

# WELCOME TO THE UCT CHEMICALS NETWORK DISCUSSION



Division of Environmental Health  
School of Public Health and Family Medicine  
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 UNIVERSITY OF CAPE TOWN  
UNIVERSITEIT YAKESAPA - UNIVERSITEIT VAN KAAPSTAD

Introduce yourself (name, job title, organization and country) in the **chat section**.

**Only** the presenter and facilitator will speak. Any comments or questions from attendees should be typed in the **chat section**.

**Please kindly keep you microphone muted and cameras off during the discussion**

**NOTE:** If you are having **technical difficulties**, please join the WhatsApp group for assistance:

**<https://chat.whatsapp.com/CdEJNdPEva30263AB3KYBq>**

## Discussion I Topic:

***Understanding the EU's 2020 Chemicals Strategy for Sustainability and the implications for low- and middle-income countries (LMICs)***

- Date: 2<sup>nd</sup> February 2021
- Time: 14:00 – 15:30 (GMT+2.00)
- Presenter: Helene Kanellopoulos, KemI  
Michael Warhurst, CHEM Trust  
Giulia Carlini, CIEL
- Facilitator: Andrea Rother, University of Cape Town
- Chair: Maxine Brassell, MPH student, University of Cape Town

# CHEMICALS NETWORK DISCUSSION

*UNDERSTANDING THE EU'S 2020 CHEMICALS STRATEGY FOR SUSTAINABILITY  
AND THE IMPLICATIONS FOR LMICS*



**Helene Kanellopoulos**  
Swedish Chemicals Agency (KemI)



**Michael Warhurst**  
CHEM Trust



**Giulia Carlini**  
CIEL

# INTRODUCTION

PRESENTED BY: HELENE KANELLOPOULOS

## Context of the Chemicals Strategy for Sustainability – Towards a toxic-free environment

- 7<sup>th</sup> Environmental Action Programme (2013)

Requires to “Develop[...] by 2018 a Union strategy for a non-toxic environment that is conducive to innovation and the development of sustainable substitutes including non-chemical solutions [...] to ensure: (1) the safety of manufactured nanomaterials [...]; (2) the minimisation of exposure to endocrine disruptors; (3) appropriate regulatory approaches to address combination effects of chemicals and (4) the minimisation of exposure to chemicals in products, including, inter alia, imported products, with a view to promoting non-toxic material cycles and reducing indoor exposure to harmful substances”

- Evaluations of chemicals legislation

- 2<sup>nd</sup> REACH Review (2018)

- Evaluation on the most relevant chemicals legislation excluding REACH (2019)

- Green Deal (December 2019)

- Response to climate change and environmental degradation

- Action plan to make EU’s economy sustainable (efficient use of resources by moving to clean circular economy, restore biodiversity and cut pollution)

- CSS included in “Zero Pollution Ambition for a toxic-free environment” part of the Green Deal

- Links with other (existing or planned) initiatives under the Green Deal: Zero Pollution Action Plan, Biodiversity Strategy, Farm to Fork Strategy, Industrial Strategy, Circular Economy Action Plan, Pharmaceuticals Strategy etc.

# BACKGROUND TO QUESTION 1

PRESENTED BY: HELENE KANELLOPOULOS

## Content of the CSS

*“the strategy strives for a toxic-free environment, where **chemicals are produced and used in a way that maximises their contribution to society including achieving the green and digital transition, while avoiding harm to the planet and to current and future generations. It envisages the EU industry as a globally competitive player in the production and use of safe and sustainable chemicals**”*

- Five “pillars”
  - Innovating for safe and sustainable EU chemicals
  - Stronger EU legal framework to address pressing environmental and health concerns
  - Simplifying and consolidating the legal framework
  - A comprehensive knowledge base on chemicals
  - Setting the example for a global sound management of chemicals (see Question 3)

# BACKGROUND TO QUESTION I

PRESENTED BY: HELENE KANELLOPOULOS

## Example of activities

- Non-toxic material cycles: Ensure availability of information on chemical content of products/track presence of substances of concern throughout life cycle materials and products
  - Build up on SCIP database: information on articles containing substances of very high concern, available to waste operators and consumers
  - Development of product passports
- One substance, one assessment
  - Hazard and risk assessments of chemicals
  - Better coordination when initiating assessment
  - Clear allocation of responsibilities
  - Possibility to share and reuse data
  - If possible, harmonised methodologies

# QUESTION 1

Are there any concepts or actions from the CSS that you would like to clarify or discuss in depth? (Please keep in mind that some of them will be discussed further during Questions 2 and 3)

Are there any policy orientations that, in your view, could be useful outside the EU context?

There will be 20 minutes to discuss this question in the chat section.

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# BACKGROUND TO QUESTION 2

PRESENTED BY: MICHAEL WARHURST, CHEM TRUST

- Some achievements of EU REACH and related chemical laws:
  - 23,121 substances registered, though very variable quality of registration data; efforts being made to improve this by more checking, asking companies for more data, and use of grouping with similar substances
  - All substances must be self-classified by companies, and these classifications are available on a public database
  - EU regulators have agreed ‘harmonised classification’ for some substances. Those chemicals classified as CMR are banned from certain uses e.g. in cosmetics, tattoo inks. This is often called ‘hazard-based regulation’ but in reality it is risk-based, ensuring the **most hazardous** chemicals can’t be used in **certain generic uses** – the EU now calls this ‘Generic Risk Assessment’ (GRA)
  - Some chemicals have had uses (& presence in imported products) Restricted or banned, others have been designated as Substances of Very High Concern (CMRs, EDCs and others of ‘equivalent concern’) and may only be able to be used when Authorised
  - Much of the REACH data on chemicals is publicly available: <https://echa.europa.eu/information-on-chemicals>
- In recent years REACH & other chemical laws have been reviewed, identifying many problems that need to be solved:
  - Poor quality/incomplete safety data, slow progress in controls, tendency of industry to move from one problem chemical to another in a group, proof that mixtures (including EDCs) are a problem & new areas of concern like persistent and mobile chemicals (e.g. PFAS), neurotoxicity and immunotoxicity – see <https://chemtrust.org/policy> for examples

# BACKGROUND TO QUESTION 2

PRESENTED BY: MICHAEL WARHURST, CHEM TRUST

- The Chemicals Strategy for Sustainability, launched by the European Commission in October 2020, aims to address the deficiencies in EU chemicals law & move the focus to chemicals that are “safe and sustainable by design”
- Key elements of the strategy – which is more precautionary than current policy - include:
  - An extension of definition of ‘most harmful chemicals’ in Generic Risk Assessment, adding EDCs and Persistent and Bioaccumulative chemicals, and later immune, neurological and respiratory toxins
  - An extension of the use of GRA to more consumer products (e.g. food contact materials), and also to professional products, unless the use of the chemical is ‘essential’ i.e. use is necessary for health, safety or is critical for the functioning of society.
  - Grouping chemicals to speed up assessment and reduce regrettable substitution, including a ‘road map’ to accelerate action on restrictions on groups of chemicals with the
  - A ‘mixture assessment factor’ to use in REACH to allow for mixture effects, and stronger controls on persistent and mobile chemicals (e.g. PFAS)
  - A process to define ‘Safe and Sustainable by design’ criteria for chemicals (e.g. environment & human health, energy/climate & circularity)



# BACKGROUND TO QUESTION 2

PRESENTED BY: MICHAEL WARHURST, CHEM TRUST

- Next steps
  - The CSS is just a strategy from the Commission, it now needs to be implemented
  - Some measures can be done within existing laws – e.g. restrictions on groups of the most hazardous chemicals; a ‘roadmap’ for this is due within 2021
  - Others require legal changes, e.g. a review of the laws on chemicals in food contact materials, extension of GRA, changes to REACH – this will take two or three years
- Could EU chemical safety information and the CSS approach be applied in other parts of the world?
  - REACH already provides a lot of chemical safety information; work is already underway in ECHA to improve this information; later the CSS should also have a positive impact. Much of this information is available on-line
  - The CSS strengthens the EU’s precautionary approach, increasing the pressure for companies to move away from the most hazardous chemicals towards safer and more sustainable alternatives; could this approach be copied in other countries, using the chemical safety information that ECHA makes available?

## QUESTION 2

What is the potential for adopting a more precautionary approach to the chemicals used, including in final products, and could the EU's safety assessments and experience of substitution be useful?

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# BACKGROUND TO QUESTION 3

PRESENTED BY: GIULIA CARLINI, CIEL

## CSS: “Setting the example for a global sound management of chemicals” (part I)

### International leadership

#### ■ GHS

- Promote GHS implementation
- **Introduce hazard/criteria classes, in line with CLP Regulation**
- Develop common standards & innovative risk assessment tools, shift away burden from animal testing
- Step up @ 2030 Agenda, SAICM beyond 2020, International Conventions on chemicals

*Beware of exemptions, loopholes, and weak standards!*

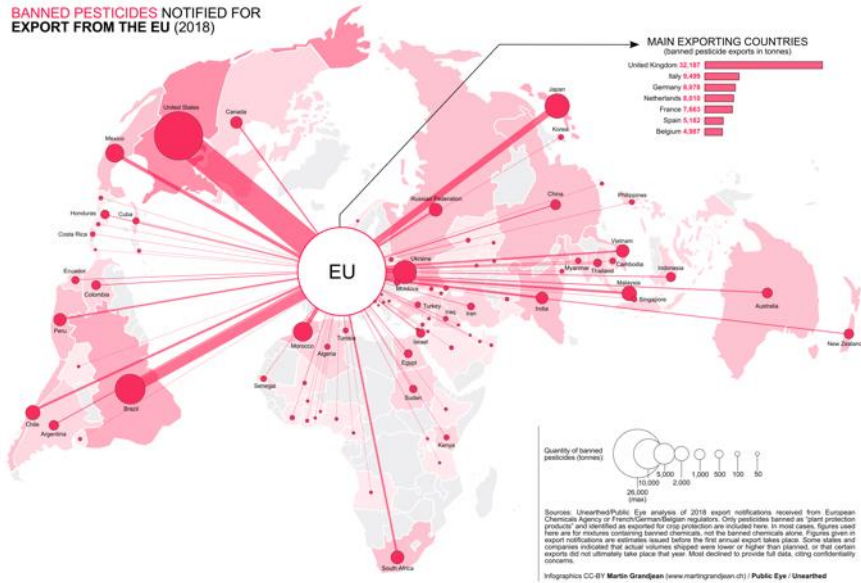
e.g. Low POPs Content Levels for SCCP:  
10mg/kg or 10'000mg/kg?

# BACKGROUND TO QUESTION 3

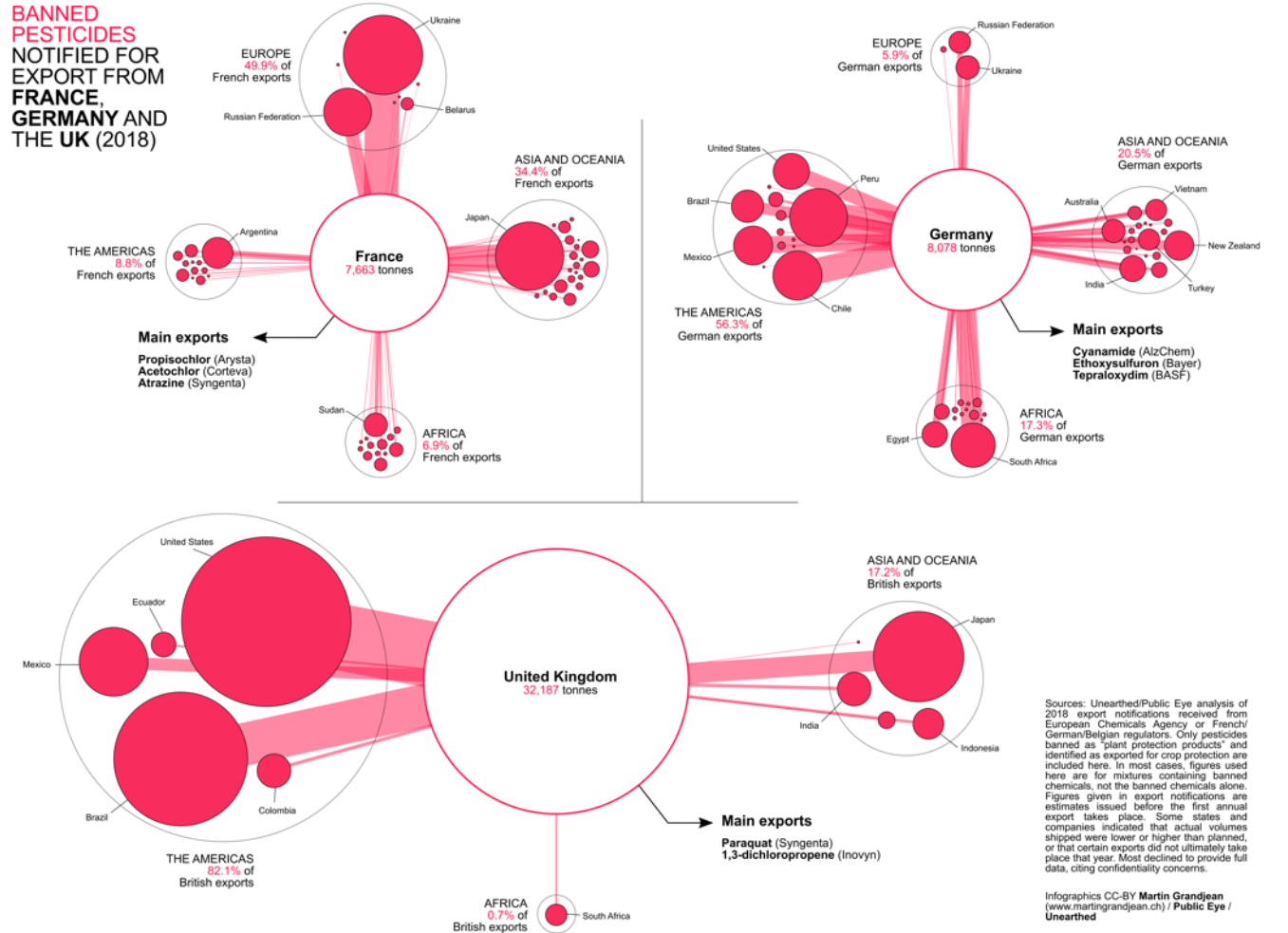
PRESENTED BY: GIULIA CARLINI, CIEL

## The Issue of Double standards Exporting banned pesticides

BANNED PESTICIDES NOTIFIED FOR EXPORT FROM THE EU (2018)



BANNED PESTICIDES NOTIFIED FOR EXPORT FROM FRANCE, GERMANY AND THE UK (2018)



# BACKGROUND TO QUESTION 3

PRESENTED BY: GIULIA CARLINI, CIEL

## CSS: “Setting the example for a global sound management of chemicals” (part II)

### Cooperation with third countries

- Ensure hazardous chemicals banned in the EU are **not produced for export**
- Promote SMC in bilateral/regional/multilateral fora, including through a new EU-Africa Strategy; **build capacity to assess and manage chemicals**
- Promote due diligence for the production and use of chemicals

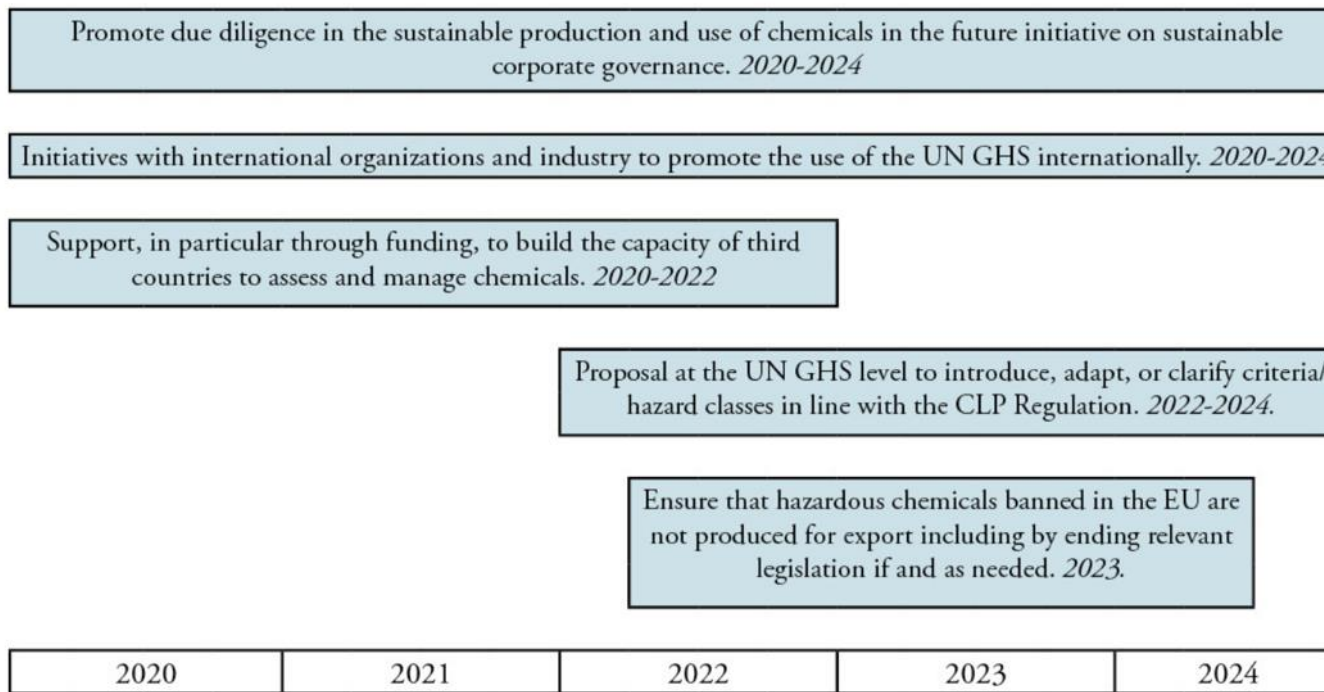
Will address double standards (?)

“In particular, through funding”

# BACKGROUND TO QUESTION 3

PRESENTED BY: GIULIA CARLINI, CIEL

## Indicative Timeline of EU Commitments to Global Chemicals Management:



## QUESTION 3

In the CSS, the EU commits to promoting its standards globally and to supporting third countries' capacity to assess and manage chemicals in a sound manner. Which challenges would you find in applying EU-inspired standards? In which areas could the EU cooperation help strengthen chemicals regulation and management in your country?

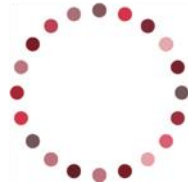
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# THANK YOU FOR JOINING UCT'S CHEMICALS NETWORK DISCUSSION

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**Save the date:**  
**Chemicals Network**  
**Discussion 2**  
**6<sup>th</sup> April 2021**  
**14:00 – 15:30**  
**(GMT+2)**

*This network has been produced with financial assistance from Sweden, through the Swedish International Development Cooperation Agency, Sida, which has been arranged by the Swedish Chemicals Agency (KemI).*

*The views herein shall not be taken to reflect the official opinion of Sida or the Swedish Chemicals Agency.*