



Fecc
EUROPEAN ASSOCIATION OF
CHEMICAL DISTRIBUTORS

EU Consultation: Chemicals – strategy for sustainability (toxic-free EU environment)

European Association of Chemical Distributors (Fecc)
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Fecc acknowledges the Chemical Strategy for Sustainability (CSS) and supports the initiative for a more sustainable approach in handling and distributing chemicals. Fecc would like to raise the following points in this roadmap document:

Part A - Context, Problem definition and Subsidiarity Check

Toxicity should be taken into perspective. The CSS should take into account that these substances are used properly and protective measures must be put in place. It should be noted however, that there are toxins that are naturally-occurring (mycotoxins) and industrially-used (biocides). Toxins can be mitigated to ensure minimum levels but removing it completely as an objective may lead to the unintended generalization of the concepts on toxicity and exposure.

Furthermore, Fecc acknowledges the current fragmented state of the chemical supply chains. To tackle this, Fecc calls for stricter enforcement of existing regulations across the EU and support the implementation of such regulations to third countries. This may also be an approach to ease current trade barriers between the EU and third countries. For the development of the CSS, Fecc requests the Commission considers the effects on the level playing field, most especially for the SMEs.

Part B - What does the initiative aim to achieve and how

The underlayer for an assessment includes data, and data may be the result of testing – like tests made to establish substance ID. Fecc hopes that the CSS would lead to a more harmonized approach between REACH and BPR (biocidal products regulation) on substance identity.

For example, when testing for Technical Equivalence (TE) is made for BPR, the testing has to be performed under GMP and it has to be done as a 5-batch test. This particular requirement in substance ID testing deviates from the requirements in REACH and they make substance ID testing under BPR significantly more expensive compared to REACH.

The COVID-19 pandemic has shown that the Commission can identify processes to simplify methodologies for regulations without compromising compliance. Fecc sees the CSS as an opportunity to review these types of overlaps in support of the CSS's objective of simplifying and strengthening its legal framework, fully in line with the Commission's Better Regulation agenda.

Lastly, a clear repartition of responsibilities between the EU agencies in other areas, the scientific committees, the Commission services and the authorities in the Member States would be needed in order to improve the assessment process. It also may bring coherence to chemical legislations since agencies would be involved in other areas.

Part C – Better regulation

Fecc appreciates the stakeholder consultations that have been facilitated by the Commission for this initiative. It plays a key role in facilitating an even level playing field in EU/EEA. Through these consultations, actions can be taken in order to be able to reduce waste, to reuse it or to recycle it, as a resource.

This is also valid for chemical recycling and for chemical substances which have been used without being consumed into the production of a product/mixture/article. Through the CSS, the opportunities in using high-quality second-hand chemicals used as industrial processing aid substances could further be explored. This results in higher utilisation of chemicals for more industries, better CO₂ gains and the potential for a new business model with a more sustainable approach in the chemical distribution supply chain.

Currently, these chemical substances are frequently wasted and lost as a resource due to difficulties with this interphase and how it is administered at national levels. A more harmonized internal market is needed, and we see that the chemical distribution sector will play an integral role to extend the life of these instead of being disposed of as waste. This can also have unique possibilities to find and to link new value chains to extend the lifetime for these chemical substances.

To access the Fecc's response on the EU Commission's website, please [click here](#).