



To: Maroš Šefčovič, Executive Vice-President for European Green Deal, Interinstitutional Relations and Foresight. European Commission

Re: Deliver on Green Deal's commitments on chemicals. The health of Europeans and the future of the EU green economic transition at stake

Brussels, 6 November 2023

Dear Executive Vice-President Šefčovič,

On behalf of the undersigned civil society organisations, we are writing to **call on you to uphold the commitments presented in the 2020 [Chemicals Strategy for Sustainability](#) (CSS) and ensure that they will be delivered by the end of this Commission's mandate**. These commitments are key to better protect citizens' health and the environment and boost innovation for safe and sustainable chemicals, critical for the green transition and competitiveness of the European industry, as well as providing predictability and allowing the EU to play a leading role globally.

Pollution is one of the main [threats](#) to people's health who are widely exposed to chemicals present in the environment and everyday products, from toys to childcare articles to food items and containers, cosmetics, furniture and textiles. Scientists found "[alarmingly high](#)" chemical exposure of European citizens to multiple hazardous substances above levels that could cause serious illnesses, such as cancer, infertility and developmental disorders in children.

In the meantime, according to the Commission's own [findings](#), the EU sold production of chemicals is on the rise for the last decade, reaching its record, €872 billion, in 2022. Hence, we consider that it is the right time for future proof investments that will enable prosperity of the European Union.

The Commission has delivered some important elements of the CSS, such as the long awaited revision of the regulation on classification, labelling and packaging of substances and mixtures (CLP Regulation); developed a framework defining the concept of 'safe and sustainable by design' and a set of criteria; triggered discussions for the introduction of new hazard classes at the United Nations Globally Harmonised System level; adopted the restriction of intentional uses of microplastics; adopted a proposal for the revision of the Industrial Emissions Directive, and of product legislations such as the Ecodesign Directive and Toys safety Directive.

However, **key proposals to support the achievement of the toxic-free future and zero pollution ambitions remain undelivered**.

We regret that the current Commission may not present the revision of the main chemicals control law, the [REACH](#) Regulation within its mandate. REACH has been the EU's flagship law and made Europe lead the world on chemicals control. But after 17 years, it has grown old and clearly suffers from many shortcomings that hinder its effectiveness, and need to be urgently fixed. Hence, **we ask the Commission not to interrupt the ongoing technical work and to present a revision proposal promptly upon completion**.

However, **numerous crucial actions outlined in the CSS are still pending** and can be accomplished within the current Commission's term, such as:

- Conclude the **'One Substance, One Assessment'** process to harmonise and increase transparency, predictability and coherence of the chemical assessment across laws and agencies. This process includes: the **retribution of tasks on chemicals to EU Agencies**,

transparency and reuse of data, European Chemicals Agency's founding regulation, as well as the development of a common open data portal on chemicals and a repository of health-based limit values.

- Continue the implementation of the **Restrictions Roadmap** (e.g. restrictions of **PVC, flame retardants and carcinogens, mutagens and reprotoxicants in childcare articles**), the per- and polyfluoroalkyl substances' (**PFAS**) **phase out [action plan](#)** and revise relevant **product policies** to ensure that the most harmful chemicals are phased out in consumer products and for professional uses, unless their use is proven essential for society.
- Publish the pending **Communication on Essential Use Concept** to support decision making on when it is justified to use hazardous chemicals in a more transparent and predictable way.
- **Implement the current REACH better**, to increase effectiveness, and **adopt needed implementing acts** to ensure that authorities obtain the right information on what enters the market.

A more comprehensive and detailed list can be found in the attached annex to this letter.

We urge you to continue revising the REACH regulation and propose legal measures to fulfil the ambitious goals outlined in the Chemicals Strategy for Sustainability, a plan supported by civil society, industry, and EU institutions, ensuring its implementation before the end of your term.

The time is now for the EU to invest in a better future for all. Our health, our children, and our planet deserve nothing less.

Sincerely,



Patrick ten Brink, Secretary General

On behalf of:

Arnika

Bond Beter Leefmilieu

BUND/Friends of the Earth Germany

Center for International Environmental Law (CIEL)

ClientEarth

ChemSec

CHEM Trust

Child Rights International Network (CRIN)

Comité pour le développement durable en santé

Corporate Europe Observatory

Društvo Ekologi brez meja

ECOCITY

Ecologistas en Acción

Environmental Investigation Agency

European Environmental Bureau
Exit Plastik
Forbrugerrådet Tænk
Gallifrey Foundation
German NGO Forum on Environment and Development
Green Impact
Green Transition Denmark
Health and Environment Alliance (HEAL)
Health and Environment Justice Support, HEJSupport
Health Care Without Harm Europe
Hogar sin Tóxicos
Humusz Szövetség
Minderoo foundation
No Plastic In My Sea
Pesticides Action Network, PAN Europe
Planet Tracker
Plastic Change
Plastic Soup Foundation
Polish Zero Waste Association
Recycling Netwerk Benelux
Réseau Environnement Santé
Rezero
SEAS AT RISK
SEPANSO Aquitaine
Surfrider Foundation Europe
Swedish Consumers' Association (Sveriges Konsumenter)
TEGENGIF
VOICE
VšĮ Žiedinė ekonomika
Women Engage for a Common Future (WECF)
Zero Waste Europe (ZWE)

Annex: Pending crucial actions outlined in the CSS that can and should be accomplished within the current Commission's term:

- Conclude the **'One Substance, One Assessment'** process to harmonise and increase transparency, predictability and coherence of the chemical assessment across laws and agencies. This process includes: the **retribution of tasks on chemicals to EU Agencies, transparency and reuse of data** allowing EU and national authorities to commission testing, **ECHA's founding regulation**, to improve the predictability and stability of ECHA's financing as well as the development of a **common open data portal** on chemicals and a **repository of health-based limit values**.
- Continue the implementation of the **Restrictions Roadmap** which include important restrictions such as PVC and its additives, flame retardants, health damaging bisphenols and carcinogens, mutagens and reprotoxicants in childcare articles; the **PFAS action plan**; and **introduce legal requirements and tracking the presence of substances through their life cycle utilising product policy** - with close attention to the ongoing negotiations of key policies including the Ecodesign for Sustainable Products and Packaging and Packaging Waste Regulations, to **ensure that the most harmful chemicals are phased out** in consumer products and for professional uses, unless their use is proven essential for society.
- Publish the **Communication on Essential Use Concept** to support decision making on when it is justified to use hazardous chemicals in a more transparent and predictable way.
- **Implement the current REACH better**, to increase effectiveness by abiding to the obligations of REACH without adding requirements that are not included in the law, moving towards grouping approaches, and faster decision-making that does not waste resources on non-compliant applications. As well as adopt needed **implementing acts** to update information and risk assessment requirements regarding chemicals, essential to ensuring that; authorities obtain the right information on what enters the market; EU policies are implemented uniformly and effectively; and fully aligned with the latest state of science.
- **Promote safe and sustainable chemicals globally** along with an **export ban** on hazardous chemicals prohibited in Europe, for the EU to be a frontrunner leader in chemicals management avoiding EU double standards and actively ensure that international standards are more ambitious and protective for human health and the environment.
- Introduce or reinforce provisions to take into account **combination effects** in industrial chemicals, food contact materials and cosmetics legislations.
- Establish an **EU Chemical Early Warning and Action System** to address emerging risks.
- Establish an **EU-wide safe and sustainable-by-design support network** and develop **Key Performance Indicators** to promote safe and sustainable chemicals.