



Director

Dear Mrs
Věra Jourová
Commissioner for Justice, Consumer Protection
gender issues and gender issues
European commission
1049 Brussels
Belgium

Ref. SCHP/81/2019

Prague, 25.9.2019

Dear Ms Jourová,

I would like to contact you again in view of the current situation regarding the consideration of the proposal for a harmonised classification of titanium dioxide.

On 18.9.2019 a meeting was held between representatives of the competent authorities for REACH and CLP and other CARACAL stakeholders. The negotiating rules were discussed at this meeting, in light of the fact that the amendments to the CLP Regulation will, on the basis of the new EP and Council Regulation (EU) 2019/1243- Omnibus Act, take the form of a Commission Delegated Regulation. At the meeting, the CARACAL continued to discuss proposal 14. The CLP ATP Regulation No 1242/2008, including the titanium dioxide item — classification of titanium dioxide as a suspect carcinogen by inhalation.

Most of the Member States, including the Czech Republic, have voted against the insertion of entry TiO₂ in Annex VI of the CLP Regulation at the CARACAL. However, according to our information, the proposal will be 14. The CLP ATP Regulation is approved by the European Commission (College of Commissioners) and will be forwarded to the Council of the EU and the European Parliament for scrutiny.

At the same time, we draw your attention to the fact that, before CARACAL'S actions, more than 300 associations and firms from inside and outside the EU addressed a letter to the European Commission requesting to carry out an impact assessment of the proposal for a harmonised T02 classification given the expected negative effects of the classification on the European chemical industry and the circular economy.

We would like to reiterate that we do not agree with the proposal for a harmonised classification of Tí02 and we ask for the deletion of Tí02 from proposal 14. The CLP ATP Regulation. In our opinion, the classification is unjustified and would have a significant negative impact on Czech and European industry. In the view of industry, it is appropriate, for example, to use a harmonised exposure limit in the working environment for Tí02 (draft SRD) instead of a substance classification. Our opinion is in line with the long-term opinion of the Czech Republic, represented by the Ministry of the Environment.

The Commissioner is kindly requested to express your vote in the College of Commissioners on draft 14. If it contains Tí02, the CLP ATP Regulation.

Sincerely,

Copy: ING. Richard Brabec, Minister for the Environment of the Czech Republic

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