EU Consultation: Export and import of hazardous chemicals

European Association of Chemical Distributors (Fecc)
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The European Association of Chemical Distributors (Fecc) welcomes the opportunity to provide feedback on the European Commission's initiative to **amend Annexes I and V to Regulation (EU) No 649/2012 concerning the export and import of hazardous chemicals.**

As the voice of the European chemical distribution sector—representing a wide range of SMEs and large enterprises—Fecc supports the overarching objectives of the Chemicals Strategy for Sustainability and the EU's continued leadership in promoting the safe management of chemicals globally, including through the Rotterdam Convention. At the same time, annual updates to the **PIC Regulation should remain practical, predictable, and proportionate, taking into account the operational realities** of companies managing complex product portfolios and global supply chains.
Against this background, Fecc would like to highlight the following key considerations:

1. **Impacts on Supply Chain Planning and Formulation Activities**

The addition of new entries to Annex I increases the number of substances subject to export notification and, where applicable, explicit consent requirements. For chemical distributors, the practical implications extend beyond trade in individual substances, as substances covered by Annex I may also be present in mixtures, formulations, and intermediate products supplied across global markets.

Identifying affected products, assessing regulatory obligations, and ensuring accurate communication throughout complex supply chains can require significant resources, particularly for SMEs managing diverse product portfolios. In some cases, reformulation or substitution may not be immediately feasible without significant technical, regulatory, or commercial implications.

Fecc encourages the Commission to:

- Clearly distinguish between substances and mixtures, including through practical guidance on thresholds and applicability criteria.

- Consider transitional measures or sufficient implementation periods for newly listed substances to allow companies and supply chains to adapt.

- Ensure alignment with existing EU regulatory frameworks, such as REACH and CLP, to support consistent interpretation and avoid unnecessary duplication.

2. **Unintended Consequences for SMEs and Trade**

The increasing complexity of PIC obligations, including export notifications, explicit consent requirements, and updates to regulatory classifications, may disproportionately affect SMEs in the chemical distribution sector. Many companies rely on publicly available guidance and digital tools to monitor regulatory developments and ensure compliance across a broad range of products and markets.

Increased administrative complexity may create barriers to legitimate trade, particularly where companies need to assess multiple product lines, coordinate with suppliers and customers, and manage differing regulatory requirements across jurisdictions.

Fecc recommends that the Commission:

- Provide targeted outreach and practical guidance for SMEs on complying with updated Annex I and Annex V requirements.
- Publish user-friendly summaries of regulatory changes alongside the legal text to support clarity and uniform interpretation.
- Continue improving digital tools, including the ePIC system, to ensure they remain efficient and aligned with the practical needs of operators.

3. **Clarity and Implementation of Annex V Requirements**

Updates to Annex V introduce additional restrictions on the export of certain hazardous chemicals from the EU. While Fecc recognises the importance of preventing the export of substances that pose unacceptable risks to human health and the environment, clear and predictable implementation is essential to ensure effective compliance across global supply chains.

For distributors, practical challenges may arise in determining whether products fall within the scope of export prohibitions, particularly where substances are present in mixtures or complex formulations. Clear guidance and consistent interpretation are therefore essential to avoid unintended compliance issues.

Fecc encourages the Commission to:

- Provide clear guidance on the scope and application of Annex V entries, including their applicability to mixtures and products containing restricted substances.
- Ensure consistency between Annex I and Annex V updates to facilitate compliance and reduce uncertainty for operators.

- Engage with industry stakeholders ahead of implementation to identify practical challenges and ensure smooth application of new requirements.

Fecc reiterates its support for a robust and internationally aligned framework governing the export and import of hazardous chemicals. The PIC Regulation plays an important role in ensuring transparency, informed decision-making, and shared responsibility in global chemical trade.
At the same time, it is essential that amendments to Annexes I and V strike a proportionate balance between regulatory objectives and practical feasibility. Ensuring clarity, predictability, and proportionality—particularly for SMEs and distributors handling complex product portfolios—will be key to maintaining both a high level of protection and the continued functioning of responsible trade.

Fecc remains available for further discussion and collaboration.

To access the Fecc's response on EU Commission's website, please click here.

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