

25 - 26.10.2023 | DAY 1
Chemical Regulations and
Sustainability Symposium 2023



Chemical
Business
Association

REACHLAW
COMPLIANCE. SUSTAINABILITY.

Overview on the EU Chemical Strategy for Sustainability

Overview on the EU Chemical Strategy for Sustainability

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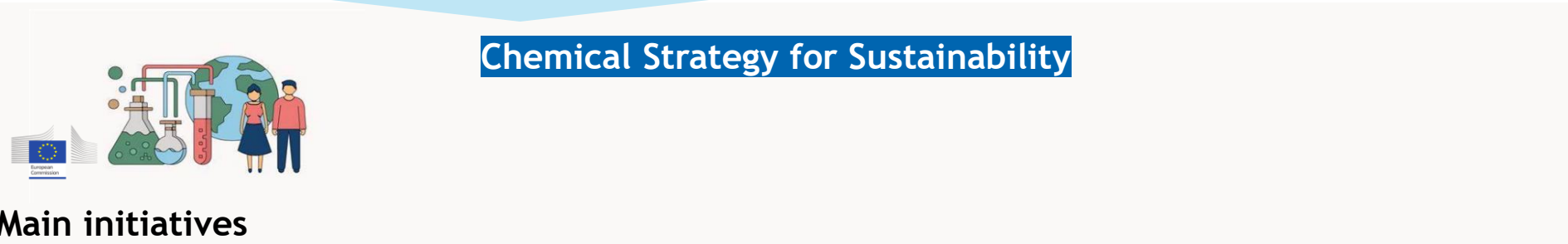
Duration: 30 mins

1. Overview of the CSS

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Overview of the CSS - one of the building blocks of the EU Green Deal



Main initiatives

- Introduction of large scope restriction for use in consumer products and define “Essential uses”
- Address Cocktail effects.
- Polymer registration.
- Address persistent, mobile substances and endocrine disruptors in CLP.
- Phasing out of PFAS
- Introduce criteria for “safe and sustainable use”.
- Generic Risk Assessment
- One Substance, One Assessment.
- ECHA Founding Regulation.
- Chemical Data Spaces.

Main initiatives relevant to chemicals

- Green claims Regulation.
- Eco-design Regulation.
- Packaging Waste.
- Product Passports.
- Restriction of “substances of concern” in product legislation.
- “Better” integration of Chemical and Waste legislation.
- Overall aim to create better links between chemical legislation and product legislation.

What it means in terms in legislative changes

Already adopted

- CLP Hazard classes under Delegated Act [New hazard classes 2023 - ECHA](#)
- Microplastics Restriction

Ongoing

- PFAS Restriction Proposal
- CLP legislative Proposal

Upcoming

Update of the Guidance on the Application of the CLP criteria

Upcoming legislative proposals

- REACH legislative Revision
- ECHA Founding Regulation
- Revision of the Cosmetics Regulation

Other CSS proposals

2021: EU Strategic Framework on Health and Safety at work - Occupational safety and health in a changing world of work.



2022: EU repository of human and environmental health-based limit values.



2023: Creation of an open platform on chemical-safety data and tools for accessing relevant academic data - **JRC feasibility study from 2022**



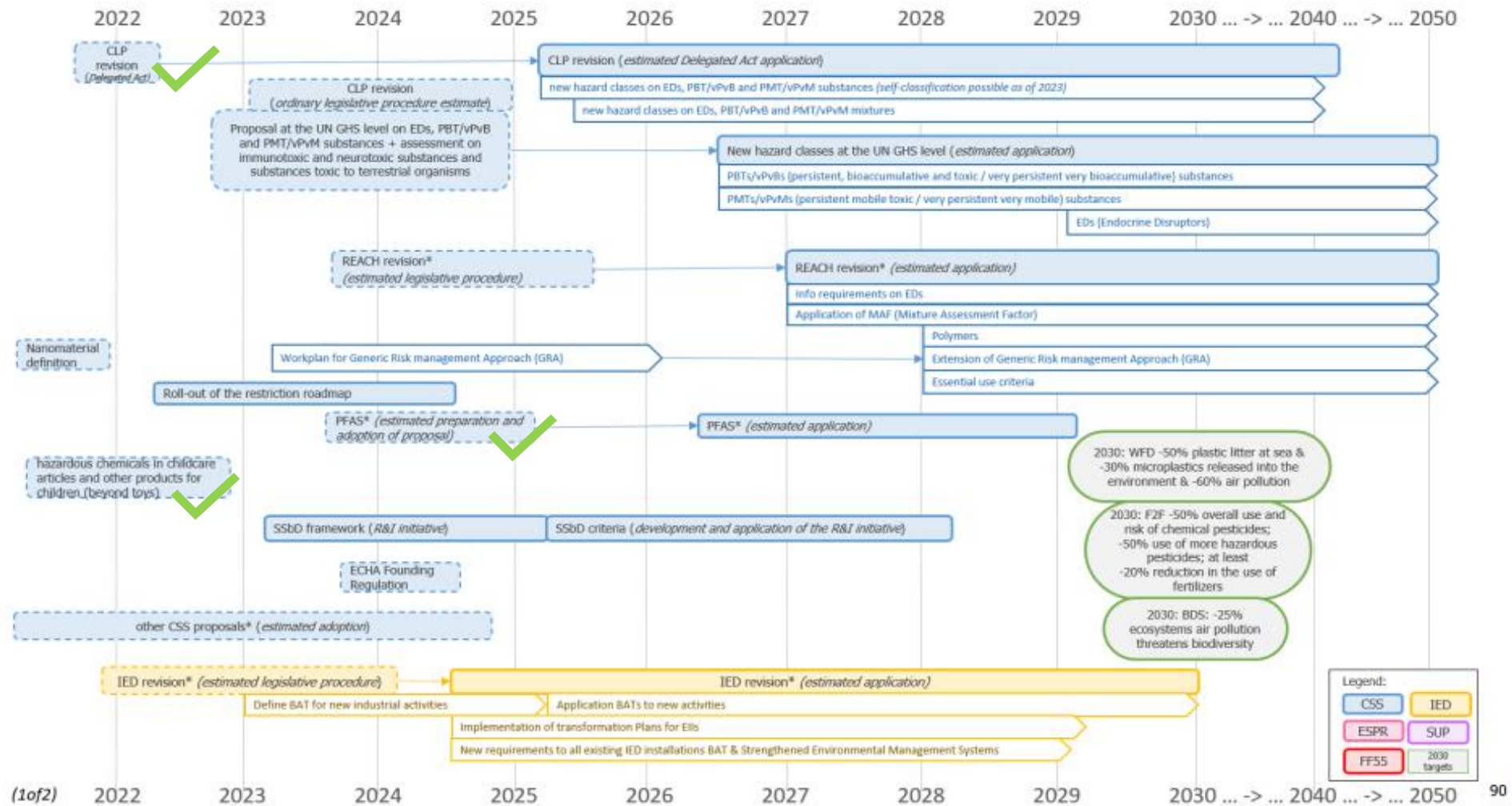
2023: General proposal to: (i) remove legislative obstacles to the re-use of data; (ii) streamline data flows across legislation; and (iii) extend the open-data and transparency principles from the EU food-safety sector to other pieces of chemical legislation.



2023: Proposals to allow EU and national authorities to commission testing and monitoring of substances as part of the regulatory framework.



Current timeline status (for info)*



*from DG GROW's [transition pathway for the chemical industry](#)

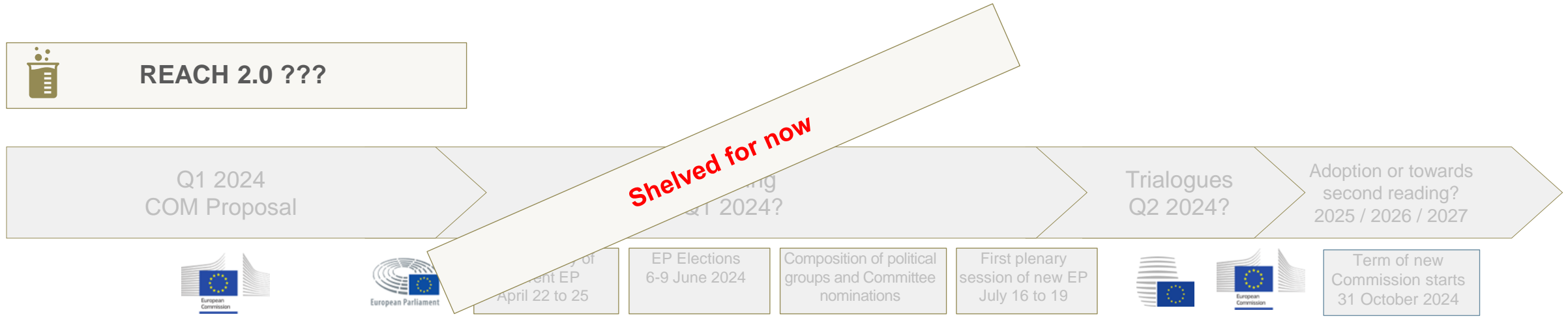
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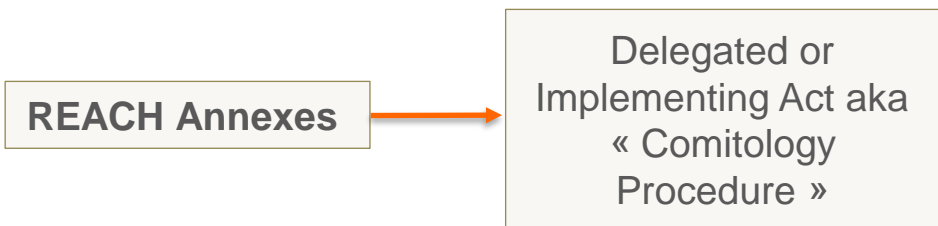
Current Status



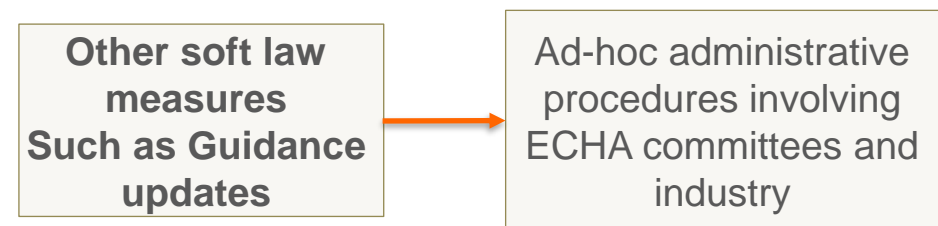
How the Commission can revise the regulatory framework



REACH 2.0 aka REACH Revision



Can happen regardless of REACH Revision



- Some elements of the revision will need to be integrated in the main legislative texts and others may be added by delegated acts.
- A complex stepwise approach means some aspects of the revision may already be in the pipeline.
- More details to be shared by my colleagues in the next presentations.
- This example is with REACH 2.0 but the situation is exactly the same with CLP or any other piece of legislation!

What to Expect from the CLP Revision

- The proposal is on track and in lines broadly with initial ambitions of the Commission.
- Vote in plenary at the European Parliament took place on 4 October 2023.
- Next steps are the trialogues.
- Main changes:
 - New Hazard classes (*ED, PMT, PBT, vPvM, vPvB*).
 - Introduction of multi-constituent substance concept.
- Main challenges:
 - Integration with UNGHS
 - Downstream effects on REACH
 - Thresholds of application.
- From an advocacy perspective, sectors will need to work together.
- Focus no longer on individual substances but on substances grouped by their hazard properties !



REACH Revision status

- The REACH Revision does not feature in the European Commission Work Programme for 2024.
- The Revision is very unlikely to be tabled in the current term of the European Commission.
- The future of the revision hangs on the balance of the next Commission's priorities!
- REACH can still be put on the Agenda of the Commission regardless of the EC work programme but the chances are slim.



Sources: EC , The Guardian

What to Expect from EU REACH/CLP Revision and the Next Commission

- **Regardless of the drama and when it does come, the REACH Revision will mean:**
 - Increased competences for ECHA to deal with incompliant dossiers.
 - Possibilities for introduction of broad scoped restrictions for chemicals used in consumer products under GRA.
 - In the longer run, possibility to use Essential Uses or SSbD for possible exemptions.
 - “*Better*” integration with Circular Economy legislation and waste
- For advocacy, it means again that you can’t “*go at it alone*”
- A full documentation on the life cycle of substances and products will become the norm for any product defence.



EU REACH revision - changes to REACH Processes

- There will be clarification in the sequence of compliance check and substance evaluation.
- Possibility of Revocation of Registration Number by ECHA.
- Authorisation reform - covered later by my colleague Bernadette Quinn.
 - Will it remain ?
 - Will it be merged with Restriction?



EU REACH - Extension of General Approach to Risk Assessment

TODAY

ART
68(2)

FAST TRACK RESTRICTION process for CMRs in consumer uses

No requirement to show unacceptable risk.

REACH REVISION

ART
68(2)

Extension of scope to

- ED Cat 1
- PBT and vPvB
- STOT RE Cat. 1
- Respiratory sensitisers
- PMT and vPvM

Consumer and professional uses.

Derogation for Essential uses.

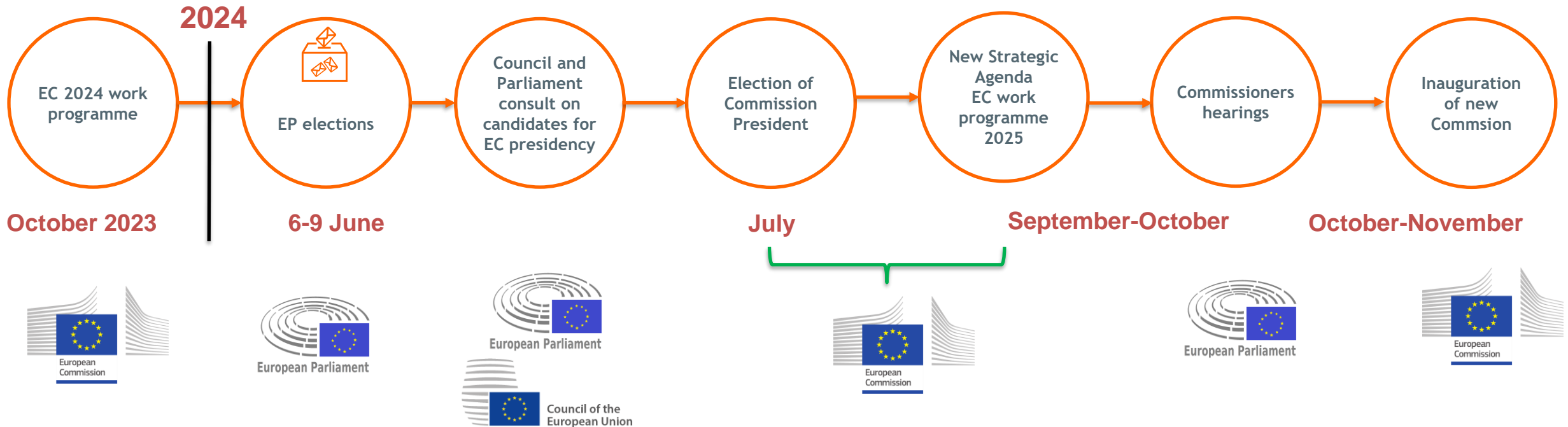


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2024: a pivotal year for the EU that will impact the CSS agenda



Bottom line

- Only limited pending legislative proposal to be introduced by EC.
- The next strategic agenda and 2025 EC Work Programme are what to look out for.

Thank You for Your Attention!

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