

## Defensives

*How will the Chemicals Strategy improve the enforcement of the chemicals legislation?*

- Stepping up implementation and enforcement of European chemicals legislation is needed to ensure compliance for the whole life cycle of chemicals: production, placing on the market, release and disposal. Currently almost 30% of the alerts on dangerous products on the market involve risks due to chemicals. Also, only one third of the registration dossiers of the chemical substances registered by industry under REACH are fully compliant with the information requirements. The Strategy proposes a number of measures to ensure better controls by authorities, in particular to target imported articles and online sales, including by the use of digital tools. The Commission will carry out audits on the enforcement systems of the Member States, and make proposals to further strengthen the principles of 'no data, no market' and the 'polluter-pays'.
- The different services of the Commission are currently discussing the way how the different actions on enforcement will be put into action.

## Background

### *(i) European Clean Hydrogen Alliance*

- Several projects that could be part of the project pipeline, and large-scale deployment, were presented in the Hydrogen Forum, 26-27 November.
- Industrial use of clean hydrogen, including in the chemical sector, is an important part of the hydrogen value chain and represents one of the first large hydrogen users in the transition to hydrogen supported carbon neutrality.
- The importance of industrial use of clean hydrogen is also mentioned in **EU Hydrogen Strategy**. Member States have shown interest in financing Important Projects of Common European Interest (IPCEI) in the hydrogen sector, and these large projects are also very suitable elements for the project pipeline. Some Member States will attribute significant budget to hydrogen projects in their Recovery and Resilience Plans.
- Cefic has taken up responsibilities within the Alliance and the thematic roundtable for industrial applications.
- Hydrogen and renewables are expected to be part of several of the national Resilience and Recovery Plans, while several Member States have also presented, or are working on, their own hydrogen strategies and respective budgets to support them.
- The hydrogen strategy sets ambitious targets of production of 10 million tonnes of renewable hydrogen and capacity of 40GW of electrolysers by 2030. The industrial users of hydrogen are important for the scaling up of clean hydrogen production and for creation of clean hydrogen markets.

### *(ii) Chemicals Strategy for Sustainability*

The European Commission adopted the EU Chemicals Strategy for Sustainability on 14 October 2020. The Strategy is the first step towards a zero pollution ambition for a toxic-free environment announced in the European Green Deal. The Strategy will boost innovation for safe and sustainable chemicals, and increase protection of human health and the environment against hazardous chemicals. This includes prohibiting the use of the most harmful chemicals in consumer products

such as toys, childcare articles, cosmetics, detergents, food contact materials and textiles, unless proven essential for society, and ensuring that all chemicals are used more safely and sustainably.

- The Chemicals Strategy fully recognises the fundamental role of chemicals for human well-being and for the green and digital transition of European economy and society. At the same time, it acknowledges the urgent need to address the health and environmental challenges caused by the most harmful chemicals. In this spirit, the Strategy sets out concrete actions to make chemicals safe and sustainable by design and to ensure that chemicals can deliver all their benefits without harming the planet and current and future generations. This includes ensuring that the most harmful chemicals for human health and the environment are avoided for non-essential societal use, in particular in consumer products and with regard to most vulnerable groups, but also that all chemicals are used more safely and sustainably. Several innovation and investment actions will be foreseen to accompany the chemicals industry through this transition. The Strategy also draws the attention of Member States to the possibilities of the Recovery and Resilience Facility to invest in the green and digital transition of EU industries, including in the chemical sector.

### About Cefic

The **European Chemical Industry Council** or **Cefic** (from its former French name *Conseil Européen des Fédérations de l'Industrie Chimique*) is the main European trade association for the chemical industry. It was founded in 1972. Its headquarters are located in Brussels. Cefic is a not-for-profit making organization which represents 29,000 large, medium and small chemical companies in Europe, interacting on behalf of their members with international and EU institutions, non-governmental organisations, the international media, and other stakeholders. Chemicals companies in the European Union employ a total staff of about 1.2 million and account for 14.7% of world chemical production. Bios of Cefic representatives

### Cefic's position on the Chemicals Strategy for Sustainability

Cefic supports the protection of health and the environment, but they disagree on the way the Chemicals Strategy proposes to get there. They consider that overall the Strategy has become a missed opportunity for delivering on the Green Deal as a growth strategy, while reinforcing EU global leadership on chemicals legislation.

Cefic considers the Strategy a long list of regulatory measures lacking clarity on internal consistency, their relation to the real-world geopolitical context like Brexit and how they will add up to achieve the Green Deal objectives. Also, a better balance should be struck between simply banning chemicals based on their hazardous properties and enabling the technology solutions that will make the Green Deal reality. An uncoordinated policy risks outsourcing the Green Deal technology solutions to other parts of the world. In addition, a much more coordinated approach needs to be taken to how the impacts of the Strategy are assessed, how the various measures come together towards a shared objective and how the Strategy should be implemented.

Cefic is happy with the uptake in the Strategy of the Sustainable-by-Design concept and signals of more policy on enforcing compliance. They are against a full re-opening of REACH and call for

rigorous impact assessments on the proposals in the Strategy and on its overall contributions to the Green Deal.

Bios of Cefic participants:



