

EU Monitoring Report

15–22 October 2020

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Chemicals

➤ REACH

- Clarification of requirements for registering, evaluating, authorising and restricting chemicals

Source: [European Commission](#)

The Commission intends to amend certain aspects of the legislation on the registration, evaluation, authorisation and restriction of chemicals (the 'REACH Regulation'). The Commission is looking for comments on its intention to update the data requirements for identifying and assessing endocrine disruptors, and to clarify certain aspects of the legal texts.

The purpose is to clarify unclear or inconsistent wording and to update data requirements so that endocrine disruptors, which can have harmful effects on the body's endocrine (hormone) system, can be more easily identified and assessed.

The Commission would like to hear your views. This draft act is open for feedback for 4 weeks. The deadline is 16 November 2020. Feedback will be taken into account for finalising this initiative.

- Draft agenda of 37th Meeting of Competent Authorities for REACH and CLP

Source: [European Commission](#)

The meeting agenda includes the following items:

- 4.1 Chemicals Strategy for Sustainability
- 4.2 REACH Review Action 3 - multiyear Development Plan
- 4.3 Essential Uses – A possible concept for REACH?
- Polymers - Update from the 1st CASG-polymers meeting

- Restriction Task Force: thought starter on how to better regulate professional users borderlining with industrial and consumer users under REACH restriction and RCOM for discussion
- Investigation report on analytical methods to measure PAHs in consumer articles

Source: [ECHA](#)

This report has been prepared at the request of the Commission. A call for evidence to gather relevant information took place between 1 June and 31 July 2017. ECHA submitted a draft report to the Commission in November 2017. Subsequently, the Joint Research Centre (JRC) published its final report on the Migration of Polycyclic Aromatic Hydrocarbons (PAHs) from plastic and rubber articles on 8 August 2018 and ECHA agreed to update its draft report to take it into account. The final report takes comments and information received after November 2017 from the Commission, the JRC and industry into consideration.

- Minutes of 3rd CARACAL Sub-group meeting on Information Requirements

Source: [European Commission](#)

The minutes were published concerning the 3rd CARACAL Sub-group meeting on Information Requirements which was held on 4 September 2020.

- Minutes of 1st Meeting of REACH and CLP Competent Authorities Sub-Group on Polymers

Source: [European Commission](#)

The minutes were published for the first meeting of the competent authorities sub-group on discussing the Wood/PFA report on polymers, which was held on 11 September 2020.

the intention for this first meeting of this group was to discuss the reactions of participants on the suggestions in the Wood/PFA report for the identification of polymers requiring registration (PRR) under REACH, from a top level perspective according to the draft agenda that was shared. The agenda was approved without modification. THE CHAIR also informed that comments written in the chat would be saved for the benefit of producing minutes.

The chair thanked the stakeholders for all written comments submitted on the report and informed that COM will not respond to all comments in detail but will take them into

account when drafting COM proposal. The chair shared a document via Webex that summarised the key concerns identified by all stakeholders and which was used together with the agenda to structure the discussion. The European Commission also published [comments submitted by the French competent authority](#).

- **International Soap lobby comments registration criteria for polymers**

Source: [European Commission](#)

A.I.S.E. welcomes the proposal to address Polymers of Low Concern (PLC) as an integral part of the EU legislation, but is concerned that in the report these are not clearly excluded from the scope of PRR: indeed at present there appears to be a substantial overlap between PRR and PLC, and only ‘polymers of no concern’ appear to be out of scope.

Clear criteria should be incorporated to exclude PLC from scope in a first screening step; however there is currently no harmonised definition of “PLC” across the different international jurisdictions using this concept. Furthermore in most jurisdictions using PLC criteria, it is only new polymers that are subject to this assessment, so for most existing polymers no PLC determination has been made and the criteria would need to be applied retrospectively in any case.

A.I.S.E. therefore proposes to establish a set of PLC criteria for use in the EU regulatory framework that are consistent/common between regulatory regimes, and not directly copied from any single jurisdiction. The OECD review of global PLC criteria¹ would be a good basis for this. In the longer term global alignment of PLC criteria should be sought.

➤ **CLP**

- **Consultations on hydrogen sulphide and benzyl alcohol**

Source: [ECHA](#)

ECHA is looking for comments on the harmonised classification and labelling proposals for [hydrogen sulphide](#) and [benzyl alcohol](#). The deadline for comments is 18 December 2020.

➤ Checks of chemical safety reports postponed

- Checks of chemical safety reports postponed

Source: [ECHA](#)

ECHA is further postponing the manual completeness checks on chemical safety reports that was foreseen to start in November 2020. The postponement is due to the financial situation that forces us to review our planned work for 2021. ECHA will inform later more precisely about when these checks are expected. The chemical safety report is a key source of information and companies should in any case make sure that it meets the legal requirements.

➤ Biocidal products

- Article 95 update for surface disinfectants

Source: [ECHA](#)

Article 95 has been updated and includes new suppliers of biocides as surface disinfectants such as around swimming pools (biocidal product type 2):

- Active chlorine released from hypochlorous acid (Redefined from Active Chlorine: manufactured by the reaction of hypochlorous acid and sodium hypochlorite produced in situ) submitted by Pureclean.eu ApS
- Active chlorine released from hypochlorous acid (Redefined from Active Chlorine: manufactured by the reaction of hypochlorous acid and sodium hypochlorite produced in situ) submitted by "EU-Representative to be appointed (Acting for Tutum Health Limited. (UK))"

- Assessment Report published for evaluation of active chlorine released from hypochlorous acid Product-type 2

Source: [ECHA](#)

This assessment report has been established as a result of the evaluation of the active substance Active chlorine released from hypochlorous acid as product-type 2 (Disinfectants and algacides not intended for direct application to humans or animals), carried out in the context of the work programme for the review of existing active substances provided for in

Article 89 of Regulation (EU) No 528/2012, with a view to the possible approval of this substance.

- **Summary of product characteristics for a biocidal product**

Source: [ECHA](#)

ECHA published a summary of product characteristics for a biocidal product for a product named “LO-CHLOR POOL ALGAECIDE” under authorisation number UK-2020-1235.

- **Assessment Report published for evaluation of active chlorine generated from sodium chloride by electrolysis Product-type 1**

Source: [ECHA](#)

This assessment report has been established as a result of the evaluation of the active substance Active chlorine generated from sodium chloride by electrolysis 1 (Human hygiene), carried out in accordance with Article 90(2) of Regulation (EU) No 528/2012, with a view to the possible approval of this substance.

Active chlorine generated from sodium chloride by electrolysis (CAS no. not applicable) was notified by PuriCore International Ltd, UK (Puricore International Ltd. transfers to PuriCore Europe Limited. PuriCore Europe Limited is a subsidiary of Realm Therapeutics PLC) and Forum Bioscience Holdings Ltd UK, (the subsequent change in the body of the applicant to company Aqualution Systems Ltd, UK because of the change of ownership), hereafter referred to as the applicants, in product-type 1.

- **Opinion on the application for approval of the active substance: Active chlorine released from hypochlorous acid Product type: 1**

Source: [ECHA](#)

The opinion, adopted on 16 June 2020, concerns the application for approval of the active substance active chlorine released from hypochlorous acid for product type 1

During the peer review the common name of the biocide was changed from ‘Active Chlorine: manufactured by the reaction of hypochlorous acid and sodium hypochlorite produced in situ’ to ‘Active chlorine released from hypochlorous acid’. Revisions agreed

upon were presented and the assessment report and the conclusions were amended accordingly.

The overall conclusion of the BPC is that the active chlorine released from hypochlorous acid in product type 1 may be approved. The detailed grounds for the overall conclusion are described in the assessment report.

- **Opinion on the application for approval of the active substance: Active chlorine released from hypochlorous acid Product type: 2**

Source: [ECHA](#)

In accordance with Article 89 of Regulation (EU) No 528/2012 of the European Parliament and of the Council 22 May 2012 concerning the making available on the market and use of biocidal products (BPR), the Biocidal Products Committee (BPC) has adopted this opinion on the approval in product type 2 of the following active substance: Active chlorine released from hypochlorous acid.

The BPC opinion on the approval of the active substance active chlorine released from hypochlorous acid in product type 2 was adopted on 16 June 2020. The overall conclusion of the BPC is that the active chlorine released from hypochlorous acid in product type 2 may be approved. The detailed grounds for the overall conclusion are described in the assessment report.

Sustainability

➤ **Chemicals Strategy for Sustainability**

- **Cefic publishes 2020 Sustainability Progress Update report**

Source: [Cefic](#)

Cefic's Sustainable Development programme aims to accelerate the vital transition towards a safe, resource efficient, circular and low-carbon society. Our world and industry have been in transition for some time, and despite significant global disruptions faced in 2020, including COVID, sustainability still drives initiatives from governments, business and

citizens around the world. The '2020 Sustainability Progress Update' gives an overview of Cefic's Sustainable Development programme journey: Starting from a Vision, then a Charter and the SDG Roadmap, and this year the start of a portfolio of Indicators.

The Sustainable Development Indicators (SDIs) will assess and drive the contribution of the EU chemical industry towards sustainability, and will reflect how it is leading the transition towards a resource efficient and circular economy within a climate-neutral Europe, which are the core objectives of the Green Deal. To do this, the SDIs must report on relevant actions and activities within the chemical sectors and are organised around the four sustainability focus areas of the Cefic Charter: Create Low Carbon Economy, Conserve Resource Efficiency, Connect Circular Economy and Care for People and Planet.

The report also presents case studies as examples of the efforts that Cefic and its members are making to deliver on the Charter and Sustainable Development Goal (SDG) Roadmap.

Cefic's commitment is to progress towards a prosperous, more sustainable, healthier and inclusive Europe in 2050 as outlined in its [Mid-Century Vision](#), with special attention to the adoption of circular economy principles to prevent and reduce waste. Partnerships have a key role to play, helping all actors to realise its potential to contribute to the SDG agenda.

- **Webinar: Building The Sustainable Chemical Industry Of Tomorrow: Regional Response To Common European Challenges**

Source: [Cefic](#)

On 26th of October 2020, the European Chemical Regions Network – ECRN organises the online conference “Building the Sustainable Chemical Industry of Tomorrow: Regional Response to common European Challenges”.

The event will look at the role of regions in delivering the European Green Deal, highlighting the potential of promising new technologies in accelerating the chemical industry's transition towards a carbon-neutral, circular and bio-based economy.

The session “Closing the loop with Chemical Recycling” will look at innovative solutions and technologies to tackle plastic waste in Europe. Representatives from local governments, EU institutions and industry, including a Cefic speaker, will discuss how the chemical industry can help to close the loop for plastics and how chemical recycling can offer a solution to endlessly recycle all plastic waste back into its original components.

➤ Energy

- The Pump Industry's 25 Year Drive for Energy Efficiency

Source: [EuroPump](#)

Last year, the European Commission announced its commitment to delivering on its energy efficiency and carbon reduction objectives through its new Green Deal proposition. This Europe-wide undertaking is of course excellent news and sets out a 'road map' for the suggested improvements. It also presents an ideal time to recall the pump industry's early and continued contribution to energy savings, which has not only been significant to-date, but also realistic and achievable over the short-term. By way of example, water pumps have the potential of saving 50TWh of electricity across Europe, which is equivalent to the output of five large coal-fired power plants, annually.

- EU Methane strategy ignores biogas potential of waste water, distorts competition

Source: [EurEau](#)

EurEau notes the publication of the EU Methane strategy. Although a minor emitter compared to the energy sector and agriculture, the waste water sector acknowledges its responsibility in reducing greenhouse gas emissions. Currently, the sector does not dispose of reliable data of methane emissions from waste water treatment and sludge management due to the complexity of processes. The sector calls of the support of the European Union to develop replicable measurement methods and establish baselines as a prerequisite to determining effective mitigation measures.

EurEau disagrees with parts of the strategy in that it only mentions the methane emissions from the waste water sector but ignores its substantial potential for biogas production.

In 2014, 9% of the biogas in the EU came from sewage sludge. It is used to produce heat and power and as biofuel for buses. A favourable legislative framework could encourage biogas production in the waste water sector, which could cut the carbon footprint. This was the case in Strasbourg where the Biovalsan project sent the equivalent of the gas consumption of 5.0000 households to the grid in 2015. Likewise, in Oslo, the WWTP produced so much biogas fuel in 2018, they reduced the carbon footprint by 5,000 tonnes of CO₂.

The Commission proposes the use of the CAP and rural development funds to fund biogas production in agriculture. While this in itself is laudable, it clearly goes to the detriment of

the billions of euros invested by waste water operators in biogas production. Using EU funds to subsidise biogas production by farmers, but excluding the waste water sector from this support seriously distorts competition.

Last but not least, the Methane Strategy encourages farmers to add municipal bio-waste to their digesters as this practice “can count towards municipal waste recycling targets as set out in Directive 2018/98/EC on waste”. It ignores the fact that it would also make sewage sludge digestion processes for effective. France recently banned the addition of bio-waste to sewage sludge digesters for unclear reasons. The waste water sector is willing to reduce methane emissions and step up biogas production further, but the Strategy falls short of offering a supportive framework.

➤ **Environment**

- **Environmental Liability Directive - 7th Stakeholder Conference**

Source: [European Commission](#)

The 7th Stakeholder Conference of the Environmental Liability Directive (ELD) is organised as a series of four morning webinars with an aim of sharing views about the implementation of the Directive and how to enhance it.

The further aim of the event is to inform participants about the new Multi-Annual Work Programme and the ELD Guidelines on environmental damage. In addition to the official programme, several side events are organised in the afternoon, for more details please consult the agenda. Four broad themes will be discussed in each webinar:

- “Financial security” – Monday, 16 November 2020
- “ELD Guidelines on environmental damage” – Tuesday, 17 November 2020
- “Environmental damage cases. A new perspective from the ground.” – Thursday, 19 November 2020
- “ELD Multiannual Work Programme 2021-2024” – Friday, 20 November 2020

Please note that the 23rd ELD government experts group takes place in the morning of 18 November 2020.

- **What is the Green Deal?**

Source: [POLITICO](#)

What is the Green Deal?

Don't worry, it's not a heavy read. The European Green Deal is a [document](#) so thin you could print it out and not feel like you would be in breach of an EU forestry directive.

But that slim size conceals a big punch. Those 24 pages lay out a radical project to make the EU climate neutral by 2050 — that means the world's second-largest economy will stop adding to the earth's stock of greenhouse gases by then. It covers every aspect of society and the economy and includes goals for biodiversity and agriculture.

Why does this even exist?

It's a sign that concern over climate change has migrated from the margins to the heart of EU policymaking. That's a huge success for the scientists, lobbyists and campaigners who have waged a decades-long battle to make global warming a central concern — something helped by Australian, Siberian, Brazilian, Portuguese and Californian wildfires, melting icecaps, summer heatwaves, ferocious storms, coastal floods and steadily climbing atmospheric CO2 concentrations.

One can be a cynic about politicians and expediency, but in this case, the shift in perceptions is real. Policymakers are also being pushed by increasingly vocal protesters and a growing awareness that the time to cut greenhouse gas emissions is running very short.

Added to those environmental concerns, the EU is worried about being left behind in a green technology shift. China swallowed up the solar power industry, is way ahead in electric vehicles and poses a threat in wind power.

Finally, the EU sees climate change as an issue that allows it to play the role of a global power — pestering the U.S. to rejoin the Paris Agreement, making deals with China and pressing other countries to also boost their climate pledges.

Is it law yet?

The Green Deal isn't a law. But it will inspire a legislative firestorm.

The centerpiece is the [European Climate Law](#), which is in the final stages of negotiation between EU institutions. That will enshrine the goal to reach net zero emissions in 2050 into law, plus a host of measures to achieve it. EU leaders are aiming to agree major details in December, with the law to be finalized in 2021.

Beyond that, expect the coming year to see a flurry of new regulations, plans and changes to EU law: strategies for [agriculture](#), [hydrogen](#), [building renovation](#), [offshore wind energy](#), [methane pollution](#), sustainable investment, the [circular economy](#) and a litany of others are all working their way through the Brussels bureaucracy.

As these come into effect, pressure will be on the 27 member countries to actually bring those new rules to life. That's causing anxiety in coal-dependent economies like Poland, the Czech Republic and Bulgaria, as well as in capitals around Europe, which will need to start addressing emissions in tough places like their building stock, trucks fleets and steel plants.

What are the three big things to know?

Timmermans is sure to tell you that the deal is intended to be Europe's "new growth strategy."

But it's about more than that. It's a grand (or grandiose) vision for what Timmermans' boss European Commission President Ursula von der Leyen calls an economy and politics "that is more caring."

Success would result in a Europe that has been "tailored and re-engineered in a way that it keeps you safe," says Johanna Lehne, a policy adviser at the E3G think tank. "If you're looking at a household in 2050, you have a completely transformed set of ways that you cook, heat your home, interact with other human beings, move around and the jobs you do."

Finally, you need to know that both of Timmermans' grandfathers were coal miners. So when he says there needs to be a "just transition, or there will just be no transition" (and he will), it's because it's close to his heart. Providing communities that are built on carbon-spewing industries with meaningful, dignified alternatives is one of the toughest — and most expensive — challenges the deal will face.

How much is it going to cost?

Upfront investments will be needed to switch energy, industry and transport to clean tech. Meeting Timmermans' proposed 2030 stepping stone on the way to 2050 — a 55 percent cut in emissions compared to 1990 levels — will require an additional €82 billion to €147 billion in spending every year. That's about half a percentage point of the EU's GDP. Beyond 2030, the additional investments are 1 percent to 2 percent of GDP, about €4.6 trillion between 2031 and 2050.

Good investments pay themselves back, so the Commission [predicts](#) overall impact on GDP will be minimal. Also, none of this factors in the economic costs of inaction of climate change, which are devastating. Sea level rise alone [could be costing](#) Europe €135 billion to €145 billion per year by the 2050s, rising to €450 billion to €650 billion by the 2080s.

What are the biggest political problems?

Where to start? The political fight over the climate targets is about to enter a new phase. Next year, instead of arguing over whether the EU should cut emissions by 55 percent, countries will fight over who must shoulder the most burden.

Poorer Central European countries will say that the transition is more expensive or disruptive for them. They will argue that richer countries, with less carbon-intensive economies, should do more. The wrangling will start when Timmermans presents legislation on how to meet the 2030 target in June 2021.

The controversy will extend way beyond climate targets. How is Timmermans going to reform Europe's existing policy infrastructure to ensure it all serves the emissions goals? He'll have to find a way to get the auto industry to institute radical new emissions standards for cars and trucks, and accept that they will soon be subject to Europe's carbon pricing system.

It might be best to avoid the subject of agriculture altogether. The EU's Common Agricultural Policy (CAP) — its largest subsidy program — and the Green Deal have some big issues to resolve if they are to work in alignment. The CAP is built on principles, such as maximizing productivity, which may conflict with green goals to use more land for burying carbon.

The distribution of the €17.5 billion Just Transition Fund will also be deeply contested. Under a European Council proposal, Germany, with its large coal industry, was slated to receive the second-largest share of the pie, despite being one of the bloc's wealthiest

countries. The European Parliament has called for the entire fund to be boosted to at least €25 billion.

What should I know that would surprise Timmermans?

Despite this being the EU's most vaunted policy, it's curiously lacking in detail. To understand why, it's worth learning a bit about the U.S. program from which the Green Deal gets its name.

When presidential candidate Franklin D. Roosevelt promised a "New Deal" for a depression-struck U.S. in 1932, he didn't really have a plan. It took time to develop the right tools to rebuild the economy. Once elected, he canvassed and experimented widely and brought in surprising thinkers and ideas.

The modern European version is just a year old and still in its early stages. It's a 30-year project. The goal is clear, even if the man in charge doesn't know exactly how it can be reached.

➤ **Water**

- **Online event: The role of water in the new EU Strategy on Adaptation to Climate Change**

Source: [EBCD](#)

Since 2013, the EU Strategy on Adaptation to Climate Change has been a significant reference for adaptation in the European Union. Given however the climate emergency and its impacts on people, planet and prosperity, the European Commission has decided to put forward a new – more ambitious – EU Strategy on Adaptation to Climate Change in Q1 2021, in the context of its European Green Deal.

While climate extremes are having far-reaching effects, water shortages both in the EU and globally result in direct impacts in a plethora of sectors and activities. Underlining the essentiality of water services in ensuring availability, as well as sustainable management of water and sanitation for all, this webinar aims at addressing water in the new EU adaptation strategy as well as the growing impact of climate change on water, providing MEPs the opportunity to share their views with institutional actors, water sector professionals, industry representatives and NGOs.