

Open Public Consultation on the Targeted Revision of the Regulation on Classification, Labelling and Packaging of Substances and Mixtures (CLP)

Fields marked with * are mandatory.

Introduction

The [Regulation on the classification, labelling and packaging of substances and mixtures](#) (in short the CLP Regulation) covers almost all chemicals and products containing them, from industrial chemicals to house-hold ones, from fuels to pens, from solvents to detergents. For the purpose of this questionnaire, substances and mixtures are referred to as chemicals. The CLP Regulation aims to identify **hazards of chemicals**, such as causing cancer, disrupting aquatic life or causing allergy. Hazard identification relies on **scientific facts**. When hazards are identified for a chemical, products containing this chemical should be **labelled and/or packaged** before they are placed on the market. In addition to the hazard, labels also provide **advice on how to avoid and/or reduce exposure** to the hazardous chemical and how to deal with accidental exposure. Finally, the CLP regulation requires that **poison centres** receive information on the composition and hazards of chemicals to give the appropriate advice in case of poisoning accidents.

In other words, the first aim of the CLP Regulation is to **protect citizens and workers and the environment from dangerous substances and mixtures**. The second aim is to facilitate the **intra-EU exchange of chemicals** which can circulate freely within the European Internal Market when properly labelled and packaged according to the CLP criteria.

This public consultation will feed into the work of the European Commission in updating and improving the CLP Regulation, as pledged by the Commission in its '[Chemicals Strategy for Sustainability](#)'.

This questionnaire consists of **two sections**. This first section contains **general questions** to which all respondents are kindly invited to provide feedback. The second section focuses on **more technical points** of the CLP Regulation that requires prior knowledge and expertise.

About you

* Language of my contribution

- Bulgarian
- Croatian
- Czech
- Danish
- Dutch
- English
- Estonian
- Finnish
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* I am giving my contribution as

- Academic/research institution
- Business association
- Company/business organisation
- Consumer organisation
- EU citizen
- Environmental organisation
- Non-EU citizen
- Non-governmental organisation (NGO)
- Public authority

- Trade union
- Other

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Johanna

* Surname

Hausmann

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* Organisation name

255 character(s) maximum

Women Engage of a Common Future, WECF

* Organisation size

- Micro (1 to 9 employees)
- Small (10 to 49 employees)
- Medium (50 to 249 employees)
- Large (250 or more)

Transparency register number

255 character(s) maximum

Check if your organisation is on the [transparency register](#). It's a voluntary database for organisations seeking to influence EU decision-making.

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* Country of origin

Please add your country of origin, or that of your organisation.

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|-------------------------------------|--|-------------------------------------|--|
| <input type="radio"/> Afghanistan | <input type="radio"/> Djibouti | <input type="radio"/> Libya | <input type="radio"/> Saint Martin |
| <input type="radio"/> Åland Islands | <input type="radio"/> Dominica | <input type="radio"/> Liechtenstein | <input type="radio"/> Saint Pierre and Miquelon |
| <input type="radio"/> Albania | <input type="radio"/> Dominican Republic | <input type="radio"/> Lithuania | <input type="radio"/> Saint Vincent and the Grenadines |

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- Nauru
- Nepal
- Samoa
- San Marino
- São Tomé and Príncipe
- Saudi Arabia
- Senegal
- Serbia
- Seychelles
- Sierra Leone
- Singapore
- Sint Maarten
- Slovakia
- Slovenia
- Solomon Islands
- Somalia
- South Africa
- South Georgia and the South Sandwich Islands
- South Korea
- South Sudan
- Spain
- Sri Lanka
- Sudan
- Suriname
- Svalbard and Jan Mayen
- Sweden
- Switzerland
- Syria

- Botswana
- Bouvet Island
- Brazil
- British Indian Ocean Territory
- British Virgin Islands
- Brunei
- Bulgaria
- Burkina Faso
- Burundi
- Cambodia
- Cameroon
- Canada
- Cape Verde
- Cayman Islands
- Central African Republic
- Chad
- Chile
- China
- Christmas Island
- Clipperton
- Cocos (Keeling) Islands
- Colombia
- Comoros
- Congo
- Cook Islands
- Guatemala
- Guernsey
- Guinea
- Guinea-Bissau
- Guyana
- Haiti
- Heard Island and McDonald Islands
- Honduras
- Hong Kong
- Hungary
- Iceland
- India
- Indonesia
- Iran
- Iraq
- Ireland
- Isle of Man
- Israel
- Italy
- Jamaica
- Japan
- Jersey
- Jordan
- Kazakhstan
- Kenya
- Netherlands
- New Caledonia
- New Zealand
- Nicaragua
- Niger
- Nigeria
- Niue
- Norfolk Island
- Northern Mariana Islands
- North Korea
- North Macedonia
- Norway
- Oman
- Pakistan
- Palau
- Palestine
- Panama
- Papua New Guinea
- Paraguay
- Peru
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- Tuvalu
- Uganda
- Ukraine
- United Arab Emirates
- United Kingdom
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- United States Minor Outlying Islands
- Uruguay
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- Uzbekistan
- Vanuatu

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- Côte d'Ivoire
- Croatia
- Cuba
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- Cyprus
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- Democratic Republic of the Congo
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- Lesotho
- Liberia
- Qatar
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- Romania
- Russia
- Rwanda
- Saint Barthélemy
- Saint Helena
Ascension and
Tristan da Cunha
- Saint Kitts and Nevis
- Saint Lucia
- Vatican City
- Venezuela
- Vietnam
- Wallis and Futuna
- Western Sahara
- Yemen
- Zambia
- Zimbabwe

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I agree with the [personal data protection provisions](#)

Part I (general questions)

Question 0 - What is your level of knowledge of the following?

	Excellent knowledge	Good knowledge	Some knowledge	None
* The CLP regulation (legal text) and/or its implementation	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Chemical hazards	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Section 1 - New Hazard Classes

Following **new scientific evidence**, the Commission is considering introducing **new hazard classes** not currently covered by the CLP Regulation. This is expected to enhance the protection of human health and environment.

The European Commission has pledged to introduce an obligation for chemical producers and retailers to identify and explicitly label the following chemicals:

- **Endocrine disruptors.** Endocrine disruptors are chemicals that cause illness by interfering with the hormonal system of human beings or of wildlife (e.g. obesity of children, infertility, etc.);
- **Persistent, bio-accumulative and toxic chemicals.** These chemicals are not easily degraded in the environment, accumulate in wild plants and animals and are toxic to humans or plants or animals;
- **Persistent, mobile and toxic chemicals.** These chemicals are not easily degraded in the environment, pass from soil into water bodies and contaminate natural resources used to produce drinking water. They are also toxic to humans or plants or animals.

Those new obligations will complement existing requirements to identify hazards in chemicals.

Question 1 - Please indicate how important it is for you to know a chemical is ...?

(One single answer per row)

	Very important	Important	Not important	No opinion
* An endocrine disruptor with adverse effects on human health	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* An endocrine disruptor with adverse effects on the environment (e.g. wild life)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Persistent, bio-accumulative and toxic	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Persistent, mobile and toxic	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Question 2 - Imagine you want to buy or use a product which bears a label with one of the following hazards. Would you be ready to pay more for alternative products that have the same performance, but which do not have that hazard?

(One single answer per row)

	Yes	Probably	No	No opinion
* Endocrine disruptors (human health)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Endocrine disruptors (wild life)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Substances that are persistent, bio-accumulative and toxic	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Substances that are persistent, mobile and toxic	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Section 2 - Testing chemicals on animals

The foreseen introduction of new classes of hazards in CLP (such as endocrine disruptors) is likely to **increase testing, including on animals**, to assess if a chemical is safe or not for human health or the environment. Despite efforts made, there are **not yet full alternatives to animal testing of chemicals** for certain hazard classes.

This means that to know if a chemical is harmful, and hence to be able to take the appropriate protective measures, **tests will have to be done on some species of animals** (mainly rats, mice, fishes and invertebrates).

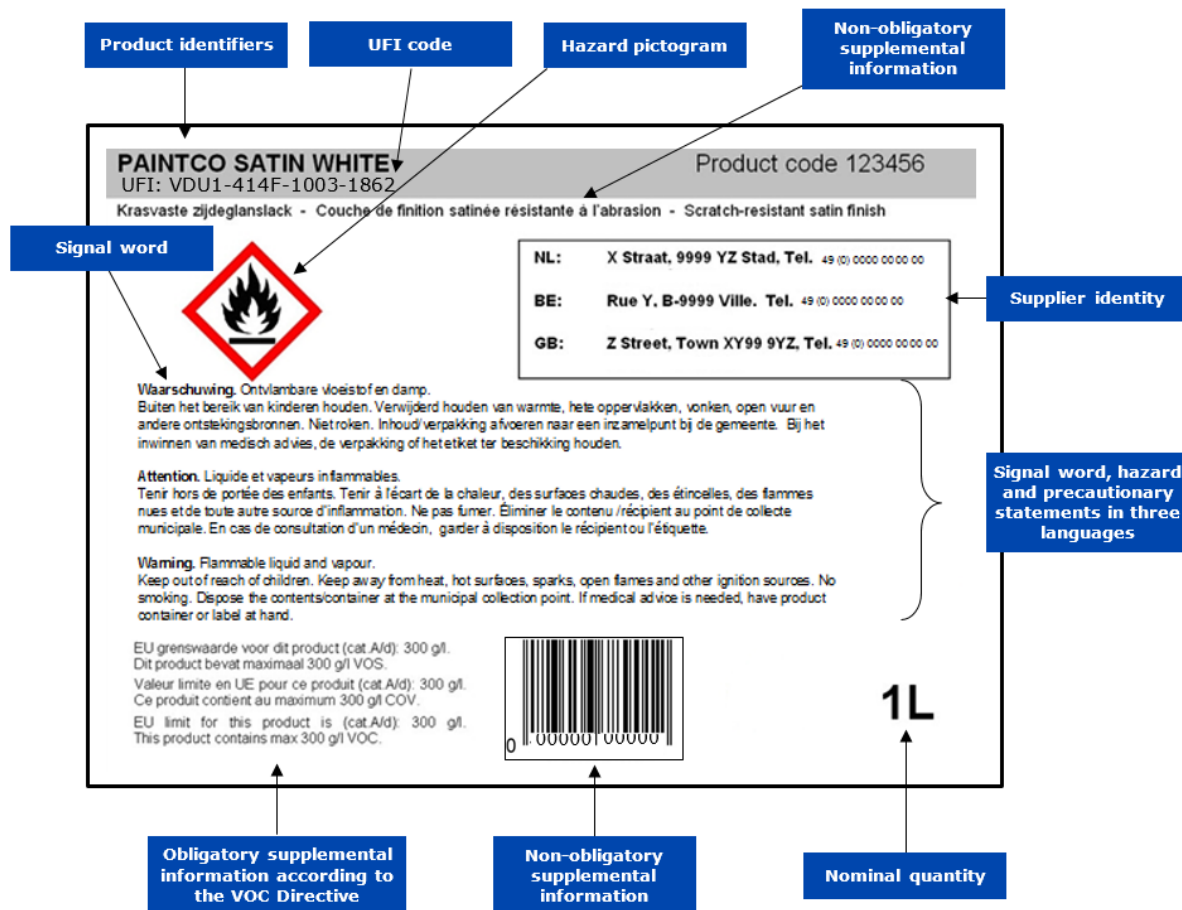
Question 3 - In order to balance the increased protection of human health and of the environment with animal welfare, do you think?

(One single answer)

- Animal testing is unacceptable for chemicals safety purposes and should stop now
- Animal testing should be the last resort and used only when alternative tests are not available
- No opinion

Section 3 - Labelling

Chemicals labels are often full of information. See the example below.



Question 4 - In your view, how clear and easy to understand are labels of chemicals in general (think for instance of products you often use, such as detergents, glues, paints, etc.)

(Only one answer possible)

- Very clear and easy to understand
- Clear/ understandable
- Unclear and hard to understand
- Unclear and very hard to understand
- No opinion

Question 5 - Considering the example above, if you would like to improve this label, what would you prefer?

(Only one answer possible)

- Less information but clearer information on the label
- As much information as possible. This may make reading the label more difficult in some cases.

Question 5a - Considering the example above, which pieces of the label would you like to keep?

(Select as many options as needed)

- Pictogram showing the risk (e.g., flame symbol for flammable chemical)
- Hazard statement and signal word (e.g., Danger It can cause cancer)
- Instructions of use
- Precautionary statements on how to store, dispose, prevent accidents etc.
- The name of the chemicals causing the hazard
- Additional specific labelling information (e.g. in case of chemicals containing lead, 'Warning! contains lead')
- Identification code for poison centres (so called UFI code and allows poison centres to know the composition of a chemical)
- Other piece(s) of the label
- None of the provided options

Question 5a.i - Please identify which additional parts of the label should be kept.

Additional information should be present: warning about the presence of an SVHC and ingredients list; warning about potential negative impacts on pregnant women and children should be assigned

Question 6 - Would you like to be able to consult labels of chemicals digitally in the future (e.g. on your computer or smartphone)?

It might be a digital consultation of the whole label or just part of it.

(Only one answer possible)

- Useful
- Not very useful
- Useless
- No opinion

Question 7 - Imagine you buy a detergent in bulk in a grocery. You have brought your own bottle which does not bear a label for this detergent. What would be the best option to inform you on the hazards and safety instructions?

(Only one answer possible)

- You do not need any information
- Information is displayed at the point of sale only

- Information is provided in the form of a document provided by the seller (leaflet or on the counter ticket)
- You can access the information digitally (scanning of a QR code for example)
- Other option(s)
- No opinion

Question 7a - Please detail your additional option(s)

- Understandable information on hazards and safety instructions should be directly accessible to all consumers.
- Digital labelling should only be an addition to obligatory information provided directly to consumers through leaflets as well as on the point of sale for bulk products.
- Environmental footprint of digital labeling should also be considered.

Please see also: See European Consumer Organisation BEUC:
https://www.beuc.eu/publications/beuc-x-2021-016_why_moving_essential_product_information_online_is_a_no-go.pdf

Question 8 - Individual pens are very small items, with little room for a label and information about hazards. What would be the best option for you to inform on the hazardous substances they may contain and the safety instructions?

- You don't need any information
- Information displayed in the shop
- Information in the form of a document provided by the seller (leaflet or on the receipt)
- Information on the outer packaging, overwrapping a set of 10 pens
- Access the information digitally (scanning of a QR code for example)
- Other option(s)
- No opinion

Question 8a - Please detail your additional option(s)

Best option #8: Information in the form of a document provided by the seller (leaflet or on the receipt)

- Size of a product could be justification to derogate from CLP-related obligations.
- It would be an incentive to have products under a certain size to avoid certain obligations

Section 4 - Online sales

Question 9 - Online shopping of chemicals is becoming more and more common. Do you think it is important to receive the same safety information when you buy chemicals in a shop or online?

- Yes
- No
- No opinion

Question 9a - When should you receive such information on hazards?

- Before ordering the chemical online
- When the chemical is delivered to you
- In both cases
- No opinion

Question 9a.i - Which information would you like to receive before ordering?

- Most important information (type of hazards, presence of hazardous components)
- All pieces of information which are on the label
- No opinion

Section 5 - Scope of the CLP regulation

Currently the product categories listed below are exempted from the CLP Regulation on classification and labelling.

- Medicines
- Veterinary medicines
- Cosmetics
- Medical devices (e.g. lens cleaning solutions)
- Food such as food additives, flavouring foodstuffs, or feed such as animal nutrition complement.

This is because hazards to human health are generally identified and dealt with by specific pieces of legislation. However, information on environmental hazards (such as “substance toxic to aquatic life”) are not identified and information is not provided to the users of the above products.

Question 10 - When buying or using the product categories listed below, you

might not be informed that they could be hazardous to the environment.

What is your opinion?

	An issue which should be immediately solved	An issue where future improvement would be welcomed	Not an issue	No opinion
Medicines	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Veterinary medicines	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Medical devices (e.g. lens cleaning solutions)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Cosmetics	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Food or feed, such as additives	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Question 11 - in case you you would like to share anything else in addition to the previous questions and in the view of the targeted revision of the CLP regulation (optional):

For WECF it is very important to provide clear and detailed information on the chemicals and their impact used in consumer products and other items to the public to enable consumer to make informed purchasing decisions. This information must be easily accessible and understandable also for less educated people. As option on question 5 therefore we would prefer: 'More information and clearer presentation on the label'

Addition on question #2: Safer alternatives to hazardous chemicals in products that have the same performance are not necessarily more expensive, for example toys, and other consumer products. The intention to pay more for safer products is shocking - how does the polluter pays principle apply in this case? Safe products have to be affordable for everybody, even for consumer with lower income and disadvantaged groups, such as alone educating people, most often women.

EDCs and other harmful chemicals: WECF is concerned to discover with the results of tests and biomonitoring that EDCs and other harmful chemicals are widespread in our everyday consumer products, such as cosmetics, and the environment exposing us to a cocktail of harmful chemicals that impacts our health and the environment, even at very low doses. Please see in this context WECF France survey on cosmetics (<https://wecf-france.org/rapport-cosmetiques-trop-de-substances-problematiques/>) which found out that many products contain harmful chemicals; therefore, it must be ensured that all ingredients listed on cosmetic products are readable and understandable for consumers. A pictogram, similar to the one displayed on alcohol, should be established to warn pregnant women of the presence in cosmetics of ingredients suspected of being of concern for human health, in particular endocrine disruptors.

There is an urgent need for more transparency in any case, in application of the "right to know" regarding the presence of EDCs and other chemicals harmful to health and the environment.

Please see EDC-free-Europe Press release (where WECF is a member organisation) about the CSS - <https://www.edc-free-europe.org/articles/press-release/eu-chemicals-strategy-opens-doors-to-better-protection-against-endocrine-disruptors-but-swift-implementation-is-key>

Conclusion: If products are destined to consumer use, they should be free of substances of concern (understood broadly) - aligned with the spirit of the CSS. This should be later expanded to international level, ultimate goal to go global (GHS).

Question 12 - in case you would like to share a document in the view of the targeted revision of the CLP regulation, please upload it below (optional):

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

Part II - Questions for experts

This section should be answered by people having an excellent or good understanding of the CLP, from a legal or implementation perspective, or of chemical hazards.

Section 1 - New hazard classes

Endocrine disruptors

The World Health Organisation (WHO) has defined [criteria](#) for endocrine disruptors which are the basis for the existing criteria for endocrine disruptors in plant protection and biocide products.

Question 13 - For known endocrine disruptors, do you think...?

- The WHO's definition and criteria should be taken over, word for word, in the foreseen EU CLP criteria.
- The foreseen CLP criteria should be the criteria in place for [plant protection products](#) or for [biocide products](#), which are based on the WHO definition and criteria.
- It is necessary to further refine WHO's definition and criteria and/or existing criteria for plant protection and biocide products to develop the foreseen CLP criteria.

Question 13a - Please describe how the existing criteria at EU and international level should be further refined. Please indicate whether there should be differences between human health and the environment.

● The definition established by WHO established for EDCs has been turned within the EU into criteria to address known and presumed EDC under the EU Biocides products regulation (BPR) and Plant protection products regulations (PPPR).

● BPR and PPPR ED criteria ignore suspected EDs, i.e. substances for which there is some evidence of endocrine disrupting properties, but not sufficient to meet the ED criteria for these regulations. Based on the precautionary principle this is a weakness which absolutely needs to be addressed when developing the new horizontal ED criteria for the CLP Regulation.

● WECF together with EDC-free Europe has great concerns in particular about the high burden of proof needed, the inadequate reflection of the level of evidence for ED properties and the insufficient use of scientific evidence from peer-reviewed literature. These challenges severely limit and slow down the identification of EDCs under these two regulations. They must be addressed for the foreseen ED CLP criteria to create a real protection from EDCs for current and future generations and the environment.

Question 14 - Are you in favour of a sub-categorisation for chemicals with a high level of certainty on their endocrine disrupting properties, as for mutagenic chemicals (e.g. Categories 1A and 1B)?

- Yes
- No
- No opinion

Question 14a - Please detail why and how a subcategorisation should be provided. Please indicate whether there should be differences between human health and the environment.

WECF strongly supports that the ED hazard class/es include sub-categories for EDs. Only very few substances have been officially identified as ED until now. This is partly due to the existing strict ED criteria that require a high burden of proof for ED properties, but also because there is a lack of data on ED properties and especially on relevant ED endpoints, even from the legally required tests.

As regards sub-categorisation, it is important to align the horizontal ED criteria with the CLP criteria for CMR-substances to ensure consistency in legislation.

We are following the recommendations of our colleagues from Chemtrust, Client Earth and HEAL (where WECF is a member organization) in terms of the subcategories.

ED Category 1, including the two subcategories 1A and 1B, reflecting the level of evidence and making it transparent on what kind of data (human/wildlife or animal experimental) the assessment is based.

- a Category 2 for Suspected EDs to identify substances with endocrine disrupting properties that do not fully meet the criteria for ED category 1, fully in line with the current approach for CMR classification.
- A Category 3 for Substances showing endocrine activity to identify those substances that show endocrine activity in specified in vitro tests. This is important to ensure transparency, and to reflect that endocrine activity is a part of the definition of an ED.

Although the regulatory consequences may be the same for Category 1A and 1B, it is still important to make it transparent whether evidence comes from human/wildlife data or from animal experiments. Therefore, this information should be clearly indicated, as it may be of relevance for other regulatory purposes. Endocrine activity is a strong indicator of a potential for ED properties and is part of the WHO-definition and thus the elements of the ED criteria. Therefore, substances showing endocrine activity should be classified in a category for endocrine activity. (such a 'special' hazard category is also established under CLP for reproduction toxicity for lactation effects).

Integration or separate classes for HH and the ENV

There should be integrated classes for human health and environment, acknowledging that the hormonal system is well-conserved across vertebrate species with little variation, and to take a precautionary approach as regards invertebrate species for which there is a huge gap of knowledge. In case ED properties for human health and environment will be identified in two separate hazard classes, it is still relevant to have subcategories under the two hazard classes. The subcategories should reflect the current level of evidence considering all relevant data including both human and animal data for both hazard classes, as effects in one vertebrate species is predictive for endocrine disrupting effects in other vertebrate species, as well as they may be indicative for effects in invertebrate species, unless appropriate scientific evidence clearly demonstrate the opposite.

For more details please see joint CHEM Trust, ClientEarth and HEAL position paper. https://chemtrust.org/wp-content/uploads/Joint-CT_HEAL_CE-proposal-on-CLP-ED-criteria-March-2021-final-with-date.pdf

Question 15 - What would you suggest as criteria for a second category for chemicals with a lower level of certainty on their endocrine disrupting properties (human health and environment), as for mutagenic chemicals?

- The lack of data is currently particularly common for information relating to ED properties. At the same time there is a lot of scientific proof of negative effects from ED on environment and human health.
- To reflect the level of evidence for ED properties and the current limitations in test methods as well as to take a precautionary approach, the new hazard category for ED should be in line with the approach for hazard identification and classification of carcinogenic and mutagenic substances, and substances toxic to reproduction (CMRs) under the CLP Regulation: Cat1A, 1B for known and presumed ED and ED Cat2 for suspected EDs.
- Furthermore, substances that show evidence for endocrine-active properties based on in vitro data should also be recorded in an additional category (Category 3) as this is a strong indicator of a potential for ED properties. This classification can serve as a tool to prioritize substances for evaluation of their ED properties, and to ensure transparency on information available.

Question 16 - According to you, what would be the best statement on a label for chemicals identified as toxic to reproduction and as an ED according to the foreseen ED criteria?

- May cause infertility or damage to the unborn child
- May cause infertility or damage to the unborn child via an endocrine mode of action
- May cause infertility or damage to the unborn child
- May cause endocrine-related adverse effects on human health
- Other option(s)
- No opinion

Question 16a - Please provide alternative labelling options

WECF suggests:

"May cause endocrine disruption and harm to the unborn child and human health"

A label must be easy to understand for a broader public; endocrine disruption might be too abstract; therefore we emphasize to make the link between ED and health impacts.

(Very) persistent, (very) bio-accumulative and toxic substances

The introduction of criteria for persistent, bio-accumulative and toxic (PBT) or very persistent and very bi-accumulative (vPvB) substance in the CLP Regulation is expected, based on the criteria laid down in Annex XIII of [the REACH regulation](#).

Question 17 - Do such criteria as provided in Annex XIII of REACH need to be updated before their foreseen introduction into the CLP Regulation?

- Yes
- No
- No opinion

Question 18 - Do you think a category for suspected PBT (and one for suspected vPvB) would be needed?

- Yes
- No
- No opinion

Question 18a - Please provide suggestions for criteria for category 2 for PBT and vPvB

Screening criteria of REACH Annex XIII are good starting point for identification of suspected PBT/vPvB substances

Question 19 - According to you, what is the best statement on a label for chemicals on the foreseen PBT, vPvB hazard classes?

If a chemical is identified as PBT and carcinogen category 1, its label should display:

(Only one answer possible)

- May cause cancer
- Persistent, bio-accumulative and toxic (PBT)
-

- May cause cancer
- Persistent (P)
- Bio-accumulative (B)
- Other option(s)
- No opinion

Question 19a - Please provide alternative labelling options

the statements should reflect the specificity of these new hazard classes. This includes persistence, bioaccumulation in animals and humans, irreversibility, and human health toxicity. Nevertheless the statement on the label should be well understandable and the most concrete as possible; technical terms such as persistent, bio-accumulative are difficult are too abstract. WECF therefore would prefer statements such as: "Accumulate in breast milk", " Could accumulate in human bodies and be transferred from mother to child", "Could accumulate in the environment for long time"

(Very) persistent, (very) mobile and toxic substances

The foreseen introduction of criteria for **persistent, mobile and toxic (PMT) or very persistent and very mobile (vPvM) substances** aims at improving protection, from chemical contamination, of water bodies when **used for drinking water purposes** (to protect human health).

Question 20 - Do you think environmental toxicity should be part of the toxicity criterion?

- Yes
- No
- No opinion

Question 21 - do you think a category for suspected PMT (and one for vPvM) would be needed?

- Yes
- No
- No opinion

Question 22 - According to you, what is the best statement on a label for chemicals on the foreseen PMT, vPvM hazard classes?

If a chemical is identified as PMT and carcinogen category 1, its label should display:

(Only one answer possible)

-

- May cause cancer
- Persistent, mobile and toxic (PMT)
- May cause cancer
- Persistent (P)
- Mobile (M)
- Other option(s)
- No opinion

Question 22a - Please provide alternative labelling options

It would be more clear to separate the persistence and mobility hazard and establish two distinct hazard classes.

Alternative labelling - recommendations:

"May cause cancer"

"Accumulate in the environment with long last effect"

"Can contaminate drinking water and lead to health effects "

Other hazard classes

Question 23 - In the environmental classification of chemicals, do you consider it relevant to use toxicity data obtained on terrestrial organisms to complement the information on toxicity for aquatic organisms?

(Please rate from 0 - not relevant to 10 - very relevant)

10

Question 24 - Immunotoxicity effects are currently covered under the hazard classes 'Specific target organ toxicity' and 'Reproductive toxicity' (in case of developmental immunotoxicity). Do you consider relevant to develop a separate specific hazard class/criteria for Immunotoxicity?

(Please rate from 0 - not relevant to 10 - very relevant)

10

Question 25 - Neurotoxicity effects are currently covered under the hazard classes 'Specific target organ toxicity' and 'Reproductive toxicity' (in case of developmental neurotoxicity). Do you consider relevant to develop a separate specific hazard class/criteria for neurotoxicity ?

(Please rate from 0 - not relevant to 10 - very relevant)

10

Possible impacts of the new hazard classes

Question 26 - The CLP regulation requires to use all available data to identify hazards in chemicals. Data may come from REACH registration(s) or public scientific literature. To what extent do you think that the data currently available on chemicals are sufficient to perform an assessment for the foreseen hazard classes mentioned above?

	Totally sufficient (with specific data on all substances)	Sufficient (incl. read-across and bridging)	Only partially sufficient covered (incl. read-across and bridging)	Not sufficient at all	No opinion/Not relevant to me or my organisation
Endocrine disruptors (human health)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Endocrine disruptors (environment)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
PBT/vPvB	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
PMT/vPvM	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Question 27 - Considering the suggested new criteria for additional hazard classes, do you foresee a need to invest significant resources to get the expertise to assess the hazards of chemicals?

	Need to invest in significant additional resources	Need to invest in some additional resources	Need to invest in little additional resources	No investment needed at all	No opinion or not relevant to me or my organisation
Endocrine disruptors (human health)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Endocrine disruptors (environment)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
PBT/vPvB	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
PMT/vPvM	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Question 28 - Do you or your organisation/company already have an estimate of the number of impacted chemicals due to the potential new hazard classes?

- Yes (it will unfold a series of more detailed questions)
- No information or no opinion

Section 2 - Classification

Question 29 - In order to increase the number of substances with harmonised classification, to what extent do you agree to the following statements?

The European Commission should also have the right to initiate European classification for some substances

5

The European Commission should help Member States to submit more dossiers.

5

Question 30 - Setting toxicological/ecotoxicological values such as DNEL /DMEL, PNEC is part of the hazard assessment. These values are currently

derived in accordance with REACH or specific sectorial regulations (e.g. food contact materials, cosmetics, biocidal products, workers protection). As part of the ‘One substance, one assessment’ concept, the Commission intends to include a procedure to harmonise values for some toxicological /ecotoxicological parameters in CLP. Such harmonised values could be then used for risk assessment in the different EU chemicals legislations.

How important would you rate the harmonisation of toxicological /ecotoxicological values?

	Important	Neutral	Not important	No opinion
Harmonising DNELs (Derived No-Effect Limits) in CLP	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Harmonising DMELs (Derived Minimum-Effect Limits) in CLP	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Harmonising PNECs (Predicted No-Effect Concentrations) in CLP	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Question 31 - How would you assess the possible impact of the harmonisation of toxicological/ecotoxicological parameters (e.g. DNELs or PNECs)?

	Important	Neutral	Not important	No opinion
Increase the level of protection of human health and the environment	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ensure level playing field across sectors	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase workload of the Risk Assessment Committee	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase of burden and regulatory requirements	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Question 32 - Currently CLH dossiers can be submitted by national competent authorities and in some cases by companies. Once received, the dossiers are checked for accordance.

What is your opinion about the three following statements?

The system should allow prioritisation of substances for which serious concerns are raised (e.g. priority given to substances highly suspected of being an endocrine disruptor, once the criteria are adopted)

The system should allow low prioritisation of substances of lower concerns.

0

No need to modify the current approach as the system already contained a prioritisation mechanism (National Authorities' priorities, ECHA screening)

0

Question 33 - Currently economic operators (manufacturers, importers, downstream users, distributors) are not allowed to submit a proposal to ECHA to revise an existing harmonised classification for an Annex VI entry. Only Member states can submit such a proposal.

Please select the preferred option amongst the following ones:

- The system should not change to avoid a proliferation of CLH revision requests by stakeholders
- The CLH revision request by a stakeholder should be addressed first at the EU Commission for decision on the need of an action at Community level. If accepted by Commission, the request will be provided to ECHA against the payment of a fee covering all expected costs.
- The revision request by a stakeholder should be allowed and be provided to ECHA against the payment of a fee covering all expected costs.

Question 34 - To derive the correct classification of certain chemicals, the use of animal testing is still necessary.

Would you be confident to classify (your) products on the basis of alternative methods only?

- In the case the result of a test performed with an alternative method is positive, to classify (your) chemicals accordingly:
 - Yes
 - No
- In the case the result of a test performed with an alternative method is negative, not to classify (your) chemicals for that hazard class:
 - Yes
 - No

Question 35 - Currently, where the notification to the classification and labelling inventory (C&L inventory) results in different entries for the same substance, manufacturers and importers shall make every effort to come to an agreed entry in the inventory. Despite this obligation, different entries for the same substances are very frequent and significantly reduce the usefulness of the inventory.

Please provide your views on the potential following options below.

	Agree	Disagree	No opinion
The system should not change.	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
The obligation to come to an agreed entry should be strengthened.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
ECHA should be able to remove/refuse notifications that seem incorrect after having informed the notifier.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Section 3 - Labelling

Question 36 - Did you experience issues with double or contradicting labelling obligations (CLP v. other legislation)?

- Yes
- No

Question 37 - How do you rate the economic impact (cost savings) of the following five policy options?

	Significant savings	No significant savings	No opinion
Exempt small products (pens, lighters) from certain labelling requirements	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Exempt bulk chemicals (fuels) from certain labelling requirements	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Allow a wide use of multilanguage labels / fold-out labels	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Provide certain obligatory labelling information digitally instead of on the label	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Provide additional information digitally	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Question 38 - How do you rate the health, safety and environmental impacts of the following policy options? Please justify your choice in box below

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	Significant positive impacts	No significant impacts (neutral)	Significant negative impacts	No opinion
Exempt small products (pens, lighters) from certain labelling requirements	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Exempt bulk chemicals (fuels) from certain labelling requirements	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Allow a wide use of multilanguage labels / fold-out labels	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Provide certain obligatory labelling information digitally instead of on the label	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Provide additional information digitally	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Section 4 - Online sales

Question 39 - Some chemicals purchased online from non-EU countries often do not comply with EU law (e.g. are not providing obligatory safety information). In those cases, it is very difficult to identify the responsible company and take corrective measures.

In such a case, do you think the online service providers, platforms should be considered responsible?

- Yes
- No
- No opinion

Question 40 - How would you rate the need to apply the same CLP obligations (e.g. labelling, classification and notifications to poison centres) also to hazardous chemicals purchased online (compared to traditional purchase)?

5

Question 41 - How would you rate the need to have a responsible actor for compliance with CLP located in the EU also for chemicals purchased online?

5

Question 42 - What in your view are the major problems with online sales to ensure a level-playing field between companies?

(Please select as many answers as needed)

- Wrong or incomplete advertising
- Wrong or incomplete information on the webpage where the order is placed
- Wrong or incomplete labelling/packaging of chemicals
- Other problems than listed above
- No problem
- No opinion

Question 42a - Please add any additional issue related to on-line sales of chemicals

Online platforms should be legally considered as actors bound by laws and responsibilities. They must be accountable for the safety of the goods they sell or facilitate selling on their apps and websites and ensuring that they sell or promote selling only articles and products complying with EU laws. It must be their responsibility to remove illegal items from their platforms.

Question 43 - What in your view are the major problems with online sales to ensure the same level of health, safety and environmental protection?

(Please select as many answers as needed)

- Wrong or incomplete advertising
- Wrong or incomplete information on the webpage where the order can be placed
- Wrong or incomplete labelling/packaging of products
- No poison centre notifications
- None of the options above

Question 44 - Do you think that the CLP regulation should address problematic issues arising from on-line sales of hazardous substances and mixtures?

- Yes
- No
- No opinion

Section 5 - Scope of the CLP regulation

Question 45 - Do you consider that there are gaps or overlaps between Article 1(5) of the CLP regulation and provisions in other legislations or that the wording is unclear?

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	Overlaps	Gaps	Lack of clarity	Everything is clear	No opinion
Medicines as defined in Directive 2001/83/EC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Veterinary medicines as defined in Directive 2001/82/EC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Medical devices as defined in Regulation (EU) 2017/745 and Directive 98/79/EC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cosmetics as defined in Regulation (EC) No 1223/2009	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Food and feeding stuffs as defined in Regulation (EC) No 178/2002 , including flavouring of foodstuffs, animal nutrition and feed additives	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Question 46 - Currently neither the CLP nor the specific ('sectorial') legislation applying to the products listed in the table below require that information on classification and labelling of environmental hazards is provided to the users.

In your view, what would be the best option to make users aware of these environmental hazards?

	Add an obligation to classify and label according to CLP for environmental hazards.	Add an obligation to assess and label according to sectorial legislation	Promote voluntary use of CLP classification and labelling for environmental hazards	No opinion
Medicines	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Veterinary medicines	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Medical devices	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Cosmetics	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Food and feeding stuffs, including flavouring of foodstuffs, animal nutrition and feed additives	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Section 6 - Notifications to poison centres

Question 47 - CLP states that mixtures classified on the basis of their health and physical effects shall be submitted to appointed bodies (poison centres) in the Member States to provide emergency health response. CLP also provides that hazardous substances shall be notified to ECHA's classification and labelling inventory (C&L inventory) which is publicly accessible.

For poison centre purposes, is it useful to submit information also on substances?

- Yes
- No
- No opinion

Question 47a - Why would C&L inventory notifications for substances only not be sufficient to fulfil the objective of granting adequate emergency health response?

It is crucial also to submit information about mixtures.

Question 48 - What are in your view the most suitable transitional periods until the new rules become applicable for the different aspects amended under CLP?

	As soon as possible	18 months	24 months	36 months	48 months	No opinion
Introduction of new hazard classes	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Harmonised DNEL, PNEL, PNEC	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improvements to CLH process (prioritisation mechanism, ECHA dossier submitter)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improve self-classifications	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Remove certain exemptions from CLP (medical devices, medicines, cosmetics etc.)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Simplify labelling	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Tackle online sales lack of compliance	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improve notification to poison centres	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Question 48a - Please provide the reasons for the above proposed timelines for the applicability period.

Section 7 - final (additional) feedback

Question 49 - in case you you would like to share anything else in addition to the previous questions to experts and in the view of the targeted revision of the CLP regulation (optional):

Strengthening of the CLP Regulation in order to better protect environment and human health, especially for the most vulnerable groups such as pregnant women, children and adolescents from harmful chemicals is an important step to better identify and communicate chemical hazards.

The inclusion of new legally binding hazard classes to improve the efficiency of identifying harmful substances in the CLP Regulation was one of the Commission commitments set out by new European Chemicals Strategy for Sustainability.

In WECF's view key elements of the revision must be:

- Introduction of new hazard classes for endocrine disruptors (EDs) with different sub-categories.
- Introduction of new hazard classes relating to persistent, bio accumulative and toxic properties (PBT, as well as vPvB properties) and persistent, mobile and toxic properties (PMT, as well as vPvM properties) and identification of substances with developmental neurotoxic and immunotoxic properties.
- Clear and understandable labelling of harmful chemicals to ensure informed consumer decisions

Even if phasing out toxic chemicals from consumer products must be the goal, the revision of the CLP Regulation, including also a focus on a grouping approach will create the basis for identifying harmful substances and speeding up the measures to reduce human and environmental exposure to toxic chemicals.

In relation with the commitments in the Green Deal, the Chemicals Strategy for Sustainability (CSS), the EU Beating Cancer plan, the Zero Pollution Action plan and the EU Strategy on the Rights of the Child, an ambitious revision of the CLP Regulation offers the necessary legal certainty to minimize the exposure of harmful chemicals.

In terms of the design of this survey:

Some questions and possibilities for responses were formulated in a way that makes them difficult to answer in a differentiated way. This is why we did not answer all the questions.

Further reading (too big to upload (Question 50))

https://wecf-france.org/wp-content/uploads/2020/07/WECF_Produits-Solaires_40p-HD.pdf

https://wecf-france.org/wp-content/uploads/2021/10/Rapport_Cosmetiques-feminins_2021_pages.pdf

Question 50 - in case you would like to share a document in the view of the targeted revision of the CLP regulation, please upload it below (optional):

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

Contact

ENV-CLP-revision@ec.europa.eu