CLP Regulation revision - Targeted Stakeholder Survey

2. PART I. About you

1. Please provide the following details

Your Name : Emilie Bartolini
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Country of operation:

Belgium

Comments:

After completing this survey, are you willing to be contacted for any clarification, a follow-up interview and/or further updates on the impact assessment?

Yes

2. I am providing my contribution as:

Business association

3. If you represent a company, please indicate its size.

4. If you represent a company or business association, please indicate the two-digit NACE code of the primary business sector.

5. If you represent a company or business association, please indicate what activities concerning chemical products (substances and/or mixtures) your company or the members of your business association are involved in. Multiple answers are possible.

Manufacture of chemical substances
Manufacture of mixtures
Import of chemical substances and mixtures
Use of chemical products in manufacturing goods/articles or delivering services

Comments:

6. If you represent a national or regional/local authority, please indicate your role(s) in the implementation and/or enforcement of the CLP Regulation. Multiple answers are possible.

Comments:

3. PART II. Hazard identification

7. Do you agree that the following issue:

'The CLP Regulation does not provide for an exhaustive set of hazard classes',

identified by the different evaluation activities carried out for the review the Regulation, hinders the ability of CLP to reach the goals mentioned in the table below? Please rate your answer on the scale from 'strongly agree' to strongly disagree'.

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
The issue hinders the ability of CLP to ensure a high level of protection of human health					X	
The issue hinders the ability of CLP to ensure a high level of protection of the environment					X	
The issue hinders the ability of CLP to ensure free movement of chemicals					X	

Please explain why you agree or disagree that the issue hinders the ability of CLP to reach one or more of its goals:

The most recent Commission Fitness Check on Chemicals Legislation concluded that 'overall, the EU framework of chemicals legislation is fit for purpose and delivers a high level of protection of people and the environment in balance with the needs of an efficiently functioning internal market and of a competitive and innovative chemicals industry.'

As regards proposed new hazard classes on endocrine disruption: CLP is primarily designed to classify adverse effects, whereas endocrine disruption – as defined by the WHO – consists of an endocrine mode of action that is causally linked to an adverse effect. Additional actions could be introduced under CLP without creating new hazard classes, such as supplementary EU hazard statements (EUH) or an 'ED flag' under existing hazard classes to highlight an endocrine mode of action. Horizontal ED identification would be best achieved through Substances of Very High Concern (SVHC) listing under the REACH regulation. In this respect we note that the Fitness Check on endocrine disruptors, which was released together with the CSS, found that while a majority of respondents from all stakeholder groups think that the absence of harmonised criteria poses a problem to a coherent approach for the identification of EDs, almost half of all stakeholders interviewed did not support introducing an ED hazard class in CLP. AmCham EU would also highlight the conclusions in a paper published by experts from the Germany Federal Institute for Risk Assessment (Herzler et al, 2021), which state that "already today, the available CLP classification criteria cover all major human health-related adverse effects potentially elicited by EDs", that "it appears questionable whether the UN GHS would survive a unilateral deviation of that dimension in one of its major member regions", and that "seeking other, more efficient and effective—and at the same time, prudent—ways to further advance the needed harmonisation of ED identification and regulation processes across different legislative sectors should, therefore, be considered".

As regards proposed new hazard classes for environmental concerns: Existing CLP hazard classes for chronic hazards to the aquatic environment as well as human health hazard already overlap to some extent with PBT/PMT criteria. The Commission should clarify the additional benefits of hazard classes for PBT/PMT substances. Although the persistence (P) of a chemical in the environment may lead to a certain level of potential exposure when emitted to the environment, persistence alone is in our view not a sufficient indicator to inform on present or future risks to human health and the environment. P substances are often durable, contributing to high performance applications. An overly narrow regulatory focus on P under CLP will undermine innovation in conflict with commitments to promote durability, including in the context of the Sustainable Products Initiative. Persistence and mobility are environmental fate properties, not adverse effects that would warrant hazard classification under CLP.

8. How important is it to implement the following measures to improve the ability of the CLP Regulation to reach its goals? Please rate the importance of each option from 'very important' to 'not important at all' and explain your response in the textbox below.

	Very important	Fairly important	Neither important nor unimportant	Fairly unimportant	Not important at all	Don't know
Inclusion of a hazard class for endocrine disruptive (ED) properties					X	
Inclusion of a hazard class for Persistent, bioaccumulative and toxic (PBT) properties					X	
Inclusion of a hazard class for very persistent and very bioaccumulative (vPvB) properties					X	
Inclusion of a hazard class for persistent, mobile and toxic (PMT) properties					X	
Inclusion of a hazard class for very persistent, very mobile (vPvM) properties					X	
Inclusion of a hazard class for immunotoxic properties					X	
Inclusion of a hazard class for neurotoxic properties					X	
Inclusion of a hazard class for toxic properties to terrestrial organisms		X				

9. What other measures do you consider important for addressing the problem indicated in question 7?

Please explain:

Increased use of NAMs as they have the potential to provide more rapid, cost-effective, and human-relevant information on potential chemical risk compared to traditional animal testing. I.e. Better use of existing data to reduce animal testing.

10. Are the following groups affected by the measures listed in question 8? Please rate your answer on the scale from ‘largely affected’ to ‘largely unaffected’.

	Largely affected	Affected	Neither affected nor unaffected	Unaffected	Largely unaffected	Don’t know
Consumers				X		
Workers				X		
Regional/local public authorities				X		
National public authorities		X				
European institutions		X				
Manufacturers of chemical substances		X				
Manufacturers of mixtures		X				
Importers of chemical substances and mixtures		X				
Distributors of chemical substances and mixtures		X				
Downstream users of chemicals (e.g., manufacturers of articles)		X				

11. Please describe how the groups you indicated in answer to the previous question are affected.

Given concerns linked to the proposed hazard classes are largely already addressed by other means in EU legislation, (positive) impacts on consumers and workers are limited. Nevertheless, the introduction of new hazard classes would increase the workload and regulatory burden on both authorities and industry. For example, we are concerned that several of the proposals introduced in the questions above would result in an increased burden on ECHA's committees (in particular RAC), which could lead to lower quality scientific assessments for substances on the EU market. The goal of CLP should be to identify and communicate hazards based on accurate assessments and scientific evidence. Expanding CLP should not come at the expense of these principles. Additionally, consideration should be given to the negative impact that increased hazard classes would cause in relation to the loss of ingredients and products to downstream users.

12a. How would the measures considered in question 8 affect the following activities? Please specify other activities if required.

	Increase in costs	No change	Decrease in costs	Not applicable / Don't know
Hazard assessment				
Classification and reclassification of substances				
Notification to the Classification and Labelling Inventory (CLI)				
Labelling and relabelling of substances and mixtures				
Update and distribution of revised safety data sheet (SDS)				
Packaging				
Reformulation of mixtures				
Update of IT systems				
Training of staff				

12b. How would the measures considered in question 8 affect the following activities? Please specify other activities if required.

	Increase in costs	No change	Decrease in costs	Not applicable / Don't know
Preparation and assessment of regulatory proposals (CLH, SVHC identification, restrictions)				
Evaluation of substances				
Update of IT systems				
Training of staff				
Monitoring				
Reporting				
Enforcement activities				

13. Please specify any other important positive or negative impact of the measures listed in question 8, including quantitative information.

4. PART III. Hazard quantification

14. Do you agree that the following issue:

> ***'Different conclusions are made in risk assessments for the same substance due to limited hazard quantification provisions under the CLP Regulation'***

identified by the different evaluation activities carried out for the review of the Regulation, hinders the ability of CLP to reach the goals mentioned in the table below? Please rate your answer on the scale from 'strongly agree' to strongly disagree'.

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
The issue hinders the ability of CLP to ensure a high level of protection of human health				X		
The issue hinders the ability of CLP to ensure a high level of protection of the environment				X		
The issue hinders the ability of CLP to ensure free movement of chemicals				X		

Please explain why you agree or disagree that the issue hinders the ability of CLP to reach one or more of its goals:

DNEL and PNEC derivation should stay in the REACH. CLP is about hazard communication and is framed under the UN GHS. Any consideration on DNEL/PNEC harmonisation in CLP would introduce unnecessary complexity. The lead registrant is already leading the activity of deriving DNEL/PNECs, harmonizing these values for subsequent use among the registrants.

15. How important is to implement the following measures to improve the ability of the CLP Regulation to reach its goals? Please rate the importance of each option from 'very important' to 'not important at all' and explain your response in the textbox below.

	Very important	Fairly important	Neither important nor unimportant	Fairly unimportant	Not important at all	Don't know
Include toxicity reference values in harmonised classifications.					X	
Create a central public repository of toxicity reference values.				X		

Comments:

16. What other measures do you consider important for addressing the problem indicated in question 14?

Having a central public repository for the TRV's would be useful for mixture producers.

17. Are the following groups affected by the measures listed in question 15? Please rate your answer on the scale from 'largely affected' to 'largely unaffected'. Specify other groups if required.

	Largely affected	Affected	Neither affected nor unaffected	Unaffected	Largely unaffected	Don't know
Consumers				X		
Workers				X		
Regional/local public authorities				X		
National public authorities			X			
European institutions			X			
Manufacturers of chemical substances		X				
Manufacturers of mixtures		X				
Importers of chemical substances and mixtures		X				
Distributors of chemical substances and mixtures		X				
Downstream users of chemicals (e.g., manufacturers of articles)		X				

18. Please describe how the groups you indicated above are affected.

Harmonising safety values in CLP would undermine existing activities conducted by REACH lead registrants, duplicating work and complicating current practices.

19a. How would the measures listed in question 15 affect the following activities? Please specify other activities if required.

	Increase in costs	No change	Decrease in costs	Not applicable / Don't know
Hazard assessment				
Classification and reclassification of substances				
Notification to the Classification and Labelling Inventory (CLI)				
Labelling and relabelling of substances and mixtures				
Update and distribution of revised safety data sheet (SDS)				
Packaging				
Reformulation of mixtures				
Update of IT systems				
Training of staff				

19b. How would the measures listed in question 15 affect the following activities? Please specify other activities if required.

	Increase in costs	No change	Decrease in costs	Not applicable / Don't know
Preparation and assessment of regulatory proposals (CLH, SVHC identification, restrictions)				
Evaluation of substances				
Update of IT systems				
Training of staff				
Monitoring				
Reporting				
Enforcement activities				

20. Please specify any other important positive or negative impact of the measures listed in question 15, including quantitative information.

5. PART IV. Harmonised classification and labelling

21. Do you agree that the following issue:

> ***'The current procedure for harmonisation of classification and labelling in the CLP Regulation does not allow a timely and efficient addition and update of CLH dossiers'***

identified by the different evaluation activities carried out for the review of the Regulation, hinders the ability of CLP to reach the goals mentioned in the table below? Please rate your answer on the scale from 'strongly agree' to strongly disagree'.

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
The issue hinders the ability of CLP to ensure a high level of protection of human health			X			
The issue hinders the ability of CLP to ensure a high level of protection of the environment			X			
The issue hinders the ability of CLP to ensure free movement of chemicals		X				

Please explain why you agree or disagree that the issue hinders the ability of CLP to reach one or more of its goals:

CLP processes should allow for a thorough examination of each CLH dossier, in order to ensure harmonised classifications are assigned where justified based on a comprehensive review of the weight of scientific evidence. ECHA's Risk Assessment Committee (RAC) is already under pressure when it comes to time and resources to adequately review CLH dossiers. The proposals described so far ahead of the CLP revision do little to address this. Instead, many of these proposals would further increase the pressure on RAC (e.g. inclusion of new hazard classes, submission of more CLH dossiers). Many of these proposals would not bring significant improvements in the protection of human health and the environment, as the identified concerns are already addressed by other regulatory instruments (e.g. existing hazard classes or other regulatory processes such as SVHC listing under REACH).

22. How important is it to implement the following measures to improve the ability of the CLP Regulation to reach its goals? Please rate the importance of each option from 'very important' to 'not important at all' and explain your response in the textbox below.

	Very important	Fairly important	Neither important nor unimportant	Fairly unimportant	Not important at all	Don't know
Provide the Commission with the mandate to initiate and develop proposals for harmonised classification and labelling of substances.						X
Provide manufacturers, importers and downstream users with the right to propose modifications to existing harmonised classification and labelling subject to specific conditions, including priority assessment by the Commission.		X				
Improve the current prioritisation system to ensure an effective use of the limited public resources.				X		

Comments:

23. What other measures do you consider important for addressing the problem indicated in question 21? Please specify.

Ensuring sufficient resources and expertise are made available to RAC.

24. Are the following groups affected by the measures listed in question 22? Please rate your answer on the scale from 'largely affected' to 'largely unaffected'.

	Largely affected	Affected	Neither affected nor unaffected	Unaffected	Largely unaffected	Don't know
Consumers				X		
Workers				X		
Regional/local public authorities				X		
National public authorities		X				
European institutions		X				
Manufacturers of chemical substances		X				
Manufacturers of mixtures		X				
Importers of chemical substances and mixtures		X				
Distributors of chemical substances and mixtures		X				
Downstream users of chemicals (e.g., manufacturers of articles)						

25. Please describe how the groups you indicated above are affected.

Increased burden on industry and authorities to review and provide input to CLH processes. Risk of unnecessary/damaging regulatory outcomes if too little resources are available to adequately review CLH dossiers.

26a. How would the measures listed in question 22 affect the following activities? Please specify other activities if required.

	Increase in costs	No change	Decrease in costs	Not applicable / Don't know
Hazard assessment				
Classification and reclassification of substances				
Notification to the Classification and Labelling Inventory (CLI)				
Labelling and relabelling of substances and mixtures				
Update and distribution of revised safety data sheet (SDS)				
Packaging				
Reformulation of mixtures				
Update of IT systems				
Training of staff				

26b. How would the measures listed in question 22 affect the following activities? Please specify other activities if required.

	Increase in costs	No change	Decrease in costs	Not applicable / Don't know
Preparation and assessment of regulatory proposals (CLH, SVHC identification, restrictions)				
Evaluation of substances				
Update of IT systems				
Training of staff				
Monitoring				
Reporting				
Enforcement activities				

27. Please specify any other important positive or negative impact of the measures listed in question 22, including quantitative information.

6. PART V. Self-classification

28. Do you agree that the following issue:

> ***'Diverging and/or erroneous self-classifications and obsolete information in the Classification and Labelling Inventory'***

identified by the different evaluation activities carried out for the review of the Regulation, hinders the ability of CLP to reach the goals mentioned in the table below? Please rate your answer on the scale from 'strongly agree' to strongly disagree'.

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
The issue hinders the ability of CLP to ensure a high level of protection of human health		X				
The issue hinders the ability of CLP to ensure a high level of protection of the environment		X				
The issue hinders the ability of CLP to ensure free movement of chemicals		X				

Please explain why you agree or disagree that the issue hinders the ability of CLP to reach one or more of its goals:

We agree that conflicting notifications should be addressed as part of the CLP review. Where this is the case and in the absence of means to address conflicting notifications, the notification provided by the registrant should be given priority. We note that earlier efforts by ECHA to improve coordination between C&L notifiers have not delivered sufficient results. We support that ECHA should be able to remove or refuse notifications that seem incorrect or unjustifiably inconsistent with information provided by the registrant.

29. How important is to implement the following measures to improve the ability of the CLP Regulation to reach its goals? Please rate the importance of each option from 'very important' to 'not important at all' and explain your response in the textbox below.

	Very important	Fairly important	Neither important nor unimportant	Fairly unimportant	Not important at all	Don't know
Introducing compulsory periodical updates of the CLP notifications of self-classification.				X		
Publishing names of notifiers under the CLI while protecting confidentiality where appropriate.			X			
Removing of incomplete, incorrect or obsolete notifications by the ECHA.	X					
Improving the ECHA's digital tools for classification and labelling notification.	X					

Comments:

30. What other measures do you consider important for addressing the problem indicated in question 28? Please specify.

31. Are the following groups affected by the measures listed in question 29? Please rate your answer on the scale from 'largely affected' to 'largely unaffected'. Please specify other groups if required.

	Largely affected	Affected	Neither affected nor unaffected	Unaffected	Largely unaffected	Don't know
Consumers		X				
Workers		X				
Regional/local public authorities					X	
National public authorities		X				
European institutions		X				
Manufacturers of chemical substances		X				
Manufacturers of mixtures		X				
Importers of chemical substances and mixtures		X				
Distributors of chemical substances and mixtures		X				
Downstream users of chemicals (e.g., manufacturers of articles)		X				

32. Please describe how the groups you indicated above are affected.

Incorrect and inconsistent C&L notifications undermine accurate hazard communication under CLP. All stakeholder groups listed above would benefit from additional measures to address this.

33a. How would the measures listed in question 29 affect the following activities? Please specify other activities if required.

	Increase in costs	No change	Decrease in costs	Not applicable / Don't know
Hazard assessment				
Classification and reclassification of substances				
Notification to the Classification and Labelling Inventory (CLI)				
Labelling and relabelling of substances and mixtures				
Update and distribution of revised safety data sheet (SDS)				
Packaging				
Reformulation of mixtures				
Update of IT systems				
Training of staff				

33b. How would the measures listed in question 29 affect the following activities? Please specify other activities if required.

	Increase in costs	No change	Decrease in costs	Not applicable / Don't know
Preparation and assessment of regulatory proposals (CLH, SVHC identification, restrictions)				
Evaluation of substances				
Update of IT systems				
Training of staff				
Monitoring				
Reporting				
Enforcement activities				

34. If applicable, please specify any other important positive or negative impact of the measures listed in question 29, including quantitative information.

7. PART VI. Labelling

35. Do you agree that the following issue:

> ***'Labelling requirements for certain substances and mixtures supplied in bulk or in small/complex packages are impractical or ambiguous',***

identified by the different evaluation activities carried out for the review of the Regulation, hinders the ability of CLP to reach the following goals? Please rate your answer on the scale from 'strongly agree' to strongly disagree'.

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
The issue hinders the ability of CLP to ensure a high level of protection of human health			X			
The issue hinders the ability of CLP to ensure a high level of protection of the environment			X			
The issue hinders the ability of CLP to ensure free movement of chemicals			X			

Please explain why you agree or disagree that the issue hinders the ability of CLP to reach one or more of its goals:

CLP labels can be unclear and hard to understand. AmCham EU would support improving labels by focusing on less, but clearer information. We would support, in particular, keeping the following pieces of information: pictogram showing the risk, hazard statement and signal word, identification code for poison centres. It would also be useful to be able to consult labels digitally. This would be particularly useful for certain products that are difficult to label e.g. bulk chemicals, small items.

36. How important is to implement the following measures to improve the ability of the CLP Regulation to reach its goals? Please rate the importance of each option from 'very important' to 'not important at all' and explain your response in the textbox below.

	Very important	Fairly important	Neither important nor unimportant	Fairly unimportant	Not important at all	Don't know
Derogation from labelling requirements for substances and mixtures supplied in bulk (e.g., fuels, cement, detergents).	X					
Derogation from labelling requirements for substances and mixtures contained in very small packaging (e.g., writing instruments).	X					
The use of digital labels to complement and support hazard communication (e.g. provide information in multiple languages and/or small packages, provide on the physical label the most important elements and complementing with the digital option	X					
The use of fold-out labels to provide information in the EU languages.	X					
The use of symbols instead of multilingual text descriptions for conveying information.		X				

Comments:

37. What other measures do you consider important for addressing the problem indicated in question 35? Please specify.

38. Are the following groups affected by the measures listed in question 36? Please rate your answer on the scale from 'largely affected' to 'largely unaffected'. Please specify other groups if required.

	Largely affected	Affected	Neither affected nor unaffected	Unaffected	Largely unaffected	Don't know
Consumers		X				
Workers		X				
Regional/local public authorities			X			
National public authorities		X				
European institutions		X				
Manufacturers of chemical substances		X				
Manufacturers of mixtures		X				
Importers of chemical substances and mixtures		X				
Distributors of chemical substances and mixtures		X				
Downstream users of chemicals (e.g., manufacturers of articles)		X				

39. Please describe how the groups you indicated above are affected.

Simplifying and improving the readability of labels will ensure better hazard communication to consumers and workers and will generate savings for industry.

40a. How would the measures listed in question 36 affect the following activities? Please specify other activities if required.

	Increase in costs	No change	Decrease in costs	Not applicable / Don't know
Hazard assessment				
Classification and reclassification of substances				
Notification to the Classification and Labelling Inventory (CLI)				
Labelling and relabelling of substances and mixtures				
Update and distribution of revised safety data sheet (SDS)				
Packaging				
Reformulation of mixtures				
Update of IT systems				
Training of staff				

40b. How would the measures listed in question 36 affect the following activities? Please specify other activities if required.

	Increase in costs	No change	Decrease in costs	Not applicable / Don't know
Preparation and assessment of regulatory proposals (CLH, SVHC identification, restrictions)				
Evaluation of substances				
Update of IT systems				
Training of staff				
Monitoring				
Reporting				
Enforcement activities				

41. Please specify any other important positive or negative impact of the measures listed in question 36, including quantitative information.

8. PART VII. CLP scope exemptions

42. Do you agree that the hazards borne by the following chemical products may not be covered by sectorial legislation to the extent provided by CLP? Please rate your answer on the scale from 'strongly agree' to strongly disagree' and explain your response in the text-box below.

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
Medicinal products				X		
Veterinary medicinal products				X		
Medical devices				X		
Cosmetics products					X	
Food			X			
Feeding stuffs			X			

Please explain why you agree or disagree that the issue hinders the ability of CLP to reach one or more of its goals:

If veterinary medicinal products (VMPs) and feed additives come into the scope of the CLP legislation, this means that these products will be double regulated and very likely subjected to contradictory legal requirements. There would be no benefit in this approach, which would simply lead to an increased in administrative burden, confusion and risk of non-compliance. VMPs should remain exempted from the CLP legislation.

Additionally, an environmental risk assessment is performed on all veterinary medicines, and if necessary a label statement is already added. e.g. "very toxic to aquatic life, do not contaminate waterways with this product"'.

Furthermore, all VMPs have mandatory advice on safe disposal on their label. Hence, this means that there would be overlap (question 45) should CLP become applicable to veterinary medicines.

Finally, CLP only looks at hazards, while existing legislation on VMPs looks at risks (hazard and exposure) and mitigation of that risk when required. A main argument against applying CLP to veterinary medicines is that if one would need to put all the hazards on the label without any context, animal owners might be scared off and wouldn't administer the medicine to their animals. This would be detrimental to animal health and welfare.

Consumer information regarding the correct use and disposal of a finished cosmetic products is addressed under the Cosmetic Products Regulation (CPR) which it is built on the real consumer's understanding of finished cosmetic products. The ongoing revision of the CPR provides an opportunity to extend, where necessary, the existing labelling provisions from human safety aspects to environmental aspects.

43. How important is it to improve the ability of the CLP Regulation to reach its goals? Please rate the importance of each option from 'very important' to 'not important at all' and explain your response in the textbox below.

	Very important	Fairly important	Neither important nor unimportant	Fairly unimportant	Not important at all	Don't know
Improve the risk or conformity assessment in sectorial regulation to address all hazards covered by the CLP Regulation.			X			
Enhance cross-references between sectorial and CLP regulations when it comes to hazard assessments.		X				
Revoke the exclusion from CLP Regulation for those sectors where the exemptions are no longer fit for purpose.		X				

Comments:

44. What other measures do you consider important for protection from hazards borne by the products that are currently exempted from the CLP Regulation? Please specify.

Consumer information regarding the correct use and disposal of a finished cosmetic products should be addressed under the Cosmetic Products Regulation (CPR) which it is built on the real use and consumer's understanding of finished cosmetic products. The ongoing revision of the CPR provides an opportunity to extend, where necessary, the existing labelling provisions from human safety aspects to environmental aspects.

45. Are the following groups affected by the measures listed in question 43? Please rate your answer on the scale from 'largely affected' to 'largely unaffected'. Please specify other groups if required.

	Largely affected	Affected	Neither affected nor unaffected	Unaffected	Largely unaffected	Don't know
Consumers						
Workers						
Regional/local public authorities						
National public authorities						
European institutions						
Manufacturers of chemical substances						
Manufacturers of mixtures						
Importers of chemical substances and mixtures						
Distributors of chemical substances and mixtures						
Downstream users of chemicals (e.g., manufacturers of articles)	X					

46. Please describe how the groups you indicated above are affected.

47a. How would the measures listed in question 43 affect the following activities? Please specify other activities if required.

	Increase in costs	No change	Decrease in costs	Not applicable / Don't know
Hazard assessment				
Classification and reclassification of substances				
Notification to the Classification and Labelling Inventory (CLI)				
Labelling and relabelling of substances and mixtures				
Update and distribution of revised safety data sheet (SDS)				
Packaging				
Reformulation of mixtures				
Update of IT systems				
Training of staff				

47b. How would the measures listed in question 43 affect the following activities? Please specify other activities if required.

	Increase in costs	No change	Decrease in costs	Not applicable / Don't know
Preparation and assessment of regulatory proposals (CLH, SVHC identification, restrictions)				
Evaluation of substances				
Update of IT systems				
Training of staff				
Monitoring				
Reporting				
Enforcement activities				

48. Please specify any other important positive or negative impact of the measures listed in question 43, including quantitative information.

9. PART VIII. Online sales of chemicals

49. Do you agree that the following issue:

> ***'CLP does not specifically address online sales, and this results in a lower level of protection from hazards borne by substances, mixtures or products sold online from EU and non-EU countries'***

identified by the different evaluation activities carried out for the review of the Regulation, hinders the ability of CLP to reach the goals mentioned in the table below? Please rate your answer on the scale from 'strongly agree' to strongly disagree'.

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
The issue hinders the ability of CLP to ensure a high level of protection of human health	X					
The issue hinders the ability of CLP to ensure a high level of protection of the environment	X					
The issue hinders the ability of CLP to ensure free movement of chemicals	X					
The issue hinders the ability of CLP to ensure competitiveness on the internal EU market	X					
The issue hinders the ability of CLP to ensure competitiveness in the EU trade with third countries	X					

Please explain why you agree or disagree that the issue hinders the ability of CLP to reach one or more of its goals:

The EU should apply the same CLP obligations to chemicals purchased online. AmCham EU supports the need to have a responsible actor for compliance with CLP located in the EU for chemicals purchased online. The producer/manufacturer of the items concerned should be liable to take corrective measures. Service providers/platforms should also be involved, especially where the producer/manufacturer is not located in the EU. In such cases, the manufacturers are not placing the product on the EU market directly and may not be aware of where the product is distributed.

50. How important is it to implement the following measures to improve the ability of the CLP Regulation to reach its goals? Please rate the importance of each option from 'very important' to 'not important at all' and explain your response in the textbox below.

	Very important	Fairly important	Neither important nor unimportant	Fairly unimportant	Not important at all	Don't know
Clarifying responsibilities and obligations for compliance with the CLP Regulation in online sales of chemicals.	X					
Establishing uniform conditions and frequency of checks for compliance with the CLP Regulation for products sold online.	X					
Introducing the responsibility of online marketplaces for the safety of goods they sell or facilitate selling on their apps and websites.	X					
Improving cooperation between competent authorities and consumer groups on the EU and national levels.			X			
Harmonising the way hazard information must be provided online.	X					

Comments:

51. What other measures do you consider important for addressing the problem indicated in question 49? Please specify.

Ensure that the requirement for full visibility of the CLP label at the point of sale (on the website) is known, encouraged, and enforced. Thereby giving the purchaser and user the full necessary information at the point of sale.

52. Are the following groups affected by the measures listed in question 50? Please rate your answer on the scale from 'largely affected' to 'largely unaffected'. Please specify other groups if required.

	Largely affected	Affected	Neither affected nor unaffected	Unaffected	Largely unaffected	Don't know
Consumers		X				
Workers		X				
Regional/local public authorities						X
National public authorities		X				
European institutions		X				
Manufacturers of chemical substances		X				
Manufacturers of mixtures		X				
Importers of chemical substances and mixtures		X				
Distributors of chemical substances and mixtures		X				
Downstream users of chemicals (e.g., manufacturers of articles)	X					

53. Please describe how the groups you indicated above are affected.

Harmonised CLP requirements for chemicals purchased online would improve hazard communication to consumers and workers. They would also ensure a level playing field between traditional and online sales of chemicals into the EU market.

54a. How would the measures listed in question 50 affect the following activities? Please specify other activities if required.

	Increase in costs	No change	Decrease in costs	Not applicable / Don't know
Hazard assessment				
Classification and reclassification of substances				
Notification to the Classification and Labelling Inventory (CLI)				
Labelling and relabelling of substances and mixtures				
Update and distribution of revised safety data sheet (SDS)				
Packaging				
Reformulation of mixtures				
Update of IT systems				
Training of staff				

54b. How would the measures listed in question 50 affect the following activities? Please specify other activities if required.

	Increase in costs	No change	Decrease in costs	Not applicable / Don't know
Preparation and assessment of regulatory proposals (CLH, SVHC identification, restrictions)				
Evaluation of substances				
Update of IT systems				
Training of staff				
Monitoring				
Reporting				
Enforcement activities				

55. Please specify any other important positive or negative impact of the measures listed in question 50, including quantitative information.

10. PART IX. Poison centres

56. Do you agree that the following issue:

> ***'National poison centres may not have all available information on chemicals placed on the market required for an adequate health emergency response'***

hinders the ability of CLP to reach the following goals? Please rate your answer on the scale from 'strongly agree' to strongly disagree'.

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
The issue hinders the ability of CLP to ensure a high level of protection of human health				X		
The issue hinders the ability of CLP to ensure free movement of chemicals				X		
The issue hinders the ability of CLP to guarantee a level playing field			X			

Please explain why you agree or disagree that the issue hinders the ability of CLP to reach one or more of its goals:

We do not think submitting substance information to poison centres would bring significant added value, in addition to existing obligations linked to mixtures and the Harmonized CLP (CLH).Member States and ECHA should work to make use of Harmonized CLP (CLH) data that companies are already making available. Access to the Harmonized CLP (CLH) for emergency purposes would improve the emergency health response and would simplify Poison Center Notifications.
On the other hand, the Harmonized CLP (CLH) only is not sufficient for adequate emergency health response because the information on the ingredient classification does not always reflect the hazardous profile of the mixture.

57. How important is the implementation of the following measures to improve the ability of the CLP Regulation to reach its goals? Rate the importance of each option from 'very important' to 'not important at all'.

	Very important	Fairly important	Neither important nor unimportant	Fairly unimportant	Not important at all	Don't know
Introduce an obligation on distributors (including re-branders/re-labellers depending on their activity) under Article 45 to notify information relevant for poison centres following the format under Annex VIII.						X
Add a notification obligation in case of hazardous substances (classified for human health and physical hazards) in the scope of Article 45 of the CLP Regulation.	X					

58. What other measures do you consider important for addressing the problem indicated in question 56? Please specify.

59. Are the following groups affected by the measures listed in question 57? Please rate your answer on the scale from 'largely affected' to 'largely unaffected'. Please specify other groups if required.

	Largely affected	Affected	Neither affected nor unaffected	Unaffected	Largely unaffected	Don't know
Consumers						
Workers						
Regional/local public authorities						
National public authorities						
European institutions						
Manufacturers of chemical substances						
Manufacturers of mixtures						
Importers of chemical substances and mixtures						
Distributors of chemical substances and mixtures						
Downstream users of chemicals (e.g., manufacturers of articles)						

60. Please describe how the groups you indicated above are affected.

61a. How would the measures listed in question 57 affect the following activities? Please specify other activities if required.

	Increase in costs	No change	Decrease in costs	Not applicable / Don't know
Classification and reclassification of substances				
Notification to the Classification and Labelling Inventory (CLI)				
Labelling and relabelling of substances and mixtures				
Update and distribution of revised safety data sheet (SDS)				
Packaging				
Reformulation of mixtures				
Update of IT systems				
Training of staff				

61b. How would the measures listed in question 57 affect the following activities? Please specify other activities if required.

	Increase in costs	No change	Decrease in costs	Not applicable / Don't know
Preparation and assessment of regulatory proposals (CLH, SVHC identification, restrictions)				
Evaluation of substances				
Operation of health responses				
Update of IT systems				
Training of staff				
Monitoring				
Reporting				
Enforcement activities				

62. Please specify any other important positive or negative impact of the measures listed in question 57, including quantitative information.

11. PART X. Wrap-up

63. Please provide any other comments or suggestions you would like to share regarding the revision of the CLP Regulation here. The next question will provide the option of uploading any files you deem relevant to the study.

It is critical that the re-opening of the CLP Regulation is surgical, building on what has been successfully achieved to date and not re-inventing the foundations. This is also necessary to manage uncertainty and attract future investments into Europe. We refer, in this context, to the findings of the latest Commission Fitness Check on Chemicals Legislation, which concluded that 'overall, the EU framework of chemicals legislation is fit for purpose and delivers a high level of protection of people and the environment in balance with the needs of an efficiently functioning internal market and of a competitive and innovative chemicals industry.' AmCham EU strongly supports international alignment on chemicals legislation to strengthen mutual market access and ensure a level playing field between different regulatory environments across the globe. Regulatory divergence creates obstacles to economic growth and prevents actors from reaping the full benefits of global trade. When discussing potential changes to CLP EU decision-makers should, where possible, take into account consistency with international regulatory instruments. We particularly encourage the EU to make use of international bodies, institutions and conventions such as the UN Globally Harmonized System of Classification and Labelling of Chemicals (GHS) and work against deviations between EU legislation and international rules. Strong international alignment ensures that companies can continue to operate globally, decreasing the cost of unnecessary regulatory burden that could be invested in more fruitful activities. Generally speaking, AmCham EU is concerned that many of the outcomes of the CLP review appear to already have been determined despite stakeholder feedback in the opposite direction or evidence from previous Fitness Checks indicating that overall the legislative framework for chemicals is fit for purpose. We are also concerned that several of the proposals would result in an increased burden on ECHA's committees (in particular RAC), which could lead to lower quality scientific assessments for substances on the EU market. The goal of CLP should be to identify and communicate hazards based on accurate assessments and scientific evidence. The revision should recognize that there are already sectoral legislations in place that provide a high level of consumer protection and confidence. Expanding the CLP should not come at the expense of these principles. AmCham EU remains available to discuss our position in further detail.

64. Please upload any files of relevance that you wish to provide here. There is a limit of 3 files, if you have further information to provide, please contact the study team via clp.revision@rpa-europe.eu

AmCham_EU_CSS_Position_Paper_Final.pdf