Follow up to the 25th CARACAL on CLP related topics:

- UN GHS December meeting preparation (AP 12)
- Classification of TiO2 and mixtures containing TiO2 (AP 19)
- Implementation of Annex VIII (AP 20)

UN GHS December meeting preparation (AP 12)

We see an added value in a global list. We suggest that at the beginning the focus should be on high-volume-chemicals, which are the most relevant for the international supply chains. The application of the C&L-entry should be on a voluntary basis.

Classification of TiO2 and mixtures containing TiO2 (AP 19)

To our understanding, the suggested classification addresses the general form "dust" and not the substance "TiO2". In that respect, CLP is the wrong risk-management-measure. The scope of CLP is the C&L of substances and mixtures. Because of this, we consider the suggested classification for "dust" out of the scope of CLP. We consider that such an approach contradicts EU-law and does not contribute to an improvement of confidence in our hazard-communication-system on chemicals.

We agree and support RAC's evaluation of the mode of action by particle toxicity and not by intrinsic toxicity of TiO2 molecules. The logic consequence would therefore be not to classify TiO2 but to control exposure to particles. CLP is not the right regulation for this. We believe that there is no need of action because many MS implemented general dust threshold to address dust/particle exposure. In Germany TiO2 is explicitly mentioned for application of the "allgemeiner Staubgrenzwert" TRG900. We believe that this is the adequate exposure control regulation. We therefore reject general classification of any PSLT or groups of PSLT.

The discussion about properties of dust are not new and for example, the worker-protection-legislation (carcinogen/mutagen directive) just recently discussed OELs for wood-dust or crystalline silica. Also the cosmetic-regulation is addressing aerosols of/with TiO2. In our opinion this is the right approach to deal with the question of TiO2-dust.

Implementation of Annex VIII (AP 20)

While waiting for the final EC's legal analysis, we would like to remind that the TFEU at several occasions highlights aspects that would support the introduction of a central entry point, which – as we have mentioned at several other occasions – would contribute to at least some reduction of administrative burden for SME because of this new bureaucratic exercise:

- article 6: EU's competence to support and coordinate work related to the protection and improvement of human health;
- articles 153 and 156: EU's shall support health-improvement in general and on the working place;
- article 173: EU and MS shall support the economic development of SME.

In relation to a centralised portal we would like to point out some other more practical aspects:

- The highest possible level of data-protection is crucial and needs to be guaranteed.
- All national schemes need to be harmonised as soon as possible; no further national requirements should be left over.
- Submission needs to be free of charge.