

Cefic welcomes enforcement and innovation proposals in the new Chemical Strategy for Sustainability and calls for a strategy that drives the design of the chemistries of the Green Deal

Cefic supports the public health and environmental goals of the strategy and shares the vision outlined by the European Commission in the Chemicals Strategy for Sustainability. We call for a Strategy implementation plan that boosts the competitiveness of the European chemical industry, harnesses the essential role of chemicals to deliver climate neutrality and circular economy ambitions, supports the economic recovery plan and integrates multiple facets of chemicals management including safety, circularity, resource efficiency, environmental footprint, science and innovation.

With 96% of manufactured goods relying on chemicals, Europe's chemical industry is at the heart of almost all value chains and provides the key to solutions that will deliver the Green Deal, from solar panels to batteries, wind turbines and hydrogen to building insulation, EU-made pharmaceuticals and more powerful electronics, to name just a few. The chemical industry also needs to transform its own production processes to achieve climate neutrality by 2050. The transition will only be successful if the Chemicals Strategy for Sustainability is turned into a genuine Green Deal growth strategy for Europe's fourth largest industry.

Whilst the Strategy proposes a long and detailed list of legislative measures with the corresponding timing to better protect citizens, an objective we support, it lacks specificity and clarity on how the second objective will be met: boost innovation for safe and sustainable chemicals. Both objectives need to work hand in hand.

Build on achievements

With REACH and 40+ pieces of EU chemical legislation, the EU has the most comprehensive chemical legislation in the world. Continuous improvement in chemical safety, protection of human health and the environment is embedded in many of our initiatives (Responsible Care®, Action Plan on REACH Registration Dossiers, Sustainability Charter to name a few: <https://cefic.org/>). Our greenhouse gas emissions have fallen by nearly 61% since 1990 even as production increased by 83%.

We understand that as a society we need to achieve more. Coupled with the need for economic recovery, achievements from the past decade provide a solid foundation for the Green Deal and the Chemicals Strategy for Sustainability to move to the next level.

Greater policy coherence needed to drive Green Deal investments and EU-made solutions

Cefic underlines the role that innovation will play to manage the transition. To be a success, innovative EU homegrown solutions need to lead to unprecedented scales of investments in the kinds of innovation and sustainable chemistry that are vital to achieving a climate neutral, circular, digital, safer, cleaner and strategically autonomous Europe. This transformation requires massive investments founded on a clear business case.

Policy coherence and regulatory stability are essential; uncoordinated policy simply risks 'outsourcing' the Green Deal technology solutions to other parts of the world. Regulatory predictability is also an indispensable precondition for investors' trust and decision-making.

Innovation includes but is not limited to substituting certain classes of chemicals; it is also about new processes, new feedstocks, new applications, new sources of energy, new high-performance materials, etc. that address societal needs and expectations.

Beyond "Hazardous", "Safe and Sustainable by Design"

Cefic welcomes the new "Safe-and-Sustainable-by-Design" paradigm, including the establishment of a support network and the development of criteria that will guide the development of 'the chemistries of tomorrow'. It will be important to ensure that the approach is designed in a way that enables the majority of industry to successfully manage this transition and continue to deliver performing products.

- Safety of a product needs to be confirmed at an early stage of product development. Building on the REACH database and other tools, there is an opportunity to develop predictive toxicology tools to accelerate chemical safety testing while minimising animal testing, and to support the move to less hazardous chemicals where technically and economically possible, in particular considering an increased circulation of materials and the need for reducing the energy use. Banning or restricting the use of chemicals based on their hazardous properties alone does not take the full picture into account. It can even be counterproductive to sustainability goals.
- Instead, product sustainability assessment must consider the full life cycle and include as much as possible circularity (including durability), resource-efficiency, energy use, water and land use, contribution to greenhouse gas emissions reduction as well as other main societal needs, in addition to hazard, use and exposure information. Different value chains may require different criteria. Such assessment should build on product sustainability assessment methodologies that European chemical companies have already spearheaded. Next to functional requirements and safety, sustainability assessment should be a core element of any alternative assessment when substitution decisions are made.
- In addition to reducing the overall environmental footprint, this Strategy should contribute to stepping up safe recycling and re-use of materials to keep them in a circular economy by addressing 'legacy substances', exploring innovative digital solutions and standards to 'track and trace' these substances along the value chains and enabling the production of high-quality recycled materials. Further, the Chemicals Strategy for Sustainability needs to go together with the Sustainable Products Initiative.
- The CSS appears to place significant emphasis on "hazardous" substances without due consideration of uses and exposure. For example, high-performance, durable materials such as those needed for offshore wind turbines often rely on persistent chemicals. What matters is that such chemicals are not emitted to a level that causes harm, now or in the future, do not degrade and can be recycled at the end of their service life.

Step up enforcement

Europe needs a strong and coordinated enforcement policy particularly to address imports, including via online sales which account for the majority of non-compliances with product-related legislation. Enforcement is Achille's heel of chemicals legislation today. Coordinated enforcement projects across Member States need to be launched, in cooperation with industry, and enforceability as well as proportionality of regulatory measures needs to be ensured before a regulatory proposal is adopted to ensure a level-playing field. Effective and efficient use of digital tools should be pursued.

A predictable regulatory agenda

With more than 50 actions requiring legislative changes, the Strategy will have far-reaching consequences. Europe has the most comprehensive knowledge database on chemical hazards and risks globally. REACH has been shown to deliver results even as the details of its implementing conditions continue to evolve. The European Chemical industry is highly committed to implement REACH and work on areas that require improvement. This is why Cefic calls for only a targeted re-opening of REACH and CLP that builds on what has been successfully achieved and does not re-invent the foundations. This is also needed to manage uncertainty while preventing a widening of the regulatory gap between the EU and other regions.

Details matter

New concepts such as "essential uses" or "mixture assessment factor" need to be well thought through before being enshrined in legislation. They should not hamper regulatory predictability, inadvertently prevent other Green Deal objectives from being attained, or inhibit the chemical industry's transformation. Of particular concern is the proposed broad application of "generic risk management" which disregards exposure and use considerations, and could run counter to more targeted, sector-specific legislation (occupational health and safety, cosmetics regulation, construction products legislation, etc).

Definitions and criteria will be crucial. "Hazardous" does not equal SVHC, not even substance of concern. In addition, managing chemicals based on a good understanding of their uses and of potential exposure should continue to be at the core of risk management. More generally, science and data need to remain at the heart of decision-making.

Smoother processes

Cefic looks forward to better use of resources, as well as increased efficiency and predictability via the One Substance, One Assessment proposals. Divergent regulatory opinions on the hazards and intrinsic properties of chemicals need to be avoided, while risk assessment is often sector-specific. In addition, national and EU agencies need to better coordinate their activities.

Strengthen international cooperation

The objectives of the Strategy are best served by intensifying global action in favour of a sound and harmonised management of chemicals. The challenge will be for the EU to demonstrate leadership without disconnecting from other important markets, especially those with high grow rates, and maintaining some global harmonisation for a global industrial sector.

Informed decision-making

The details of implementation of the proposals to come will be crucial as measures aiming at strengthening the EU chemicals policy framework are proposed. Different options should be openly considered.

Comprehensive and rigorous impact assessments need to be conducted prior to decision-making and the chemical industry stands ready to contribute.

Stakeholder dialogue

Considering the magnitude of the proposed changes and the level of ambition set in the Strategy, stakeholder dialogue will be needed from the start. Industry will contribute fully and effectively. We welcome the establishment of a high-level roundtable to steer, monitor and measure progress.

We are part of the fabric of progress, sustainably producing the raw and high-tech materials on which a modern, resource-efficient society is built. We believe the European chemical industry can flourish as we help Europe go carbon-neutral, move toward circular economy and address legitimate public concerns about chemical safety.

‘Feet on the ground’ collaboration throughout the implementation of the Strategy will be the way to achieve a positive outcome that truly delivers the Green Deal.

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About Cefic
Cefic, the European Chemical Industry Council, founded in 1972, is the voice of large, medium and small chemical companies across Europe, which provide 1.2 million jobs and account for 16% of world chemicals production.

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