



Downstream Users of Chemicals Co-ordination group

DUCC position on the proposal for a Regulation on the European Chemicals Agency

2 December 2025

The Downstream Users of Chemicals Co-ordination Group (DUCC) is a platform of 11 European associations which represent “downstream” industries ranging from cosmetics and detergents to aerosols, paints, inks, toners, pressroom chemicals, adhesives and sealants, construction chemicals, fragrances, disinfectants, lubricants and chemical distributors industries.

DUCC is supportive of establishing a self-standing legislation for the functioning of the European Chemicals Agency (ECHA) which is the main aim of the Commission’s proposal¹ and moving it from the REACH Regulation. It is an important step forward, especially in light of increased responsibilities for ECHA and additional legislation that the Agency will be working on. We support strengthening the current structures, ensuring financial stability and allocating proper human resources to ensure high quality and timely work.

However, there are improvements that can be made to the Commission’s proposal, namely ensuring that the expertise of downstream users is taken into account, maintaining the independence of Scientific Committee on Consumer Safety (SCCS) and through it uptake of Non-Animal Methods (NAMs), streamlining ECHA’s work to ensure better regulatory predictability, and creating an option for objections on ECHA Committee opinions.

1. Need for a stronger downstream users’ voice to ensure workable and proportionate rules

In general, downstream users are not sufficiently represented in EU chemicals legislation discussions. This underrepresentation risks decisions being made without considering the practical realities of the downstream sectors. Policies often focus on upstream chemical producers, overlooking the operational challenges faced by formulators who must implement these rules in complex supply chains.

Furthermore, the vast majority of DUCC’s members are SMEs. Without a strong voice in legislative discussions, these companies face disproportionate compliance burdens, threatening competitiveness and innovation.

DUCC reminds that chemicals management is not limited to REACH and CLP Regulations and downstream users must comply with multiple overlapping legislations. Lack of involvement of our sectors means these overlaps are rarely addressed, leading to inefficiencies and unnecessary costs. Furthermore, DUCC advocates for science-based and risk-oriented regulation. Underrepresentation results in hazard-based decisions that ignore exposure scenarios relevant to downstream sectors, potentially banning safe uses and creating unintended environmental impacts.

¹ [Proposal for a Regulation of the European Parliament and of the Council on the European Chemicals Agency and amending Regulations \(EC\) No 1907/2006, \(EU\) No 528/2012, \(EU\) No 649/2012 and \(EU\) 2019/1021](#)



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Therefore, a stronger downstream users' voice is needed when discussions are taking place in ECHA's Committees and decisions are being made that are directly affecting our sectors.

2. Maintaining the SCCS independence and further uptake of NAMs

DUCC supports the reallocation of the SCCS to ECHA as a stand-alone, independent Committee. DUCC appreciates the proposal's commitment to preserving the SCCS's independence and its continued focus on the safety of substances used in cosmetic products. This is a critical safeguard to ensure that the Committee continues to deliver high-quality, impartial scientific opinions tailored to the specificities of cosmetics safety.

Nevertheless, the proposal to nominate the SCCS Chairperson among the ECHA employees raises concerns. Therefore, we recommend amending Article 15 (Functioning of the Committees) to maintain the status quo, i.e., the current practice of electing the Chairperson from among SCCS Members. This approach safeguards the Committee's independence, prevents conflicts of interest, and preserves the distinction between SCCS and ECHA. Furthermore, the collaborative relationship between the Chairperson and SCCS members is highlighted as crucial for upholding high standards of scientific expertise and impartiality, especially in the context of cosmetics safety.

Moreover, the reallocation of the SCCS to ECHA presents an opportunity to reinforce ECHA's role in the application of NAMs as their regulatory uptake has increased as well as the Next Generation Risk Assessment (NGRA) approaches across the EU chemical framework. This is also in line with the Commission's Roadmap towards phasing out animal testing for chemical safety assessments². A clear commitment to sustain SCCS expertise will accelerate NAM development and expand non-animal data resources.

DUCC supports the position developed by Cosmetics Europe³ and International Fragrance Association (IFRA)⁴ and their recommendations on how to improve the Commission's proposal when it comes to SCCS.

3. Harmonising the ECHA procedures to ensure regulatory predictability

As highlighted before, chemicals management is not only about REACH and CLP Regulations and downstream users face many different regulatory obligations. Therefore, we call to ensure better regulatory predictability when it comes to ECHA's work and opinion development.

Today, we see that our businesses find navigating the regulatory complexity challenging and new requirements need careful planning and resource allocation.

DUCC recommends a clear roadmap for upcoming requirements, developed with input from downstream users, to provide predictability and avoid simultaneous regulatory overload. The work of ECHA should be looked at holistically and set different priorities to tasks to ensure that the Agency would have the capacity to complete all its responsibilities in accordance with the mandate there are given.

² [Roadmap towards phasing out animal testing](#)

³ [Cosmetics Europe feedback to Commission's consultation](#)

⁴ [IFRA feedback to Commission's consultation](#)



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The Agency should also ensure that information is shared transparently and in a timely manner with all stakeholders.

4. Creating an option for objections on ECHA Committee opinions

There is currently no appeal possible against ECHA opinions, e.g., in the context of restriction procedures under REACH or a harmonised classification of substances under CLP by the Committee for Risk Assessment (RAC). As a result, appeals can only be brought before the European Court, often at a later stage and through complex proceedings.

To address this shortcoming, an independent panel should be set up with a composition similar to ECHA's Board of Appeal (BoA), which can be consulted on scientific or technical opinions issued by the ECHA Committees. Any natural or legal person affected by such an opinion should be entitled to file an objection before this panel. The outcome of the panel's review could include, among other results, the complete or partial revocation of the opinion and/or a referral back to the Committee for further assessment with conditions.

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, crop protection, 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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