

DANISH CHEMICALS FORUM

14 October 2015

TO THE EUROPEAN COMMISSION, ECHA, AUTHORITIES, NGOS AND THE BUSINESS COMMUNITY

SHARPER FOCUS ON EU CHEMICALS INITIATIVES

Using chemical substances is an integral part of everyday life in modern societies. Consideration for human health, the environment and working environment therefore requires sustainable production and innovation as well as a responsible approach to all aspects of using chemical substances and compounds.

The public, the business community, NGOs and the authorities have a common interest in using chemical substances so that we obtain the benefits intended from the properties of the chemical substances in our products and in our everyday routines. It is also vital to ensure that unintentional harmful effects on humans, the environment and for health and safety at work are reduced, and we must ensure that chemicals of concern are phased out and substituted with sustainable alternatives, including new technology.

The Chemicals Forum includes all stakeholders in the chemicals area in Denmark - the business community, consumers, NGOs, employers, research institutes and environmental authorities, occupational safety and health (OSH) authorities, and health authorities. The Chemicals Forum was established by the Danish Minister for the Environment with the object of ensuring knowledge-sharing, dialogue and co-operation in the chemicals area. The Chemicals Forum considers that common targets and guidelines for EU work in the chemicals area are necessary and fundamental for sustainable growth and stronger competition as well as improvements in the environment, OSH and health.



Plastindustrien.

Danish Chamber of Commerce



Confederation of Danish Industry



DTU Food National Food Institute



Ministry of Environment and Food



The European Union's Seventh Environment Action Programme, the Commission's Roadmap to a Resource Efficient Europe and the Commission's Communication "Towards a circular economy" together stake out the framework for common chemicals initiatives which contribute to the EU Green Growth agenda.

The common goal is to increase growth and stimulate the economy in Europe, while, *at the same time*, improving protection of consumers, workers and the environment.

The EU's political initiatives will establish predictability for the business community and cement a willingness to invest in Europe. A rapid phase-out of chemicals of concern must be implemented responsibly in order to support green growth in Europe. The business community must be given the right tools to help it in meeting its responsibilities, and similarly consumers need the right tools and information to be able to choose alternatives to substances of concern in the phase-out period. Furthermore, it is crucial that there is follow up, with effective enforcement and inspection in EU Member States, so that free-riders do not undermine work by responsible enterprises, and so that there is strong and uniform consumer protection in all countries.

The European Union's Seventh Environment Action Programme contains a long-term vision to achieve a non-toxic environment and it requires the Commission to draw up a strategy for this, taking into account small and medium-sized enterprises, by no later than 2018. The strategy must contribute to development of more sustainable alternatives, including solutions without chemicals of concern, and it must build on horizontal regulatory measures laid down in 2015.

We believe that REACH is a clear improvement in European chemicals regulation, and we also recognise that the requirements in the Regulation that industry is responsible for appropriate management of chemicals take time to implement. It is eight years since REACH was adopted and we agree that there is now a need for improvements. Therefore, together we would like to point to the following areas in which we all believe it is necessary to strengthen and improve REACH and EU chemicals initiatives:

1. THE QUALITY OF REACH REGISTRATIONS:

Qualified data on chemical substances is fundamental if REACH is to meet its objectives. The "REACH Evaluation Report 2013" issued by ECHA states that more than 60% of registrations are incomplete or inadequate. This is unsatisfactory and it delays the intended effect of REACH. Correct and complete registration of the statutory information is crucial to meeting the common responsibility in the supply chain from producer to retailer and therefore it is also vital for the environment, OSH and for health.



Plastindustrien.

Danish Chamber of Commerce



Confederation of Danish Industry



DTU Food National Food Institute



Ministry of Environment and Food



Therefore we call for

- ECHA to provide information about the assistance that has been established for the enterprises which will have to register in 2018 in order to optimise the quality of registrations,
- ECHA to ensure that registrations are complete by the final time limit for registration in 2018 and that the registrations which are regularly submitted are also complete,
- ECHA to be provided with the possibilities necessary to ensure correct registrations if the dialogue gives no result, including the option to reject inadequate/incomplete registrations,
- the authorities to actively support ECHA's work, and
- enterprises using chemicals to demand good data and useable instructions on appropriate use from their suppliers.

2. PHASE-OUT OF SUBSTANCES OF VERY HIGH CONCERN (SVHC):

An important objective of REACH is to limit the use of, or phase out completely, substances of very high concern. It is an advantage that this work is being conducted as a collaboration between authorities from EU Member States, among other things through substance evaluations.

In order to qualify Danish efforts and to promote a development in which substances of very high concern are substituted with substances of less concern, Denmark has established a partnership between enterprises, universities and knowledge institutions to complete specific substitution projects and generate knowledge to benefit other enterprises.

Therefore we call for

- the authorisation procedure under REACH to be streamlined and made more transparent and predictable for all players,
- work by enterprises to phase out harmful chemicals and develop good alternatives to be prioritised and supported by the authorities, universities, knowledge institutes, NGOs and enterprises' own organisations,
- the pace to be accelerated so that the Commission's roadmap to include all relevant substances of very high concern on the Candidate List before 2020 is implemented, and
- enterprises to inform consumers and other stakeholders about substances of very high concern so that they are able to make informed and active choices.

3. ENDOCRINE DISRUPTORS:

The 1999 Community Strategy for Endocrine Disruptors has already identified endocrine disruptors as a concern for the environment and health, and this has only been confirmed by new scientific knowledge. The European Union's Seventh Environment Action Programme states that horizontal measures must be in place by 2015 to minimise exposure to endocrine disruptors.



Plastindustrien.

Danish Chamber of Commerce



Confederation of Danish Industry



DTU Food National Food Institute



Ministry of Environment and Food

Ecolabelling Denmark

We can see that the target in the European Union's Seventh Environment Action Programme on common European “harmonised criteria for identifying endocrine disruptors” has not yet been reached.

Therefore we call for

- the Commission to draw up a plan to expedite and describe the initiatives necessary to achieve the goals for common criteria already set,
- the Commission and authorities to ensure that challenges related to endocrine disruptors be elevated to an international debate within the OECD and the UN, and
- enterprises to continue their work to phase out substances considered as potentially endocrine disrupting.

4. NANOMATERIALS:

Clarity and a common European framework for the nano area are necessary with a view to future growth opportunities and to consider the environment, health and OSH. Uncertainties about the future legislation for the nano area are obstructing innovation and growth opportunities and they are therefore a barrier to exploiting possible growth potentials within nanotechnology. It is important to secure a good knowledge base, that this is brought into play, and that all stakeholders are obligated to mutual knowledge sharing.

Therefore we call for

- in accordance with the European Union's Seventh Environment Action Programme, the Commission to take the measures necessary by 2015 for safe use of nanomaterials by amending the annexes to REACH so that, in the upcoming registrations, the industry knows how nanomaterials are to be described and how it is to demonstrate that the materials are safe.

5. IMPORTS OF ARTICLES CONTAINING SUBSTANCES SUBJECT TO REGISTRATION:

When a substance is included in the authorisation annex to the REACH Regulation, use of the substance in articles is restricted, and the substance can only be used within the EU after the sunset date, if the substance has been authorised. On the other hand, there is no immediate obstacle to importing similar articles containing substances subject to authorisation from countries outside the EU.

The fundamental philosophies in REACH to know the properties of all chemical substances, the producers' responsibility for this and their responsibility to demonstrate safe use, as well as that this information should flow through the entire supply chain with the suppliers' products, make REACH unique chemicals legislation.



Plastindustrien.

Danish Chamber of Commerce



Confederation of Danish Industry



100 ÅR | Vi har passet på fremtiden siden 1911



Ministry of Environment and Food



However, imports of articles containing substances subject to registration from countries outside the EU are inappropriate in a competition context, and they could encourage EU-based enterprises to move production outside the EU. Furthermore, we will not achieve the desired beneficial effects with the authorisation scheme for the environment, health and OSH if it continues to be possible to import articles containing substances subject to authorisation.

Therefore we call for

- the Commission to make full use of the possibility to implement the restrictions in the restriction annex (annex XVII of the REACH Regulation) to prevent imports of articles containing substances subject to registration,
- the Commission to consider further initiatives, including focus on strengthened cooperation with the authorities in production countries outside the EU in order to increase understanding and application of REACH in their enterprises, and
- the Commission and authorities to support the duty of enterprises to inform about REACH, and for this information work to be expanded in line with the expansion of the Candidate List with a view to furthering the fundamental philosophies of REACH in countries outside the EU.

We are willing to accept our share of the responsibility to actively improve protection of humans and the environment through progress in EU chemicals work, and we will urge others to support the specific proposals to optimise the REACH Regulation.

Yours faithfully

Danish Chemicals Forum



Plastindustrien.

Danish Chamber of Commerce



Confederation of Danish Industry



100 ÅR | Vi har passet på fremtiden siden 1911



Ministry of Environment and Food



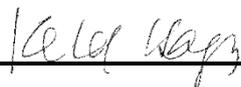
SPT

Hanna Løyche, Managing Director



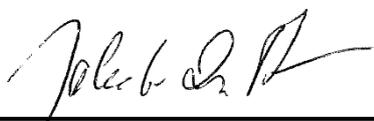
CO-INDUSTRI

Keld Høgh, Policy Officer



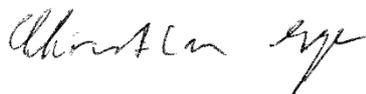
DANISH CHAMBER OF COMMERCE

Jakob Lamm Zeuthen, Environmental Policy Director



THE ECOLOGICAL COUNCIL

Christian Ege, Director



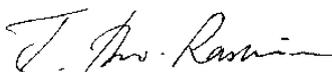
THE CONFEDERATION OF DANISH INDUSTRY

Karin Klitgaard, Environmental Policy Director



THE DANISH SOCIETY FOR NATURE CONSERVATION

Finn Bro-Rasmussen, Professor emeritus



DTU FOOD

Christine Nellemann, Director of Institute



UNITED FEDERATION OF DANISH WORKERS 3F

Palle Larsen, Political Advisor



DANISH CONSUMER COUNCIL THINK

Claus Jørgensen, Senior Project Manager



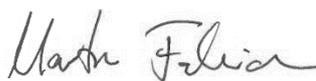
THE MINISTRY OF ENVIRONMENT AND FOOD

Eva Kjer Hansen, Minister for Environment and Food



ECOLABELLING DENMARK

Martin Fabiansen, Director of Public Affairs



CENTRE ON ENDOCRINE DISRUPTERS

Anna-Maria Andersson, Head of Research



THE DANISH PLASTICS FEDERATION

Thomas Drustrup, Managing Director



NATIONAL ALLERGY RESEARCH CENTRE

Jeanne Duus Johansen, professor



Plastindustrien.

Danish Chamber of Commerce



Confederation of Danish Industry



Ministry of Environment and Food

