



Downstream Users of Chemicals Co-ordination group

DUCC CSS PRIORITIES

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- **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 membership comprises **more than 9.000 companies** across the respective sectors in Europe, the vast majority being SMEs.
 - The ***calculated turnover - more than 215 billion euros*** in Europe.
- 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.*
- Stakeholder in CARACAL & CARACAL subgroups.

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- **Generic approach to risk management**
- **Essential Uses**
- **MAF**
- **CLP additional hazards (ED, PBT, PMT, etc)**
- **Safe and sustainable by design**
- **One substance – one assessment**
- **Key Performance Indicators**

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- **Generic approach to risk management**
 - It is a very simplistic approach to a complex situation
 - Regulating chemicals only on the basis of their hazard, is excessively simplistic and risks discriminating and removing from the market chemicals with high societal, environmental and economic benefits
 - Chemicals should be regulated on the basis of sound science reflecting both hazard and exposure (i.e. safe use)
 - The ‘generic risk management’ approach (based on hazard) should be applied in a targeted way, to substances and/or uses where adequate control of risk has not been demonstrated.

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- **Essential Uses**

- DUCC recognises that discussions on this topic and any potential decisions on what will be recognised as an “essential use” will be of highly political nature with unavoidable socio-economic consequences.
- In our view a generic “definition based” approach to “essentiality” is not a solution that can ensure sufficient clarity and predictability to industry and consumers.
- The value chemical substances/ products could bring to the society should be also considered.
 - In some cases, chemical/ product when looked at in isolation might not be considered “essential”. However, from sustainability perspective it could bring value in ensuring durability of an article (lesser use of raw materials and energy consumption and thereby addressing the objectives of Circular Economy).
- “Essentiality” should not be considered as permanent as will go through constant change following societal needs and/or technical development (recent COVID-19 crisis is a good example of changes in societal needs).

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- **MAF**

- A generic MAF is a very simplistic approach to a complex situation
- DUCC is not in favour of introduction of one generic/ fixed MAF to be applied to all chemicals.
 - A blanket MAF would be arbitrary and not based on science, covering largely hypothetical exposures and risks rather than real-life scenarios and could possibly result in removal of non-hazardous products containing hazardous components at concentrations below classification or actual effect limits from the market.
- Broadly applied a MAF will result in unnecessary compliance activities that will ultimately not achieve the regulatory goals.
 - Thus, MAFs, when introduced, should be proportional, targeted and built on a solid scientific knowledge base as well as should allow for specific evidence-based refinements.
- MAF could only be relevant to unintentional mixtures and therefore should be only applied to the RCRs.
- On top of other existing assessment factors adding a MAF of 10 equals to 10 times more exposure which would overestimate the risks in most cases.

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- **One substance one assessment**
 - The concept could be appropriate if it is only applied to the hazard assessment as it could streamline the process
 - The risk assessment is specific to uses and expertise should remain with existing agencies responsible.

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- **CLP additional hazards (ED, PMT, etc)**
 - If the European Commission (EC) however continues to implement new hazard classes in CLP first and only after that propose hazard classes and criteria at the UN GHS, EC should take care that internationally aligned wording and definitions are used.
 - There is a need to avoid over and redundant classification and labelling for one single effect resulting in two separate classifications, probably without differences in the regulatory consequences
 - DUCC considers that it is paramount to make safety decisions on ingredients using state-of-the-art methodologies, taking into account all available existing toxicology data without new animal testing

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- **Safe and sustainable by design**
 - It could be a very simplistic approach to a complex situation
 - Safe and Sustainable by Design' should take into account full lifecycle of chemicals as well as complexities of the supply chains involved
 - It is important to take into account longevity of the foreseen use and article intended for that

- **Key Performance Indicators**
 - *Set of indicators should be developed in order to take into account holistic approach – (the assessment should not be only based on the Eurostat data. Removal of some substances can result in higher use of other chemicals, thus creating sustainability concerns)*

Proposed Solutions



- In order to decrease burden to authorities and speed up the REACH processes industry could actively participate in developing RMOA analysis/ identifying chemicals of concern with MS authorities/ ECHA. The full supply chains should be involved in an effort.
- Industry has the resources and expertise to provide help in defining various concepts and finding appropriate solutions