

EU Monitoring Report

12-19 November 2020

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Chemicals

➤ REACH

- Draft agenda for 44th meeting of the Coordination Group (25 – 26 November 2020)

Source : [ECHA](#)

The meeting will discuss mutual recognition disagreement and harmonisation of technical and regulatory issues in relation to product.

- Call for evidence on the restriction of bisphenol A

Source: [ECHA](#)

The German authorities are collecting information and evidence to prepare an Annex XV restriction report concerning 4,4'-isopropylidenediphenol (bisphenol A) and structurally related bisphenols of similar concern for the environment.

They have updated the background document to the call for evidence and modified one of the specific information requests. Respondents should refer to the revised documentation to ensure that they provide all requested information.

This call for evidence consultation is open until 15 January 2021.

➤ Ecodesign /Reparability

- Answer by EU Commissioner to a Parliamentary question on Ecodesign

Source : [European Parliament](#)

To a question by MEP Beata Mazurek (ECR, Poland) on the new circular economy action plan, Environment Commissioner Sinkevičius answered the following:

The European Council of 21 July 2020 unanimously agreed on the Commission proposal to allocate 30% of NextGenerationEU and of the Multiannual Financial Framework 2021-2027 to climate action, in line with the Green Deal objectives. Each Member State will prepare its own Recovery and Resilience Plan under the Recovery and Resilience Facility. These plans are

to contribute to the green transition, including by promoting a more circular economy, and should be consistent with the country-specific recommendations, hence ensuring that the national specificities are taken into account. Member States are required to encourage the availability of spare parts, instruction manuals, or other equipment enabling the repair and re-use of products. Reparability is also systematically considered in Ecodesign requirements on energy-related products. In the context of the sustainable product policy legislative initiative announced in the new Circular Economy Action Plan, the Commission will address a wider range of products, work towards establishing a new 'right to repair', for instance as regards availability of spare parts or access to repair and, in the case of Information and Communications Technologies and electronics, to upgrading. Products placed on the European market must comply with EU safety and environmental requirements. The implementation of the new market surveillance Regulation and measures to reinforce the EU Customs Union will strengthen enforcement within the single market and at the EU external borders. Additional measures will look at strengthening the enforcement of the Regulation on Registration, Evaluation, Authorisation and Restriction of Chemicals at the EU borders and promoting cooperation with online platforms.

➤ **Biocides**

- **Minutes of the Biocides Working Group Meeting III-2020 (8-9 September 2020)**

Source: [ECHA](#)

A specific point on in situ generated active substances was discussed: "The working group members exchanged their views on how to manage the information requirements for active substances generated in situ and their products. The discussion is part of an ongoing revision of the Working group recommendation on in situ generated active substances."

- **Draft agenda of the 37th meeting of the Biocidal Products Committee (1–4 December 2020)**

Source: [ECHA](#)

Relevant discussion points are:

- Work programme for BPC
- Applications for approval of active substances

- Union authorisation (including “Harmonized approach to determine a worst case (or representative) test product for a disinfectant biocidal product family”)
- Published documents from the 89th meeting of Competent Authorities on implementation of BPR (24–25 September 2020)

Source: European Commission

The European Commission has made documents available which were submitted ahead of the 89th meeting of Competent Authorities on implementation of BPR which was held 24–25 September 2020. Relevant items:

[Details of concentration of substances of concern in the SPC](#)

[Legal status of the consortium as authorisation holder and data protection](#)

- New guidance on data requirements for renewal of approval of active substances

Source: [ECHA](#)

Under the BPR, companies have to submit an application to renew the approval of an active substance at the latest 550 days (approximately 1.5 years) before the initial approval expires. To help companies in fulfilling this legal requirement, we have published guidance on data requirements and on the assessment of applications for renewal.

- New Board of Appeal decision on BPR data-sharing

Source: [ECHA](#)

The Board of Appeal has published a decision on data and cost-sharing under the Biocidal Products Regulation (BPR). This is the second decision taken by the Board of Appeal on the same case: a first decision of ECHA, denying permission to refer to certain studies, was annulled by the Board of Appeal. The case was remitted to ECHA, which issued a second decision again denying permission to refer. This decision was again contested by the prospective applicant.

The Board of Appeal held that ECHA infringed the prospective applicant’s right to be heard because it did not hear its views, before the adoption of the second decision, on the implications of the first decision of the Board of Appeal. The Board of Appeal, therefore, annulled the second ECHA decision.

The Board of Appeal then adopted its own decision. It found that as the prospective applicant has since concluded a data-sharing agreement on the data at issue with the data owner, it can no longer obtain permission to refer under Article 63(3) of the BPR. The Board of Appeal, therefore, rejected the prospective applicant's application for permission to refer.

➤ CLP

- **Second amendment of Annex VIII published to help meet the requirements**

Source: [ECHA](#)

The recent proposal for the second amendment to Annex VIII to CLP, which includes both sector-specific and cross-sector solutions, was published in the Official Journal on 13 November 2020 and entered into force on 14 November 2020.

The second amendment addresses concerns raised by industry on the administrative burden for companies while still meeting the information needs of poison centres.

The main changes concern reporting on the composition of mixtures, such as fuels and petroleum products, as well as certain construction products which may be highly variable or sometimes unknown.

The updated Guidance on harmonised information relating to emergency health responses, including the second amendment changes to Annex VIII, is currently being prepared.

- **Consultation on harmonised classification and labelling**

Source: [ECHA](#)

We are looking for comments on the harmonised classification and labelling proposals for:

- 2,2',6,6'-tetrabromo-4,4'-isopropylidenediphenol; tetrabromobisphenol-A (TBBPA) (EC 201-236-9, CAS 79-94-7);
- dibutyltin maleate (EC 201-077-5, CAS 78-04-6); and
- dibutyltin oxide (EC 212-449-1, CAS 818-08-6).

The deadline for comments is 29 January 2021.

- Intention to harmonise the classification and labelling of dimethacrylate withdrawn.

Source: ECHA

The intention to harmonise the classification and labelling of 3,6,9-trioxaundecamethylene dimethacrylate (EC 203-653-1, CAS 109-17-1) has been withdrawn.

Sustainability

➤ Finance

- Green Deal: How MEPs wish to channel EU investment to sustainable activities

Source: [European Parliament](#)

Parliament sets out its proposals on how to best finance the Green Transition to sustainable, carbon-neutral economic activities.

➤ Sustainability

- Public consultation on “EU Action Plan Towards a Zero Pollution Ambition for air, water and soil”

Source : [European Commission](#)

We informed you in October that the EU Commission launched the roadmap on an EU Action Plan “Towards a Zero Pollution Ambition for air, water and soil – building a Healthier Planet for Healthier People”. This Action Plan is now subject to public consultation.

You can give your input until 10 February 2021.

- **The Retailer's Guide to Safer Chemicals and Materials**

Source: [BizNGO](#)

This is a how-to guide for retailers that want both to address consumer concerns with hazardous chemicals in products and meet consumer preferences for products made with the safest and healthiest chemicals and materials.

- **Responsible Care Goes Digital**

Source: [Eurochlor](#)

Responsible Care is pleased to launch its new self-assessment webtool, strengthening support for companies towards improving the safe production, handling and use of chemicals across supply chains.

The revised Responsible Care management framework and self-assessment questionnaire were launched in 2019 to support companies with their Responsible Care implementation. The self-assessment tool has now been enhanced and transformed into a digital webtool.

The webtool offers new features including:

- Benchmarking performance against industry peers
- Cross-referencing performance against the United Nations Sustainable Development Goals (SDGs) and other international standards
- Accessible in 18 languages
- Tailor-made tips for continuous improvement

These features, and more, enable companies to assess their Responsible Care performance level and identify areas of continuous improvement.

This development represents a significant step to continue supporting companies towards improving their chemicals management and operational excellence.

On the same topic:

<https://cefic.org/media-corner/newsroom/responsible-care-goes-digital-launching-the-new-self-assessment-webtool/>

➤ Products

- **Piscine Global Europe**

Source: [EuroSpaPoolNews](#)

In the exceptional health context, the organizers of Piscine Global Europe have decided to postpone the international swimming pool and spa exhibition initially scheduled for February 9 to 12, 2021. This postponement will ensure the very essence of Piscine Global Europe: safe and convivial meetings for professionals and participants and better attendance by visitors. Professionals will be able to meet very soon at the Piscine Connect digital event.

- **Webinar: The EU and New Legislative Framework for Product Manufacturers**

Source: [Chemical Watch](#)

Chemical Watch's brand new short eLearning course, The EU and New Legislative Framework for Product Manufacturers, is now live. The course provides an overview of the European Union, how it is structured and how it differs from other markets.

➤ Energy

- **Public consultations launched on reviewing the EU directives on energy efficiency and renewable energy**

Source: [European Commission](#)

The Commission has launched 2 public consultations on the revision of the Renewable Energy Directive and the Energy Efficiency Directive. The objective of these 12 week consultations is to seek a wide range of views on to what extent and how these 2 directives should be revised. This will feed into the preparation of Commission proposals next year.

In September, the Commission's tabled the 2030 Climate Target Plan which seeks to raise the EU's 2030 greenhouse gas (GHG) reduction target from 40% to at least 55%. This plan was accompanied by a comprehensive impact assessment which indicates that renewables and energy efficiency will be crucial for achieving this increased ambition. The assessment estimates that the share of energy from renewable sources for 2030 should reach 38% to 40%; and that the energy efficiency gains needed are 36%-39% for final energy consumption and 39-41% for primary energy consumption.

In addition to this potential increase in ambition, the 2 directives will need to be updated to take account of the range of other European Green Deal initiatives which have been tabled by the Commission. These include:

- the Energy System Integration strategy
- the Hydrogen strategy
- the Renovation Wave
- the Offshore Renewable Energy Strategy (due for publication on 19.11.2020).

It will also take account of other EU initiatives in other policy areas, such as the Recovery Plan for Europe, the EU Biodiversity Strategy for 2030, and the Circular Economy Action Plan.

Each consultation will run until 9 February.