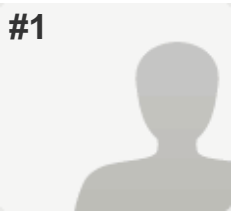

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PAGE 2: Part I – General Information about Respondents

Q1: Address	
Contact name	Lieke Coonen
Organisation/company	Vewin
Country	The Netherlands
Email Address	
Q2: If you have a Transparency Register ID number, please provide it below. If your organisation is not registered, you have the opportunity to register now by following this link. If your entity responds without being registered, the Commission will consider its input as that of an individual/private person and, as such, will publish it separately.	*Respondent skipped this question*
Q3: Received contributions may be published on the Commission's website, with the identity of the contributor. Please state your preference with regard to the publication of your contribution. Please note that regardless of the option chosen, your contribution may be subject to a request for access to documents under Regulation 1049/2001 on public access to European Parliament, Council and Commission documents. In such cases, the request will be assessed against the conditions set out in the Regulation and in accordance with applicable data protection rules.	My contribution may be published under the name indicated; I declare that none of it is subject to copyright restrictions that prevent publication
Q4: We might need to contact you to clarify some of your answers. Please state your preference below:	I am available to be contacted
Q5: Please indicate whether you are replying to this questionnaire as:	A government or public authority
Q6: If a business or industry association, please indicate your field(s) of interest or activity(ies) - the letters in between brackets correspond to NACE codes [multiple choice]:	Water supply; sewerage; waste management and remediation activities (E)
Q7: For businesses, please indicate the size of your business:The definition of small and medium-sized enterprises depends on the staff headcount and either the annual turnover or the balance sheet of the company. Please consult the following website: http://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition/index_en.htm	*Respondent skipped this question*

Q8: Please indicate the level at which your organisation is active:	National

PAGE 3: Part II – General Questions

Q9: How important is it in your view that there is chemical and chemical-related legislation* at EU-level in order to achieve the following objectives? (1 = not important; 5= very important)*This comprises the chemical-related provisions in all legislation within the scope of this fitness check. It encompasses legislation governing hazard identification and classification, as well as risk management measures, including chemical-related aspects of legislation on worker safety, transport, environmental protection, chemicals controls and supporting legislation, excluding REACH. The full list of legislation can be found here.The internal market of the European Union (EU) is a single market in which the goods, services, capital and persons can move freely across borders. One of the key objectives of chemical and chemical-related legislation is to have a single market for chemical substances and mixtures, as well as products containing chemicals.**

Protecting human health	5
Protecting the environment	5
Ensuring a well-functioning internal market**	I don't know
Stimulating competitiveness and innovation	I don't know

Q10: Do you think the EU chemical and chemical-related legislation has been effective in achieving the following objectives? (1= not effective, 5= very effective). Please only consider chemical-related provisions in the legislation.

Protecting human health	3
Protecting the environment	2
Ensuring a well-functioning internal market	I don't know
Stimulating competitiveness and innovation	I don't know

Q11: If you think the EU chemical and chemical-related legislation is not effective (1) or only somewhat (2,3) effective, please indicate what you believe are the main reasons for this limited effectiveness in the following table:

Protecting human health	The legislation is not adapted to the issues at stake, The legislation is not effectively implemented
Protecting the environment	The legislation is not adapted to the issues at stake, The legislation is not effectively implemented
Ensuring a well-functioning internal market	No opinion or not applicable
Stimulating competitiveness and innovation	No opinion or not applicable

Q12: To what extent do you consider that EU chemical and chemical-related legislation has had an added value above what could have been achieved through action at a national level? (1= no value, 5= a very high added value)

EU-level legislation adds value to national level action	4

PAGE 4: Part III - Specific Questions

Q13: For businesses and industry associations - Please select the legislation that regulates or otherwise affects your sector's or your company's activities.For other stakeholders - Please select the legislation you are familiar with.

Classification, labelling and packaging (Regulation No (EC) 1272/2008)
,

Plant protection products (Regulation (EC) No 1107/2009)
,

Biocidal products (Regulation (EU) No 528/2012),

REACH, Annex XIII (Regulation (EC) No 1907/2006)
,

Industrial emissions (integrated pollution prevention and control) (Directive 2010/75/EU)
,

Waste framework (Directive 2008/98/EC) and List of Waste
,

Major-accident hazards involving dangerous substances (Seveso) (Directive 2012/18/EU)
,

Water Framework (Directive 2000/60/EC),

Urban Waste Water (Directive 91/271/EEC),

Marine Strategy Framework (Directive 2008/56/EC),

Restriction of the use of certain hazardous substances in electrical and electronic equipment (Directive 2011/65/EU)
,

Export and import of hazardous chemicals (Regulation No 649/2012)
,

Persistent organic pollutants (Regulation (EC) 850/2004)
,

Contaminants in food and feed (Regulation (EEC) No 315/93 and Directive 2002/32/EC)
,

Residues of pesticides (Regulation (EC) No 396/2005)
,

EU Ecolabel (Regulation (EC) 66/2010),

Safety of toys (Directive 2009/48/EC),

Cosmetic products (Regulation (EC) No 1223/2009),

Detergents (Regulation (EC) No 648/2004),

Drinking Water (Directive 98/83/EC),

Fertilisers (Regulation (EC) No 2003/2003),

Medical devices (Directive 93/42/EEC regarding

Medical devices (Directive 93/42/EEC regarding medical devices, Directive 90/385/EEC regarding active implantable medical devices, and Directive 98/79/EC regarding in vitro diagnostic medical devices, under revision)

,

Explosives (Directive 93/15/EEC),

Food contact materials (Regulation (EC) No 10/2011 and Regulation (EC) No 450/2009)

,

Good Laboratory Practice (Directives 2004/9/EC and 2004/10/EC)

,

Other (please specify) Sludge Directive 86/278/EEC

PAGE 5: Effectiveness

Q14: In the EU legislative framework for chemicals, risk management measures are, in some cases, determined directly based on the identified hazard using generic risk considerations (e.g. widespread exposure or exposure of vulnerable groups), which justify the automatic adoption of such measures. In other cases, the risk management measures are determined by a specific risk assessment that assesses the probability of adverse health and environmental effects resulting from the specific exposure scenarios associated with the proposed use(s) of the chemical. In your view, do you think EU chemical and chemical-related legislation should, in general:

b. Be more oriented towards generic risk considerations (i.e. take more cautious approaches, despite the possibility that certain uses of a chemical that are in the interest of society might be restricted)

,

If you answered a or b, please explain
To be able to protect the European waters the EU chemical policies have to be based more on generic risk considerations, be stricter and better linked: - to he goals of the Water Framework Directive - to the strategy for a non-toxic environment to be developed by the Commission according to 7th Environment Porgramme - to the statement in the EC Communication of the Circular Economy: "A growing number of chemical substances are identified as being of concern for health or the environment and become subject to restrictions or prohibitions. The promotion of non-toxic material cycles and better tracking of chemicals of concern in products will facilitate recycling and improve the uptake of secondary raw materials" Hazard identification and regulation- Benefits • Intrinsic properties are easy to communicate through out the supply chain. The information is not “filtered” depending on how it is used, meaning that the same information is available to all actors independent on usage. • Information on intrinsic properties is official. It’s available through the CLP regulation and in the REACH registration dossiers. Information on uses, the basis for risk assessments, are not officially available in full. • Hazard identification assist companies in their internal prioritisation of chemicals for phase out. • Hazard identification provides guidance for regulators on what chemicals to prioritise for regulation. • Hazard identification provides the basis for risk assessment • Drives and rewards innovation and substitution since the hazard will be a clear marker for what is considered to be a better alternative. • Classification as hazardous sends

	a clear signal to the market that these properties are not wanted, and should be prioritised for phase out. • Gives an incentive to develop alternatives with better hazard properties or find alternative techniques. • Reduces the costs for regulators, more substances can be properly and more thoroughly assessed. • Makes prioritisation easier for regulators and companies, focus on the most hazardous ones first. • Places the burden of compiling and assessing exposure data on the part in possession of the information – the producers and users. Risk-based regulation- problems/ difficulties: • The basis for risk assessment is the un-scientific belief that risk can be foreseen and controlled. In an infinitely complex system, such as chemicals, the risk is simply impossible to anticipate. The unknown factors are usually far too many and impossible to foresee. The unforeseeable cannot be predicted nor assessed. • Risk assessment requires full transparency of both uses and users in the supply chain, something which is not the case today due to lack of communication as well as business confidentiality. • Often chemicals act in combination with others, the so-called “cocktail effect”. This is difficult to foresee and hence not possible to include in a risk assessment. • On a regular basis, scientists discover damage to human health or the environment caused by factors that were never considered in any risk assessment, or because assumptions made in the risk assessments were simply wrong. • Experiences from the past have shown that actual exposures have often been underestimated when certain uses were not known or what were thought to be ‘closed systems’ are actually found to result in exposure. This holds especially true for wide dispersive uses and consumer products. • Risk assessment can take years to finalise, leaving the risks with a substance unattended until a final assessment decision has been made. • Risk mitigation instructions for handling and use tend to not be adhered to, especially in less controlled areas outside of a chemical factory and among consumers.
Q15: In your view, apart from the hazard and/or risk of a chemical substance or mixture, are all relevant considerations taken into account in regulatory decision making on risk management (e.g. whether there will be combined effects of chemicals, whether there are certain vulnerable groups, whether there will be impacts on jobs or on the competitiveness of EU industry, etc.)? Please explain your answer.	No, If you answered no, please explain which considerations are not (sufficiently) taken into account and, if relevant, explain which legislation you are referring to. The combined effects are not sufficiently taken into account

Q16: In your view, to what extent are the following elements of the overall EU legislative framework for chemicals satisfactory? (1= not satisfactory, 5= very satisfactory)

Transparency of procedures	3
Speed with which hazards/risks are identified	2
Speed with which identified risks are addressed	2
Time to allow duty holders to adapt	I don't know
Predictability of the outcomes	3
Stability of the legal framework	4
Clarity of the legal texts	3
Guidance documents and implementation support	3
Effective implementation and enforcement across Member States	2
Consistent implementation and enforcement across Member States	2
Public awareness and outreach	2
International collaboration and harmonisation	3

Q17: In your view, to what extent are the following elements of risk management satisfactory? (1= not satisfactory, 5= very satisfactory)

Hazard identification criteria	4
Risk assessment and characterisation	2
Hazard and risk communication measures to consumers (e.g. labels, pictograms, etc.)	3
Hazard and risk communication measures to workers (e.g. labels, pictograms, safety data sheets etc.)	I don't know
Risk management measures restricting or banning the use of chemicals	I don't know
Risk management measures regulating the safe use of chemicals (e.g. packaging requirements or requirements for the use of personal protective equipment)	I don't know
If you answered 1, 2 or 3 above and would like to provide further information (in particular on specific pieces of legislation), please explain your answers.	It is not possible to answer this question without commenting REACH. For the European waters and the possibility to recycle nutrients within the circular economy it is important to speed up the use of REACH: - There are at least 700-900 substances which should be on the REACH SVHC Candidate list in the long run. The decision procedure of defining more substances for the SVHC should be speeded up. - The REACH authorisation process should also be used with a higher ambition, a strict authorisation process is a prerequisite for sustainable waters in Europe

Q18: Safety data for chemicals is subject to quality requirements, notably Good Laboratory Practice (GLP), aimed at ensuring the reliability and reproducibility of the data. Do you consider these requirements to be appropriate?	I don't know

PAGE 6: Efficiency

Q19: In your view, what are the most significant benefits generated for EU society by the EU chemical and chemical related legislation? (one or more answers possible)	Reducing the exposure of consumers and of citizens in general to toxic chemicals and, therefore, avoiding healthcare costs, lost productivity, etc. , Reducing the damage to the environment and to eco-systems and, therefore, avoiding the costs of treating contaminated water, restoring impacted fisheries, cleaning-up of contaminated land, compensating for reduced crop pollinisation, etc. , Encouraging research and innovation, generating new jobs, and improving the competitiveness of the EU chemicals industry by encouraging/supporting a shift towards green, sustainable chemistry and a circular economy , Stimulating competition and trade within the EU single market , Stimulating international trade between the EU and other countries
Q20: In your view, what are the most significant costs incurred by EU society due to EU chemical and chemical related legislation? (one or more answers possible)	I don't know
Q21: In your view, do any of the following requirements in the legislative framework lead to significant costs for companies?	I don't know
Q22: Are there specific requirements in the EU chemicals legislative framework which lead to particularly significant costs for authorities?	I don't know

PAGE 7: Relevance

Q23: To what extent has the EU legislative framework for chemicals contributed to a reduction in the number and/or use of hazardous chemicals and/or their substitution with safer alternatives? (1= no contribution, 5= a large contribution)

Framework has led to a reduction in the number and/or use of hazardous chemicals and/or their substitution with safer alternatives	3

Q24: To what extent does the existing EU legislative framework sufficiently address emerging areas of concern, e.g. arising from advances in science and technology? (1= emerging areas of concern are not sufficiently addressed, 5 = emerging areas of concern are sufficiently addressed)

Novel areas of concern sufficiently addressed by framework	2
Please comment	pharmaceuticals in the environment are nog suffeciently addressed.

PAGE 8: Coherence

Q25: Please indicate the extent to which you agree with the following statements relating to the EU chemicals legislation framework overall

The EU chemicals legislation framework contains gaps and missing links	Agree
The EU chemicals legislation framework has overlaps	Neutral
The EU chemicals legislation framework is internally inconsistent	Disagree

Q26: Please indicate any incoherence (gaps or missing links, overlaps, inconsistencies etc.) between the different pieces of legislation which are under the scope of this fitness check. Please only consider aspects related to hazard identification, risk assessment and risk management of chemicals. The legislation covered by this fitness check can be found here.

Gaps or missing links	To be able to protect the European waters the EU chemical policies have to be based more on generic risk considerations, be stricter and better linked: - to he goals of the Water Framework Directive. E.g. chemical substances with a strict regulated EQS as priority substances in the WFD, are in many cases still available on the open market, even for ordinary consumers , (or can be found in products on the open market) which in many cases can make it impossible to fulfil the WFD EQS for a priority substance in a water body .
Inconsistencies	for example: authorization of pesticides - WFD

Q27: Please indicate any incoherence (gaps or missing links, overlaps, inconsistencies etc.) between legislation which are covered by this fitness check and any other legislation you consider relevant as regards the regulation and risk management of chemicals.

Common Agricultural Policy

PAGE 9: Part IV: Specific questions on the CLP Regulation

Q28: CLP communicates hazards to workers and consumers through various label elements, including danger words, pictograms, hazard statements and precautionary statements. (1= not effective; 5= very effective)

To what extent are CLP labels effective in communicating hazards to workers?	I don't know
To what extent are CLP labels effective in communicating hazards to consumers?	I don't know

Q29: Do the hazard classes in the CLP Regulation cover all relevant hazards?

Environmental	I don't know
Physical	I don't know
Human health	I don't know

Q30: How effective is the support to companies through formal guidance documents and national helpdesks? (1= not effective; 5= very effective)

Guidance documents	No experience
Helpdesks	No experience
Industry association guidance and materials	No experience
Other (training, conferences, etc.)	No experience

Q31: To what extent is CLP enforced in a harmonised manner across Member States?	I don't know

Q32: To what extent are the current elements relating to the CLP classification criteria satisfactory? (1= not satisfactory; 5= very satisfactory)

Ease of implementation for duty holders	I don't know
Appropriateness of classification criteria and methods for substances	I don't know
Appropriateness of classification criteria and methods for mixtures	I don't know
International harmonisation through the Globally Harmonised System (GHS)	I don't know

Q33: CLP is revised on a regular basis through adaptations to technical progress. Do transitional periods allow sufficient time to implement new or revised classification criteria?	I don't know or have no opinion

Q34: To what extent are the current elements of the procedures for harmonised classification & labelling (CLH) satisfactory? (1= not satisfactory; 5= very satisfactory)

Transparency of the procedures	I don't know
Involvement of stakeholders	I don't know
Quality of scientific data and related information	I don't know
Speed of the procedure	I don't know

PAGE 10: Part V: Additional comments

Q35: In case you have any additional comments with relevance for this public consultation, please insert them here.	*Respondent skipped this question*