



Downstream Users of Chemicals Co-ordination group

Simplification and digitalisation of labels on chemicals (CLP, Detergents, Fertilising Products)

DUCC input to consultation on Inception Impact Assessment

The Downstream Users of Chemicals Co-ordination group (DUCC) welcomes any initiative that aims at improving protection, while encouraging investment that can be justified from economic, social, and environmental perspectives for a digital transition. DUCC members are keen to engage stakeholders on which priority information should be left on the packaging as well as supplementary information that could be made available online.

Firstly, we would like to note that there is a significant overlap between various legislative requirements for labelling on packaging due to the requirements of various legislations governing the chemicals sector. Therefore, we call on the European Commission (EC) to build on its Better Regulation Agenda and address duplication of information and inconsistencies due to different regulatory requirements.

DUCC also would like to stress the importance of aligning EU activities on simplification and digitalisation of labels with activities at UN level, as global alignment is very important for a proper functioning of the internal market as well as global trade and DUCC calls on the EC to participate constructively at UN level. Thus, any initiative to promote streamlining of label requirements on a global level would be welcome. We therefore ask the EC that any changes regarding CLP labelling requirements for substances and/or mixtures are also proposed to the UN GHS to maintain global harmonisation in requirements for professional and industrial use of substances and/or mixtures, as the GHS system serves as the globally recognised basis for classification, labelling and packaging.

DUCC would like to note that any new hazard classes and/or classification criteria proposed or foreseen in CLP will add even more content to labels and further necessitate the need for streamlining on-packaging labelling. DUCC calls for “end-user relevant” labels that considers the needs of end-users (e.g., consumers, professional users, etc.) and provides the necessary information to ensure the safe and efficient use of the end-product.

DUCC member associations are committed to providing consumers and professional users with information that ensures the safe and sustainable use of end-products. Overall DUCC favours digitalisation, but also sees an urgent need for simplification of labelling to make it less confusing and more understandable, e.g., by approved icons for phrases that leads to simplification and improved public understanding. We would like to note that the on-packaging label could be used



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as an entry point for the access to digital information. In such case, it is important that the on-packaging information should have clear directions as to how such information could be obtained.

DUCC supports simplification by removing certain labelling requirements in the case of consumer products and is of the opinion that limiting product information could also help improve the layout and the readability of on-packaging labels. Digitalisation of information could offer benefits such as improved readability, multilingual information, increased font size for legibility, etc. Digital tools can engage and inform consumers in an innovative, effective, and efficient way, thus leading to better-informed EU citizens. It can also meet sustainability objectives by reducing packaging and packaging waste.

Overall, DUCC would like to reiterate that digitalisation should not be a pretext to require information digitally on top of information that is already required on the packaging. In DUCC's view it is very important to assess the impact of possible changes to the many thousands of DUs (a lot of them being SMEs) operating in Europe. It is important to take into account that some of the DUs might not have the capability to provide information digitally and the monetary and administrative burden for such DUs could be significant. In DUCC's view digital tools should not be forced in cases where costs exceed benefits, and a possibility should be left for a voluntary digital approach alongside the physical label.

In DUCC's view, requirements linked to the digital transition should be technology-neutral as related technologies evolve rapidly. If QR codes are to be used, solutions should be considered at the point of sale for those without personal devices. The legal option should be left open to provide all information on the packaging or alternatively to provide only essential information on the packaging that is relevant at the moment of purchase, and any remaining information digitally that is useful before use but after purchase. This is of key importance especially for labelling of small packages (< 125 ml) whose users could benefit from the digital technology to receive additional safety and product information. Nevertheless, it is imperative that safety-relevant information is applied to product labels physically and can be read without technical aids.

DUCC would like to note that simplification can also be achieved with multilingual-fold-out labels. Regulation (EC) No 1272/2008 should clarify that multilingual folding labels can be used within the European Union more easily. This can be achieved in line with the harmonised requirements of the GHS, Rev.8 (2019). In our view all three pillars of sustainability would be fulfilled by the wider use of fold-out labels: reduced waste, optimised storage, and provision of multilingual information (enabling users to find information in their own language).

DUCC is well aware that the Biocidal Products Regulation (BPR) is currently not included in the scope of this Inception Impact assessment, however we would like to suggest to the EC to consider



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including this Regulation into the scope of the roadmap. A simplification for Biocidal products could be achieved in the context of Art. 69 (BPR) e. g. by introducing the possibility to use safe-use pictograms, instead of phrases for instructions for use, quantity, etc (Art. 69 (3)), to enable understanding without language barriers.

Overall, DUCC would like to reiterate that, in our view, any revision of labelling requirements should be promoted also in the UN GHS and other relevant legislation, including international rules for the transport of dangerous goods such as ADR, IMDG and IATA.

We also would like to point out that action to be taken on simplification and digitalisation of labels should not only be targeted at EU industry but also at society (education), as it might require changes in end users' habits and practices.

Brussels, 20 September 2021

About DUCC

DUCC is a joint platform of **11 European associations** whose member companies use chemicals to **formulate mixtures** (as finished or intermediary products) for professional and industrial users, as well as for consumers.

DUCC focuses on the downstream users' needs, rights, duties and specificities under **REACH** and **CLP**.

DUCC's membership represents several important industry sectors, ranging from cosmetics and detergents to aerosols, paints, inks, toners, pressroom chemicals, adhesives and sealants, construction chemicals, fragrances, disinfectants, lubricants and chemical distributors industries. Altogether, their membership comprises more than **9.000 companies** across the respective sectors in Europe, **the vast majority being SMEs**. The calculated turnover of these companies is more than 215 billion euros in Europe.

For more information on DUCC: www.ducc.eu

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DUCC's public ID number in the **Transparency Register of the European Commission** is: **70941697936-72**