



## EUROMETAUX CHEMICALS MANAGEMENT NEWS



### Please join us on:

- 8 December: CM Steering Committee Meeting
- 9 December: Human Health Taskforce Meeting
- 20 December: CSS Project Group Meeting
- 21 December: Risk Management Taskforce Meeting

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Dear All,

*I think we can all easily agree that science is dynamic, by definition, by nature...intrinsically. It needs to evolve and cannot work with standstills. Science requires its “environment”, from the researchers at the origin to the users who apply it, to remain in movement, making steps forward and sometimes backwards, to search and discover new grounds and penetrate the mist. Science is like a plant that needs space, fertile ground, water, and that cannot be constrained. Hence my surprise (still, after all these years) when I am confronted with attempts to block the consideration of more data or more tools.*

*The context of a pandemic, with the ups and the downs, the uncertainties associated with the variants and measures taken, does not leave us unaffected, including in our scientific attitudes. There is some chilliness towards data, some temptation to fall back on the knowns and agreements, to take a bit of a pause on what may seem less urgent or of lower interest. However, movement remains essential, and this should be further defended by the scientists.*

*The role of “precaution” becomes even more hazy in this context. Clearly, it cannot be used as an excuse to stop a discussion or discard some data. On the other hand, as industry, we may need to be a bit more cautious in what we attribute to a precautionary attitude. We tend to compare/oppose precaution with risk assessment and its sound science, its probabilities and quantification. This maybe a shortcut. Stirling (2007) also refers to the elements of uncertainty (e.g., of a complex, open system), ignorance (unanticipated effects), and ambiguity to be considered on top of risk assessment approaches. Ambiguity refers to the outcomes, where contested assumptions, comparing incommensurables, disagreements between specialists may occur. For each of the elements, incomplete knowledge plays a role. But for some of the elements, quantification of what is lacking can be done, for others not. This may translate in rationality or more subjectivity. Stirling stresses that the precautionary principle is not—and cannot properly claim to be—a complete decision rule at all. But also that risk assessment offers a powerful suite of methods under a strict state of risk. However, these are not applicable under conditions of uncertainty, ambiguity and ignorance. We have still some way to go to reconcile the different views on precaution, finding the right balance between the risk assessment (and related tools and data) and what a policy-maker will give priority to (i.e., uncertainty, ambiguity and ignorance have been given the benefit of the doubt to the protection of human health and the environment). We may need to nuance wording on both sides, although I must admit that after the last bioelution discussions I started to wonder whether under what Stirling referred to as ‘ignorance’ we should not include the willingness to remain ignorant... this also becomes a policy tool these days. Not rational, nor rigorous, uncertain but quickly becoming a truth in these shaky days. Only remedy? Wonder, interrogate, inquire...*

Violaine Verougstraete

# COMMISSION

## ***CARACAL 42: keeping pace with the CSS implementation***

On 17 and 18 November the latest CARACAL meeting was held. The usual two-day meeting is getting more intense as the first deadlines for the implementation of the Chemicals Strategy for Sustainability (CSS) are approaching. Participants do not even try to conceal their tiredness anymore; whether it is the Commission, ECHA, industry, or Member States, everyone deplores the lack of resources to be able to keep up with the frenetic pace of the CSS implementation and the plethora of studies (there are 11 supporting studies solely dedicated to REACH Revision) that will eventually feed into several impact assessments. The 35-page Summary Report of the last CARACAL meeting, featuring the Mixture Assessment Factor(s), Essential Uses, new hazard endpoints, new information requirements, etc. is available for more details on what keeps the Commission (and the galaxy of involved/interested parties around it) awake at night. To cope with this busy agenda, the Commission is organising a series of additional so-called ad-hoc CARACAL meetings on 6 December, 14 December, and 27 January, to which Eurometaux will participate (more information: Noam El Mrabet).

## ***Endocrine disruptors: CARACAL extends the mandate of the sub-group on ED until the end of 2023.***

Endocrine disruptors (EDs) were on the agenda of the November CARACAL meeting. It was recalled that over the past months the sub-group on ED (CASG-ED) discussed a proposal from the European Commission to add hazard classes for EDs in the Classification Labelling and Packaging Regulation (CLP). A revised draft will be used in the framework of a study launched to support the impact assessment of the revision of the CLP Regulation. This study will cover EDs and provide an evaluation of the number of substances that will be captured by the criteria on EDs and the impacts (positive and negative ones) of the introduction of this substance. Considering that the CASG-ED needs additional meetings to discuss other specific technical points of the ED criteria, the mandate of the CASG-ED was prolonged to 31 December 2023. Besides discussion on hazard criteria and data requirements, the CASG-ED was mandated to explore possibilities to include endocrine disruptors in the existing international system for classification of chemicals (UNGHS) and international co-operation on regulatory issues (e.g., with OECD) (more information: Noam El Mrabet, Marnix Vangheluwe, Lorenzo Zullo and Violaine Verougstraete).

## ***EU Commission Workshop on REACH Authorisation & Restriction Reform: a well organised metal sector***

As a follow-up of the Restriction Roadmap that looks forward on REACH Risk Management until 2025 when the new-REACH will be voted, the Commission launched ideas for the period beyond.

Those ideas included 4 options: a baseline by keeping the authorisation as present, and 3 new options 1) improving the authorisation system on some critical aspects, 2) merging the restriction and authorisation system and 3) abandoning the authorisation system. In order to collect stakeholders' responses and reactions, the Commission organised a face-to-face workshop on 12 November complementing a Presidency Workshop for the Member States on 9 November, on the same theme. Both came to aligned recommendations stating that the new options 1 and 2 were the only and most relevant ones. On side-line questions like the relevancy of national authorisations, the answer was clearly "no", given this would only lead to more disharmony. The alignment of Occupational Safety Health (OSH) and REACH was a question that led to more debate between the different stakeholders. However, in general all stakeholders were united in rejecting an option that proposed to fully integrate the setting of Occupational Exposure Limit Values (OELVs) into REACH. The metals sector had reviewed the 8 questions in advance of the workshop, which enabled our sector to come forward with a common view. This was facilitated by the pre-discussions Eurometaux had organised on the different options at its Risk Management Taskforce meeting in September. The outcome of the Commission workshops on the future of Chemicals Risk Management, will feed into the REACH impact study that will be launched early 2022. An Eurometaux report is available for those interested (more information: Caroline Braibant, Kai-Sebastian Melzer, Roger Doome and Hugo Waeterschoot).

## ***Commission Workshop on MAF: confirming very different views and expectations!***

On 24 November, the Commission organised a workshop on another of the CSS's main challenges: the mixture toxicity assessment. Its aim was to provide input to the Commission's impact study on the new REACH. At the workshop, Arche presented the preliminary work conducted for Cefic and Eurometaux

demonstrating the significant impact of a Mixture Assessment Factor (MAF) even at relatively low values (2 or 3). This was complemented by a somewhat generic outcome of an extensive study conducted by RIVM. Contrary to those studies that all started from extensive water monitoring databases, a modelled study conducted by Professor Backhaus for Kemi demonstrated that a MAF of more than 10 (even >100) would be required to eliminate the combined mixture risk. The differences in opinion between industry and NGOs appeared on many aspects during the workshop and its breakouts, while Member States' representatives had split opinions. On the other hand, there was a much more common view when it came to considering excluding workplace exposure from the MAF application given combined exposures are known and the Chemicals Agents Directive, already covers mixtures effects. Applying a MAF to the Risk Characterisation Ratio (RCR) rather than the Predicted No-Effect Concentration (PNEC) was also seen as a better choice that would allow for equal attention to be brought to the improvement of the effects or the exposure levels. The Commission's summary brought forward by DG ENV was disappointing given it stressed that the MAF will only affect "some chemicals", while industry demonstrated a large impact in the order of 60-70% of the existing exposure scenarios. But thanks to the preliminary work done by industry, there was a clear understanding that the challenges for metals and other naturally occurring substances would require specific attention and solutions. The Commission closed the workshop noting that multiple MAFs will most probably be needed, the occupational setting may require an alternative solution and that the approach to introduce the MAF obligation would most probably be a part of the Chemical Safety Report (CSR). The workshop conclusions will be taken forward in the specific preliminary impact study on the introduction of the mixture toxicity assessment in the new REACH, concluding with the announcement of a follow-up workshop on the theme in March (more information: Frederik Verdonck, Karel Viaene and Hugo Waeterschoot).

#### **CASG Bioelution: *some progress in the dark***

On 16 November, the CARACAL sub-group on bioelution met for its last meeting. The meeting, chaired by DG ENV, was attended by experts from Member States (MS), DG Environment, DG Grow, ECVAM, ECHA, and industry (EM, Eurofer). The meeting started with the approval of the May meeting minutes which will be done by written procedure at the request of Germany. EURL ECVAM provided a quick update on the activities at OECD level regarding the oral bioelution Test Guideline, explaining that 3 countries were asked to provide the secretariat with suggestions of data/testing that could remove remaining uncertainties on the protocol, but they did not provide any specific proposal, leading to the cancellation of the Expert Group meeting in September.

One of the countries indicated that there had been a misunderstanding of what OECD requested, hence the question was posed again. Germany made a presentation on sources of uncertainty pertaining to absorption of inorganic substances by all routes. Industry noted the points but clarified again that this was all applicable to absolute metal releases and absorption and not to relative metal releases, as described in the Task Group (TG) and CLP proposal. The morning session ended with a presentation on enforceability and how to establish traceability for data and results of the method. In the afternoon, Eurometaux made several presentations on a practical way to assess the available information and refine the classification of alloys for the oral route of exposure, and on two guidance documents that had been circulated ahead of the meeting, i.e., selection of a representative sample and grouping of alloys. A comment was made that the sample selection document was too complex. Afterwards, Eurofer went over a Safety Information Sheet (SIS) that accompanies stainless steel articles to demonstrate that even though classification is not needed for articles, the information about the material's composition is preserved. Then, ECHA presented a document that also highlighted the uncertainties of the method to assess absolute bioavailability. The idea behind it was to decide if an additional safety factor should be added to the metal-release based concentration of a hazardous metal in an alloy before comparing it to the cut-offs for classification. ECHA was open to the possibility of having metal-specific factors. To round up the discussion on uncertainties, Eurometaux presented a table that compared the sources of uncertainty between the current CLP approach for mixtures classifications and industry's proposed refinement approach based on metal release. DG ENV closed the meeting by soliciting comments on all the posted documents by 7 January. Based on the input that they receive, the Commission will consider if they could write a proposal to incorporate a metal-release based refinement into the legislation. Further discussions would take place at general CARACAL meetings unless the mandate of CASG-Bio was extended.

DG-ENV provided an update on the CASG-Bio activities to CARACAL along these lines. CARACAL suggested to extend the mandate of the group by 6 months (more information: Adriana Oller and Violaine Verougstraete)

# EU AGENCIES

## EUROPEAN CHEMICALS AGENCY (ECHA)

### ECHA COMMITTEES

#### *RAC-59: the restriction of Lead in ammunition and fishing setting new methodological grounds relevant for metals in general*

RAC-59 discussed in a specific working group session, as well as in plenary, the proposed restricted use and placing on the market of Lead in ammunition for outdoor hunting and sport shooting as well as fishing sinkers and lures. The importance of the case is not so much the further restriction of lead, but several precedent-setting methodological concepts, in particular the newly developed qualitative risk assessment approach whereby RAC assessed, compared and added on, risks of very different nature like environmental impact on birds, groundwater pollution and human health consumption. Also the way that risk management measures are defined (substitution, containment technology, recovery of shot/bullets,...) sets precedence. As a consequence, this restriction has become a very complex proposal with many different tools and layers of risk management for different uses. Most importantly, industry managed to provide input into the qualitative risk assessment of Lead in ammunition, to ensure it balances the different contributions/contributors in a fair way in respect to the impact and its frequency. Relating to the substitutes suggested (e.g., Bi), industry reminded RAC of the Critical Raw Material status and the impact it has on lead mining. RAC has already progressed with the opinion very far without having taken into account the outcome of the Public Consultation (PC) nor the recommendations of the Enforcement Forum. This unusual approach is the consequence of the very large number of contributions, including extensive new information, received under the PC.

One of Eurometaux's main tasks and other industry delegations for the final RAC Restriction Working Group would therefore be to ensure that this new information is valued in an appropriate way even if it would contest present conclusions (more information: Frederik Verdonck, Giuliana Sebastiani and Hugo Waeterschoot).

#### *RAC-59 Plenary: human health and other bits*

RAC held its last virtual meeting of the year, starting with the presentation of its workplan for 2022. Discussions on the cobalt OEL draft opinion should start in April/May. No clear timing was communicated on the welding fumes scoping study. RAC discussed several restrictions and applications for authorisation, among which to note the first discussion on the Article 69(2) on 2,4-Dinitrotoluene that shall not be placed on the market, or used, as a substance in articles for the supply to the general public or to professional workers in concentration  $\geq 0.1\%$  w/w. Professional use was defined as uses by workers that take place outside of industrial premises and where fixed risk management measures cannot be used.

Also to be monitored, for possible precedent-setting, the Article 77(3) request to ECHA's Executive Director asking RAC to deliver an opinion on reference DNEL/PNEC values or dose-response curves considering updated properties of DEHP, BBP, DIBP and DBP (i.e., for Endocrine-Disrupting properties). The questions posed by Commission included: a) Are the RAC (2013) reference DNELs, sufficiently protective as they are, i.e., have the effects related to endocrine mode(s) of action already been sufficiently addressed? B) If not, could these RAC (2013) reference DNELs be used to derive safer levels by the use of, e.g., appropriate assessment factors to cover remaining uncertainty? C) If the current DNELs are seen as insufficiently protective and cannot be readily adjusted, then what data would be needed to derive appropriate DNELs to cover the ED properties of the two substances?

On CLH, RAC ended its discussion on the proposed classification of SO<sub>2</sub>, concluding by consensus to add acute toxicity (cat. 3), skin corrosion 1B, STOT SE1, agreeing on no classification for the other hazard classes. On silver human health, RAC validated several proposals that had been discussed more in depth in the RAC CLH Working Group. RAC validated the Rapporteur's proposal to not classify Ag metal for acute toxicity via oral, dermal and inhalation exposure, STOT-SE (Specific Target Organ Toxicity via Single Exposure), skin and eye irritation/corrosion and skin and respiratory sensitisation. The grouping and read-across approach was discussed in detail with as key question, whether Ag<sup>+</sup> can be considered the primary toxicophore or whether there is a contribution of other toxicophores (like Ag nanoparticles). Whereas some RAC members were supportive of industry's argumentation that silver massive and powder should be grouped separately from Ag nanoparticles, other RAC members were against the idea and argued that the difference in bioavailability between the two groups was not large enough. Also, the clear contribution of



Ag nanoforms to some effects (like genotoxicity) and their identification in tissues is being used by some RAC members to opt for a second contributing toxicophore. This discussion has not been concluded. However, to note, some RAC members have clearly expressed that in their view, bioavailability is not an intrinsic property and hence should not be considered in classification. As this is more a policy than a substance-specific discussion, the chair parked this debate for now. The mutagenicity endpoint was discussed in detail. There is a lot of *in vitro* and *in vivo* data available being generated with a lot of different Silver containing test items (like inorganic silver compounds, silver nanomaterials and silver containing active substances). The data presented in the CLH opinion are of varying data quality (from low to high quality) and indicate a scattered response pattern (from clearly negative to clearly positive data). While industry had provided contributions to facilitate the interpretation of the data, RAC did not follow (yet) the suggestion to favour the high quality studies. No decision has been taken yet on a classification, all options remain opened (no classification, Muta 2 or Muta 1B). STOT-RE (STOT via repeated exposure) and Reproductive/Developmental toxicity will be discussed in the next CLH WG meeting end of January 2022 (more information: Anissa Alami, Mark Raffray, France Capon, Jelle Mertens, Katrien Arijs and Violaine Verougstraete).

#### ***RAC-59: the environmental classification of silver: a different view on how to classify the massive form***

RAC discussed the hazards and environmental classification of silver at its recent working group and plenary session. The previously reviewed case on lead was projected on silver. In the meetings, amongst other points, RAC neglected the clear scientific evidence demonstrating rapid transformation of silver ions into insoluble forms and based the classification on the lowest threshold value instead of applying a weight of evidence approach using all chronic environmental toxicity data. Equally surprising was the way that RAC wanted to change the interpretation of the guidance on bioaccumulation to promote the conclusion that Ag is a bioaccumulating metal (which has significant regulatory consequences), while it is clearly not, according to the current CLP and GHS guidances. On the other hand, the comments presented by industry on the absence of releases of Ag powders from the massive form under reasonable handling and use were considered and provisionally accepted. Those demonstrated that the use of Ag in massive form does not result in releases of silver powers but instead, these are Ag as part of an Unknown or Variable Composition, Complex Reaction Products and Biological Materials (UVCB) or an alloy/mixture, hence considered separately under the CLP. If adopted this would result in different environmental classifications for the massive, the powder and the nano-form of silver. While these conclusions are for now only temporary, they mark a clear difference with the lead case and will hopefully be maintained in the conclusive discussions of the RAC Working Group in January and Plenary meetings in March 2022 (more information: Jelle Mertens, Katrien Arijs and Hugo Waeterschoot).

#### ***ECHA MB: the sub-group on Strategy, Planning and Implementation (SPI) provided input on ECHA's draft programmes and budget for 2022 and beyond***

Guy Thiran (Director General of Eurometaux) represented the European Industry at this high level group that met on 23 November and provides steering guidance to ECHA's Management Board. The meeting focussed mainly i) on the additional tasks ECHA is having to deal with due to the implementation of the CSS and how ECHA resources are impacted by this; and ii) the final review of ECHA's Programming Document. The latter covers both the objectives, action programmes and related budgets and resources for ECHA in 2022 and the years to come. In this respect, Industry provided input in the document to draw attention to the 3Cs concept (chemicals, climate and circularity) to promote a more balanced attitude from ECHA and Member States when they are defining REACH risk management in the future.

Whilst the Commission can now ensure approximately  $\frac{3}{4}$  of ECHA's budget contribution due to the multi-year funding agreement they reached earlier this year with the Council and Parliament, ECHA still has to cover the last part by fees coming from registration and authorisation. The registration fees have been declining for years now, hence ECHA and the Commission are working on a new fee recommendation which will probably become available early next year (more information: Guy Thiran and Hugo Waeterschoot).

## **ECHA OTHER ACTIVITIES**

#### ***ECHA / Industry monthly exchange on registrations: more information on co-registrants will be made available in REACH-IT.***

The last monthly call on registration updates between ECHA and industry representatives was held on the 26th of November. ECHA announced the intention to increase transparency on co-registrants information

in REACH IT, providing i) dates when changes in tonnage band occurred, and ii) dates when co-registrants become inactive. Such information should facilitate consortia activities for example in relation to cost-sharing and dossier updates.

It was also communicated that the latest version of IUCLID includes reasons for updating the dossier. Based on that, more statistics on the impact of the implementing regulation on dossier updates should become available in the coming months.

The meeting was also a good opportunity to announce the publication of the joint Cefic/Eurometaux guidance document on REACH Article 22 (i.e., dossier updates), which can now be downloaded from the REACH Metals Gateway. The next meeting will be organised towards the end of January (more information: Lorenzo Zullo).

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## EUROMETAUX CHEMICALS MANAGEMENT

### CHEMICALS STRATEGY FOR SUSTAINABILITY

#### Chemicals Strategy for Sustainability High Level Roundtable meeting (HLRT)

The 2<sup>nd</sup> meeting of the HLRT took place on 25 November, this time covering the topic of strengthening enforcement of EU chemicals legislation. The Commission [released an announcement](#) of the main results of the meeting. The first half was concerning the state of implementation of the CSS. This was opened by Commissioner Sinkevičius (EU Commissioner for Environment, Oceans and Fisheries) who gave a speech summarising the Commission's activities and progress since the first meeting in November.

Next followed contributions from six HLRT members who outlined what their organisations have been doing in their roles as “ambassadors” of the transition to safe and sustainable chemicals. Eurometaux was one of the six, with Guy Thiran outlining our work in support of a smooth implementation of the strategy, and taking the opportunity to reinforce our key messages e.g., the need for coherence between Green Deal objectives on the “3Cs” - Chemicals, Climate and Circularity. This resonated with some participants, with one request to engage on the Sustainable Metals Concept. There was then a discussion on the operation of the HLRT and how this might be improved, with the Rules of Procedure being adopted at the end. There was the call for more time for meaningful discussion between HLRT members, so that the table is not simply a “rubber stamp” for work done by the Sherpa support group. This was supported by several participants.

The second part of the meeting was around the zero-tolerance approach to non-compliance. The chair of ECHA's Enforcement Forum spoke first, offering strong support for doing more to improve compliance in general – subject to adequate resources being available. Priority areas are online sales and imports, as previous Forum work has shown very high levels of non-compliance. The head of the Belgian General Administration of Customs and Excises followed, describing the many and varied challenges that his staff face on a daily basis, as the thinly-spread “soldiers” on the ground. The HLRT joint report on enforcement and compliance was then summarised and discussed. This has been prepared by a professional writer over recent weeks, taking input from the Sherpa group. The report has been through two extensive commenting phases. After a strong push from industry, the report now also contains a set of ten recommendations. During the drafting of the report, it was clear that there was a lot of common ground but also some areas of significant disagreement. Rather than spend a lot of time attempting to resolve disagreements, the Sherpa group reached a consensus to instead focus on where there was common ground and to build on that. The result is that areas of disagreement are not captured in this report or its recommendations. The most significant area of disagreement was on the “enforceability” of future restrictions, with a stronger role for the ECHA Enforcement Forum advocated by industry in this respect. The alternative view from some stakeholders was that this would only slow down the regulatory process.

Finally, a stronger role for the ECHA enforcement forum is recommended in the report but in the context of strengthening engagement, coordination, enforcement capacity and harmonisation of enforcement. In the subsequent discussion, Guy Thiran again stressed the importance of coherence between different policies. Divergent messages are not helpful for the metals sector with respect to future investment in the EU.

To follow up on the ten recommendations in the joint report (which was adopted), a sub-group of Sherpas will be formed. The next meeting of the HLRT is planned for May 2022 (more information: Simon Cook).

### **CSS: *strategic dependencies for chemicals***

As part of the CSS, the Commission committed to engage with stakeholders to identify strategic value chains for technologies and applications relevant for the green and digital transition where “critical chemicals” are important building blocks. It came as a surprise to Eurometaux staff to discover that stakeholder consultations for this initiative were well underway and that the Commission seemingly forgot that metals were, in fact, chemicals (!) Thankfully, we managed to get into the last stakeholder workshop to convince the Commission to take on-board our input for this crucial initiative, one of the few identified opportunities stemming from the CSS (more information: Noam El Mrabet).

## **ZERO POLLUTION ACTION PLAN**

### **Soil: *EU Strategy Published!***

On 17 November, the Commission unveiled its EU Soil Strategy: the Commission’s latest attempt to grant soil the same level of protection as water, marine environment, and air. Indeed, 10 years ago the Commission, in an initiative led by former environment Commissioner Janez Potočnik, already tried to create an EU-wide legal framework for soil protection, but was scrapped by national governments. This time around, the Commission commits to unveil a dedicated legislative proposal to tackle soil degradation in a harmonised way by 2023. It is still unclear what set of binding measures this upcoming “Soil Health Law” will include, as the Commission in its language seems to be walking on eggshells, probably anticipating difficult discussion with Member States. Yet, a key initiative is the setting up of an EU priority list for contaminants of major and/or emerging concern, in a similar fashion to what is being done under water legislation. Whether these lists will remain for monitoring purposes or lead to binding restrictive thresholds remains to be seen... (more information: Noam El Mrabet).

### **Air Quality**

On 16 November, DG SANTE organised a webinar to (i) offer an overview of air quality and the related health impacts of air pollution today (delivered by the EEA) and (ii) outline the process of revising the Ambient Air Quality Rules (COM). The webinar was directed to health professionals (academia, national authorities, etc.), with the aim to invite stakeholders to contribute to the ongoing OPC. The attendance list was private.

On 18 November, following calls for better access to public information, the EEA released the [European Air Quality Index](#), a smartphone application which showed people the level of pollution in their local region. This tool is also aimed at stimulating enforcement action locally.

On 29 November, the European Parliament ENVI Committee gathered to hear a presentation from the World Health Organization on the new WHO global air quality guidelines and for a subsequent exchange of views with the Commission on the impact on relevant EU legislation. The representative of the WHO stated that revised guidelines on air quality, published in September, took account of new developments, such as studies produced on the health effects of air pollution and improvements in the area of monitoring air pollution, since the publication of the previous set of guidelines. Numerous members who took the floor underlined that far too many people were still dying each year as a result of air pollution and they called on the Commission to show ambition and align EU guidelines with those of the WHO.

Eurometaux will respond to the ongoing Open Public Consultation (deadline 16 December), publish a position paper on the EU Air Quality Review, and continue engaging in the upcoming events (more information: Lorenzo Marotti).

## **REACH REGISTRATIONS**

### **Registration and Maintenance Taskforce: *keeping the REACH dossier alive and in good shape***

The Registration and Maintenance Taskforce met virtually on 4 November, with several important topics on the table. Amongst others, the Taskforce discussed possible future increased data requirements for substances registered below 10 tonnes. Although the new requirements are not drafted yet, EPMF presented the methodology and outcome of the first screening they conducted on precious metals, indicating an estimated cost of approximately 10 million Euro for new data generation. Certainly, a topic that must not be underestimated!



In relation to ECHA activities, the work to develop a factsheet clarifying the concept of “ceasing manufacturing” was presented, following more insights on the new technical completeness checks (TCC) and rules for Chemical Safety Reports.

The meeting was also an opportunity to share recent learning lessons & insights on UK-REACH, with a particular focus on Downstream User Import Notifications (i.e., UK REACH Article 26) and substance groups.

As usual, the last part of the meeting was dedicated to an exchange between consortia including: ongoing dossier updates, activities on data sharing fees related to the 12-year rule, as well as issues currently faced with due to the unavailability of laboratories to conduct tests and the strong delay in which results are provided.

The minutes of the meeting will be circulated in the coming days. The next meeting will be held in the first half of March 2022 (more information: Lorenzo Zullo, Federica Iaccino and Violaine Verougstraete).

## CLASSIFICATION

### **Pb Environmental Classification Workshop: *a very large interest for a large uphill battle to come!***

Close to a hundred participants covering manufacturers, associations, federations and downstream users attended the debriefing workshop ILA and Eurometaux organised on 9 November on the outcome of the RAC deliberations on the environmental classification of lead. At its last meeting RAC concluded to not make a distinction between the massive and powder forms, and to deviate from the metals CLP guidance. This will result in having to apply additional levels of precaution, despite the robust scientific evidence that is available.

Furthermore, the attendees were informed about the additional risk management consequences of such an environmental classification proposal in particular on transport and Seveso, as well as the timeline up until the adoption of the classification in CLP Annex VI.

A survey in preparation of the debrief workshop demonstrated that significant improvements on the classification proposal would be required to limit to some extent its impact. First key messages, potential areas for legal clarification and a generic outline for an advocacy and communication strategy were presented. However, it was recognised that those could not be kicked off before RAC published its final opinion which is at the time of publication of this newsletter still not the case (more information: Steve Binks and Hugo Waeterschoot).

### **Li Classification Taskforce: *status update***

This latest call took place on 18 November to provide a status update and discuss next steps and advocacy actions to be taken and to reflect on possible cost-sharing. The RAC opinion on Li classification will be uploaded on ECHA's website once it is sent to the Commission. A couple of issues will need to be checked as they might facilitate action by Commission. Once Commission has the RAC opinion, it will develop an Adaptation to Technical Progress (ATP) to CLP, which will be discussed in CARACAL. Stakeholders can send some comments to feed the discussions in CARACAL (March-October).

The key consequences of the classification were discussed with the taskforce, so as to map the impacted sectors but also identify the types of impacts (e.g., risk management for hazards of high concern, possibility of blacklisting, impacts on investments etc. Eurometaux proposed to run the classification mapping tool that intends to support the identification of links between hazardous classifications in CLP and legislative provisions in other pieces of legislation.

Advocacy on the classification will need to be backed up with solid data, with economic data being of utmost importance to demonstrate unintended consequences (even if Commission does not need to carry out an impact assessment for this kind of task under CLP). Further advocacy actions vis-à-vis Commission were discussed. Members of the Taskforce were invited to express their commitment in helping with the advocacy points and more regular calls & e-mails will take place in 2022 once the opinion has been published (more information: Jennifer Diggins, Bob Miller, Violaine Verougstraete).

## WATER

### **Water: *last 2021 Taskforce meeting***

On 18 November, we held a Water Taskforce meeting. The meeting started with an update on the ongoing Priority Substances (PS) list review which is now a top priority in the Commission's agenda with adoption

planned for September 2022. We reviewed the foreseen timeline, as well as what has been put under the scope of the impact assessment (IA) and highlighted the inconsistencies. The different options planned within the IA were presented including the addition of the candidates priority substances with a specific presentation on the Silver case by Katrien Arijs. But also, what we have done regarding the different consultations (Open Public Consultation and Expert Survey) and documents shared by the Commission on the deselection of PSS, for or which we submitted comments and documents.

Furthermore, we had an overview of the EU taxonomy activities relevant for water specifically presented by Daniel Quantz. The third section of the meeting was dedicated to research and advocacy of metal-specific tools and guidance. The research topic regarded an ongoing study about the assessment of metal toxicity in real environment which was presented by Adam Peters from WCA. Chris Cooper highlighted the, finally published, technical guidance on implementing metals Environmental Quality Standards (EQS), and more specifically the advocacy towards Member States (MSs) at the commodities and Eurometaux's level. Then, Graham Merrington also from WCA presented the latest development about the MSs virtual outreach project which includes "how-to" videos, and specific Q&As, voiced-over, Power Point presentations, to facilitate the use of the Bio-Met tool.

The common agreement from the discussion that followed was to create a sub-group within the Water Taskforce to focus on the advocacy towards Member States.

As the meeting ended, Noam gave an update on the Zero Pollution Action Plan (ZPAP), which included the very recent developments on soil, and the activities of the ZPAP Project Group (PG) in general.

We then took some time as a Taskforce to discuss our priorities for the water-specific pillars within the ZPAP and which cross-cutting actions/more general advocacy could be led rather by the ZPAP PG with only support from the Water Taskforce (more information: Lara Van de Merckt).

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## OUTREACH

### OTHERS

***Helsinki Chemicals Forum: Eurometaux and Cefic will run a panel on the 3Cs as a more sustainable base for chemicals risk management***

The Helsinki Chemicals Forum is annually organised and reaches hundreds of regulators (including all EU REACH-MSCAs as well as the OECD and UNEP) and industry representatives to discuss the broad theme of chemicals management. It is with this in mind that Eurometaux applied some years ago for a seat in the programming group that defines the themes and panel debates. This year we were successful to table the issue of the 3 Cs (balancing Chemicals policy for climate and circularity considerations) on which we received support from Cefic as well as Commission and OECD. But to be kept in mind is that NGOs and some Member States remain sceptical on this need for integration to deal with these 3 equally relevant policy goals. Cefic and Eurometaux will have a seat in the panel of the meeting that will take place in May in... indeed Helsinki (more information: Guy Thiran and Hugo Waeterschoot).

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## CALENDAR

**Please find here below a non-exhaustive list of the meetings that are planned for Q1 – Q2 2022 (also posted on the RMG [for the whole year](#)).**

### **For meetings at Eurometaux**

The MCC had been opened to allow hybrid meetings with sanitary measures put in place (maximum n° of participants and for those having to travel to Brussels, please note that the Belgian authorities are in the process of imposing the COVID-safe ticket (more details on <https://www.info-coronavirus.be/en/>), **but due to an unfortunate rise of Covid cases in Belgium (and other member countries) for the moment we prefer – for the safety of all – to hold our meetings online** (links to join will be sent ahead of the meetings).

### **For meetings at ECHA**

ECHA meetings, including those of formal ECHA bodies, will be held remotely until further notice. 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](#)

- 06 December: Ad-hoc CARACAL meeting on the CLP revision
- 07-08 December: ECHA Committee (TBC)
- 08 December: [Chemicals Management Steering Committee](#)
- 09 December: [Human Health Taskforce](#)
- 13-17 December: ECHA MSC-76
- 14 December: Ad-hoc CARACAL meeting on the CLP revision
- 15-16 December: ECHA MB-64
- 20 December: [Chemicals Strategy for Sustainability Project Group](#)
- 21 December: [Risk Management Taskforce](#)

#### Meetings for 2022

- 12 January: [Lead Environmental Classification debrief Workshop](#)
- 24-28 January: ECHA RAC-60 CLH WG
- 27 January: Ad-hoc CARACAL meeting on the REACH revision
- 31 January – 04 February: ECHA RAC-60 AfA WG
- 07-11 February: ECHA MSC-77
- 09-10 February: ECHA RAC-60 REST WG
- 24 February: [Chemicals Management Steering Committee](#)
- 07-11 March: ECHA RAC-60 Plenary & SEAC-54
- 14-18/19 March: ECHA RAC-60 Plenary (reserve) & SEAC-54
- 21-24 March: [Chemicals Management Spring Week](#)
- 24-25 March: ECHA MB
- 19-22 April: ECHA RAC-61 CLH WG
- 25-29 April: ECHA RAC-61 AfA WG
- 04-05 May: ECHA RAC-61 REST WG
- 10-12 May: [Metals Academy \(TBC\)](#)
- 25 May: [Chemicals Management Steering Committee](#)
- 30 May-03 June: ECHA RAC-61 Plenary (reserve) & SEAC-55
- 6/7-10 June: ECHA RAC-61 Plenary & SEAC-55
- 13-17 June: ECHA MSC-78
- 15-16 June: ECHA MB

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## GENERAL INFORMATION & ACRONYMS

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



This website is a 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)