



Fecc
EUROPEAN ASSOCIATION OF
CHEMICAL DISTRIBUTORS

EU Consultation: Revision of EU legislation on hazard classification, labelling, and packaging of chemicals

European Association of Chemical Distributors (Fecc)
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Fecc acknowledges the inception impact assessment on CLP under the objectives of the Chemical Strategy for Sustainability (CSS). 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 CSS should be used to further improve the UN Globally Harmonized System of Classification and Labelling of Chemicals (GHS) framework, not deviate from it. There is already a global divergence on the adaptation of GHS. Adopting *ab extera*, GHS criteria on re-labelling and packaging leads to regulatory divergences. For example, Australia, Turkey and the UK already have their own hazard criteria *ab extera* GHS and adopting additional criteria would only serve as a precedent for other countries. Moreover, the setting-up of obligation criteria to provide hazard information on the labels for classification of products, mixtures and complex substances are outside the scope of CLP. Supporting the improvement of GHS would ensure a level playing field for the European industry at global level, as divergences from it may affect hazard communication for exported EU-manufactured chemicals.

2. Fecc supports these policy options under this impact assessment on CLP:

- Specific rules for online sales provided a harmonised introduction are included for companies with universal sales
- The possibility to submit safety value proposals and set a harmonised environmental and safety scheme for certain substances within and outside the EU, provided that third country players are compliant with the existing EU regulatory framework
- A Commission proposal to request ECHA to develop new harmonised classification and labelling (CLH) dossiers by means of a self-classification process, provided it leads to the reduction of regulatory overlaps and prevents divergences from other categories.
- Introduction of multilingual and tailored labelling rules where there is not enough space on packaging

3. CLP information on classified substances must be streamlined and simplified. Information submitted by importers and downstream users on substances classified for physical effects or health hazards to poison centres results in increased unnecessary bureaucracy when the composition is already supplied in the REACH registration dossiers. Additionally, there is already an existing requirement of notification to classification and labelling inventory for non-registered substances. This requirement when integrating it to CLP's reevaluation will significantly increase the administrative burden for companies. Moreover, should CLP be modified, it should be consistent with the GHS scheme to avoid re-labelling products that are marketed outside of Europe. This is not in the best interest for the companies – particularly for SMEs – when the objective of the impact assessment is to simplify and reduce unnecessary administrative costs.

4. Food Contact Materials (FCM) Framework Regulation, Endocrine Disruptors (EDs) classification and the obligations based on CLP hazard class must be harmonised and should remain distinctive. FCMs are already subject to REACH and companies are already mandated to provide safety and environmental information which vary with tonnage. In the absence of harmonised legislation, some materials are subject to specific measures in certain Member States (e.g. coatings placed in the Netherlands and EDs in France). Consequently, each Member State decides whether the adoption should be enforced nationally. We request the Commission to consider a harmonised and hazard-based evaluation and enforcement, as this results in a more targeted approach of evaluating safety and sustainability standards for FCMs and EDs.

We look forward to working with the Commission to establish a coherent regulatory framework and ensure that the objectives 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](#).