FITNESS CHECK ON ENDOCRINE DISRUPTORS
CONSULTATION STRATEGY

1. Context

A variety of EU legal measures address the risks from exposure to hazardous chemicals, with some pieces of legislation having specific provisions for endocrine disruptors (i.e. the legislation on chemicals in general (REACH), plant protection products, biocides, water and medical devices). Other pieces of legislation consider them like other hazardous substances and regulate them via general provisions that aim to ensure the protection of human health and the environment from the exposure to such substances. Collectively, these measures aim to ensure a high level of protection of human health and the environment, while ensuring the smooth functioning of the internal market. EU measures that cover endocrine disruptors have been developed at different points in time and have, in certain cases, different specific objectives. This has resulted in different approaches for managing endocrine disruptors, depending on the sector being regulated.

The Fitness Check will be an essential tool to assess the coherence of the relevant EU legislation. It will include an analysis on how different provisions in different legal instruments interact, identifying potential gaps or inconsistencies. It will also assess, to the extent possible, the effectiveness, efficiency, relevance and EU added-value of EU legislation. Overall, it will help assess whether legislation is fit for purpose and analyse whether there is potential for improvements. More generally, it will feed into the reflection on whether legislative changes are necessary to achieve the EU’s objectives of minimising exposure to endocrine disrupting chemicals.

2. Objective and scope of the consultation strategy

The European Commission plans to gather inputs from a broad range of stakeholder groups including citizens to ensure that views from all interested parties are considered in the evaluation. The consultations aim to contribute to the analysis of the coherence of the EU regulatory framework, as well as, to the extent possible, its effectiveness, efficiency, relevance and EU added value with regard to the identification and management of endocrine disruptors. The consultations will focus in particular on the following objectives:

- To identify possible legislative incoherencies and related consequences experienced by stakeholders across regulated areas and across Member States;

- To collect information on the efficiency of procedures for the identification and risk management of EDs (e.g. duplication of efforts, etc.) and to identify opportunities for improvement;
• To evaluate the effectiveness of the current EU legislation taking into account the needs and concerns of stakeholder groups including citizens regarding the identification and management of endocrine disrupting substances.

3. Mapping of Stakeholders

The main stakeholder groups identified are:

• Public authorities, notably competent authorities and relevant EU Agencies responsible for the implementation of relevant EU legislation.
• Industry associations covering both the chemicals industry and downstream sectors (manufacturers and importers of chemicals, distributors of substances and mixtures, formulators, downstream users, manufacturers and importers of products/articles, retailers).
• Companies in the chemicals industry and downstream sectors, including Small and Medium-sized Enterprises (SMEs) (manufacturers and importers of chemicals, distributors of substances and mixtures, formulators, downstream users, manufacturers and importers of products/articles, retailers).
• Consultants – professional consultancies, law firms, compliance testing companies.
• Civil society organisations – with the objective to protect human health and the environment from exposure to harmful substances via the workplace, consumer products or environmental media.
• Civil society organisations – with animal welfare objectives aimed at reducing use of animals for scientific purposes (i.e. testing for ED properties).
• Trade unions that represent workers that manufacture or use chemicals within the chemical industry, downstream sectors or use chemicals, as substances, mixtures or articles, as industrial/professional users.
• Academics/research institutes/think tanks/scientific societies contributing to the development of methods and methodologies for the identification and assessment of endocrine disrupting substances.
• Consumers / workers/citizens.
• International partners and stakeholders of third countries defined as above.

4. Consultation methods and tools

Two types of consultation activities are planned:

An internet based public consultation will be organised in Q4 2019. The public consultation targets individuals in their personal capacity. This will be accessible on the European Commission’s central consultation web page Have your Say for 12 weeks in 23 EU languages. It will be possible to reply in any of the 24 official EU languages.

In parallel with the public consultation, a stakeholder consultation will be organised in Q4 2019 and will be accessible for 8 weeks. Similar to the public consultation, it will be in the form of a web-based survey accessible via the European Commission’s central consultation web page, but with a more specific set of questions. As a complementary tool, a survey will be sent to an SME panel set up through the Enterprise Europe Network regional partners, if feasible. Alternatively, SMEs will be consulted, through relevant organisations (e.g. UEAPME or sector-specific organisations).
The first meeting of the Annual Forum on endocrine disruptors organised in Q4 2019 was an opportunity to inform stakeholders on the progress of the Fitness Check, including the consultation activities.

Based on the input from the consultations, follow-up targeted interviews may be organised with selected stakeholders if deemed useful for clarification of information provided and/or for collection of additional qualitative or quantitative information. The outcome of the different consultation activities will be summarised in a synopsis report and made publicly available.