Meeting Report

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

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

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, 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). 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. 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, [name] 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
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!
BASF
We create chemistry
Regulatory Coherence & Standards for Crop Protection Products: An Industry Perspective

[Art. 4.1(b)]

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
Thank you.