

Chemicals Strategy for Sustainability

This paper was developed in the context of a stakeholder dialogue that followed our submission to the EU Commission's Roadmap consultation on the future Chemicals Strategy for Sustainability. It is meant to trigger an exchange of policy ideas or suggestions to inform the dialogue but does not constitute the agreed position of Cefic or its Members.

Track & Trace of “Declarable Substances for Recycling”

Issue

- In this paper, “**Declarable substances for recycling¹**” (DSR) comprise substances which require communication along a specific value chain for the purpose of safe recycling and subsequent use of high quality, safe recyclates in a circular economy. Such communication allows recyclers to take the necessary measures to address substances potentially posing a problem in case such substances could not be avoided or managed earlier.
- It is important to highlight the **difference between B2B communication and notification obligations to ECHA/authorities**. Efficient communication down the value chain (especially with recyclers/waste management) should be understood as B2B communication.
- In the context of a Circular Economy, and in particular for post-consumer waste streams, Cefic is aware that further information needs to be given to recyclers to enable safe recycling and complying with all legal obligations for re-use. This is, however, neither an easy nor simple task, as challenges such as the availability of viable, **efficient and reliable digital technologies** and the protection of Confidential Business Information (CBI) must be considered, as well as product/waste specific communication. **These challenges can be overcome in cooperation with industry and value chains to progressively develop solutions.**
- The technology assessment/readiness is key in the discussion, including its linkage with the ongoing EU Digital Strategy. Any proposed solution will only work if it addresses the above challenges while not creating additional burden/hurdles. In addition, any final approach must, within a defined timeframe, also be **applied to imported articles (that are recycled in Europe)**. This necessity needs to be integrated in the thinking and technology development from the start.

Approach proposed

- **For communication in all supply chains and to waste operators:** The list below encompasses what could be considered Declarable Substances for Recycling, which needs to be discussed and agreed with all stakeholders

¹ This terminology is intended to clarify what we understand by Substances of Concern, as it includes substances that pose problems for recycling



- under REACH as substances of very high concern ('Candidate list')
 - substances listed as Persistent Organic Pollutants (POPs) under the EU-POP Regulation
 - specific substances restricted in articles listed in Annex XVII to REACH, restricted for use as substances in articles
 - specific substances regulated under specific sectorial/product legislation
 - substances identified as those that may pose problems for recycling in specific waste streams and proposed by recyclers
- **For value chain communication** whatever may become a DSR for a specific value chains may not be a DSR for **all** value chains building on the risk assessment that is specific to the sector/waste stream. For instance, the use of some substance may be restricted in toys but can be used in other sectors like building and construction.
 - It is fundamental to **maintain a level playing field between virgin and recycled materials**. All primary and secondary raw materials should be subject to the high standards embedded into the existing chemical and product legislation (e.g. REACH and CLP, sectoral products requirements fi FCM, Toys,..) and same rules including derogations (based on risk assessment) that are foreseen by law which can support recycling.

How to do it concretely (which legislation, etc.)

- The development of a policy framework to address declarable substances for recycling (DSR) should be a rigorous and inclusive exercise, **involving a cross-industry alignment effort with a strong focus on feasibility and effective implementation and be proportionate and sector specific**.
- Possible steps:
 - Establish **sectorial approaches for priority waste streams**, based on potential health and/or environmental impact, and/or based on their relevance in contributing towards achieving circular economy targets, in dialogue with concerned parties.
 - Assess the **feasibility of digital solutions** for tracking & tracing (blockchain technology, digital passports, etc.), including assessing current efforts and exploring the potential for additional voluntary initiatives, as well as the **first feedback of already running projects such as [ChemChain](#), [Circularise](#), [Recichain](#), [ExcessMaterialsExchange](#)...**
 - Ensure that such **digital solutions can be integrated with existing data systems** most commonly used and that there will be a phase-in/grace period to allow for sufficient time to develop interfaces where needed. Discussions should take place within the relevant value chains and build on the learnings from current experience (e.g. SCIP database discussions) as well as on the potential of voluntary initiatives (see for instance the approach adopted by the Proactive Alliance, of which Cefic is an active member).
 - Ensure coordination with ongoing initiatives in the **EU Digital Strategy**
 - Support **the creation of advanced detection methods (e.g. a portable X-ray fluorescence analyser for detecting unwanted substances)** to assess the presence of hazardous chemicals in materials and products, to ensure possibilities for recycling (e.g. test protocol, sample preparation procedure, technique, automation and screening methods)
 - **Develop standardised requirements regarding the communication** on relevant chemicals in products (CiP) along the value chain (using existing communication requirements, REACH provides a good basis), making us of advanced communication technologies (as mentioned above on digital solutions).