Helsinki Chemicals Forum 2022

8-9 June 2022

Stakeholder views on hot topics in chemicals safety

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International thinktank

Welcome to this report on the debates held at the 13th annual Helsinki Chemicals Forum. After being held virtually for the first time due to the Covid-19 pandemic last year, the conference was run as a hybrid event, with delegates able to attend in person or join virtually. As a result of the success of this year's forum, it has been decided that this will be the format in future.

This year, almost 200 delegates from 30 countries participated in the Forum discussions on five main themes:

- the need to speed up the regulation of chemicals;
- how to define and scale safe and sustainable by design chemicals;
- integrating chemicals risk management with circularity and climate policy objectives;
- how to accelerate the replacement of animal toxicity testing; and
- the role of a global science-policy interface panel.

The Helsinki think-tank promoted the case for the safe management of chemicals while taking stock of the diverse political landscape and the hurdles to preserving human health and the environment.

Setting the scene, the forum's opening panel looked at why we need to speed up regulatory decisions and actions on the most harmful chemicals, and what tools will become available in the EU to do so.

This was followed by panel two, which saw an exchange of views on how to define and scale safe and sustainable by design (SSbD) chemicals and materials in order to address substances of concern.

Moving onto a linked topic, panel three discussed whether the risk management of chemicals can be effectively integrated into circularity and climate policy objectives.

Panel four focused on the advancements in, and barriers to, accelerating animal toxicity testing.

And the final debate of the event focused on the global development of a science-policy interface and how this will function and contribute towards a global framework for sound chemicals and waste management.

This report, prepared by independent intelligence and insight provider Chemical Watch, intends to be a balanced and accessible reflection of two days of debate and hopefully acts as a means to further understanding. We have not taken sides or judged comments on their accuracy, veracity or fairness.

This is not a formal report because the annual forum is not an official session and its conclusions do not represent a consensus. Instead, the report offers a reference point for policy makers, companies, academics and others – presenting the voices of the people in the room at this important global gathering.

The final pages comprise an unedited selection of questions and observations that delegates posted on the forum's virtual platform during the event.

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Keynote Addresses

Keynote, Opening speech: Kristin Schreiber, Director at the European Commission who leads the Directorate Ecosystems: Chemicals, Food, Retail, Health in DG Grow

Keynote: Peter van der Zandt, director, Echa

Context

Global 'disruption' is probably an understatement considering the challenges the world is facing today. The Covid-19 pandemic, spiking energy prices and the invasion of Ukraine have created a perfect storm of issues that governments and value chains around the world are scrambling to deal with. Nevertheless, the need to address ecological crises remains paramount. Chemicals can provide solutions but some can also contribute to the problem, which is why strategies, policies and regulations to protect people and the planet from the adverse effects of chemicals production and use is gaining pace rather than slowing down.

The frontrunner?

We often talk of 'frontrunners' in the context of progressive businesses but on the global stage the EU is leading the way with its ambitious vision to better manage chemicals.

REACH has been labelled by some as the gold standard of chemicals regulation. But the EU has decided that more needs to be done.

The EU needs to address chemical risks in a "more ambitious, effective and efficient way", said Ms Schreiber.

The international chemicals community has been keeping its eye on how the European Commission develops and implements its ambitious chemicals strategy for sustainability(CSS), published in 2020.

The strategy's objectives and measures to better protect people and the environment from the adverse effects of the most harmful chemicals have put the region in the spotlight, and it is why many discussions, events and meetings inside and outside of the EU are focusing on the challenges and successes of setting and implementing it.

Through the strategy, the EU hopes to establish future-proof, resilient value chains. By doing so, we can "preserve our high standard of living in troubled times", said Ms Schreiber.

Navigating this situation is a complex task for all governments, companies and citizens. In the face of the pandemic, increasing energy prices and the war in Ukraine, it has become

evident, said Ms Schreiber, that in addition to the twin transition to a greener and more digital economy, there is a need to consider strategic autonomy as a key criterion for action.

However, the complexity of global supply chains and the international import and export of chemicals around the world means the problems associated with chemicals cannot be addressed by one jurisdiction.

Utilising the benefits of chemicals while ensuring people and the planet are highly protected, requires global collaboration.

Without this, the sound management of chemicals cannot be achieved worldwide.

It is time to take further action, said Ms Schreiber, but Europe "can be really proud of what we have achieved with our chemicals legislation, both in terms of protection for our citizens and the environment and also inspiring the rest of the world".

No choice

Inspiring others is an important motivation. As the pandemic and climate crises have shown, the health and environmental problems we face are global in nature.

Chemicals will be needed to provide global solutions in the future, said Echa director Peter van der Zandt. But we have no choice but to ensure that their production and use becomes sustainable.

To do this, a shift in mindset is needed, focusing on innovating and investment in R&D. The EU's safe and sustainable by design (SSbD) concept will act as the bedrock of this movement, guiding the chemicals industry and helping it invest in and develop substances that contribute to the goals of the EU's Green Deal.

We are starting from a good basis, said Mr van der Zandt. REACH and CLP have made "good progress" in managing chemicals in the EU and "our system has also been taken up by other countries around the world to improve their chemicals management."

Echa is now building on this foundation, largely through more effective approaches to evaluating and prioritising substances, such as grouping.

This is necessary, Mr van der Zandt said, because we have learned that managing substances one by one is not only too slow but also leads to regrettable substitution.

"It also has the advantage that you do not have to test every chemical to death and therefore saves a lot of animal testing," he added.

But Mr van der Zandt was clear that challenges persist: "Important data gaps remain that need to be addressed in order to ensure the safety of chemicals."

And with more information comes an ability to look at chemicals more holistically.

"Sustainable chemicals management must apply across the lifecycle of a chemical product, including design, manufacture, use and ultimate disposal," he said.

The challenge will be to turn our regulatory framework into something that will give a competitive advantage to our industry, Mr van der Zandt said.

"In the end, those that have the most sustainable chemicals and products will prevail."

Accelerating chemicals regulation: grouping of chemicals, generic approach to risk management and essential use concept

Context

According to the UN's second edition of the Global Chemicals Outlook, current approaches to advance sound chemicals management, including those to identify hazards and assess exposure, are "at times complex and slow and do not result in the progress needed". Coinciding with this, worldwide chemical production is expected to roughly double by 2030. Regulation must keep pace if authorities are to protect humans and the environment effectively. New tools and approaches are being introduced, particularly in the EU.

Moderator: Mercedes Viñas, director svubmissions and interaction, Echa

Panelists:

Mark Blainey, head of unit, Echa

Timo Unger, manager environmental affairs, Hyundai Motor Europe and the European Automobile Manufacturers Association (Acea)

Tatiana Santos, chemicals and nanotechnology policy manager at the European Environmental Bureau (EEB)

Otto Linher, senior expert in the REACH Unit of DG Grow, European Commission

Tala R Henry, deputy director for programmes, Office of Pollution Prevention and Toxics, US EPA

Barriers and solutions

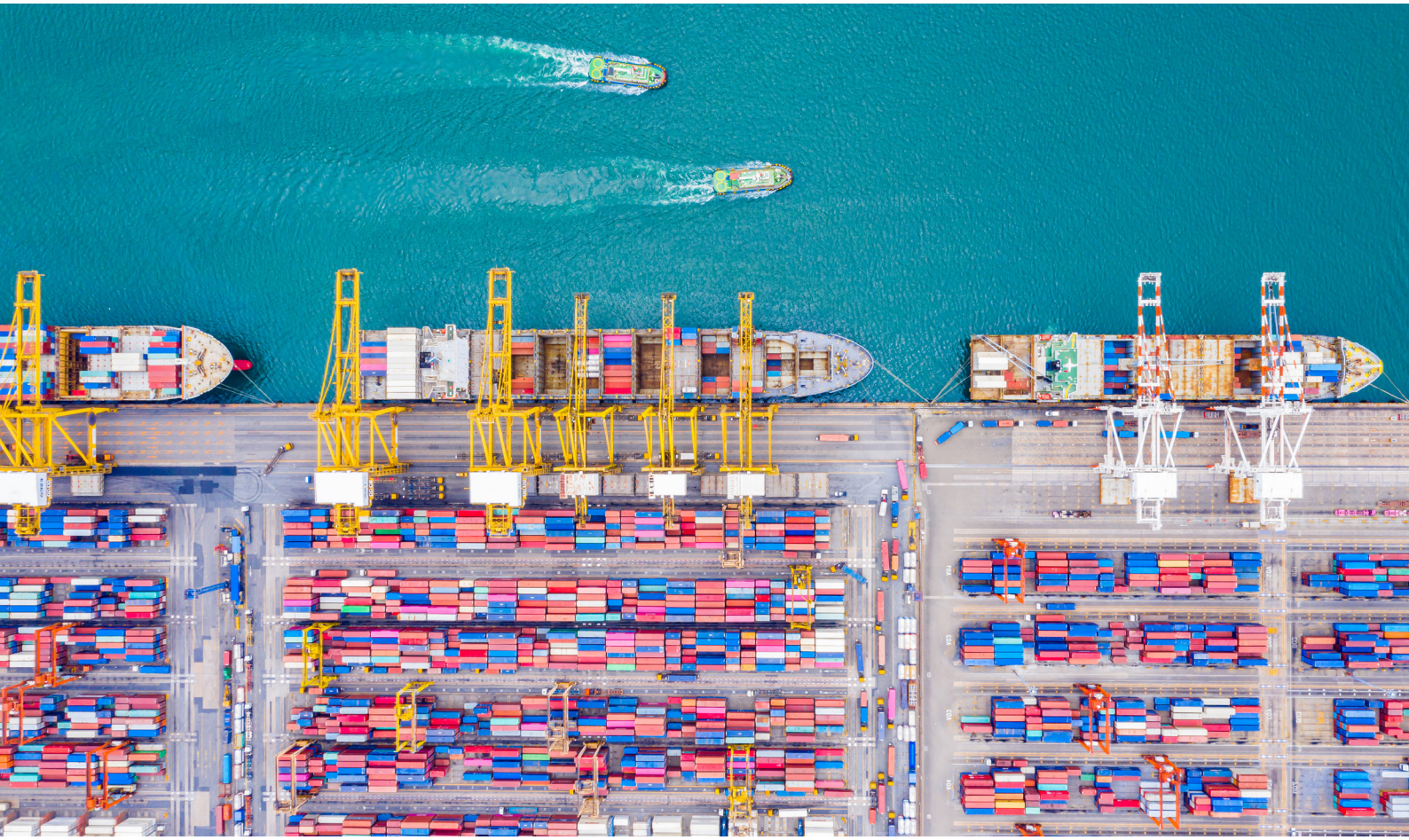
- The EU's restriction process is too slow to address new challenges, especially those posed by endocrine disruptors and persistent substances
- Because of this, the European Commission is reforming the REACH restriction and authorisation processes
- Both processes are considered too burdensome and there is a need for faster decisions on authorisations and derogations
- To achieve this, the Commission is introducing the essential use concept and extending the generic approach to risk management (GRA) beyond just carcinogenic, mutagenic and reprotoxic (CMR) substances
- To help speed up the prioritisation of substances for regulatory action, the EU plans to extend the scope of the public activities coordination tool (PACT) and the candidate list – for example, extending candidate listing to restrictions and to gather more use and exposure information
- Grouping is significantly speeding up chemical risk management – this has helped Echa move from assessing 200 substances individually a year to almost 2,000 last year
- It is expected that regulatory action will be taken on 25% of the chemicals assessed last year
- To continue at this pace, the authorities need adequate resources, particularly as the chemicals strategy for sustainability will encourage action on groups of substances
- Industry needs to be proactive and not wait until regulatory action is taken – for example, by ensuring registration dossiers are up to date
- However, industry is concerned with some of these blanket approaches. Acea's Timo Unger presented the 'No One Size Fits All' principle – meaning that regulatory authorities cannot apply the same approaches, for example, to a milk bottle and a car
- For some automobile materials or applications, substituting a substance can take up to three years because of the significant testing against UV stabilisation, skin sensitisation, humidity etc. And for even more safety-specific parts of a car, such as airbags, this can take up to five years

- In terms of the broadening of the GRA, many in industry argue that this should not apply if safe use can be proved during a regulatory management option analysis (RMOA)
- To speed up the process of regulatory action, German industry collaborative, the Dialogue Forum on the Circular Economy, has proposed the idea of 'clustering' industry in the context of the 'No One Size Fits All' principle and distinguishing between durability and complexity of the article
- Industry needs to know earlier in the regulatory process when an SVHC is in their products
- REACH Article 33, which requires that manufacturers respond to a consumer request for information on whether a product contains any SVHCs above a concentration of 0.1%, comes in "very late in the process", said Acea's Mr Unger
- To solve this, he said, authorities should introduce mandatory supply chain communication requirements, similar to Article 33 obligations, earlier in the process, such as during the RMOA and PACT stage

Different experiences

- EEB's recent report says that while it takes a maximum of three weeks to allow a chemical on to the EU market, it can take between five and nine years to apply regulatory measures such as restrictions or authorisation

- The lack of deadlines for member states and Echa to conclude whether a substance or its use is potentially harmful and for the Commission to make decisions on the findings has created this problem, the EEB says
- The NGO also argues that industry refuses to provide adequate and reliable hazard information, as required by law, causing deliberate delays
- From a US perspective, the EPA under TSCA has embraced, and has a long history of, grouping chemicals and prioritising into categories. The agency has a deep understanding that this not only allows for consistency but also efficiency in conducting assessments
- At the same time, the EPA's experience shows that it is not always possible to put huge classes of chemistries together and apply the same regulatory measures
- US environmental statutes and TSCA in particular are generally risk-based and, through the agency's experience of grouping chemicals based on structure it has found that certain properties and hazards, and therefore risks, can vary greatly if the categories are treated too broadly
- Echa is looking at what approach it should take on flame retardants, which consist of a lot of different chemistries. The agency is looking at the different chemistry groups within the flame retardants class and will set out a strategy that will determine which subclasses need regulating and which do not
- The EU is also addressing the issue of non-compliant products being imported into the region, by working with customs authorities, envisaging an audit system to support member states in their enforcement activities, and tackling the issues of online trading platforms



How to best define and stimulate safe and sustainable by design substances that can replace substances of concern

Context

The concept of safe and sustainable by design chemicals is relatively new but has the potential to change the way chemicals and materials are designed and manufactured. The EU's chemicals strategy for sustainability announced the development of SSbD criteria and a priority for a new research and innovation agenda. The question is: what should these criteria cover and where in the innovation process should the concept apply?

Moderator: Jürgen Tiedje, head of Industrial Transformation Unit, Directorate General for Research and Innovation (DG RTD), European Commission

Panelists:

Ann Dierckx, sustainable development director, Cefic

Christopher Blum, sustainable chemistry scientific officer, the German environment agency (UBA)

Frida Hök, deputy director, ChemSec

Joel Tickner, professor and executive director, Lowell University and Green Chemistry & Commerce Council

Plan of action

- The European Commission's DG Research and Innovation is working with DG Environment and Grow to develop a framework for SSbD that should guide the establishment of criteria for individual chemicals
- The plan will include design principles and sustainability assessments, and in an initial blueprint by the EU's Joint Research Centre comprise a four-step process that looks at hazards, safety assessment at the production and use phases, as well as the lifecycle from an environmental perspective. Socio-economic assessments should come at a later stage
- If a substance does not pass the first step – hazard assessment – should it continue along the process? DG RTD thinks it should not
- The Commission plans to set out its recommendations for a framework in the fourth quarter of this year, with plans to pilot the process at the member state and industry levels
- SSbD should not only contribute to the enhancement of safety and sustainability of substances or materials but also to a reduction of demand for chemicals, materials and products
- SSbD can provide direction and clarity for companies, investors and research and development teams
- It can also provide a metric for what we need to move away from, where investments are needed and for companies to go through their portfolios and identify priorities for substitution with SSbD chemicals
- Most chemicals on the market were not designed to be safe, they were designed to be functional. SSbD can help integrate the two when designing substances
- SSbD should take into account that chemicals are not always the solution to chemical problems – for example, considering replacing BPA-coated till receipts with electronic receipts

- The concept will need a coordinated and integrated policy approach with multiple agencies collaborating on a blueprint for action
- It also needs to go beyond research and connect with business technologies and societal needs

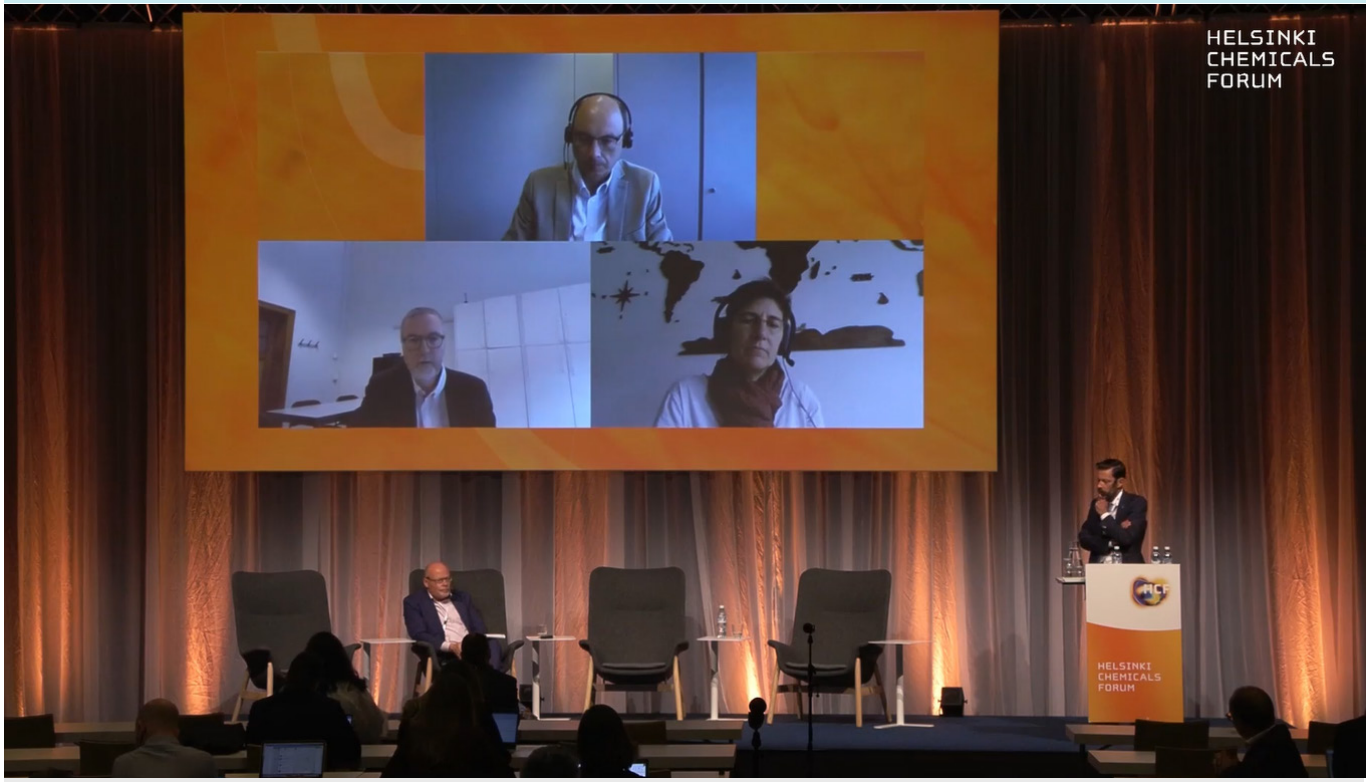
Educating

- Current and future business leaders will need to be educated in SSbD to ensure they integrate the concept at the design phase of chemicals
- The EU chemicals industry sees the SSbD framework as a positive way forward in achieving the objectives of the Green Deal
- Cefic has released a report that defines SSbD as an innovation process that enables substances to be put on the market that are not only safe but also bring environmental, economic and societal value
- Under this innovation approach, the value is brought through the application of the substance because, as Cefic says, the sustainability benefits are often achieved through the application and use of a substance
- Cefic stressed the need for SSbD to cover the whole lifecycle of a substance
- Cefic also hopes the concept will introduce a common language and provide a framework that will help innovators from the design phase to take on board safety and sustainability considerations
- Over time, chemical companies applying this methodology or framework will shift their portfolios to higher areas of sustainability, but this will not happen quickly. Not all substances will be SSbD in five years' time, for example
- We must not forget that there is much knowledge and many initiatives and tools around the design of safe and sustainable substances that can help the SSbD vision – including the OECD's safety assessment tools, UBA guidance on safer chemicals, and research projects such as the EU's Parc – the European Partnership for the Assessment of Risks from Chemicals
- The investment community needs to make safety and sustainability more central to its assessments and investment considerations
- Investors understand the issues the world faces on climate, biodiversity and water resources, but now we need to bring chemicals into that narrative
- We have many examples of chemicals manufacturers creating new substances that meet safe and sustainable by design criteria, but they are not being adopted in the marketplace because they cost more, need reformulation. This is a challenge that must be addressed
- Not every chemical will be able to achieve an SSbD label, but we should aim to have as many as possible moving towards it
- SSbD must span the entire value chain, not just be a polarised concept for the chemical industry
- The challenges of achieving SSbD chemicals vary across the value chain and start with the need to educate and move beyond the chemistry used today because this was designed around function and cost
- SSbD could complement regulation – which must improve and become faster and more efficient – not replace it
- Strong regulation is a key driver of innovation, and we need to put pressure on chemicals of concern. However, that alone will not drive the move towards SSbD chemicals – we need to link regulatory priorities with commercialisation and adoption priorities
- Stakeholders, particularly in industry, are questioning whether chemicals on the market that are safe and are, or could be made, sustainable could meet SSbD criteria, or if the concept is only going to apply to new chemicals
- There are substances on the market today that will meet the SSbD criteria the Commission is developing. But the important point is that we need many, many more and this will require the design of chemicals that do not possess hazardous properties
- SSbD is going to require international collaboration because the greatest areas of growth in chemicals and products is in Asia and the Middle East
- We need to make sure that SSbD does not put European companies that are carrying out this work at a disadvantage, by the same chemicals of concern being sold elsewhere and potentially making their way back into the EU through products

3Cs concept: Can chemicals risk management be integrated with circularity and climate policy objectives?

Context

In addressing environmental and health problems, we need a holistic approach to develop solutions. Ensuring all aspects of health and environment, along with economic and societal needs, are considered is no easy feat and often results in trade-offs. But to make combined progress in the areas of the so-called 3Cs – chemicals safety, circularity and climate – how can we ensure that policies are not competing with each other and how should chemical risk management consider climate and circularity effectively?



Moderator: Steven Van de Broeck, director REACH and Chemicals Policy, Cefic

Panelists:

Doreen Fedrigo, industrial transformation policy coordinator, Climate Action Network (CAN) Europe

Gert Roebben, policy officer, DG for Internal Market, Industry, Entrepreneurship and SMEs, REACH Unit, European Commission

Hugo Waeterschoot, chemicals management adviser, Eurometaux

Karel Van Acker, professor circular economy, KU Leuven

Holistic approach

- Consideration of the 3Cs will help meet the Green Deal objectives
- Assessment should start with the main concern – chemical safety – and then check the relevance of circularity and climate
- Eurometaux proposes a robust regulatory management option analysis (RMOA) approach that covers the 3Cs, not just chemical risks
- Industry should include the 3Cs concept in their sustainability policies
- The Commission says chemicals risk management must be integrated into climate and circularity policy objectives
- But integration is unlikely to be smooth because of competing interests, such as short- and long-term benefits, or between environmental aims
- If a hazardous substance is allowed in the manufacture of a product, for example, because it is deemed essential to society, then the use should not only be safe but there should also be transparency about its presence in the product
- EU policy developments, such as essential use, SSbD and the eco-design for sustainable products Regulation, are examples that are taking the 3Cs into account
- Beyond legislation, there is a general need to phase out the most hazardous substances, reduce material and energy use, and design products for longevity and recyclability
- While recycling is a vital element of the circular economy, it can present some problems. For example, the EU's eco-design for sustainable products Regulation encourages the idea of imposing a minimum amount of recycled content in products. However, this can have a negative impact on the quality of the recycled materials because of the pressure to supply and source it

Monitoring success

- When it comes to monitoring the success of circular economy activities, quality indicators – such as the performance of products made with recycled content – are the 'holy grail'
- As it stands, REACH, and in particular its authorisation process, does not present the legal basis for considerations on chemicals used for climate and circularity objectives to enter the discussion
- However, Echa's committees for risk and socio-economic assessment (Rac and Seac) do, in some contexts, look at these issues, but such work is ad-hoc and needs to be more systematic
- On whether the RMOAs could be used to consider the 3Cs, it was acknowledged there is still disagreement over whether they delay regulatory decisions. But industry is encouraged to carry out their own RMOAs and gather the relevant information as this is considered good business practice
- The Commission is considering a proposal to include environmental footprint data in registration dossiers which could enable consideration of 3Cs, including via an RMOA
- There is a need to consider several elements beyond the 3Cs, some of which are conflicting. Lifecycle analysis can guide us, but these will be political decisions on how to act

How to accelerate the replacement of animal toxicity testing

Context

It is agreed that we need to replace animal toxicity testing and many regulations encourage avoiding it. But the tests are still widely used. They can be time-consuming, costly and are not always accurate in predicting chemical effects in humans. While new approach methods (NAMs) are becoming available, implementing them has been a relatively slow process. Regulatory authorities are looking for assurance that these alternative test methods protect human health as efficiently/effectively as the animal models they replace. But how can confidence be achieved and how can we speed up their adoption by decision makers?

Moderator: Patience Browne, principal administrator, Hazard Assessment and Pesticides Programmes, Environmental Directorate, OECD

Panelists:

Gavin Maxwell, EPAA industry co-chair and safety science leader, Unilever Safety & Environmental Assurance Centre (SEAC)

Ofelia Bercaru, director – prioritisation and integration, Echa

Tara Barton-Maclaren, research manager, Healthy Environments and Consumer Safety Branch, Health Canada/Government of Canada

Marina Pereira, senior strategist – regulatory policy, research and toxicology, Humane Society International

Maurice Whelan, head of Chemical Safety and Alternative Methods Unit, European Commission

Implementation barriers

- NAMs can be faster than animal tests, cheaper and more relevant to humans, meaning that they can help reduce the time for policy decisions on chemicals
- However, they come with challenges, such as ensuring the tests generate the right information to make regulatory decisions and establishing a level of confidence or comfortableness with these relatively new approaches
- There are more NAMs available for endpoints such as skin sensitisation, eye irritation, aquatic toxicity and genotoxicity
- Fewer NAMs are available for the more challenging systemic endpoints such as carcinogenicity, immunotoxicity and endocrine disruption
- In general, there are many NAMs available, but they are not necessarily satisfying regulatory needs and need better alignment with regulatory objectives
- There are multiple ways of generating similar information through different NAMs, but there is little standardisation
- NAMs are currently underused by registrants to support read-across. Echa sees opportunities here for ADME/toxicokinetics
- There is a need for further collaboration on the development and implementation of NAMs, but some projects, such as the EU's PARC and ASPIS, are contributing to a shared understanding of alternative methods and their application

- Switching to more NAMs requires buy-in and acceptance from all stakeholders, including the general public
- Transitioning to NAMs as a complete replacement will be a challenging and slow process

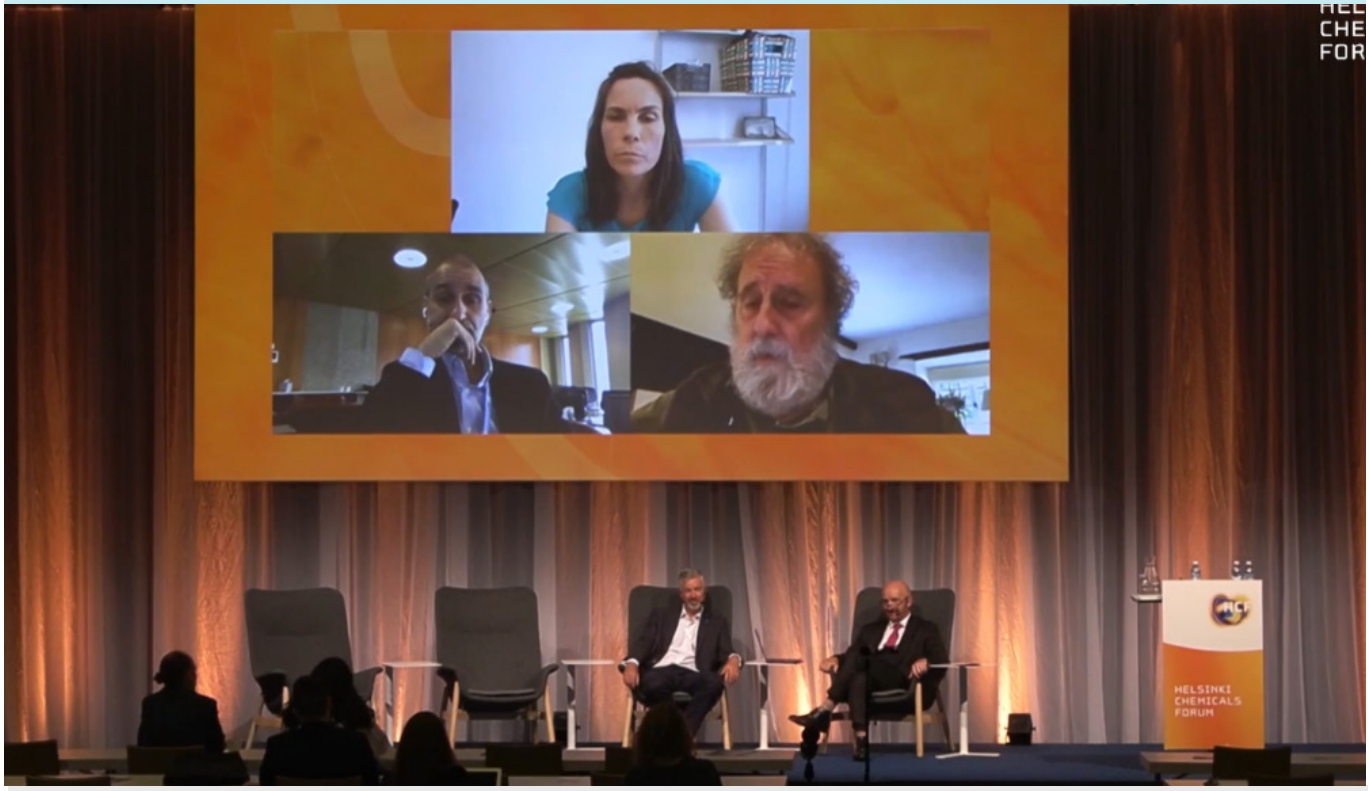
Starting point

- Identifying near-term opportunities for deploying currently available NAMs in terms of prioritisation and risk assessment activities could be a good starting point
- In Canada, certain Acts allow for more flexible assessment approaches to be applied to certain chemicals and therefore offer a good opportunity to use NAMs
- Canada has carried out case studies, including some with international partners, using NAMs to compare traditional risk assessment methods with alternatives
- Health Canada has established dedicated teams focusing on NAMs application providing improved resources for the work
- computational approaches, should allow us to set and assess against more meaningful human health and environmental protection goals
- We can also use NAMs to rebuild confidence in chemical safety and ensure new chemicals are safe and sustainable by design (SSbD)
- The European Partnership for Alternative Approaches to Animal Testing (EPAA) has set up a 'Use of NAMs for regulatory decisions on chemical safety' project with workstreams exploring application of NAMs within chemical safety frameworks, a NAMs user forum and another looking at the scientific aspects of the approach methods
- NGO Humane Society International's (HSI) vision is for animal-free approaches to be the dominant paradigm in chemical safety assessment by 2035
- HSI says that even when there are high-level mandates in place to promote NAMs and have animal testing as a last resort, they may not be proficient in preventing animal testing or achieving optimal use of NAMs, namely if they contain a mandatory 'tick-box' list of studies to be performed with little flexibility, creating barriers to the uptake of NAMs
- Criteria to help communicate and demonstrate the applicability of NAMs should not only cover the robustness of the methodology but also the ability to consistently interpret the data
- Case studies are also an important approach to demonstrate how effective a NAM can be and how it can meet regulatory needs
- One of the barriers is that NAMs present a highly difficult and dynamic space in which to be progressive. In order to create pragmatic ways of developing and applying them, we need a broader range of skills than has been traditionally available in toxicity testing – we need to bring together statisticians, computational scientists, chemists, biologists and experts in risk assessment
- Moving to alternative test methods would not necessarily lower the bar on protection or increase uncertainty around chemical toxicity. Current animal tests do not provide complete certainty, which is why safety assessment factors are often introduced
- There needs to be a top-level commitment, with regulators, researchers and industry stakeholders coming together to develop roadmaps that set out short- and long-term goals for moving to NAMs, as well as come to a consensus on currently available alternative methods that are ready for regulatory use

A science policy interface for the sound management of chemicals and waste: “something in it for all”

Context

Strengthening the science-policy interface to support and promote science-based local, national, regional and global action on the sound management of chemicals and waste beyond 2020 is critical. Understanding this, the global chemicals community, led by Unep, is in the process of developing a panel that would bring them closer together, and create an environment that helps achieve the goals of a new framework for chemicals and waste management globally.



Moderator: Kevin Helps, coordinator, Interim Secretariat of the Science Policy Panel on Chemicals, Waste and Pollution Prevention, Unep

Panelists:

Valentina Sierra, secretary, Permanent Mission of Uruguay to the UN in Geneva

David Azoulay, Geneva managing attorney, environmental health program director, Ciel

Marlene Ågerstrand, assistant professor, Department of Environmental Science, Stockholm University

Sir Robert Watson, assessment report author, former – for IPPC and IPBES

Steve Binks, regulatory affairs director, International Lead Association (ILA)

Defined mandate

- The proposed global science-policy interface panel is expected to be formed by the end of 2024 and will, like the IPCC and its 1.5 degrees climate target, set relevant goals for chemicals and waste
- The global science-policy panel will contribute to the goal of translating the most advanced policies, strategies and frameworks on chemicals and waste to developing countries that do not have the capacity or infrastructure to manage these issues and apply them globally
- Issues of global importance need coordinated action by governments and other stakeholders around the world to come to a consensus on available evidence, which can be addressed by international assessments. For example, the IPCC's work on climate has been essential
- Those establishing the scope of the science-policy panel will need to determine whether it will only focus on assessment, like the IPCC, or have a broader mandate to look at issues such as capacity building, like the International Panel on Biodiversity and Ecosystem Services (IPBES)
- The panel's rules of procedure are essential and must ensure its processes are open, transparent and credible
- Establishing the panel will help to protect human rights and strengthen the human right to science
- Current multilateral agreements are not sufficient to address the problems associated with chemicals and waste
- Science helps us assess how effective different risk management measures are, and can tell us what is needed for a system to contribute to sustainable development
- Science is key to developing adequate and efficient policy measures, but it is a mistake to think that more or better science automatically leads to better decision making
- The panel must ensure that the science obtained and used does not create doubt and delay the adoption of policy
- The scope of the panel must focus on the impacts of chemicals and waste and not be broadened to pollution
- The rules of procedure must carefully consider conflict of interest. Comparisons with the IPCC or IPBES are not relevant here because they predominately obtained and used public science, whereas most data on chemicals is held by private entities with a vested interest
- The panel will require adequate financing if it is to achieve the objectives proposed

Transparent science

- The science and policies on many non-emerging pollutants – like lead, for example – have been known and in place for decades, but these are not being transferred to and adopted by middle-income and developing countries
- The panel is needed to develop and understand the science around emerging pollutants and chemicals, but we need immediate action on those where we have long known the hazards and risks
- There are many thousands of chemicals, and it needs to be decided how the panel considers them, defines the scope and whether it should prioritise certain substances
- It could be argued that there is too much emphasis on protecting confidential business information on chemicals when government funds are often required to address the impacts of the same substances
- There is often too much focus on how much it costs to take action, instead of the cost of inaction. Economic and social costs need to be considered
- It is a challenge to get this highly sensitive information on chemicals into the public domain
- To ensure the panel is successful we need to understand from the beginning what information governments, the public and other stakeholders need to make informed decisions. We need to understand the needs of all stakeholders, who all play a key role

The Writing on the Wall

An unedited selection of comments and questions raised on the virtual platform chat function

Panel 1 – Accelerating chemicals regulation: grouping of chemicals, generic approach to risk management and essential use concept (14:00-15:30)

As product development times vary greatly (some take weeks to develop, complex medical technology up to 12 years), shouldn't the restrictions be aligned with that?

In order to not block the authorities, might the solution be to focus on the big impacts and non-essential sectors first?

While one idea is to create a more efficient system and covering all aspects, a second strategy might be to prioritise substances and applications making the biggest impact and being non-essential?

There's currently no formal process for requesting derogations from restrictions. Is the Commission planning on creating a formal derogation request process?

You mentioned group assessments using dossiers – registration dossiers are persistently called out by Echa for containing bad data. Has this been factored into assessment? What level of human analysis vs automated assessment via AI takes place?

Has the GRA been reworked recently? I attended some of the workshops. There were some very bad assumptions that components were only used within same sector only under GRA. I had to explain resistors, nuts, bolts in workshop on multi-sector.

Chemical uses, specifically industrial, should be considered under GRA and RMOA as Timo stated. I carried out process chemical reporting in aerospace – under GRA it seems reporting of process chemicals is vague – professional and consumer use = finished article

Speed can be achieved by focus and priorities. The most harmful chemicals shall be banned for non- essential uses and for the sectors that use the substances most first. We need fast-track restrictions for non-essential uses, while more time shall be given to evaluate EU.

What is the true current state of REACH restriction/ authorisation options? I mean in the workshops resistance to OEL reporting was clear, while public consultations have some very directed questions promoting options.

EEB's presentation clearly shows that when trying to ban something for all applications, it takes a lot of time, when it is already clear that harmful chemicals are not necessary in cosmetics and toys.

EU CSS defines EU CLP as being the scientific basis for hazard identification for EU risk classes and phrases. I have been asked several times recently what the potential realignment of UN GHS and IARC codes will be like under 'one chemical one asses'.

Essential uses, as defined under EU CSS and within the initial stakeholders, is a little vague. It needs clarity on the essentiality of the finished article and the use of a SVHC within the article. Are they essential?

How will you deal with articles that have been placed on the market, and then enter repair cycles where materials and mixtures containing authorised substances may be used? EU REACH is currently vague on repaired products.

When are the additional checks for EU MSRR likely to appear? Would it not also make sense to apply requirements to the EU GSPR and upcoming EU ESPR and EU SSbSD?

How do panellists think PFAS can be addressed effectively given the huge size of the class and diversity of uses?

Why do I never see the requirement for industry to register their actual uses of a chemical substance with the originating formulators? This is something I had to push my previous organisation on. Manufacturers need to register use of chemicals with formulators, who should update dossiers.

Panel 2 – How to best define and stimulate Safe and Sustainable by Design substances that can replace substances of concern? (15:50-17:20)

EU SSbD was supposed to be rolled up – from identification at the chemical level, then transition to the mixture and

material world through to adaption of reporting at the article level.

How will the EU SSbD logic work with the technical screening criteria evolving from EU CS3D (which is logically based on EU taxonomies and EFRAG)? They seem similar in concept but different in real-world application?

Panel 3 – 3Cs concept: Can chemicals risk management be integrated with circularity and climate policy objectives? [13:00-14:30]

Is there a way to apply the 3Cs concept to chemicals that cannot be circular, eg biodegradable surfactants?

Therefore, we must go for a holistic, risk-based approach that considers exposure and the added benefits of such substances. Are we confusing the means with the goal?

v good question, and a v important element in reflection on where to use biomass in chemical substances.

One suggestion is that any rinse-off or washing products, in other words, products that are inherently ending up in the environment through their use, be prioritised

Surfactants don't end up in the environment. However, as they are required to be biodegradable under the Detergents Regulation, can we then calculate their 'circularity' component based on their impact or contribution in washing processes?

Just to reassure, biocides are not typically used in laundry detergents (other than in-can preservation for liquid detergents).

Could we say that life cycle analysis based on ISO 14040 would contribute very much to reach the better ways to better alternatives?"