Regulatory fitness check of chemicals legislation

Stakeholder Workshop

Diamant Conference Centre, Brussels

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Summary

- **Aim**: Identify and evaluate the impact and consequences of implementing the CLP and examine the way it interacts with other chemical legislation

- **Specific Objectives**: The study involves four key tasks:

  1. Evaluate the implementation of the CLP
  2. Evaluate horizontal links between different pieces of EU legislation on hazard identification and communication
  3. Evaluate the vertical links between the CLP and relevant EU and national downstream legislation identifying risk management measures based on hazard classification
  4. Support the Commission in organising a public consultation and workshop

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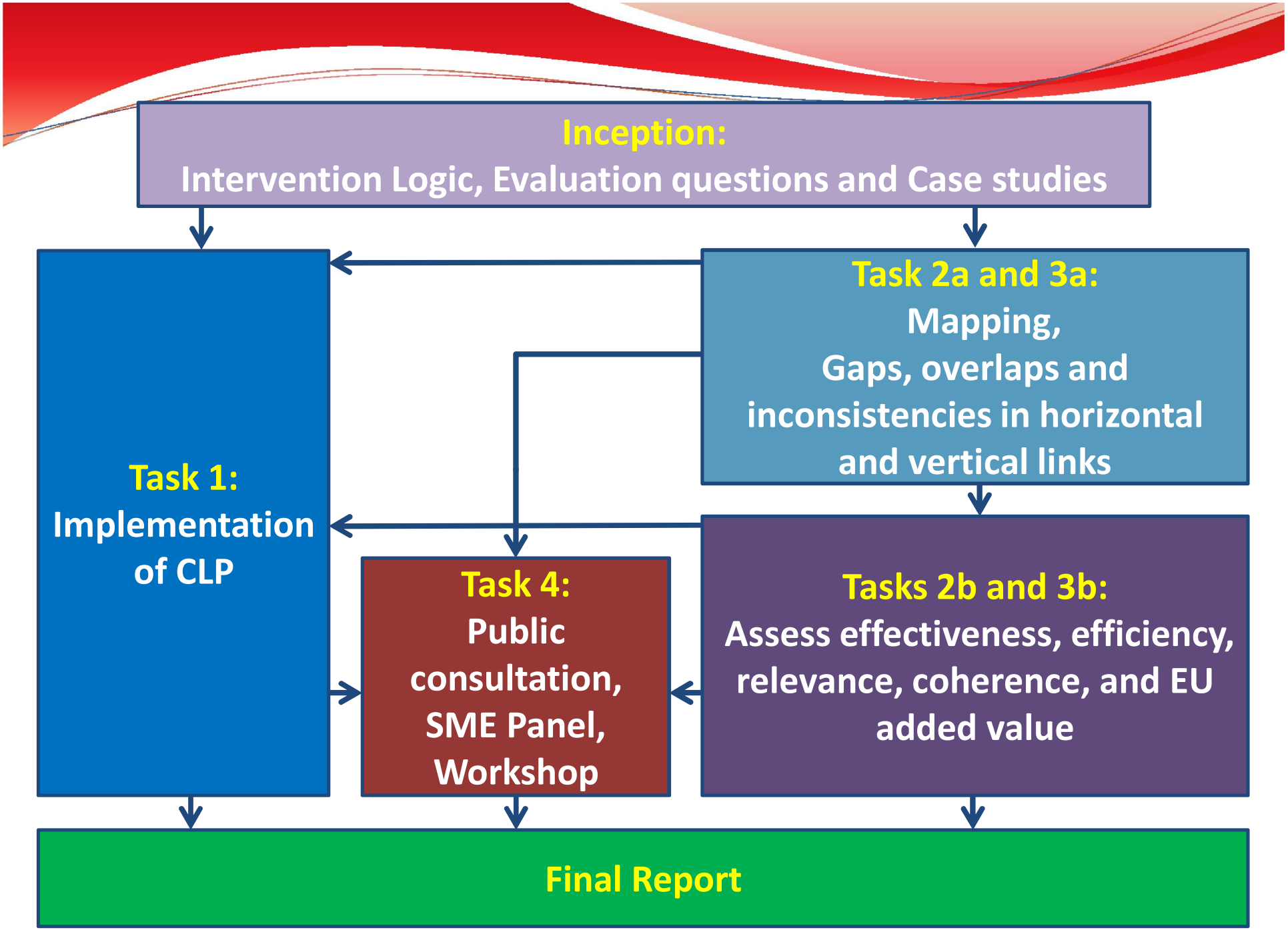
Inception:
Intervention Logic, Evaluation questions and Case studies
Task 1:
Implementation of CLP
Task 2a and 3a:
Mapping,
Gaps, overlaps and inconsistencies in horizontal and vertical links
Task 4:
Public consultation, SME Panel, Workshop
Tasks 2b and 3b:
Assess effectiveness, efficiency, relevance, coherence, and EU added value
Final Report

Overview of approach to study

- Intervention logic and agreement of evaluation questions
  - Effectiveness, efficiency, relevance, coherence, EU added value
- Legislative mapping work
- Desk research and further legal analysis
- Targeted consultation activities
- Case studies
- Open public consultation and SME Panel
- Stakeholder Workshop

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Methodology - Task 1

- Task 1 - i: Impacts of CLP implementation
- Task 1 - ii: EU take-up of building block approach
- Task 1 - iii: Comparison of EU implementation versus that in other countries
- Task 1 - vi: Assessment of harmonised classification procedure
- Task 1 - v: Urgency procedure and safeguard clause
- Task 1 - vi: Evaluation of performance of CLP

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Methodology - Task 2

- Task 2a-i & ii: Mapping horizontal links between CLP and legislation identifying properties of concern, with communication obligations and packaging requirements
- Task 2a-iii: Gaps/overlaps/inconsistencies
- Task 2a-iv: Assess adaptations to technical progress
- Task 2a-v: Case studies on inconsistencies and gaps
- Task 2b-i: Understanding of communication obligations
- Task 2b-ii: Strengths and weaknesses of downstream communication

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Methodology - Task 3

- Task 3a-i: Mapping vertical links with downstream legislation
- Task 3a-ii: Identification of automatic versus further assessment based risk management, and frequency of risk management measures
- Task 3b-i/ii: Assess vertical links in mechanisms and procedures, including stakeholder involvement
- Task 3b-iii: Costs and benefits of the main legislative provisions on risk management measures
- Task 3b-iv: Case studies
- Task 3b-v: National transposition of downstream EU Directives and differences in requirements triggered by CLP classifications

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Horizontal mapping – 15 pieces of legislation

Properties only

WFD, EQS, Watch list, CAD and OELs, CMD

Properties, Communication and Packaging

Tobacco, Plant Protection, Biocidal Products, Fertilisers , Explosives

Communication only

Toys, Food Information, Food Additives, Medical Devices, Pressure Equipment, Construction Products, ELV, Batteries, Waste Shipment, Transport, Safety Signs

Properties and Communication

REACH, Cosmetics, Detergents, Vet Meds, Medicinal Products

Communication and Packaging

Aerosols, Waste Directive, PIC

Vertical mapping – 20 pieces of legislation

Automatic Triggers

Cosmetics, Toys, Tobacco, Ecolabel, Intelligent Materials, Food Contact Materials Information, Plant Protection, Biocidal Products, Pressure Equipment, Waste Directive, Landfill Directive, ELV, Waste Shipments, Environmental Liability, Safety Signs

Risk Management Measures with Further Assessment

Cosmetics, Toys, Ecolabel, Plant Protection, Biocidal Products, Landfill Directive, Young Workers Pregnant Workers, CAD, CMD

Risk Management Measures after Further Steps

Plant Protection, Biocidal Products, Seveso III, IED, CAD, CMD, Pregnant Workers

Case studies

- Task 1:
  - Impacts of differences in the uptake of **GHS building blocks** for costs, competitiveness, health and the environment
- Task 2:
  - Coherence in **parallel hazard assessments** under different legislation (CLP, BPR, PPPR)
  - Relevance and coherence as regards the use of **test methods** and **data quality requirements** in chemicals legislation
  - Coherence of classifications, definitions and the **labelling requirements for detergents**
  - Suitability of the CLP Regulation **classification criteria for metals**
  - Consistency in assessment procedures for **PBT and vPvB** as properties of concern

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Case studies

- Task 2:
  - Linkages between the **CLP and Seveso III** Directive, including risk management under Seveso III *(scope under discussion)*
  - Awareness of Chemical Safety Assessment and labelling requirements for **Toys**
  - **Consumer comprehension** of and relevance of safety information on product **labels**
- Task 3
  - Interface between the **Fertiliser Regulation** and CLP
  - Linkages with **Occupational Health and Safety Legislation** *(scope under discussion)*
  - **Risk management procedures triggered by harmonised classifications** under the CLP Regulation

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Targeted data collection - Tasks 1, 2 and 3

- Industry stakeholders:
  - Manufacturers and importers
  - Formulators – general industrial, plant protection, cosmetics, detergents
  - Distributors
- Consumer representatives
- Workers representatives
- Environmental and public health NGOs
- Member States
- Expert Groups

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On-line Open Public Consultation

- Effectiveness of EU chemicals legislation:
  - Health and the environment, and orientation in terms of risk management
  - Single market, competitiveness and innovation
  - Decision making, procedures, implementation, hazard assessment, risk management, hazard communication, data quality requirements
- Efficiency:
  - Societal benefits and costs, as well as potentially significant types of costs
- Relevance:
  - Substitution and emerging areas of concern
- Coherence – gaps, overlaps and inconsistencies
- CLP related questions

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Thank you!

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