

EN

P-002800/2022

Answer given by Mr Sinkevičius
on behalf of the European Commission
(28.9.2022)

The Chemicals Strategy for Sustainability¹ announces that the Commission will propose to extend the generic risk management approach (GRA) to ensure that consumer products do not contain the most harmful chemicals. This approach implies that risk management measures are taken based both on the hazardous properties of the chemicals and on generic considerations of exposure. This approach is therefore a risk based-approach and is already applied in EU legislation when exposure is difficult to control², or for vulnerable groups³. In the Regulation on Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)⁴, GRA is enshrined in Article 68(2) and has routinely been used to restrict thousands of substances classified as carcinogens, mutagens or toxic for reproduction (CMR) for consumer use for over 20 years. The ongoing revision will propose to extend this approach to other very harmful substances.

The Commission also recognises that the implementation of GRA will require an important effort to substitute the most harmful chemicals, and will propose a stepwise implementation to ensure planning security and guarantee that key chemicals can still be manufactured and used. The study results referred to in the question represent significant overestimates, as they are based on assumptions going beyond the Commission's plans. Those studies also do not take into account the expected significant environmental and health benefits and the new business opportunities for alternative providers⁵. The Commission's own impact assessment is still ongoing and will be published together with the legal proposal.

The Commission also intends to introduce, through the revision of REACH, the concept of essential uses, to ensure that the most harmful chemicals are allowed if their use is necessary for health, safety or is critical for the functioning of society and if there are no acceptable alternatives.

¹ https://environment.ec.europa.eu/strategy/chemicals-strategy_en

² e.g. uses by consumers.

³ e.g. children.

⁴ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC, OJ L 396, 30.12.2006.

⁵ Many of them small and medium-sized enterprises.