

EU Consultation: Decree on the provision of information to identify endocrine disruptors in a product

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Fecc acknowledges the proposed French decree on '[TRIS Notification 2020/832/E](#)' which proposes provisions to identify endocrine disruptors (EDs) . In this context we would like to raise the following points on behalf of the European chemical distribution sector, above all on behalf of the many SMEs we represent:

1. The implications of this decree to the single market must be considered.

Chemical distributors are fully engaged and support the initiative for a safer and a more sustainable approach in handling and distributing chemicals. We therefore acknowledge the objectives of the French initiative, as actors in the supply chain and as consumers. However, this decree will result to industries having to fulfil regulations that are implemented differently at each Member State. The introduction of such a national mandatory requirement: (1) is not aligned with European requirements, (2) jeopardises the free movement of goods between Member States, and (3) is not in line with the recently published Commission note on 'A renewed trade policy for a stronger Europe' ([link](#)), which highlights that an even level playing field is paramount for improving the EU's resilience and for building a model of open strategic autonomy.

2. European alignment in ED definitions must be based on science-based provisions.

The EU's 'Chemicals Strategy for Sustainability' already includes a transversal definition of EDs and the scientific requirements that may apply for each substance under assessment. This decree must be compatible with European regulatory and scientific standards, which is under the jurisdiction of both EFSA and ECHA as reference authorities for its safety evaluation. Additionally, there may be chemical compounds and mixtures that may show endocrine activity but does not cause adverse effects post-evaluation. Data gathered from in-vivo testing and a sufficiently established [Adverse Outcome Pathway \(AOP\)](#) should suffice the procedural identification of these EDs.

3. The EU Green Deal must result to regulatory harmonisation, not its fragmentation.

As mentioned on the Fecc feedback on the Commission note on 'Chemical Strategy for Sustainability' ([link](#)), 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. This is already the case under the Chemical Strategy for Sustainability's objective of a 'one-substance, one-assessment' approach. This decree proposed by France contradicts this principle as it identifies hazardous substances and EDs at a national level.

Fecc acknowledges that this decree signals a regulatory paradigm shift for the European chemical industry and companies that produce and distribute EDs. We look forward to further working with the Commission to establish a coherent regulatory framework and ensure that the objective on sustainability and harmonisation of the EU Green Deal are achieved.

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