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PAGE 2: Part I – General Information about Respondents

Q1: Address

Contact name	Environment and health administration, city of Stockholm
Organisation/company	Environment and health administration, city of Stockholm
Country	Sweden
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.

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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

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

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:

Local

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	5

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 unclear, The legislation is not adapted to the issues at stake
Protecting the environment	The legislation is unclear, The legislation is not adapted to the issues at stake

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	3
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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
,
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),
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)
,
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)
,
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),

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

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
Risks should foremost be considered by the precautionary principle. If possible the legislation should in greater extent consider hazardous unexplored substances, which are potentially harmful for human health and Environment. E.g. substances with similar chemical structure may have identical hazardous effect, and that knowledge should be considered.

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.
Combined effects of chemicals, the cocktail effect. At least for substances with similar chemical structure the combined effects should be taken into account. Endocrine disruptors are still lacking scientific criteria for risk assessment and is a group of chemicals that has an harmful effect at very low doses (in comparison to many other substances).

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

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	I don't know
Speed with which hazards/risks are identified	2
Speed with which identified risks are addressed	2
Time to allow duty holders to adapt	3
Predictability of the outcomes	I don't know
Stability of the legal framework	I don't know
Clarity of the legal texts	3
Guidance documents and implementation support	I don't know
Effective implementation and enforcement across Member States	I don't know
Consistent implementation and enforcement across Member States	I don't know
Public awareness and outreach	2
International collaboration and harmonisation	2
Please explain your answers and list any other aspect you consider relevant. If you have specific legislation in mind, please specify it.	Clarity of legal texts: When definitions differ between the legislations it may lead to misinterpretation, for example "producer". The lacking of limit values in classifying hazardous waste is problematic. The lacking of limit values for substances linked to specific definitions as "unintentional trace contamination" (e.g. SCCP in POPs). Public awareness: Labeling (of chemical content) of articles/products is positive to increase the public awareness. Basic versions of the regulations could lead to increase the public awareness. International collaboration and harmonisation is positive; POPs and CLP are good examples, but there should be more areas where global/international harmonisation is possible.

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

Hazard identification criteria	3
Risk assessment and characterisation	I don't know
Hazard and risk communication measures to consumers (e.g. labels, pictograms, etc.)	2
Hazard and risk communication measures to workers (e.g. labels, pictograms, safety data sheets etc.)	4
Risk management measures restricting or banning the use of chemicals	2
Risk management measures regulating the safe use of chemicals (e.g. packaging requirements or requirements for the use of personal protective equipment)	2

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.

Scientific criteria for endocrine disruptors are missing. Unclear how combined effects of chemicals are taken into account in risk assessments. In the classification of hazardous waste, the combined/interactive effects of chemicals are not taken into account. To increase risk communication measures chemical products could be labelled with a specific "hazardous waste"-symbol. Lack of clear regulation regarding packaging and instructions for personal protection at use (for consumers) is missing for e.g. boat haul paint (biocides). To increase the consumers knowledge of the chemical content in articles the possibilities of getting information and labeling of hazardous substances in articles is needed.

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

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

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.

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?

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

What is done within the area of microplastics? A ban for microplastics in hygiene products is urgent. And nanomaterials? Scientific criteria for endocrine disruptors are missing. The cocktail effect of chemicals need to be considered.

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	Agree

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	In the Cosmetic directive there is a lack of environmental consideration.
Inconsistencies	The Biocide directive don't contain priority substances. Copper and zink is allowed in e.g. boat hull paint though it is in conflict with EU:s Environmental Quality Standards for water.

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.

Water Framework directive and Reach: there should be more coherence between the legislations. e.g. when a substance is prioritized in WFD the use of the same substance need to be regulated in Reach.
 Food Contact Materials and Reach: Substances that are on Reach candidate list (SVHC) and in annex XIV are still allowed in food contact materials EG 10/2011 and is an example of inconsistency that need to be adjusted.

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	I don't know
Human health	No
Please list any hazard classes that are not covered	Endocrine disruptors. Harmful for the climate (greenhouse gases). Lacking pictogram for H412, H413, H362.

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	4
Appropriateness of classification criteria and methods for mixtures	3
International harmonisation through the Globally Harmonised System (GHS)	5

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