

#1



**COMPLETE**

**Collector:** Web Link 1 (Web Link)  
**Started:** Friday, May 20, 2016 7:09:41 AM  
**Last Modified:** Friday, May 20, 2016 7:35:31 AM  
**Time Spent:** 00:25:50  
**IP Address:**

PAGE 2: Part I – General Information about Respondents

**Q1: Address**

Contact name	Kari Mäkelä
Organisation/company	Industrial Union TEAM
Country	Finland
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 trade union

**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**	5
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	3
Ensuring a well-functioning internal market	4
Stimulating competitiveness and innovation	4

**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 effectively implemented
Protecting the environment	The legislation is not effectively implemented

**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
----------------------------------------------------------	---

**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.**

Major-accident hazards involving dangerous substances (Seveso) (Directive 2012/18/EU),  
,  
Signs at work (Directive 92/58/EEC),  
Pregnant workers (Directive 1992/85/EEC),  
Young people at work (Directive 1994/33/EC),  
Carcinogens and mutagens at work (Directive 2004/37/EC)  
,  
Asbestos (Directive 2009/148/EC),  
Chemical Agents (Directive 98/24/EC),  
REACH, Annex XIII (Regulation (EC) No 1907/2006)  
,  
Classification, labelling and packaging (Regulation No (EC) 1272/2008)

---

**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.  
There is a problem from combined effects of chemicals point of view. The SDSs and exposure scenarios offer the risk management measures only for separate substances or mixtures. These measures could be contradictory to the options the employer has decided to put in practice based on the Chemicals Agents directive when there are two or more chemical agents causing exposure. The vulnerable groups are also a grey area in the risk management.

**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	3
Speed with which identified risks are addressed	3
Time to allow duty holders to adapt	4
Predictability of the outcomes	3
Stability of the legal framework	4
Clarity of the legal texts	2
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	2

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

Hazard identification criteria	2
Risk assessment and characterisation	3
Hazard and risk communication measures to consumers (e.g. labels, pictograms, etc.)	4
Hazard and risk communication measures to workers (e.g. labels, pictograms, safety data sheets etc.)	2
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)	3

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.

The answers are made mainly from workers legislation point of view.

**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)

<b>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)</b>	Reducing the exposure of workers to toxic chemicals and, therefore, avoiding healthcare costs, lost productivity, etc. , Stimulating competition and trade within the EU single market
<b>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)</b>	Costs for small and medium sized enterprises
<b>Q21: In your view, do any of the following requirements in the legislative framework lead to significant costs for companies?</b>	Risk management measures under the different legislation , Other (please specify) The costs of the risk management measures can be significant if the risk management level in a company has been low. But the high level risk management in companies decrease the health care costs in a society.
<b>Q22: Are there specific requirements in the EU chemicals legislative framework which lead to particularly significant costs for authorities?</b>	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 The question and acceptable risk management of nanomaterials is still open. E.g. it is not sufficiently addressed in workers legislation.

### 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	Agree
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	Nanomaterials from REACH to workers legislation.
Overlaps	Risk assessment and management based on REACH and workers legislation.

**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.**

*Respondent skipped this question*

**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?	3
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	I don't know
Physical	Yes
Human health	Yes

**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?**

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	4
Involvement of stakeholders	3
Quality of scientific data and related information	I don't know
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.**

Indicative limit values and binding limit values are very important part of workers legislation. Therefore the procedure to prepare them shall be quicker and more effective.