

EUROMETAUX CHEMICALS MANAGEMENT NEWS



WISHING YOU ALL A HAPPY EASTER

And please join us online in April for:

- CSS Project Group: 13 April
- The first SEA-AoA Taskforce meeting: 15 April
- Chemicals Management Spring Week: 19-22 April

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Dear All,

A couple of days ago, I caught myself talking to my screen for about 3 hours in a row, scrolling through slides in front of an audience of muted microphones.

The topic of the day was risk communication and the lack of reaction coming from the audience would have bothered me if I had been standing in front of the students. I would have tried to catch their eye, forced some exchanges by raising archetypal examples of transparency or precaution, made from 'how to cope with uncertainty' a discussion.

But hey, this year I am virtual!

And whilst this allows me to teach with both bare feet on the desk, it makes the interactions dependent on the willingness to raise hands. You have probably all experienced over the last year "the silence of the zoom". That moment when you wonder whether the 'whole' connection got lost (not only the internet one, actually maybe the world has just disappeared)? Feeling lonely in the ether. A quick look to the settings (link, participants' list), uttering the famous 2020 sentence 'can you (still) hear me?' allows you to pick up the thread again but not without the thought that humans are definitely not virtual animals.

This prolonged virtuality generates, undoubtedly, some peculiar inklings. Not only when it comes to teaching (although for next time, I have unprecedented creative plans to explain causality). Think about the coffee machine at the office that is starting to look like the 'lost ark' around which we could have wild i.e., uncontrolled) chit chats. Think about the discussions we could have in the past in the shared space at the office that appear now close to surrealistic in our 'home rooms-offices'. Or that nostalgia we feel now remembering meeting breaks when we were running around to 'fix' some points between two discussions. Even the Metals Conference Centre coffee becomes a better tasting beverage with time (which says a lot about us not being virtual animals).

One of the main challenges with these prolonged conditions is trust. Trust is at the foundation of relationships, relationships make your activities -whatever they are- a success. Trust within a group, an organisation, with your stakeholders is obviously a key to successful communication, including in the risk communication I started from. Trust is more or less palpable, is built progressively on understanding and some validation, hence requires time too and can vanish in a snap. But once trust is flowing, you have walls to weather storms and resist the cracks. That flow is difficult to ensure through screens, due to trust's intrinsic properties (being progressive, requiring efforts). Clearly, we have become much better over the last months in detecting any virtual frowning or doubts in the chat, but these expressions do not replace the accumulated interactions that support the understanding over time. And here I have a special thought for the ones who joined our activities over the last year, who have to learn on the virtual spot and construct trust without the in vivo experience and history. Their learning curve is steep and tough. And I just wanted to tell you that you are doing great, considering the conditions. I can only hope for a quick change of settings, more "normal/natural" relationships. But in the meantime, keep going. 'None of us knows what might happen even in the next minute, yet still we go forward. Because we trust and faith' (Paolo Coelho)

Happy Easter

Violaine Verougstraete, Chemicals Management Director

Note: although we are late, and times are challenging, we could not let the 1st of April (Saint-Hugo!) go by without a joke. Did you spot it?

COMMISSION

CARACAL 38: *more incertitude over the implementation of the CSS*

The latest CARACAL meeting was held on 3 and 4 March. As outlined in the previous CM News, there were many agenda topics of interest to Eurometaux. The most newsworthy items were certainly the REACH Revision and the CLP Revision. The Commission shared with CARACAL members very ambitious timelines to come forward with a legislative proposal by the end of 2022 for REACH and by the end of this year for CLP, including supporting studies and impact assessments as per the Better Regulation guidelines. For the REACH Revision, we should expect the Roadmap (a generic document describing the problem to be tackled and objectives to be met, as well as how stakeholders will be consulted) to be published in April. This Roadmap will be subjected to a 4-week public consultation on which Eurometaux is already working on a response. This workstream is led by the CSS Project Group but will gather input from the different Eurometaux Taskforces involved in various REACH processes (e.g. the Risk Management Taskforce). The Commission also presented its proposal for the 18th Adaptation to Technical Progress (ATP) which includes proposals to classify 2-EHA and V2O5. The “essential use concept” was also briefly discussed, with the Commission promising a working paper, a dedicated workshop, and a full study assessing possible criteria, scope of application and policy options (more information: Violaine Verougstraete, Simon Cook & Noam El Mrabet).

Essential Uses: *concept to regulate the entertainment sector, says Commission*

Speaking at an event on Essential Uses organised by DIGITALEUROPE on 15 March, Director Kestutis Sadauskas (DG Environment) stated that the essential uses concept could “have wider consequences on our everyday lives” and could potentially “be applied to entertainment services such as Netflix”. The statement came after M. Sadauskas announced that the Commission was drafting a working paper to be presented soon during a dedicated workshop. “There are a lot of non-essential shows on streaming platforms,” explained M. Sadauskas. “I keep on scrolling and scrolling for ever before finding something essential to watch. We need to streamline the selection process for series.” When asked how to define the criteria for such series, M. Sadauskas stated that “Friends” should be used as a benchmark for all series. “I love that show,” said M. Sadauskas with a high-pitched voice. A representative of Netflix present at the event refused comment. Matthew Perry, the actor playing Chandler in the series, was contacted by POLITICO for a statement, but didn’t know what the European Union was and thought Kestutis was a brand of goat cheese (more information: Troller McTrollface).

Endocrine Disruptors: *meeting and comments by 26 April*

The CARACAL subgroup on EDs came together on 22 March to discuss the two following topics: inclusion of ED hazard classes under CLP and update of the REACH annexes in relation to ED properties. Eurometaux’s representatives draft notes were circulated to the relevant taskforces. Important to note is that we can submit comments on two Commission documents before 26 April. Commission aims to issue its proposal to amend the CLP on EDs in 2021. A supporting guidance document is expected to be developed, taking into consideration existing guidance on PPP/BPR. Before that, an impact assessment will be carried out to identify and assess which effects the various options are expected to have and stakeholders will be consulted via existing fora (e.g., CARACAL, CASG-ED etc.) (more information: Lorenzo Zullo, Marnix Vangheluwe and Violaine Verougstraete).

EUROPEAN PARLIAMENT & COUNCIL

EU Member States call for rapid implementation of the CSS and more flexibility for essential uses

On 15 March the Environment Council, composed of Ministers from the 27 EU Member States, approved their Council conclusions on the Chemicals Strategy for Sustainability (CSS) entitled “Time to Deliver”. In these conclusions, EU Member States support the ambition of the Commission’s CSS and call for rapid implementation and clarification of a number of concepts, such as “substances of concern” or “most harmful chemicals”. The text of the conclusions, on which Eurometaux Secretariat was heavily involved during an extensive outreach to the Member States, remains very close to the CSS, but with one notable exception: EU Member States call for an “essential use framework” rather than strict criteria, hinting that maybe a

more proportionate approach to the essential use concept applied to EU chemicals legislation is on the horizon (more information: Noam El Mrabet).

EU AGENCIES

EUROPEAN CHEMICALS AGENCY (ECHA)

ECHA COMMITTEES

RAC-56: Cadmium OEL and set-up of working groups

Once again, RAC had a busy -56th meeting agenda, starting with a presentation of the 2021 workplan, which highlighted the discussions on restriction of lead in shots, the Harmonised Classification and Labelling process (CLH) proposals on silver and lithium salts but also an Occupational Exposure Limit (OEL) for welding fumes as topics to follow closely. The RAC secretariat presented an estimate of the dossiers they expect the Committee to handle in 2021 but also stressed the new tasks that can be expected in the context of the CSS (e.g. large restrictions, new hazard classes under Classification Labelling and Packaging Regulation (CLP), drafting of Annex XV) and other regulatory developments (e.g. Drinking Water, Batteries). In parallel, it appears more difficult to identify potential RAC members at the level of the MSCAs and ensure that the RAC members are allocated enough time at MSCA level to do their RAC work, due to shrinking resources at national level. The overall workload and increasing pressure have pushed ECHA to reflect about how to ensure a more optimal functioning of the Committee. One possible way is to set up working groups, as has been done for the Applications for Authorisation. A proposal to set up two working groups on CLH and restrictions was discussed in plenary and the subsequent mandate submitted for approval to the ECHA Management Board. The objective of the working groups is to support, on behalf of RAC, the work of the rapporteurs in evaluating the CLH and Annex XV Restriction proposals and review opinions for efficient agreement by RAC, thus reducing debating time in plenary meetings. The tasks of the working groups have been outlined to facilitate as much as possible the processing of the opinions and the identification of issues that require plenary debates/RAC agreements, without replicating discussions that have been held within the groups. The proposal was welcomed by RAC, including by the stakeholders, as it could address some of the hurdles identified in the recent RAC debates, e.g. involvement of enough experts, having sufficient expertise on some processes (e.g. environment CLH), time pressure and loss of transparency. However, RAC participants raised the concern that there may not be enough human resources to populate the working groups. This may also become a problem for stakeholders as this will increase the number of meetings to attend. Stakeholders and their experts will indeed be invited to participate in these two new working groups, in accordance with the Working Procedures of the Committee. Eurometaux and Cefic have started to reflect on how to ensure the best representation and capacity buildings of both sectors. ECHA has just sent out the invitation to the first CLH Working Group meeting to be organised end of April, confirming the support of the Management Board. Lead metal is on the agenda for two two-hour time slots. RAC has also started the discussion on a health value for asbestos. ECHA has prepared a scientific report based on earlier international assessments plus literature search of published papers over the last ten years. RAC has discussed some of the key choices and assumptions in the risk assessment process, supporting the Rapporteurs' analysis but asking to explain more in detail some of the uncertainties, also related to the type of exposures and types of cancer. A revised opinion will be discussed in June. Still in the OEL session, RAC concluded its work on the cadmium and its compounds health based value. Based on a weight of evidence assessment, mainly based on renal, bone, and cardiovascular effects in the general population, a Biological Limit Value (BLV) of 1 µg Cd/g creatinine was proposed by the rapporteurs. RAC followed this opinion and agreed with the proposed limit value. Further, a value of 1 µg Cd/m³ OEL was approved. The RAC rapporteurs referred to the risk of 1/10.000 at 0.9 µg/m³ (respirable) calculated by BAuA and to the 1 µg/m³ inhalable which is already in the current Carcinogens and Mutagens Directive (CMD). In follow-up of the meeting the industry submitted some additional input to the RAC secretariat on existing biomonitoring practices as in plenary a concern had been voiced that biomonitoring may lead to "potential discrimination" at the hiring stage. The RAC final opinion will be finalised and forwarded to Commission in the coming weeks to be discussed with the Advisory Committee on Safety and Health at workplace (ACSH).

Besides the lead restriction, RAC discussed the restriction on substances in single uses diapers. This is again an example of restriction covering several substances and where grouping and exposure assessment

assumptions play key roles. Learning lessons will be drawn and presented to the Risk Management Taskforce in due time (more information: Noömi Lombaert and Violaine Verougstraete).

RAC-56: lead metal environmental classification, some important progress but still a significant challenge

RAC debated in extenso an updated proposal of the lead metal environmental classification proposal prepared by ECHA and the co-Rapporteur. Unlike previously the new version recognises that the massive form can be classified separately from the powder and that the labelling exemption for massive applies in addition to this split classification. RAC came to this conclusion, thanks to and based on a detailed review that used historical evidence on metal classifications and guidance development, provided by industry and some Member States. However, RAC puts all this in jeopardy for lead by referring to the potential release of small particles when handling lead sheet and the large surfaces of lead foil. Such references, besides being incorrect, are not relevant given such forms are articles, hence undoubtedly out of scope of the Classification Labelling and Packaging Regulation (CLP). The lead CLH case will be discussed in a Working Group meeting end of April and finally in the next session of RAC (in June). Both meetings will therefore be crucial to correct this, otherwise the handling and use of metal articles risks being included in the CLP assessment of substances and thus set a very unfortunate and far-reaching precedence (more information: Jasim Chowdhury, Steve Binks and Hugo Waeterschoot).

RAC-60 & SEAC-56: the launch of a restriction on lead use in ammunition and fishing, a first environmental substitution case based on terrestrial concerns

Both ECHA committees concluded positive on their accordance check on a new proposal for a restriction on the use of Lead in ammunition and fishing weights. The proposed restriction was requested by the Commission and complements the already existing restriction on the use of Pb in ammunition in wetlands. Most of the debate in the two committees focused on the need for additional information to validate the exemptions from the scope and the justification of the proportionality of the assessment. This case is of specific importance for the metals sector given it is the first substitution case based on an environmental impact assessment for terrestrial use. The way the risks and benefits are described are therefore potentially trendsetting and will require a close follow-up of the proposed restriction at the in-depth review sessions/next meetings of both Committees (more information: Violaine Verougstraete and Hugo Waeterschoot).

SEAC-60: the review of the substitution plans may result in “the end of upstream authorisation applications”

SEAC started reviewing the Substitution Plans for chromate use in decorative plating and concluded that they were “non-credible”. This negative conclusion was reached despite industry’s extensive efforts to submit updated information on the substitutability for various utilisations of Cr for different decorative plating technologies. This opinion is clearly the result of a different opinion held by SEAC as to what level the substitutability of a use of a substance should be assessed. Industry promotes this being done at *the use level* recognising the different technologies and substrates coated, while SEAC feels that the assessment should allow to assess the potential for substitution at the level of the downstream user companies. They base this view on the outcome of the Pb-chromate court case concluding that the outstanding uncertainty on the potential to substitute should not be left open, which SEAC feels can best be done at company specific level. This view could factually result in the end of upstream authorisation applications given the Commission will not take the political risk to grant authorisations based on an opinion concluding non-credible proof of the substitutability. This is contrary to the original meaning of the authorisation chapter of REACH and could result in the need for thousands of separate authorisation requirements! An unacceptable administrative burden for industry with very limited value for society. Therefore, Eurometaux will together with the concerned sectors search for acceptable ways out of this situation (more information: Hugo Waeterschoot).

MB-61: a long debate on the involvement of ECHA in CSS projects

ECHA’s Management Board debated and approved the 2020 activity report and discussed the proposals for ECHA’s priorities for the 2021-2023 period. While the Commission’s financial contribution now seems stable for the coming years due to the adoption of the EU’s multi-year funding programme, ECHA is still short financially due to the decreased income on registration fees. Cancelling non-core programmes like ENES activities on supply chain communication and reduced support for the help desk and the enforcement forum

were therefore decided. Whilst there is a great willingness from ECHA's side, the restricted budget also raised concerns regarding to what extent ECHA can live up to the Commission's expectations to help them out with technical input on the CSS. The Commission want their support but does not seem prepared to provide extra funding for it motivating this being part of the public funding sponsored part, which ECHA and many Member States, disagrees. While industry is not involved in this discussion it may affect them given ECHA started searching for compensating funding by preparing an alternative fee for work proposal (for registrations and updates?) and less thought through proposals on technical aspects of the CSS. (more information: Hugo Waeterschoot).

ECHA OTHER ACTIVITIES

Registration monthly-update call: ECHA begun manual checks on the Chemical Safety Reports

The ECHA Registration monthly update (previously called "monthly ECHA/Industry informal exchange call") took place on the 12th of March. The 1-hour call started with an update from ECHA on REACH registration trends. The number of registrations (especially above 1000 t) has exceeded the forecast; many are coming from Only Representatives (probably a consequence of Brexit). ECHA is also monitoring the transfer of UK registrations and started the revocation of approximately three thousand registration numbers.

In the context of Covid, ECHA explained that they are not in a position to grant exemptions for substances that are required for fabricating vaccines or test kits, however they can facilitate discussions with Member States.

Another important update that was provided was on manual completeness checks on the Chemical Safety Reports. ECHA is now manually checking the presence of Exposure Scenarios (ES) and Risk Characterisation (RC) for substances classified as hazardous or fulfilling PBT (Persistent, Bio-accumulative and Toxic Chemicals) criteria. The Chemicals Safety Report (CSR) must contain ESs and RC for all uses covered by the registration dossier. ECHA checks that all relevant information is present. This activity, expected to start last October, was officially launched in March. During the first week, ECHA checked 81 CSR and sent out 15 communication letters to inform registrants about missing information. At the next registration monthly-update call, to be held on 30 April, ECHA should be able to provide more details and preliminary results related to trends and areas of incompleteness (more information: Lorenzo Zullo).

EUROMETAUX CHEMICALS MANAGEMENT

EUROMETAUX FUNCTIONING

Circular Economy Action Plan - Sustainable Products Policy Initiative: *overlaps and intersections between sustainability and chemicals management*

The EU aims to significantly alter product policy as a part of the EU Green Deal and the Circular Economy Action Plan in the forthcoming Sustainable Product Policy Initiative (SPPI). A legislative proposal is expected in the fourth quarter of 2021. The SPPI will broaden the scope of the Ecodesign Directive beyond energy-related products and has two overall objectives: to create more durable, reusable, repairable, recyclable, and energy-efficient products that consumers, environment and climate will benefit from; and to address the presence of harmful chemicals in products such as: electronics & ICT equipment; textiles; furniture; steel, cement & chemicals.

From the chemicals management point of view, the two areas of significance are the minimisation of the presence of "substances of concern" (SoCs) in products and recycled materials, and the need for the value chain to provide information on the chemical content of products. As defined in the Chemicals Strategy for Sustainability, SoCs would include substances having a chronic effect for human health or the environment (Candidate list in REACH and Annex VI to the CLP Regulation), and other substances that affect waste management operations. This is a broad definition that covers most of the metals essential for achieving the goals of the Green Deal. Even metals not fitting the SoCs description are likely to become caught in the SPPI due to the presence of alloying elements, impurities and coating, when used in products (e.g. steels, aluminium alloys).

Hazardous metals are, however, used safely in products fulfilling unique essential technical or structural functionalities, and also have high Circular Economy potential. Recycling rates for many of these metals are already high compared to most other materials, offering a sustainable source of secondary material. A hazard driven framework can have significant negative impact on metals recycling and diminish the EU's capacity to recycle complex materials as well as supply strategic metals using its own sources.

Eurometaux through the Sustainability and Chemicals Management Committees is advocating for a proportionate approach to SoCs to ensure workability for regulators and industry, by focussing on risk and exposure / release rather than inherent toxicity and taking into account the strategic value of minerals and metals. This messaging will be part of Eurometaux's submission into the second public consultation on the SPPI, which closes in June 2021 (more information: Simon Cook).

Classification: a new taskforce on lithium

France has submitted a proposal to classify lithium salts (chloride, carbonate, hydroxide) as toxic for the reproduction, in category 1A under CLP. The Annex XV (CLH proposal) prepared by France is available here <https://echa.europa.eu/nl/harmonised-classification-and-labelling-previous-consultations/-/substance-rev/25902/term>. The Public Consultation is over, and several industry groups have submitted comments. The next step is the discussion by the ECHA Risk Assessment Committee of the CLH proposal at its June meeting. RAC will issue an opinion that will be submitted to Commission to be included in an Adaptation to Technical Progress (ATP). Eurometaux has been requested to set up a Taskforce (comparable in its functioning modalities to the previous lead and cobalt CLH Taskforces) to ensure the information flow and facilitate the activities of the different industry sectors/companies involved/impacted by the proposal. A first catch-up call will take place early May (more information: Chris Heron and Violaine Verougstraete).

CHEMICALS STRATEGY FOR SUSTAINABILITY

Zero Pollution Action Plan: Eurometaux holds its first Zero Pollution Project Group meeting

On 31 March, the Eurometaux Secretariat held its first meeting of the ZPAP Project Group. It was aimed at updating members on the latest developments regarding the Zero Pollution Action Plan, which is now set to be adopted on 18 May 2021, and at advancing in Eurometaux's Public Affairs strategy to address the ZPAP, including technical resources needed to support our advocacy activities (more information: Noam El Mrabet).

REACH REGISTRATIONS

Registration and Maintenance Taskforce meeting: main discussions around registration dossier updates and UK-REACH

The Registration and Maintenance Taskforce held a (web)meeting on the 30 March. Chaired by Sandra Carey and the new co-chair Kerstin Heitmann, the taskforce discussed the new REACH challenge: how to maintain the registration dossiers updated, in compliance with duties contained in the recent EU Implementing Regulation on dossier updates. Several consortia had the opportunity to present their approaches (e.g. substance prioritisation, activities planning) and challenges, such as getting the right contribution from co-registrants, letters of access to data and, recalculation costs due to the 12-year data protection rules.

The second part of the meeting covered "UK-REACH". The taskforce agreed to further investigate the possibility to establish a cross-consortia structure to support metal consortia on UK-REACH duties. The topic will be further discussed in April, after the preparation of a document describing possible options. During the 3-hour meeting, the taskforce also managed to present and discuss additional topics, including how to deal with requests to join existing registrations with substances that have different identity profiles and in particular contain levels of impurities that could lead to different hazard classifications. Discussions also covered the scope of the chemical safety reports and their new compliance checks conducted by ECHA. This meeting was also an opportunity to provide updates concerning the activities in the CARACAL subgroup on endocrine disruptors and the ongoing revision of the ECHA guidance documents on registrations and data sharing.

The next Registration and Maintenance Taskforce meeting will be held around September/October (more information: Sandra Carey, Kerstin Heitmann, Federica Iaccino and Lorenzo Zullo).

RISK MANAGEMENT

Risk Management Taskforce meeting 25/3: focus on Risk Management aspects under the CSS and recent REACH Risk Management challenges

The Risk Management Taskforce covered a wide agenda of EU Risk Management related items many of them of legal and strategic nature. A review and debate took place on the Risk Management tools under the Chemicals Strategy for Sustainability (CSS) as well as the impact these (new) tools could have on the sector. The aim was to prepare guidance for the CSS-TF on the CSS advocacy strategy. What especially came to light was i) the broad hazard scope of Substances of Concern (SOCs) and the requirement to minimise their use in product stream and ii) the extension of the criteria of Most Harmful Chemicals (MHC) broadening the scope for horizontal restrictions on consumer uses. Both could affect the sector to a great extent. The concept and framework on Essential Use was also discussed including a suggested way forward. The Taskforce went on to review the consequences of the recent court decision on Pb-chromates (C-389) challenging applicants to take more responsibility for substitution plans and the outcome of the CARACAL discussion on leaving the follow-up on the intermediates' definition to ECHA to prepare an update of the guidance. Lastly the RMTF took note of the recent SEAC opinions quoting as non-credible (see also item on SEAC-56) the Substitution Plans submitted by industry on the authorisation applications for decorative plating and others. For all these structural concerns the RMTF defined communication and/or advocacy follow-up activity. The detailed minutes will be circulated soon (more information: France Capon, Klaus Kamps, Michel Vander Straeten and Hugo Waeterschoot).

INDUSTRIAL EMISSIONS

Industrial Emissions: from deadline to deadline

Over the last months, this Taskforce has been further working on the actions outlined in February, starting by finalising its input for the Open Public Consultation on the Industrial Emissions and European Pollutants Release and Transfer Register (E-PRTR) Reviews. In parallel, a group of volunteers completed the IED Targeted Stakeholders Survey (TSS) questionnaire, supported by Seeds Consulting. The deadline for the TSS input is 9 April. The following deadline is then the submission of the TSS for the E-PRTR (30 April). In parallel, we are following -thanks to Lorenzo Ceccherini and Lighea Speciale from Seeds Consulting- the activities of the Alliance and BusinessEurope to ensure leverage and consistency of the points raised. A further action to be worked on is the input to provide to the OECD PRTR Working Party, related to the report discussed at their January meeting on the use of PRTR data for Sustainable Development Goals (SDG) progress measurement. The report put metals in the spotlight, among others for methodological reasons. The Chemicals Management Steering Committee supported actions aiming at putting the report's conclusions into perspective so as to prevent damaging the metals sector's image. While ICMC will focus on the UN and SDG related aspects, it was agreed that Eurometaux and the consortia will prepare a generic response to the OECD PRTR Working Party and the authors of the report (more information: Hugo Waeterschoot and Violaine Verougstraete).

WATER

Update: latest developments

During its last meeting, the Water Taskforce agreed to draft a letter to Commission to raise once again our procedural concerns regarding the Prioritisation process and the impact assessment carried out under the Water Framework Directive (WFD). This was supported by the Chemicals Management Steering Committee end of February. The content of the letter has been discussed in an iterative way to find the right balance. It is now very close to being finalised and will be sent before the next Working Group chemicals scheduled for 29 April 2021. Also, during its meeting earlier this week, the ZPAP Project Group discussed Strengths Weaknesses Opportunities Threats (SWOT) analysis that was conducted for Water issues, to identify the possible opportunities and/or threats in the upcoming ZPAP, based on the current information. The SWOT analysis will be further confirmed once the ZPAP has been issued, and a prioritisation of actions will be carried out -including on the water related directives falling under the ZPAP umbrella (more information: Noam El Mrabet and Lara Van de Merckt)

TOOLS

SpERCs: successful outcome of the Nordic council project on assessing the quality of industry emission factors

Do you remember the never ending discussions around the SpERCs (Specific Environmental Release categories), the environmental emission factors developed by industry? If not, good for you! It means you might have not been involved in such a complex topic. For all the others, we have a good news: we reached an important milestone!

After having worked on standard approaches and formats, during the past 2 years, a dedicated cross-industry taskforce developed a set of criteria to be used to assess the quality of SpERCs. The criteria were intended to be used by industry to evaluate the quality of their respective SpERCs. Thanks to this, Eurometaux was able to conclude that the SpERCs developed for metals were of good quality. This is great of course, but something you already knew! The “real” good news is something different. Last year, the Nordic Council of Ministers, initiated a parallel project (NEXPO Project) to evaluate the SpERCs quality criteria. The project was successfully completed, and the outcome was published in the report: [Testing the applicability of the newly adopted Quality Criteria Template as a tool for the evaluation](#). They concluded that “overall, the project was considered successful and fulfilled the project plan’s objectives” and “the overall score was more often “Good”. Considering the complexity of this topic and efforts dedicated to it, we are very pleased that authorities, via this project, have rubber stamped the work done by industry, providing an extra layer of confidence that SpERCs are solid tools to support risk assessment activities.... and this, is not a 1st-of-April joke!

The cross-industry taskforce will reconvene again in the coming month to review its mandate and discuss whether further activities on SpERCs are needed (more information: Lorenzo Zullo, Frederik Verdonck).

Classification: all routes for V2O5 and preparing bioelution

The RAC issued an opinion in December proposing to classify V2O5 as Carcinogen Cat. 1B via all routes of exposure. The entry was included in the draft of the 18th Adaptation to Technical Progress (ATP) of the CLP Regulation discussed in CARACAL (see above). Industry considers that the sole study used to base this classification presents several scientific limitations including breaches of the maximum tolerated dose protocols, aspects related to the test item, and unexplained high vanadium blood levels that persisted in unexposed control animals throughout the study. Industry also has some arguments to limit the classification to the inhalation route. Industry and Eurometaux were invited by Commission to explain their concerns during a webinar end of March. Comments further highlighting these concerns, but also raising the importance of V2O5 in the context of the Green Deal and the potential impacts of the classification will be submitted to CARACAL by 9 April.

The next CARACAL Subgroup on Bioelution meeting will take place on 20 April. In preparation, industry reflected on the comments submitted by the Member States as well as on a proposal by Sweden to explore the inclusion of a specific rule under CLP Article 14 “Specific rules for the classification of mixtures” for the classification of alloys to make clear that in the case of the classification of alloys based on the presence of (a) classified metal constituent(s) where scientific evidence is available demonstrating that the rate and extent of the metals release from the alloy is substantially different from the one from the pure metal(s), i.e. a strong matrix effect is evident, the alloy may be classified in a different hazard category or not classified. How “substantially different” the releases from the metal and pure metal should be will of course influence the workability of the proposal for industry. We are looking forward to providing you with an update end of April (more information: Astrid Voigt (V2O5), Adriana Oller and Violaine Verougstraete).
information Violaine Verougstraete)

METALS & INORGANICS SECTORIAL APPROACH (MISA)

MISA: report to CARACAL and last MISA exposure webinar

At the latest CARACAL meeting, Jos Mossink (ECHA) presented the main headlines of the report prepared by ECHA on the MISA programme, stressing its achievements during the 3-year implementation period and what remains to be done. Member States are able to send in some follow-up comments but overall the progress made with MISA was welcomed. Eurometaux confirmed ECHA’s and industry’s commitment in making it work and how learnings have been and are still being picked up. A nice illustration of this cooperation is the set of minutes prepared on the environmental exposure webinar, balancing expectations and realism, identifying possible multi-metallic/inorganic actions.

The last of the MISA exposure webinar series will take place on 7 May 2021 and discuss consumer exposure, indirect exposure via the environment and follow-up on actions identified during the Lifecycle Tree (LCT), workers and environment exposure webinars. At this webinar, a date for the submissions of the workplans on exposure will be proposed to the consortia and associations.

The last MISA activity on impurities and supply chain will unfold after summer but preparations will start before the holiday break, due to the complexity of the topic and its importance in the upcoming chemicals management discussions.

And to not forget our dear Unknown or Variable Composition, Complex Reaction Products and Biological Materials (UVCBs), a call with ECHA confirmed that the discussions on the IUCLID reporting and the link with the data dissemination are progressing nicely and that we should obtain more clarity after Easter (more information: the MISA team).

OUTREACH

OECD

OECD IUCLID Users Group Expert Panel: *webinar (30 March 2021)*

The webinar focused on updates on IUCLID and OECD ongoing activities. In particular, a couple of upcoming IUCLID functionalities were explained: the IUCLID Uploader and the inclusion of the QSAR toolbox. The IUCLID uploader is meant to support migration of data from existing databases (e.g., as from excel) into IUCLID directly. At the moment, the functionality is under testing with an existing Australian database hosting reference substances information. Dates of release will follow, as not yet defined.

Secondly, the QSAR toolbox will be integrated in IUCLID and be available in the September release, that will be named IUCLID 6 v4.5 and will allow to run a data structure search on IUCLID and on the QSAR toolbox, to import substance identity information and to link to relevant data in the IUCLID database. As for the imminent IUCLID release in April, ECHA explained how the tasks prioritisation was developed and shared the priorities mapping exercise run with authorities, industry, ECHA and consultants. For instance, the need to have advanced settings in the validation assistant was flagged as a priority and will therefore be available in the April update. On the OECD side, work is ongoing on the Global Chemical Knowledge Base that will help ensure inter-operability between the OECD products, increasing the information dissemination and reducing duplication efforts. Finally, ECHA explained the ongoing project on the OECD Harmonised Template (OHT), aimed at reducing overlapping templates for toxicity endpoints between the different regulatory frameworks. The work is on track and the outcomes of this project will not affect the upcoming IUCLID 2021 release. However, they will be part of IUCLID 7, which will be released on 1st April 2022: this version will include all the new features in the OHT for environmental and human health endpoints, requiring small adaptations to about 457 entries in all the Section 6 and 7 endpoints, but also in Section 4 and 5 to align these with the higher Tier testing too (they could not think of other jokes!) (for more information: Federica Iaccino).

OECD Risk Management: *the launch of the Working Party on Risk management*

The OECD Joint Meeting, a body comparable with CARACAL in the EU, agreed to leverage the OECD's involvement in Chemicals Risk Management support and coordination activity by merging several OECD workstreams and packages on Risk Management in a newly created OECD Working party on Risk Management. On 30 March, this new group was kept above the baptismal font in a webinar to define the mandate, the transfer of present activities to the new structure and potential new programmes. With this Working Party (WP) the OECD wants to extend its activity in this field recognising that the issue of Risk Management is growing in many jurisdictions. It aims for common views and guidance hence reducing barriers to trade or differences in protection levels. While this WP is expected to get significant momentum, it will need to search for project funding given it lacks structural OECD financial support. The webinar was very well attended with global participation including ECHA, and many Asian representatives. Eurometaux is represented in this WP by Kai-Sebastian Melzer and Hugo Waeterschoot as BIAC representatives (more information: Kai-Sebastian Melzer and Hugo Waeterschoot).

OTHERS

Chemical Watch conference on EU review: *Eurometaux acting as key speaker on impact of CSS on industry*

Chemical Watch organises on a regular basis conferences on generic or specific themes related to Chemicals Management. On the most recent EU review update in March, Eurometaux was invited as the keynote speaker on the CSS agenda item. Hugo Waeterschoot spoke about the different new tools that would be introduced by the CSS and how they could potentially impact industry. He made a plea for the simplification of Risk Management tools and requirements, making them more risk focused and for the integration of climate and circularity objectives to balance the almost exclusive focus on Chemicals Management based on hazard properties. He further indicated how the metals sector is presently conducting an internal self-assessment survey aimed at estimating which aspects could benefit or impact the sector (more information: Hugo Waeterschoot).

Informal Working Group on genotoxicity: *work on criteria 1B, 1A and 2 launched*

The UN Global Harmonised System of classification and labelling of chemicals (GHS) sub-committee agreed end 2020 with the set-up of an informal working group (IWG) to clarify the criteria for classification for germ cell mutagenicity in Category 1B as those have led to disagreements in interpretation. The IWG will be led by the Joint Research Centre (JRC) and a first virtual meeting took place early March to discuss the Terms of Reference. Deliverables will be amendments to chapter 3.5 of the UN GHS purple book. The agreed terms of reference stipulate that the criteria for classification in category 1B, including the use of other types of data as indirect evidence of interaction with germ cells; such as toxicokinetic data from currently accepted *in vivo* studies and/or supporting evidence from other available studies will be reviewed, but also the criteria for classification in category 2 and 1A for consistency. The IWG will consider if in addition to the revision of the criteria additional guidance is needed and whether the section 3.5.5 decision trees need to be amended. The work will be carried out through discussions in approximately bi-monthly meetings and by written procedure, based on the issues to discuss. Three work streams have been defined to cover terminology issues up to the decision logic packages. The objective is to finalise a draft revised text of Chapter 3.5 and present to the sub-committee within this biennium and prior to December 2022 for possible inclusion in the Revision 10 of the GHS. Samuel Buxton (NiPERA), Claudine Albersammer (ICMM) and Violaine Verougstraete participate in the group (more information: Violaine Verougstraete).

CALENDAR

**Please find here below a non-exhaustive list of the meetings that are planned so far for 2021.
This list will be kept up to date on a regular basis and communicated throughout the year.
Please save the dates for the meetings of interest for you.**

For meetings at Eurometaux

For the moment due to the current situation beginning of 2021, it will be possible to join our meetings by Webex (links to join will be sent ahead of the meetings).
Any further update, decisions and/or cancellations will of course be communicated in due time.

For meetings at ECHA

ECHA confirmed that **until the 30 June 2021 all ECHA meetings will continued to be held remotely**. ECHA will keep the situation under review and will provide any further information as appropriate. This information is published on ECHA's [website](#)

Further information on the COVID-19 situation information can be found on the [ECDC website](#)

- 13 April: CSS Project Group Meeting
- 15 April: SEA-AoA Taskforce Meeting
- 19-22 April: Chemicals Management Spring week
- 27-28 April: REACH Committee Meeting
- 7 May: MISA Exposure – Final Webinar
- 28 May: Chemicals Management Steering Committee Meeting
- 31 May-4 June: ECHA RAC-57 & SEAC-51 Meetings
- 7-11 June: ECHA RAC-57 & SEAC-51 Meetings
- 14-18 June: ECHA MSC-74 Meeting
- 15-16 June: WPC meeting
- 22 June: Risk Management Taskforce Meeting (TBC)
- 23-24 June: ECHA MB-62 Meeting
- 24-25 June: REACH Committee Meeting TBC
- 29-30 June: CARACAL-39 TBC
- 31 August: Chemicals Management Steering Committee Meeting

GENERAL INFORMATION & ACRONYMS

Follow the logo and check out our new Metals Gateway website.



This website is a (new) one stop information source for regulators & risk assessors dealing with metals/metal compounds and is tailored to the specific needs of the metals industry sector.

A continuously updated list of acronyms is available under the Reach Metals Gateway (RMG)
