



EUROPEAN COMMISSION

Directorate-General for Trade

Directorate E - Neighbouring countries, USA and Canada
USA and Canada

Brussels,
USA and Canada

Meeting Report

TTIP R9 – Side meeting with [REDACTED] BASF – 23 April 2015, 8.00-8.45

In the margins of the 9th TTIP round in New York, we ([REDACTED] EU DEL D.C.; [REDACTED], DG TRADE) had a productive side meeting with BASF's [REDACTED] (based in New Jersey).

We gave an overview of where we currently stand with the TTIP negotiations in the area of chemicals. In particular, we outlined progress achieved in the ongoing **pilot projects** on priority chemicals as well as on classification and labelling of substances (on the latter, see enclosed BASF's slides with an instructive summary of key issues from an industry perspective). BASF provided a contact in Europe ([REDACTED]) for further discussion of classification and labelling issues. Industry will have to comply with GHS rules implemented by OSHA by June this year and they are discussing internally how to ensure compliance.

We also explained that the US has proposed to launch a **third pilot project on Safety Data Sheets** where we are currently waiting for a written analysis from the US OSHA with details on the possible structure and goals of this third pilot project.

[REDACTED] was also interested to discuss the state of play of the **ongoing EU Impact Assessment on criteria to identify endocrine disruptors**. We pointed to the upcoming feedback report of DG SANTÉ which will provide a summary of contributions received from various stakeholders during the public consultation which closed on 16 January 2015. We explained the next steps in the IA process, including the upcoming two IA studies ((1) screening of endocrine disrupting substances – here the JRC has just presented its draft screening methodology and (2) socio-economic impacts).

Interestingly, [REDACTED] signalled that the chemicals industry on both sides of the Atlantic is still very much interested to see **data sharing between regulators** as part of a TTIP Chemicals Annex. We explained that this specific aspect has been put on hold for the time being as we first have to look into the various legal issues and have to ensure that we fully respect the respective legal constraints which regulators on both sides face (namely under REACH in the EU and TSCA in the US). [REDACTED] announced that industry is looking into the possibility of organising a **specific workshop on data sharing** in the coming months. This workshop would be held in Washington with participation of the USG, EU and industry. [REDACTED] will provide us with more details once available. BASF considers organising this workshop during the next round held in the US (in September/October). The idea would be to explore all possibilities for sharing of CBI, or to discard it altogether in TTIP, but at least make sure we tried.

Finally, [REDACTED] also gave a **presentation during the stakeholder session** of the 9th round, with the title "Regulatory Coherence & Standards for Crop Protection Products: An Industry Perspective" (attached).

Classification and Labelling: Harmonization under TTIP

A BASF Case Study

Same product – same data - different labels

Selectilyte P-0211



EN: **Danger** ES: **Peligro** FR: **Danger**

EN: Hazard Statement: Flammable liquid and vapour. Harmful if swallowed. May cause an allergic skin reaction. Causes damage to organs (tooth/bone) through prolonged or repeated exposure. May cause damage to organs (liver, kidney) through prolonged or repeated exposure. Causes severe skin burns and eye damage. Harmful to aquatic life. **Precautionary Statement:** Wear protective gloves/protective clothing/eye protection/face protection. Do not breathe dust/gas/mist/vapours. Immediately call a POISON CENTER or doctor/physician if in eyes. Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Store locked up. Dispose of contents/container to hazardous or special waste collection point.

ES: Indicaciones de peligro: Líquido y vapores inflamables. Nocivo en contacto con la piel. Nocivo en caso de ingestión. Puede provocar una reacción alérgica en la piel. Provoca daños en los órganos (dientes/huesos) tras exposiciones prolongadas o repetidas. Puede provocar daños en los órganos (hígado, riñón) tras exposiciones prolongadas o repetidas. Provoca graves quemaduras en la piel y lesiones oculares. Nocivo para los organismos acuáticos. **Consejos de Prudencia:** Llevar guantes/indumentaria de protección y protección ocular/facial. No respirar el polvo o el gas o la niebla o los vapores. Llamar inmediatamente a un CENTRO DE INFORMACIÓN TOXICOLÓGICA o a un médico. EN CASO DE CONTACTO CON LOS OJOS: Aclarar cuidadosamente con agua durante varios minutos. Quitar las lentes de contacto, si lleva y resulta fácil. Seguir aclarando. Guardar bajo llave. Eliminar el contenido/recipiente en un punto de recogida de residuos especiales.

FR: Mention de Danger: Liquide et vapeurs inflammables. Nocif par contact cutané. Nocif en cas d'ingestion. Peut provoquer une allergie cutanée. Risque avéré d'effets graves pour les organes (dents/os) à la suite d'expositions répétées ou d'une exposition prolongée. Risque présumé d'effets graves pour les organes (foie, reins) à la suite d'expositions répétées ou d'une exposition prolongée. Provoque des brûlures de la peau et des lésions oculaires graves. Nocif pour les organismes aquatiques. **Conseil de Prudence:** Porter des gants et vêtements de protection et un équipement de protection des yeux/du visage. Ne pas inhaler poussières/brouillards/vapeurs. Appeler immédiatement un CENTRE ANTIPOISON ou un médecin. EN CAS DE CONTACT AVEC LES YEUX: Rincer avec précaution à l'eau pendant plusieurs minutes. Enlever les lentilles de contact si la victime en porte et si elles peuvent être facilement enlevées. Continuer à rincer. Garder sous clef. Faire éliminer le contenu/recipient dans un point de collecte des déchets spéciaux ou dangereux.



Ingredients: Carbonic acid, ethyl methyl ester 625-53-0; ethylene carbonate 96-49-1; Phosphate (-), hexafluoro-, lithium (1:1) 21324-45-2; 1,3-Dioxol-2-one 872-56-6

EN: IN CASE OF EMERGENCY: Call CHEMTREC 800-424-9300 or 703-527-3887 outside the US. In Canada, call CANUTEC 613-896-6666.
ES: EN CASO DE EMERGENCIA: Llame a CHEMTREC 800-424-9300 o 703-527-3887 fuera de los US. En Canadá, llame al 613-896-6666.
FR: EN CAS D'URGENCE: Appeler CHEMTREC 800-424-9300 ou 703-527-3887 à l'extérieur des US. Au Canada, appeler CANUTEC 613-896-6666.

EN: ATTENTION: Read SDS before using.
ES: ATENCIÓN: Lea FDS antes de usar.
FR: ATTENTION: Lire la FDS avant utilisation.

UN 2920 PKG NO. OF PQT: 1 EMB. N°: 1
CORROSIVE LIQUID, FLAMMABLE, N.O.S. (CONTAINS CARBONIC ACID ETHYL METHYLESTER, LITHIUM HEXAFLUOROPHOSPHATE), UN 2920

	NET/NETO	GROSS/BRUTO	TARE/TARA
(KG)	4.0	9.9	5.9
(LB)	8.8	21.8	13.0

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BASF Mexicana S.A. de C.V. • Av. Insurgentes Sur 975 • Col. CD. De Los Deportes, C.P. 03710, MEXICO • +52 55 5325 2600



MATERIAL 50425388
MATERIAU

V3.5

PART # (240)50425388



LOT # (10)



QTY (3101) 4.0



PKG ID (250) 1



Selectilyte P-0211

V2.0



DE: **Gefahr**
ETHYLENCARBONAT; LITHIUMHEXAFLUORPHOSPHAT; VINYLENCARBONAT.
Flüssigkeit und Dampf entzündbar. Gesundheitsschädlich bei Verschlucken. Kann allergische Hautreaktionen verursachen. Schädigt die Organe (Zahn, Knochen, Niere) nach längerer oder wiederholter Exposition. Verursacht schwere Verätzungen der Haut und schwere Augenschäden. Schädlich für Wasserorganismen, mit langfristiger Wirkung.
Schutzhandschuhe/-kleidung und Augen-/Gesichtsschutz tragen. Staub/Gas/Nebel/Dampf nicht einatmen. BEI KONTAKT MIT DEN AUGEN: Einige Minuten lang behutsam mit Wasser spülen. Vorhandene Kontaktlinsen nach Möglichkeit entfernen. Weiter spülen. Sofort GIFTINFORMATIONSZENTRUM oder Arzt anrufen. Unter Verschluss lagern. Inhalt/Behälter der Problemabfallsorgung zuführen.

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Flammable liquid and vapour. Harmful if swallowed. May cause an allergic skin reaction. Causes damage to organs (Tooth, Bone, Kidney) through prolonged or repeated exposure. Causes severe skin burns and eye damage. Harmful to aquatic life with long lasting effects.
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FR: **Danger**
CARBONATE D'ÉTHYLÈNE; HEXAFLUOROPHOSPHATE DE LITHIUM; CARBONATE DE VINYLENE.
Liquide et vapeurs inflammables. Nocif en cas d'ingestion. Peut provoquer une allergie cutanée. Risque avéré d'effets graves pour les organes (Dentition, Os, Rein) à la suite d'expositions répétées ou d'une exposition prolongée. Provoque des brûlures de la peau et des lésions oculaires graves. Nocif pour les organismes aquatiques, entraîne des effets néfastes à long terme.
Porter des gants et vêtements de protection et un équipement de protection des yeux/du visage. Ne pas inhaler poussières/brouillards/vapeurs. EN CAS DE CONTACT AVEC LES YEUX: Rincer avec précaution à l'eau pendant plusieurs minutes. Enlever les lentilles de contact si la victime en porte et si elles peuvent être facilement enlevées. Continuer à rincer. Appeler immédiatement un CENTRE ANTIPOISON ou un médecin. Garder sous clef. Faire éliminer le contenu/recipient dans un point de collecte des déchets spéciaux ou dangereux.

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Selectilyte P-0211

V2.0



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1. Risque
d'une
pour les
2. Ne pas
3. Ne pas
4. Ne pas
5. Ne pas
6. Ne pas
7. Ne pas
8. Ne pas
9. Ne pas
10. Ne pas



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Need to Re-label: Typical Workflow

- Take merchandise from stock/warehouse; typically pallet with sacks.
- Print correct labels.
- Remove old labels and attach new ones.
- BASF numbers: in 2014 ca. **25'000 shipments** only from Europe to the U.S., which had to be relabeled.
- Estimated **100 individual items** per shipment, results in a total of **2,5 Mio.** items to be relabeled



One Product – one label – no failure!

Avoiding failures due to exchange of labels adds safety and means

- compliance
- customer and consumer confidence
- no delays due to corrective action

Note: Financial impact is not the primary concern!



We create chemistry

Regulatory Coherence & Standards for Crop Protection Products: An Industry Perspective

[Art. 4.1(b)]

BASF Corporation

Ninth Round of TTIP Negotiations

April 23, 2015

Maximum Residue Levels (MRLs)

- ▶ What are MRLs?
 - ▶ allowable levels of crop protection products
 - ▶ based on use as recommended on product label
- ▶ Why are they necessary?
 - ▶ protection against diseases, pests, etc.
 - ▶ vast movements of agricultural commodities around the world
- ▶ What happens if MRLs are inconsistent or nonexistent?
 - ▶ inability to use crop protection products
 - ▶ shipments denied entry

Opportunities for Regulatory Cooperation

- ▶ Consistent residue definitions
 - ▶ for risk assessment and enforcement
 - ▶ inclusion of metabolites and degradation products
 - ▶ promotion of public confidence
- ▶ Joint review of new active substances
 - ▶ expansion of existing cooperation
 - ▶ EU coordination through EFSA
 - ▶ promotion of mutual trust and public credibility

Opportunities for Regulatory Cooperation

- ▶ Consistent regulatory data requirements
 - ▶ common crop groupings
 - ▶ common representative crops for each group
 - ▶ common rules for data extrapolation from one crop to another
 - ▶ common minimum number of trials for each group

Opportunities for Regulatory Cooperation

- ▶ Reliance on good laboratory practices (GLP)
 - ▶ continued recognition of common GLP standards
 - ▶ mutual acceptance of data developed using GLP
 - ▶ supervision of GLP labs and studies
- ▶ Consistent data formats
 - ▶ study information summaries and evaluations
 - ▶ common electronic formats
 - ▶ greater regulatory efficiency

The image features abstract green geometric shapes on the left and right sides. On the left, a single green triangle points downwards. On the right, a complex arrangement of overlapping green triangles and polygons in various shades of green is shown. A thin white line extends from the bottom left towards the right side of the composition.

Thank you.