

ChemCon to review crunch time for chemicals policy

Chemicals policy reforms globally have moved from a period of initiation to real implementation over the last year and spring 2010 will be a good time to take stock of what the changes mean to companies in practice. Mamta Patel previews the agenda for the ChemCon Europe conference (🔗 [ChemCon Europe](#)) in March 2010.

Chemical companies based in the EU are well aware that 2010 is a critical time for ensuring their compliance with REACH and the EU classification, labelling and packaging (CLP) Regulation. Craig Barker of Akzo Nobel and Head of ChemCon's Programme Advisory Committee describes it as a "crunch time" for members of substance information exchange fora (SIEFs) not only to make any last minute decisions concerning REACH registration dossiers for substances to be registered by 30 November 2010, but also to make corresponding decisions on their classification.

Commercial dangers

Despite the short time, Mr Barker points to several outstanding issues that are making compliance difficult for companies like his. One example is that under the latest versions of REACH guidance on information requirements he believes that a number of safeguards to protect the confidentiality of substances have been changed, leading to commercial dangers. Companies are currently appealing to the REACH competent authorities to try to address this issue and give clarity in time for companies to prepare their REACH registration dossiers.

Another major concern is that according to the European Commission's legal interpretation of the CLP Regulation, it does not permit 'Only Representatives' (ORs) to submit classification and labelling notifications on behalf of importers. That function has to be carried out by manufacturers or importers either individually or in groups. "Companies like mine that are both importers and exporters are finding it very difficult to work with this," Mr Barker said. "We established ORs in order to make it easier for our customers



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Prague conference will include full seminar on TSCA reform

in Europe. Now we are faced with having to send them information and asking them to make the notifications". He believes that many companies are still unaware of this issue and will simply be relying on their ORs to do the job for them.

Both topics will be raised and discussed at the conference in Prague alongside emerging issues such as the regulation of nanomaterials and the handling of cumulative effects of chemicals – challenges that are taxing regulators on both sides of the Atlantic.

REACH benchmark

March will also be a critical time to discover more about the negotiations on the reform of the USA's 33-year-old Toxic Substances Control Act (TSCA), to which the conference has dedicated an entire seminar. Negotiations on changes to TSCA have just begun (🔗 [CW 3 December 2009](#)). Democrat Senator Frank Lautenberg has said that he plans to table a Kid-Safe Chemicals Bill within weeks, which will initiate a detailed discussion of the necessary reforms. Already industry, environmental and animal rights groups have tabled demands, taking REACH as their benchmark. The US Environmental Protection Agency has also set out its principles for reform seeking far

stronger powers to obtain hazard and risk information on substances from companies.

In parallel to the EU and US developments, the implementation of the UN Globally Harmonised System (GHS) continues at a fast pace in Asian countries bringing complexities that companies operating in those regions need to know. Tussles between different ministries are dogging implementation in some countries and leading to a lack of clarity for exporters. Trends towards establishing chemicals inventories and notification of new chemicals are also increasing. There has been no let-up in the pace of change of chemicals policy and it is a crucial time to engage with the detail of developments.

This year, ChemCon will also play host to the first global chemical leasing awards sponsored by the UN Industrial Development Organization and the Austrian Environment Ministry (🔗 [CW 4 December 2009](#)).

**Chemical Watch is once again Media Associate for ChemCon Europe 2010. We will provide reports before and after the event and daily reports for delegates during the event in conjunction with the conference organisers and presenters.*