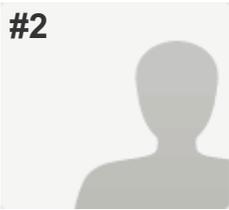


#2



**COMPLETE**

**Collector:** Web Link 1 (Web Link)

**Started:** Tuesday, April 12, 2016 12:07:26 PM

**Last Modified:** Wednesday, May 25, 2016 11:15:48 AM

**Time Spent:** Over a month

**IP Address:**

PAGE 2: Part I – General Information about Respondents

**Q1: Address**

Contact name	Kari Aa
Organisation/company	Norwegian environment Agency
Country	Norway
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]:**

*Respondent skipped this question*

**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](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**	4
Stimulating competitiveness and innovation	4

**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	4
Protecting the environment	4
Ensuring a well-functioning internal market	5
Stimulating competitiveness and innovation	5

**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	No opinion or not applicable
Protecting the environment	No opinion or not applicable
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

Consultation on the regulatory fitness of chemicals legislation (excluding REACH)

**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)  
,  
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  
,  
Waste shipments (Regulation (EC) No 1013/2006),  
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)  
,  
End of life vehicles (Directive 2000/53/EC),  
Batteries (Directive 2006/66/EC),  
Packaging and Packaging Waste (Directive 94/62/EC)  
,  
Export and import of hazardous chemicals (Regulation No 649/2012)  
,  
Persistent organic pollutants (Regulation (EC) 850/2004)  
,  
EU Ecolabel (Regulation (EC) 66/2010),  
Safety of toys (Directive 2009/48/EC),  
Detergents (Regulation (EC) No 648/2004),  
Fertilisers (Regulation (EC) No 2003/2003),  
General Product Safety (Directive 2001/95/EC),  
Test methods (Regulation (EC) No 440/2008),  
Good Laboratory Practice (Directives 2004/9/EC and 2004/10/EC)

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:**

c. Remain as it is because the balance is more or less right (i.e. the legislation ensures appropriate application of specific risk assessments and generic risk considerations)

**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.  
Coctail effect (effect of combinations of substances), grouping of substances for hazards/risks management, endocrine disrupters, nano-materials, effects on terrestrial environments

**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	4
Speed with which hazards/risks are identified	1
Speed with which identified risks are addressed	1
Time to allow duty holders to adapt	4
Predictability of the outcomes	4
Stability of the legal framework	4
Clarity of the legal texts	4
Guidance documents and implementation support	5
Effective implementation and enforcement across Member States	3
Consistent implementation and enforcement across Member States	3
Public awareness and outreach	3
International collaboration and harmonisation	4

**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	4
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.)	5
Risk management measures restricting or banning the use of chemicals	3
Risk management measures regulating the safe use of chemicals (e.g. packaging requirements or requirements for the use of personal protective equipment)	4

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.

Hazard and risk communication to consumers varies between different legislation. Labels etc is satisfactory in some, not satisfactory in others, e.g no requirements for labelling of non-perfume allergens in toys. Restrictions or banning is not adequately addressed in product specific and waste legislation (limited possibilities to address endocrine disruptors). Need criteria for hazardous environmental effects for hazardous waste.

**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?**

Yes,

If you answered no, please explain your answer  
Yes, but compared to academic studies, the OECD GLP studies may have limitations when looking for specific effects related to a specific chemical (eg mode of action).

**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 exposure of workers to toxic chemicals and, therefore, avoiding healthcare costs, lost productivity, etc.
- ,
- Reducing the damage to the environment and to ecosystems and, therefore, avoiding the costs of treating contaminated water, restoring impacted fisheries, cleaning-up of contaminated land, compensating for reduced crop pollinisation, etc.

Consultation on the regulatory fitness of chemicals legislation (excluding REACH)

**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)**

Costs for small and medium sized enterprises

**Q21: In your view, do any of the following requirements in the legislative framework lead to significant costs for companies?**

We do not view the business costs of meeting EU chemicals legislation to be significant

**Q22: Are there specific requirements in the EU chemicals legislative framework which lead to particularly significant costs for authorities?**

No

**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

Some legislation is too rigid with regards to provisions for incorporating new risks and emerging areas of concern. (endocrine disrupters, nano-materials, combination effects)  
In addition, the the process of establishing criteria for describing new risks is too slow.

**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 Neutral

Consultation on the regulatory fitness of chemicals legislation (excluding REACH)

**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	Better coordination between chemical, articles and waste legislation. Criteria for environmental hazards of waste are missing.
Inconsistencies	Labelling of biocides in toys versus other treated articles

**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.**

Circular economy: Ensure risk management of hazardous chemicals also when waste are recycled, and use of secondary raw materials in new articles.

**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?	5
To what extent are CLP labels effective in communicating hazards to consumers?	3

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

Environmental	No
Physical	Yes
Human health	No
Please list any hazard classes that are not covered	Endocrine disrupters, terrestrial environment

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

Guidance documents	4
Helpdesks	4
Industry association guidance and materials	No experience
Other (training, conferences, etc.)	4

**Q31: To what extent is CLP enforced in a harmonised manner across Member States?**

Enforcement is harmonised across most Member States  
,

Please add further details as necessary  
We have an impression that the extent of enforcement activities vary between member states. There may also be a difference in scope of enforcement.

Consultation on the regulatory fitness of chemicals legislation (excluding REACH)

**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	4
Appropriateness of classification criteria and methods for substances	3
Appropriateness of classification criteria and methods for mixtures	3
International harmonisation through the Globally Harmonised System (GHS)	4
If you answered 1, 2 or 3 and would like to provide further information, please explain your answer	Classification criteria for terrestrial environmental effects are missing.

**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?**

Transition period is sufficient

**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	5
Involvement of stakeholders	5
Quality of scientific data and related information	4
Speed of the procedure	4

**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*