

Work Health and Safety (Engineered Stone) Amendment Regulation 2024

Explanatory notes for SL 2024 No. 101

made under the

Work Health and Safety Act 2011

General Outline

Short title

Work Health and Safety (Engineered Stone) Amendment Regulation 2024

Authorising law

Section 276 of the *Work Health and Safety Act 2011*.

Policy objectives and the reasons for them

Silicosis is a serious, irreversible occupational lung disease caused by inhalation of respirable crystalline silica (RCS). RCS causes inflammation and scarring in lungs and can lead to respiratory failure, disability, or death. Exposure to RCS is also linked to an increased risk of several other diseases such as lung cancer, chronic renal disease, and autoimmune disorders (as well as an increased risk of activating latent tuberculosis). Uncontrolled cutting, polishing, grinding, sanding, and trimming of material with silica content generates RCS. People engaged in these activities have the greatest risk of exposure to RCS and developing silicosis.

Silicosis case numbers in engineered stone workers have risen substantially since the first reported case in 2015. While silicosis cases have been found in workers across a range of industries operating with silica-containing materials, a disproportionate number of engineered stone workers are diagnosed with silicosis. To date, 380 confirmed cases of silicosis have been recorded in Queensland's Notifiable Dust Lung Disease Register.¹

Engineered stone has been available in Australia since the late 1990s. It is an artificial product that contains high levels of crystalline silica (up to 90 per cent by weight) along with other minerals, resins and pigments. The composite nature of engineered stone materials makes the emissions produced during processing of these products different from those produced when processing natural stone.

¹ *Queensland's Notifiable Dust Lung Disease Register Annual Report 2022–23*. ([link](#))

Due to the growth of silicosis diagnosis in engineered stone workers, Commonwealth, State and Territory work health and safety (WHS) Ministers tasked Safe Work Australia (SWA) to undertake analysis and consultation on a prohibition on the use of engineered stone.

In October 2023, SWA published the Decision Regulation Impact Statement: *Prohibition on the use of engineered stone*² (the D-RIS). The D-RIS found that engineered stone workers exposed to RCS are significantly over-represented in silicosis cases and that they are being diagnosed with silicosis much younger than workers from other industries.

SWA assessed that 80 per cent of accepted silicosis compensation claims nationally are from workers in the manufacturing industry; labour market breakdowns indicate that most claims are from the benchtop manufacturing industry. This is despite estimates that stone benchtop manufacturing workers represent less than 2 per cent of all workers exposed to RCS at work.

SWA's D-RIS cited studies reporting that processing resin-based engineered stone generated high levels of ultrafine silica dust particles. These silica particles penetrate deeper into the lungs and have a greater scarring impact on lung tissue. This could explain why stonemasons develop silicosis (and other related lung conditions) at a younger age than comparable workers in other industries. The disproportionate impact engineered stone has on stone workers is moderated by several other factors, including:

- Engineered stone often has significantly higher crystalline silica content, resulting in the generation of more dust containing RCS, compared to natural stone;
- Engineered stone can be processed faster, meaning more stone can be processed in one shift (leading to higher exposure to dust);
- In addition to RCS, other components of engineered stone, such as resins, metals, amorphous silica, and pigments, may contribute to the toxic effects of engineered stone dust, either alone or by exacerbating the effects of RCS.

While robust laws and codes of practice currently exist that require duty holders to eliminate or minimise the risks to workers and others from RCS, including RCS from engineered stone, there has been insufficient compliance for the level of risk. This is evidenced by the findings of the D-RIS.

On 13 December 2023, Commonwealth, State and Territory WHS Ministers accepted the findings and recommendation of D-RIS and agreed to prohibit the use, supply and manufacture of engineered stone from 1 July 2024.

Achievement of policy objectives

The *Work Health and Safety (Engineered Stone) Amendment Regulation 2024* (the Amendment Regulation) amends the *Work Health and Safety Regulation 2011* to prohibit the manufacture, supply, processing, and installation of all engineered stone benchtops, panels and slabs, with some limited exceptions.

The Amendment Regulation:

- give effect to the prohibition of engineered stone benchtops, panels and slabs

² Decision Regulation Impact Statement: Prohibition on the use of engineered stone ([link](#))

- specifies that all sintered stone and porcelain products (including benchtops, panels and slabs) are excluded from the prohibition
- clarifies that finished engineered stone products (such as jewellery, garden ornaments, sculptures, kitchen sinks) pose minimal risk to the health and safety of workers and are not prohibited
- defines what is meant by controlled processing and require that all processing of sintered stone, porcelain products, other engineered stone products that are not prohibited, and legacy engineered stone benchtops, panels, and slabs (for the limited circumstances where work on these products is permitted), must be controlled
- provides a framework for exemptions from the prohibition on engineered stone benchtops, panels and slabs; and
- provides a framework for the removal, disposal, repair or minor modification of permitted work with 'legacy' engineered stone benchtops, panels and slabs.

Consistency with policy objectives of authorising law

The Amendment Regulation is consistent with the objectives of the *Work Health and Safety Act 2011* to secure the health and safety of workers and workplace by protecting workers and other persons against harm to their health, safety and welfare through the elimination or minimisation of risks arising from work of from particular types of substances or plant.

Inconsistency with policy objectives of other legislation

The Amendment Regulation is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

Removing engineered stone as a source of RCS from the market will provide many benefits including—

- reduced rates of premature death from, and reduced numbers of people living with, silicosis and silica-related diseases;
- reduced health expenditure related to hospitalisations, outpatient care and care in the home, due to a reduced number of cases of silicosis and silica-related diseases;
- reduced mental health and life impacts for affected workers, family and friends;
- improved worker productivity from reduced ill health and extended work life; and
- reduced workers' compensation claims (and associated insurance) due to the reduced number of cases of silicosis and silica-related diseases.

While the monetised cost to industry (nationally) of the prohibition is estimated to be \$10.6 million, the benefits in terms of illnesses prevented and lives saved are highly likely to exceed the cost impact.

Further information, including cost and benefit analysis can be found in the [Decision Regulation Impact Statement: Prohibition on the use of engineered stone](#).

Consistency with fundamental legislative principles

The Amendment Regulation has been drafted with regard for fundamental legislative principles (FLPs) under the *Legislative Standards Act 1992* (LS Act).

The Amendment Regulation includes the sub delegation of powers to SWA in determining particular matters to be considered by the regulator when granting an exemption for a type of engineered stone. Section 689D(2)(c) provides that the regulator must consider relevant matters as published in a document by SWA.

Subsection 4(5)(e) of the LS Act requires that subordinate legislation have sufficient regard to the institution of Parliament, which depends on whether, for example, the subordinate legislation allows the sub delegation of a power delegated by an Act only in appropriate cases and to appropriate persons; and if authorised by an Act.

Consequently, section 689D(2)(c) may be considered as undermining the institution of Parliament. In particular, the conferral of functions upon a national body (such as SWA in determining relevant matters), may raise a concern about the lack of authority of a State Government to respond to, or distance itself from, the decisions of the national body.

While 689(2)(c) may be considered inconsistent with the FLPs, the delegation to SWA to develop a document containing matters to consider is justified on the basis that SWA is the central policy and advisory body to WHS jurisdictions nationally. SWA is appropriately qualified to assess the potential risks, hazards and safety features that should be considered by jurisdictions when assessing a type of engineered stone as suitable for exemption. SWA's powers are also limited by the other matters the regulator must be satisfied by before issuing an exemption – including, primarily, that the granting of the exemptions will result in a standard of health and safety that is at least equivalent to the standard that would be achieved without the exemption.

The setting of universal considerations for WHS regulators also assists with administering the mutual recognition scheme for exemptions proposed in the Amendment Regulation. Should an engineered stone be exempted in Queensland, the engineered stone's exemption will apply to all jurisdictions. Consequently, it is appropriate for relevant matters to consider for an exemption to be standardised. This is considered appropriate and critical to the effective operation of the mutual recognition scheme.

Consequently, the potential breach of FLPs is considered justifiable to achieve the objective of the WHS Act – to provide for a balanced and nationally consistent framework to secure the health and safety of workers and workplaces.

Consultation

From 2 March 2023 to 2 April 2023, SWA conducted a round of public consultation to support the finalisation of the report into a prohibition on engineered stone. 114 submissions were received from a range of stakeholders including PCBUs working with engineered stone, other PCBUs, law firms, industry groups, professional organisations and peak health bodies, unions, individuals, including WHS and medical professionals and individuals who work with stone, and commonwealth, state and territory government departments and agencies.

Of the submissions made by Queensland stakeholders during the SWA consultation; all persons conducting a business or undertaking opposed a ban, suppliers opposed or sought limitations (i.e., ban only on product with >40 per cent silica content) on the ban, and WHS professional bodies did not support or oppose the ban but highlighted the technical complexities related to the management of RCS in engineered stone.

Development of the model regulations, which the Amendment Regulation is based on, was informed by consultation with WHS regulators, industry and union social partners through SWA membership, and technical experts.

The Office of Industrial Relations consulted separately with distributors and other government agencies, including the Department of the Premier and Cabinet, Queensland Treasury, and the Department of Housing, Local Government, Planning and Public Works.

Notes on provisions

Short title

Clause 1 identifies the short title of the Amendment Regulation.

Commencement

Clause 2 states the Amendment Regulation commences on 1 July 2024.

Regulation amended

Clause 3 states that the Amendment Regulation amends the *Work Health and Safety Regulation 2011*.

Insertion of new ch 8A – Engineered stone

Clause 4 inserts new chapter 8A which includes Parts 8A.1-8A.5 and regulations 529A- 529L.

Part 8A.1 - Preliminary

New section 529A introduces the meaning of engineered stone.

Subsection 529A(1)(a) defines ‘engineered stone’ as an artificial product that contains 1% or more crystalline silica (determined as a weight/weight (w/w) concentration), is created by combining natural stone materials with other chemical constituents (such as water, resins or pigments) and becomes hardened.

However, engineered stone does not include concrete and cement products, bricks, pavers and other similar blocks, ceramic wall and floor tiles, grout, mortar and render, plasterboard, porcelain products, sintered stone and roof tiles (subsection 529A(1)(b)).

Subsection 529A(2) defines ‘crystalline silica’ for the purpose of section 529A to mean crystalline polymorphs of silica, including the substances cristobalite, quartz, tridymite and tripoli.

New section 529B prescribes when work involving processing engineered stone, porcelain products or sintered stone is controlled.

Subsection 529B(1) specifies that the processing of engineered stone, porcelain products or sintered stone will be controlled if control measures to eliminate or minimise risks arising from the processing of the stone or product are implemented so far as is reasonably practicable, and at least one of the following systems is used while the stone or product is processed:

- an effective water delivery system that supplies a continuous feed of water over the stone or product to suppress the generation of dust;
- an effective on-tool extraction system; or
- an effective local exhaust ventilation system.

An effective on-tool extraction system typically includes a shroud, an on-tool hose attachment connected to a vacuum extraction system.

All persons who are at risk from the processing of the stone or product must also be provided with respiratory protective equipment (RPE) and must wear RPE while the work is carried out for the processing to be controlled (subsection 529B(1)(c)).

The note under subsection 529B(1) refers to section 351, which requires a PCBU to manage the risks to health and safety associated with using, handling, generating or storing a hazardous chemical at a workplace in accordance with Part 3.1 of the WHS Regulations. RCS is a hazardous chemical.

Subsection 529B(2) defines RPE for the purpose of section 529B to mean personal protective equipment (PPE) that is designed to prevent a person wearing the equipment from inhaling airborne contaminants, and complies with the following Australian Standards:

- AS/NZS 1716:2012 (Respiratory protective devices); and
- AS/NZS 1715:2009 (Selection, use and maintenance of respiratory protective equipment).

The note under subsection 529B(2) sets out that section 44, 45 and 46 apply to the use of PPE, including the RPE provided under subsection 529B(1)(c). These sections deal with the provision by a PCBU of PPE to workers and others (including in relation to its suitability, maintenance and use) and the duties of workers who are provided with PPE.

New section 529C establishes the meaning of processing in relation to engineered stone, porcelain products or sintered stone.

Section 529C defines ‘processing’ in relation to engineered stone, porcelain products or sintered stone to mean using a power tool or other mechanical plant to crush, cut, grind, trim, sand, abrasive polish or drill the stone or product.

Part 8A.2 Work involving engineered stone benchtops, panels or slabs

New section 529D prohibits a PCBU from carrying out, directing or allowing a worker to carry out, work that involves manufacturing, supplying, processing or installing engineered stone benchtops, panels or slabs.

The maximum penalty for contravening section 529D is 60 penalty units.

The note under section 529D provides that under Part 11.2 Division 3A (Engineered stone), work involving a type of engineered stone may be subject of an exemption from section 529D.

The terms ‘benchtop’, ‘panel’ and ‘slab’ are not defined and carry their ordinary meaning. For example, the prohibition on work with engineered stone in section 529D applies to engineered stone:

- benchtops, such as those installed in kitchens and bathrooms and outdoor surfaces;
- panels, such as kitchen splashbacks or floor or wall tiles; and
- slabs, that might need to be cut to fit a variety of different installation settings.

The prohibition in this section does not apply to benchtops, panels and slabs that are porcelain products or which are manufactured by sintering (sintered stone), provided the product does not contain resin, consistent with the new definitions in schedule 19. The terms ‘porcelain product’ and ‘sintered stone’ otherwise have their ordinary meanings. Additionally, the

prohibition does not apply to other artificial products which are excluded from the definition of engineered stone including:

- concrete and cement products
- bricks, pavers and other similar blocks
- ceramic wall and floor tiles
- roof tiles
- grout, mortar and render
- plasterboard.

The effect of the definition in section 529A and the prohibition in new section 529D also means that finished engineered stone products that are not in benchtop, panel or slab form (such as jewellery, garden ornaments, sculptures and kitchen sinks) are not prohibited. Because such products do not require processing or modification, they pose minimal risk to the health and safety of workers. However, in the unlikely event that processing of these products is required, it must still be controlled (see section 529K).

The prohibition does not apply to natural stone products that have not been combined with other constituents. For example, natural granite that has been quarried, cut, and polished, without being combined with other materials, is not prohibited. Of course, a PCBU that is using natural stone is required to ensure the health and safety of its workers so far as is reasonably practicable and must manage the risks from generating RCS in processing the natural stone in accordance with section 351.

New section 529E provides an exception to section 529D for work that involves supplying or installing engineered stone benchtops, panels or slabs if the work is for genuine research and analysis, or to sample and identify engineered stone.

New section 529F provides an exception to the prohibition in section 529D for work that involves processing engineered stone benchtops, panels or slabs if the work is controlled and carried out:

- for genuine research and analysis;
- to sample and identify engineered stone;
- to remove, repair or make minor modifications to installed engineered stone; or
- to dispose of the engineered stone, whether it is installed or not.

Section 529B above explains when processing is controlled. Section 529F would allow, for example, a PCBU to use a power tool to remove a damaged engineered stone benchtop in a client's kitchen provided that it has an effective on-tool dust extraction system. The worker removing the benchtop must be given and wear appropriate RPE when carrying out the work. Similarly, a PCBU may repair or modify the client's kitchen benchtop (e.g. cutting to install a new power point) using a power tool, provided it has an effective on-tool dust extraction system and they ensure the worker has and wears appropriate RPE.

Part 8A.3 Regulator to be notified of particular processing of engineered stone

New section 529G applies where work involving processing engineered stone benchtops, panels or slabs is carried out to remove, repair or make minor modifications to installed engineered stone, or to dispose of the engineered stone, whether it is installed or not.

Subsection 529G(2) requires that before the work is carried out, a PCBU carrying out, or directing or allowing a worker to carry out, the work, must give the regulator a written notice in the form approved by the regulator:

- stating the work being carried out;
- describing the type of the work being carried out;
- stating the frequency and duration of the work; and
- stating the other information in relation to the work required by the form (if any).

The maximum penalty for contravening subsection 529G(2) is a 36 penalty units.

Subsection 529G(3) provides that subsection 529G(2) will not apply to a PCBU if:

- the PCBU does not know, and could not reasonably be expected to know, before the work is carried out that the work involves processing engineered stone benchtops, panels or slabs; and
- as soon as practicable after the PCBU becomes aware that the work involves processing engineered stone benchtops, panels or slabs, the person gives the regulator a written notice in relation to the work in accordance with subsection 529G(2).

If the regulator receives a notice under subsection 529G(2) or (3), the regulator must give the PCBU an acknowledgement of receipt of the notice (subsection 529G(4)).

New section 529H applies where a PCBU has given the regulator a written notice under Part 8A.3 (for example, under section 529G to notify of particular processing of engineered stone) and the information in relation to work changes, other than because the work is no longer being carried out (subsection 529H(1)).

Where this occurs, the PCBU must give the regulator a written notice stating the information has changed, and describing the change to the information, within 30 days after the day the change occurs (subsection 529H(2)).

The maximum penalty for contravening subsection 529H(2) is 36 penalty units.

If the regulator receives a notice under subsection 529H(2), the regulator must give the PCBU an acknowledgement of receipt of the notice (subsection 529H(3)).

New section 529I applies where a PCBU gives a notice under Part 8A.3 in relation to work, and a period of 12 months (beginning on the day the last notice is given about the work) ends, and the work is still being carried out (subsection 529I(1)).

Where this occurs, subsection 529I(2) requires the PCBU to give the regulator a written notice stating that the work is still being carried out, and any information given to the regulator that has changed. The notice must be given to the regulator within the period ending 30 days after the day the 12-month period ends.

The maximum penalty for contravening subsection 529I(2) is 36 penalty units.

If the regulator receives a notice under subsection 529I(2), the regulator must give the PCBU an acknowledgement of receipt of the notice (subsection 529I(3)).

New section 529J requires that a PCBU who gives the regulator a notice under Part 8A.3, must for a period of 5 years (beginning on the day the notice is given to the regulator):

- keep a copy of the notice;
- ensure that a copy of the notice is readily accessible;
- allow a person to access a copy of the notice upon request.

The maximum penalty for contravening section 529J is 36 penalty units.

Part 8A.4 Processing engineered stone other than benchtops, panels or slabs

New section 529K introduces a duty to prevent uncontrolled processing of engineered stone other than benchtops, panels or slabs.

Subsection 529K(1) prohibits a PCBU from processing, or directing or allowing a worker to process, engineered stone unless the processing of the stone is controlled.

To avoid doubt, subsection 529K(2) explicitly states that section 529K does not apply to engineered stone benchtops, panels and slabs (see section 529D for the prohibition on work with engineered stone benchtops, panels and slabs).

The maximum penalty for contravening section 529K is a 60 penalty Units.

Part 8A.5 Processing porcelain products and sintered stone

New section 529L introduces a duty to prevent uncontrolled processing of porcelain products and sintered stone.

Section 529L prohibits a PCBU from processing, or directing or allowing a worker to process, porcelain products and sintered stone unless the processing is controlled (see section 529B for when work involving porcelain products and sintered stone is controlled).

The maximum penalty for contravening section 529L is 60 penalty units.

Amendment of section 676 (Which decisions are reviewable)

Clause 5 amends the table in section 676(1) to provide that a decision to refuse to grant an exemption under subsection 689A(1) is a reviewable decision under section 676.

Amendment of section 684 (General power to grant exceptions)

Clause 6 amends subsection 684(4)(b) by inserting new provision (684(4)(c)), which provides that section 684 (General power to grant exemptions) does not apply to an exemption from section 529D in relation to exempting a type of engineered stone from that section.

Insertion of new chapter 11, part 11.2 division 3A

Clause 7 inserts a new Division 3A into Part 11.2 of the WHS Regulations to include new sections 689A-689E.

New section 689A Engineered stone – exemption.

Subsection 689A(1) allows the regulator to exempt a type of engineered stone from section 529D (Work involving engineered stone benchtops, panels or slabs – prohibition).

The note under subsection 689A(1) provides that a decision to refuse to grant an exemption is a reviewable decision under section 676.

Subsection 689A(2) exempts a PCBU from compliance with section 529D if the work involves a type of engineered stone that is the subject of an exemption granted under subsection 689A(1) or an equivalent provision under a corresponding WHS law.

This means that an exemption granted in one jurisdiction will also apply in all other corresponding jurisdictions – in effect, there will be mutual recognition of exemption decisions.

New section 689B Engineered stone –application for exemption.

Subsection 689B(1) provides that a person with an interest in having an exemption granted under subsection 689A(1) may apply to the regulator for an exemption. However, subsection 689B(2) requires that before the person can apply for an exemption under subsection 689A(1), the person must give each social partner SWA member a written notice stating:

- the person intends to make the application; and
- the social partner SWA member may give the person submissions for the regulator about the application within the reasonable period stated in the notice; and
- the person must provide the social partner SWA member’s submissions to the regulator as part of the person’s application.

The person must also provide a copy of the proposed application for the exemption to each social partner SWA member (subsection 689B(2)(b)).

Subsection 689B(3) also requires that the person’s application be in writing, accompanied by the written notice the person gives the social partner SWA member under subsection 689B(2), and accompanied by any submissions received by the person from social partner SWA members under subsection 689B(2).

Subsection 689B(4) defines social partner SWA members for the purpose of section 689B to mean the 2 members of SWA who represent the interests of workers in Australia, and the 2 members of SWA who represent the interests of employers in Australia.

New section 689C Engineered stone –notifying persons of application for exemption

Subsection 689C(1) provides that the regulator must give application documents in relation to an application for an exemption under subsection 689A(1) to each corresponding regulator.

Subsection 689C(2) provides that the regulator may also give the application documents for an application for an exemption under subsection 689A(1) to—

- an employer organisation that includes employers who engage in work involving engineered stone;
- a union representing employees whose work includes work involving engineered stone; or
- a person who has qualifications, knowledge, skills and experience relating to engineered stone.

Subsection 689C(3) defines application documents in relation to an application for exemption under subsection 689A(1) to mean—

- a written notice stating the regulator has received the application, and the person receiving the notice may make submissions to the regulator about the application within the reasonable period set out in the notice; and
- a copy of the application and any submissions that the regulator receives in relation to the application under section 689B(3)(c).

New section 689D Engineered stone – regulator to be satisfied about certain matters

Subsection 689D(1) provides that a regulator must not grant an exemption under subsection 689A(1) unless satisfied that granting the exemption will result in a standard of health and safety that is at least equivalent to the standard that would have been achieved without that exemption.

Subsection 689D(2) requires that for the purposes of subsection 689D(1) the regulator must have regard to all relevant matters including:

- any submissions received under section 689B(3)(c) or 689C; and
- whether the regulator is satisfied that, if the exemption were granted, the risk associated with the type of engineered stone that is the subject of the application would not be significant; and
- if SWA publishes a document under section 689E, the relevant matters contained in the document.

New Section 689E Safe Work Australia may issue and publish document in relation to exemptions

Subsection 689E(1) provides that Safe Work Australia may issue a document setting out the matters to be considered when granting an exemption under this Division. Where Safe Work Australia issues a document it must be published on the Safe Work Australia website (subsection 689E(2)).

Amendment of section 690 (Application for exemption)

Clause 8 inserts a third note to the provision referencing section 689B in relation to an application to exempt a type of engineered stone from section 529D.

Amendment of section 692 (Form of exemption documents)

Clause 9 omits the word ‘apply;’ in subsection 692(b) and inserts the phrase ‘apply, if applicable;’.

Amendment of section 694 (Notice of decision in relation to exemption)

Clause 10 adds a new subsection 694(2) which provides that if the regulator grants an exemption under subsection 689A(1), the regulator must notify each corresponding regulator that the exemption is granted. This is appropriate given that a granted exemption will operate in each WHS jurisdiction where an equivalent provision to 689A(2)(b) exists.

Replacement of s 695 (Publication of notice of exemption)

Clause 11 omits section 695 and inserts a new section 695.

New section 695 applies to an exemption that relates to a class of persons, or is granted under subsection 689A(1).

Subsection 695(2) requires the regulator to publish a copy of the exemption on an appropriate government website and in the gazette.

If the regulator grants an exemption under subsection 689A(1), the regulator must publish on the regulator's website the reasons for the decision within 14 days after the day the exemption is granted (subsection 695(3)).

The Editor's Note under section 695 provides that the exemptions may also be viewed on the Safe Work Australia website.

Amendment of s 698 (Notice of amendment for cancellation)

Clause 12 amends section 698(1)(b) by inserting 'whom' before 'subsection'.

This item also amends subsection 698(2) to insert the phrase 'or is granted under subsection 689A(1)' after 'persons'.

Amendment of schedule 19 (Dictionary)

Clause 13 inserts new definitions in schedule 19.

The definitions for *controlled*, *engineered stone* and *processing* are references to sections introduced in the Amendment Regulation under clause 4; that being new sections 529B, 529A and 529C respectively.

The definitions for *porcelain product* and *sintered stone* have been introduced to clarify that neither of these products contain resin. This clarification has been introduced to reduce the potential that engineered stone products are not relabelled as porcelain or sintered stone to obfuscate their status as an engineered stone to avoid the prohibition.