities?**

<b>Sector</b>	<b>Paint Activity</b>	<b>Law</b>	<b>Guidance Notes</b>
Car	Repair, refurbishment and customising	PPD	PG6 / 34B (06)
Car	New build	SED	PG6 / 34A (06)
Historic cars	Repair, restore and maintain	RIA*	To be written
Motorbikes	Manufacture, repair, refurbishment and customising	SED	PG6 / 23 (04)
CT	Vehicle repair, refurbishment and re-livery or customising	PPD	PG6 / 34B (06)
CT	Vehicle new build	SED	PG6 / 34A (06)
CT	Trailer Building	SED	PG6/34A(06)
Light Industrial	Most coating activities e.g. coil coating and general coating of metal and plastics	SED	PG6 / 23 (04)
Agricultural and construction equipment	New build, repair, refurbishment and customising	SED	PG6 / 23 (04)
Trains and Trams	Vehicle new build, repair, refurbishment and customising	SED	PG6 / 41 (04)

\* RIA – Regulatory Impact Assessment (in progress)

**c) Useful web-sites**

- Defra – [www.defra.gov.uk](http://www.defra.gov.uk)
- Republic of Ireland – [www.epa.ie](http://www.epa.ie)

The information and guidance in this publication is believed at the time of publication to be true and accurate. It is based on general principles and is intended for general guidance and information only. Its applicability to individual circumstances must be considered having full regard to the specific prevailing conditions. All recommendations contained in this publication are made without guarantee and PPG Industries (UK) Ltd cannot accept any liability in respect of consequences arising (whether directly or indirectly) from the use of such advice.