



Contribution to the European Commission Consultation on the Roadmap on Chemicals Strategy for Sustainability

As an international ecofeminist network of 150 women and civil organizations NGOs committed to build a healthy environment and active at EU level for moving towards a toxic-free future, Women Engage for a Common Future (WECF) welcomes the publication by the European Commission of a Chemicals Strategy for Sustainability. Such a Strategy was long awaited, and increasingly urgently needed, both in view of the too many years of delay of the adoption of EU EDCs criteria, and while the adaptation of EU legislative, implementation and control instruments has become urgent to ensure that current chemicals rules applicable at EU level, that are adequate in protecting the health of European populations and ecosystems from hazards generated by the increasing production and use of chemicals-of-concern.

Our 10 key demands for Chemicals Strategy for Sustainability:

1) Deliver by 2030 ambitious reduction targets of production and use/consumption of chemicals hazardous for health and the environment

The European Union has clearly become far too dependent on the production and use/consumption of chemicals that are either hazardous for health as well as for the environment: whether with adverse effects for human health (carcinogenic, mutagenic, reprotoxic, immunotoxic, neurotoxic, with endocrine disrupting properties, skin/eye sensitizer, etc.), or for ecosystems (persistent, bioaccumulative, toxic, etc.). The [Eurostat figures of December 2018](#) show that respectively 75% of chemicals produced in the EU are hazardous for human health, while around 30% are hazardous for the environment. In addition, in 2018, the consumption in the EU of chemicals hazardous to health increased by 5 million tonnes. Reduction targets with ambitious figures must be set to reverse this dramatic trend and its long-term consequences.

2) Make eco-design and healthy products a priority in substitution of chemicals of concern

EU institutions must pave the way to ensure that all incentive measures are in place to encourage economic operators, industry, manufacturers, suppliers, and all active members of the supply chain, including those at the very beginning stage of the design of products to move towards approaches which have a broad conception of “eco-design” and “healthy” products. WECF has been working for instance on toys, products designed especially for infants and children, to join forces with designers, public authorities, students, etc. and develop products which have the lowest possible impact on the health of the user and workforce developing the

product, as well as on ecosystems globally. This will also save costs of cleaning-up polluted sites, reversing pollution effects, etc. and can represent substantive costs savings in a period of resources constraint.

3) Grouping chemicals with the same chemical structure for evaluation

ECHA recently announced it was on the way of “mapping the chemical universe”. To do so, [ECHA stated it would move from a substance-by-substance approach to addressing structurally similar chemicals in groups](#). This is according to WECF urgently needed, since the evaluation of chemicals one by one has proved to be highly inefficient in addressing chemicals hazards. We strongly encourage the European Commission to move towards a new approach.

The overall on-going decline of the biodiversity and the increase of diseases, which are related with hazardous chemicals, ask for another approach of evaluation and approval of chemicals. For all risk assessments of chemicals the concept of “the doses makes the poison” has long been proven wrong, and should be entirely discarded. That approach does not consider long-term irreversible and cumulative effects. Therefore, for the assessment of chronic effects on human health and the environment, besides the acute toxic effects, any investigation and evaluation should include the dose-time effect relations of substances, and the risk assessments should be extended to a great diversity of aquatic and terrestrial species. The risk assessments and evaluations should be carried out by independent researchers and not by the producer.

4) Urgently and adequately regulate Endocrine Disrupting Chemicals (EDCs) to protect the health of present and future generations

The delay in regulating endocrine disrupting chemicals in the EU is absolutely no longer acceptable. Whereas the European Commission communication of 2018 fell short of establishing an exhaustive framework to address EDCs, [a recent scientific report from May 2019](#) requested by the European Parliament stressed that populations in the EU remained highly exposed to EDCs. Not only biocidal products and plant protection products, but all other sectors, such as cosmetics, textiles, toys, furniture, various plastic products, materials used for housing, etc. must be covered by the ED definition and start phasing-out EDs which are either known or suspected. In addition, a recent scientific publication pointed out that [exposure to EDCs, as a factor contributing to the rising number of non-communicable diseases, impacts our capacity to defend ourselves against viruses](#), such as the recent Covid-19 virus. Finally, the absence of an EU action plan or strategy to address EDCs has already pushed several Member States to develop their own approach: such as the [Second National Strategy in France](#) on EDCs, as well as various EDC regulatory initiatives in Denmark, Sweden, Belgium, and soon Germany.

5) A healthy and non-toxic food, without traces of pesticides of concern, must be a priority

All populations within the European Union should have access to healthy, non-toxic, food. This means that the use of pesticides with known or potential properties of hazard for human health and ecosystems must be banned. This measure goes hand in hand with the current preparation of new orientations for the Common Agriculture Policy. It implies that the maximal residue limits

(MRLs) for agricultural products should be revised. Currently the MRLs are adapted to benefit agroindustrial producers, based on the assumption that after pesticides have been applied, residues up to more than 10 mg/kg are accepted. However, the current MRL approach completely omits to establish the maximum number of different substances, and the maximum amount of the sum of all residues. This omission is no longer acceptable.

A general MRL of 0,01 mg/kg agricultural product should be the norm for all active substances with a maximum allowed number of different pesticides. This implies also that the EU needs to stop the import of food (fruits, vegetables, processed food, etc.) which are contaminated with traces of hazardous pesticides banned within the EU. Continuing these imports clearly undermines the progress which is being done in the name of public health within the EU. It also means that the EU should support actively a global agreement to end all production of use of highly hazardous pesticides and other pesticides that have already been restricted due to their potential health impacts.

Finally, the EU should end double standards, and stop exporting banned pesticides, - neither as formulations nor in coated seed – as well as waste containing chemicals should be prohibited from being exported outside of the EU. Currently used limits for PBDEs in both recycled products and wastes are insufficient and do not prevent further contamination of consumer goods with these harmful chemicals. The precautionary principle and circular economy principle should be applied to industry, ensuring that extended producer responsibility covers all waste and all products and the costs of long-term containment and clean-up of chemicals, and the EU should ensure this is firmly anchored in international cooperation through the SAICM beyond2020 process.

6) Protect in priority vulnerable groups like pregnant women, children, and others, and better address women's health by banning chemicals of concern for human health including PFAS

EU Chemical regulations, despite being amongst the most exhaustive ones worldwide, are still not fit to protect the health of the most vulnerable members of our societies, as well as other groups: most often, the global chemical burden of chemicals to which a vulnerable individual can be exposed daily is not taken into account in the regulations. For instance, the chemical mixtures to which infants and young children are exposed, including before birth, are still too poorly considered in evaluations and subsequent decisions on banning or restricting certain ingredients of concern. WECF, which has long been working on early life exposures to pollutants, is very concerned about this situation, as stated by the International Federation of Gynaecology and Obstetrics in 2015. Also, it is well known that women's health, for instance that of female workers in sectors such as plastics, cosmetics, textiles, printing, chemicals and waste, and more generally women's health is not sufficiently addressed by regulations/evaluations/research on chemicals. This is no longer acceptable, since this creates a gender-based discrimination. (see WECF 2016 report on "Gender and chemicals").

One such a chemical that requires an immediate phase-out and clean-up legislation by the EU is PFAS (per- and polyfluoroalkyl substances) which has already been leading to reproductive health damage of female workers in the DuPont factories in e.g. the Netherlands. According to the Nordic Council of Ministers, some 100,000 sites across Europe are potentially emitting PFAS.

Scientists say PFAS poisoning in Europe is a “potentially serious public health problem” and they are finding “alarming” levels in children from these chemicals that can disrupt brain development and cause major birth defects due to prenatal exposure: [Scoping paper on the development of an indicator on chemical exposure in the European population.](#)

The EU strategy needs to ensure a fast and effective restriction of all PFAS and chemicals that persist and accumulate in our bodies and the environment. The EU should ensure that producers recall products containing PFAS for safe destruction.

The EU should regulate Brominated dioxins in the same way as chlorinated dioxins, as they exhibit the same toxicity, and with similar or same limits. EU should also show global leadership on this, and promote fast listing of brominated dioxins under Annex C to Stockholm Convention as many PBDD/Fs releases into the environment remain unregulated and even are not recognized.

7) New kinds of substances that are hazardous to health and/or the environment must be regulated: we cannot remain stuck in the last century

The new Chemicals strategy for Sustainability must address all classes, including emerging ones of chemicals hazardous for health or the environment: this covers the [new class of chemicals recently identified as “persistent, mobile and toxic”](#). For the authorisation of chemicals more independent and integrated investigations on long-term effects on the biodiversity are urgently needed. The different routes of exposure should be taken into consideration. See also our demand nr 3.

8) Apply the polluter-pays principle to generate resources for substitution/innovation and save immense health and environmental decontamination costs

Generally, once pollutions occur, whether originating from public or private stakeholders, the costs of depollution, remediation and decontamination are born by public authorities, which means that all citizens will pay the price, rather than the entity responsible for the damages caused to health/environment. If individual players were made accountable for their activity, in application of the “polluter-pays” principle, this would allow to get funding to support research and substitution towards safer chemicals or (stressed by us) *non-chemical alternatives*. Indeed, the terminology “innovation” must cover broader concepts and approaches, to ensure that the best available solutions are implemented, and that best practices are shared widely.

Also at international level, the EU should commit to a robust SAICM beyond2020 agreement covering the environmentally sound management of chemicals and all wastes throughout their lifecycle, and ensure implementation through funded, obligatory, national action plans and periodic review system for reporting that measures progress on national action plans.

9) Address the specificities of nanomaterials to prevent uncontrollable and irreversible damages to health and the environment

Manufactured nanomaterials and nanoparticles, which are very diverse in terms of properties and uses, have become widely common in our everyday environment. Their effects on human health and ecosystems are still long from being evaluated or understood, since adequate and relevant tests methods sometimes do not exist to identify or quantify them.

Nanomaterials are currently entirely absent from the proposed chemical strategy for sustainability. It is pertinent that the strategy address nanomaterials specificities and the challenges in characterizing them and for assessing their safety.

It is urgent to develop such methods, and to prevent damage, by applying a precautionary approach in terms of exposure of populations to nanomaterials, including workers, who are among the most exposed populations. Independent laboratories and researchers must be in charge of the tests, to prevent suspicion of conflicts of interest. At the crossroads of chemicals/research policies, EU Research programmes, which dedicate several millions to research on nanomaterials should be oriented to produce results which first and foremost benefit the health of populations and ecosystems (and not that of individual shareholders). A unified definition for nanomaterials across all legislations (REACH, Novel Food, Cosmetics, Biocides etc.) to facilitate compliance with legislation as well as enforcement measures is urgently required.

Finally, nanomaterial policies require to correct implementation of the “no data no market principle”. As reminded by ECHA in January 20, all nanomaterials that are not properly registered under REACH are currently illegally on the market. Nano registration dossier should be prioritized for compliance check, and adequate enforcement measure to prevent those materials that are not registered to reach the market should be implemented.

10) Reducing the sheer volumes of hazardous chemicals, waste and plastic production, and stop exporting (toxic) waste

The European Commission has many tools in hand to make the EU a model in terms of Zero-pollution approach. This includes reducing the extremely high volumes of waste containing hazardous chemicals that generated at EU level, and as well stopping the exports and dissemination of toxics (contained in waste and products) towards countries outside the EU, that have less resources and less effective regulation to protect their populations from this EU-caused pollution. The recent move at international level to stop the export of toxic chemicals and waste to poorer countries, including the Ban Amendment of the Basel Convention are excellent signals which the EU has to strictly enforce. Another measure which the EU needs to take immediately is to stop the authorizing for the use of banned chemicals in recycled products: the fact that a product is recycled should not mean it is authorized to circumvent the existing requirements for new products. The EU should have a principle to not allow banned chemicals in recycled products, and accept no exception to this rule. Finally, the production of plastics, which is singularly correlated to the oil/chemical production, should be significantly reduced in the coming decade, setting the same targets as for fossil-fuel exit. We urge EU authorities not to use the excuse of the Covid-19 crisis to re-open the discussions on single-use plastic products, it is well proven that sanitizing and re-use even for the most high-risk protection materials is entirely possible.