

The logo for the Health and Safety Authority (HSA) features the letters 'HSA' in a serif font. The 'H' and 'S' are dark blue, while the 'A' is orange. A thin orange horizontal line is positioned below the letters.

HSA

An tÚdarás Sláinte agus Sábháilteachta  
Health and Safety Authority

# EU Chemicals Strategy for Sustainability Conference

The logo for the Environmental Protection Agency (EPA) features a stylized green leaf icon above the lowercase letters 'epa' in a blue sans-serif font. Below the letters, the full name of the agency is written in two lines: 'Environmental Protection Agency' and 'An Ghníomhaireacht um Chaomhnú Comhshaoil'.

epa  
Environmental Protection Agency  
An Ghníomhaireacht um Chaomhnú Comhshaoil

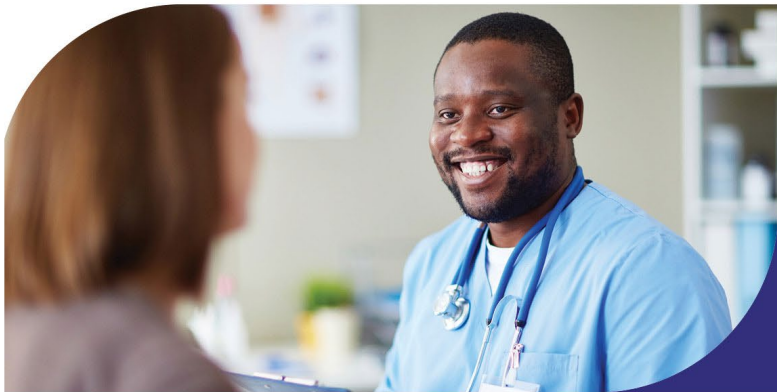
October 18<sup>th</sup> 2023



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# Regulatory updates



Yvonne Mullooly

18-10-2023

# Restrictions Roadmap update

- Deliverable under the CSS as part of the European Green Deal.
- Sets out planned restrictions
- Transparency to stakeholders on the authorities' restriction work and allowing companies to anticipate (potential) upcoming restrictions, e.g. by beginning substitution.
- Published in April 2022
- Rolling list of substances for restriction
- Rolling list of Article 69(2) assessments
  - results published on ECHA website
- Rolling lists undergo regular review



# Restrictions Roadmap Progress update



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Health and Safety Authority

Subject of restriction proposal	Hazards in scope	Update
Microplastics	P	Completed
Formaldehyde and formaldehyde releasing substances in articles	C	Completed
Undecafluorohexanoic acid (PFHxA), its salts and related substances	P/vP	At REACH Committee
Per- and polyfluoroalkyl substances (PFAS) in firefighting foams	PBT, vPvB, PMT, R	Opinions adopted
Medium-chain chlorinated paraffins (MCCPs )	PBT, vPvB	Opinions adopted
Substances containing polycyclic aromatic hydrocarbons (PAHs) (including pitch, coal tar, high temp (CTPHT)) used in clay Pigeons	C,M, PBT, vPvB	Opinions adopted
Lead in ammunition and in fishing tackle	R	Opinions adopted
Terphenyl, hydrogenated (substance used as high temperature heat transfer fluids)	PBT/vPvB	Opinions adopted
N,N-dimethylacetamide (DMAC); 1-ethylpyrrolidin-2-one (NEP)	R	Opinions adopted

# Restrictions Roadmap Progress update



An tÚdarás Sláinte agus Sábháilteachta  
Health and Safety Authority

Subject of restriction proposal	Hazards in scope	Update
Bisphenols with endocrine disrupting properties for the environment and their salts	ED Env	Withdrawn
Creosote and Creosote related substances	C,M	With ECHA Committees
PFAS	PBT, vPvB, PMT, R	With ECHA Committees
1,4-dioxane	C, P, M	Intention (RoI)
Octocrilene	PBT	Intention (RoI)
Chromium (VI) substances	C, M	Intention (RoI)
Lead in PVC	R	Under revision
Skin sensitizing substances in consumer mixtures	Skin sens	Under development
PVC and its additives	Multiple hazard properties	Under development
CMRs in childcare articles	C, M, R	Report drafting by ECHA

# Microplastics restriction Regulation (EU) 2023/2055

- Environmental concern - reduce microplastic pollution
- Concerns synthetic polymer microparticles (SPM) below five millimetres that are organic, insoluble and resist degradation
- Restricts SPM on their own or intentionally added to mixtures.
- Applies from 17 October 2023, with some time-limited derogations
- Expected to prevent the release of 500,000 tonnes of microplastics over 20 years.
- Q&A document:  
[https://ec.europa.eu/commission/presscorner/detail/en/qanda\\_23\\_4602](https://ec.europa.eu/commission/presscorner/detail/en/qanda_23_4602)
- The commission have indicated further guidance on the restriction will be available before the end of the year

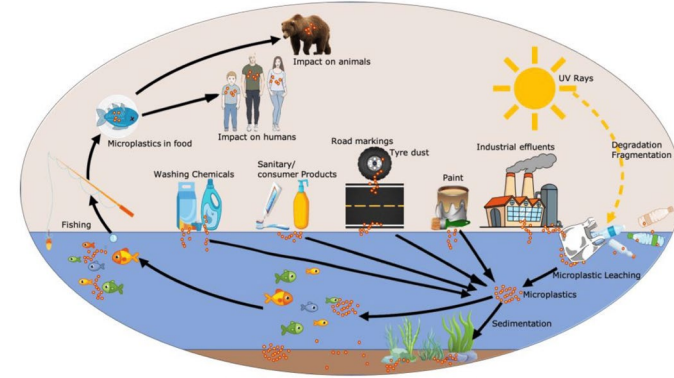




# Scope and derogations

- Scope (and derogation):
  - Plastic glitter (no derogation)
  - Cosmetics – microbeads (no derogation)
  - Cosmetics other uses (4 – 12 years\*)
  - Granular infill material used on artificial sport surfaces (8 years)
  - Certain plant protection products (8 years)
  - Certain fertilisers (5 years)
  - Detergents, waxes, polishes air care products, fabric softeners (5 years)
- Out of Scope
  - Articles
  - Products already regulated by other EU legislation, e.g. medicinal products, certain fertilisers, veterinary medicinal products, food and feed are not in scope

\* depending on the complexity of the product, the need for reformulation and the availability of suitable alternatives.



# Microplastics- Glitter

- **Plastic glitter** (loose plastic glitter) is a **mixture** under REACH and within scope
- Products POM on 17 October 2023 **do not need to be recalled or withdrawn** (para. 6.)
- Glitter/SPM sold for use at **industrial sites** (derogated para. 4a)
- **Inorganic Glitter** made of material (e.g. glass, metal), natural, biodegradable or soluble in water (out of scope)
- **Glitter if affixed to an article** depends on whether glitter is an integral part of the article or if the **decorative function is secondary** (out of scope) or purely **decorative function** and not integral
- **Beads and sequins** intended to be threaded or sewn onto articles (out of scope).
- **Loose plastic glitter used as a cosmetic product**, as well as **cosmetics containing glitter** have specific transitional periods para. 6.
  - 16 October 2027 included, for **rinse-off** cosmetics (paragraph 6b)
  - 16 October 2029 included, for **leave-on** cosmetics (paragraph 6d)
  - 06 October 2035 included, for **make-up, lip and nail cosmetics** (paragraph 6c).
  - **Labelling** – as of 17 October 2031 to 16 October 2035 make-up, lip and nail products need to bear a label re containing microplastics.



# Chromium (VI) substances

- The EU Commission has asked ECHA to prepare a restriction proposal on chromium (VI) substances
- Chromium VI is an SVHC and is currently listed in Annex XIV of REACH.
- Main use is in electroplating
- The proposal aims to address the challenges of the workload of ECHA's Committees and the Commission related to the high number of applications for authorisation
- Proposal will contain at least all chromium (VI) substances that are currently in entries 16 and 17 of the REACH Authorisation List (Annex XIV)
- Dossier will also investigate the potential for regrettable substitution
- Expected date for submission October 2024
- Information document for affected companies:  
<http://ec.europa.eu/docsroom/documents/56174>

# “Global Framework on Chemicals – For a planet free of harm from chemicals and waste.”

- Agreed at Fifth International Conference on Chemicals Management (ICCM5), Bonn, Germany 30<sup>th</sup> Sept 2023
- Comprehensive global framework which sets concrete targets and guidelines for key sectors across the entire lifecycle of chemicals
- 28 targets outlining a roadmap for countries and stakeholders to collaboratively address the lifecycle of chemicals, including products and waste.



# Goals of the Global Framework on Chemicals

- Prevention of the illegal trade and trafficking of chemicals and waste,
- Implementation of national legal frameworks,
  - Phase out by 2035 of highly hazardous pesticides in agriculture.
  - Transition to safer and more sustainable chemical alternatives,
  - Responsible management of chemicals in various sectors – including industry, agriculture and healthcare
  - Enhancement of transparency and access to information regarding chemicals and their associated risks.
- Participants also adopted the ‘Bonn Declaration’:
  - Commitment to “prevent exposure to harmful chemicals, and phase out the most harmful ones, where appropriate, and enhance the safe management of such chemicals where they are needed”



# HSA

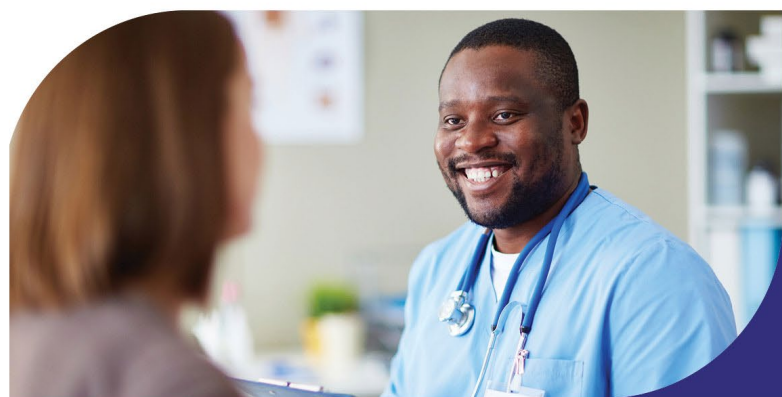
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Health and Safety Authority

Go raibh maith agaibh  
Thank you

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Environmental Protection Agency  
An Ghníomhaireacht um Chaomhnú Comhshaoil

October 18<sup>th</sup> 2023



# CIRCULAR ECONOMY

## Future Challenges

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**WARREN PHELAN**

Programme Manager, EPA



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# ENVIRONMENTAL PROTECTION AGENCY ROLE & MANDATE



**Our Purpose**  
To protect, improve and restore our environment through regulation, scientific knowledge and working with others

**Our Vision**  
We live sustainably in a healthy environment that is valued and protected by all



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The Driving Force for Ireland's Move to a Circular Economy



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# NATIONAL POLICIES, PLANS & PROGRAMMES



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# THE CIRCULAR ECONOMY IN IRELAND



1

Narrow focus on waste - move to **broader view of resources management**



2

Enlarge the focus beyond recycling and recovery to **embrace waste prevention, repairing and reusing material**



3

Adopt a place-based approach to the circular economy to respond to **urban challenges related to service provision and infrastructure**



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# FURTHER CHANGES COMING...



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# CIRCULAR ECONOMY PROGRAMME 2021 - 2027

## 1. Evidence

Reporting of national statistics, green public procurement and behavioural insights studies

## 2. Collaboration

Implementation of circular economy (partnerships, funding supports, coordination of actions to address hazardous waste)

## 3. Regulation

End-of-waste, by-products and waste-sector licensing



## OUR PRIORITY AREAS:



Packaging



Plastics



Textiles



Food, Water  
& Nutrients



Construction  
& Buildings



Electronics  
& ICT



Batteries  
& Vehicles



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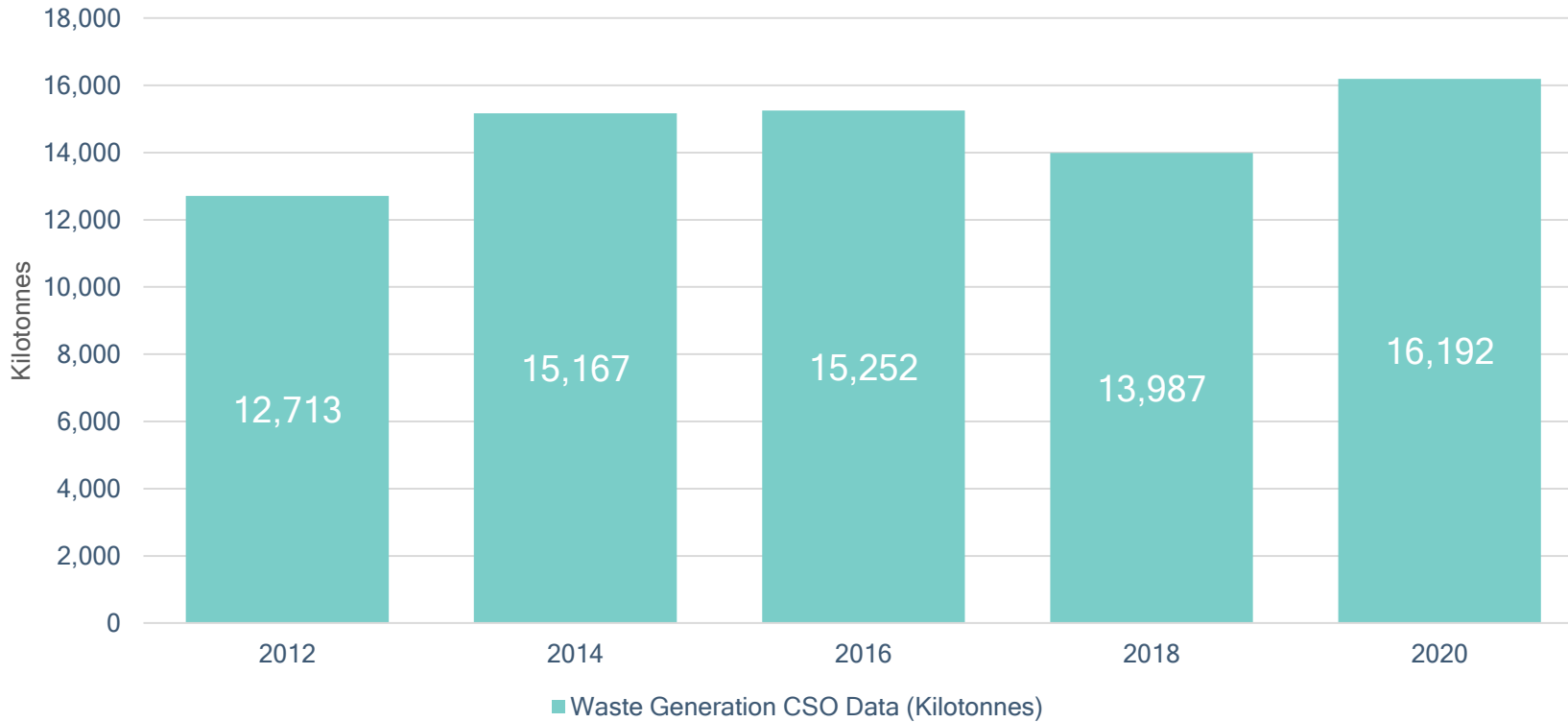
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# WASTE CONTINUES TO GROW

Waste Generation CSO Data (Kilotonnes)



Total Waste Generated 2020  
**16.2m**  
tonnes

Ireland's Circularity Rate 2021  
**1.8%**  
(EU average 12.8%)



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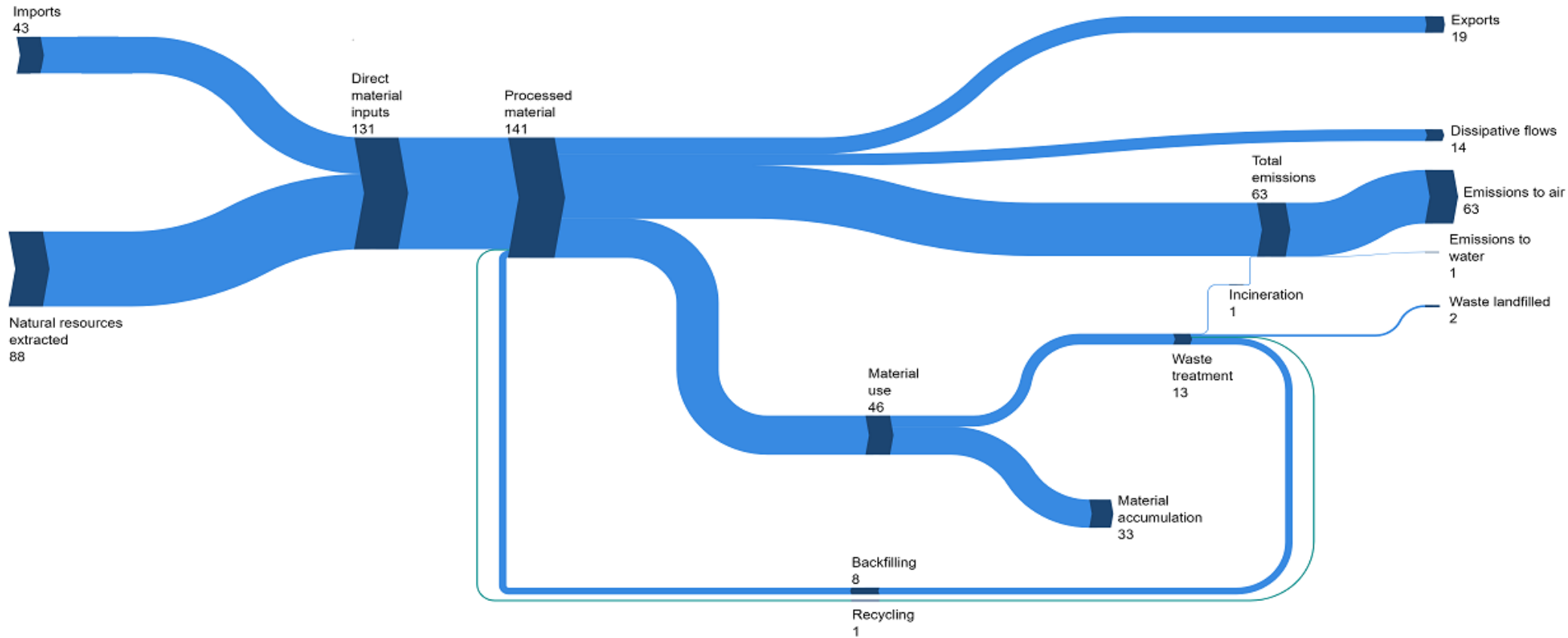
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# IRELAND'S CIRCULARITY RATE

## Material flow diagrams

Ireland - year 2021  
Million tonnes



### Legend

Σ Total



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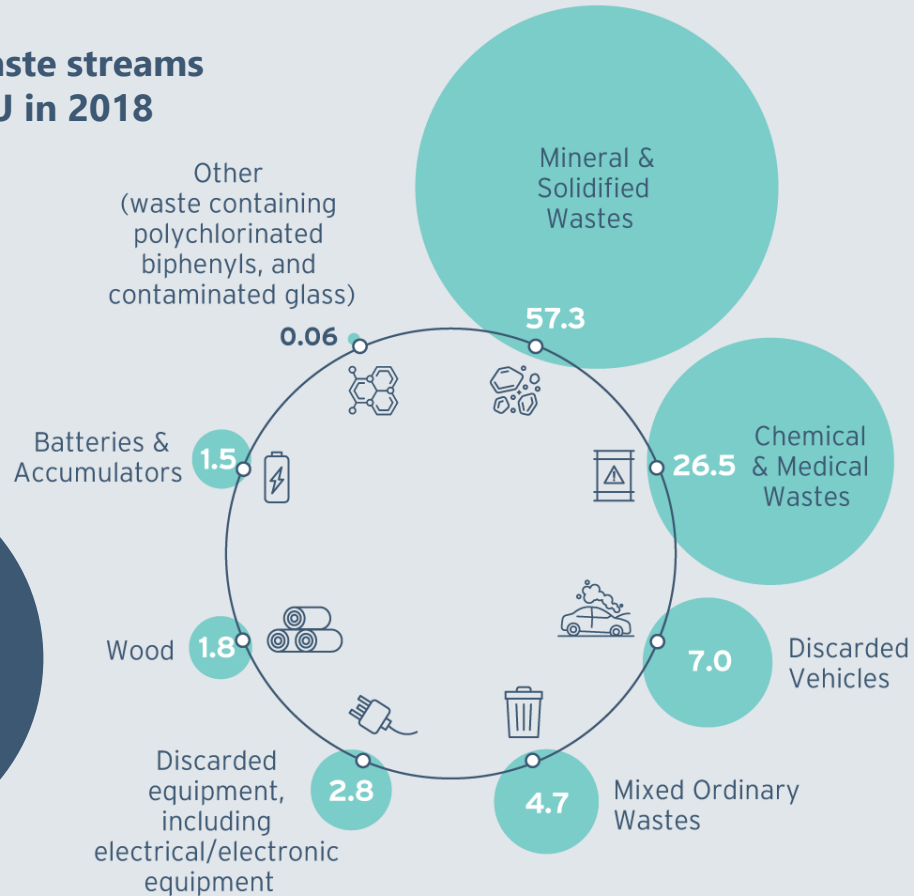
# HAZARDOUS WASTE GENERATION



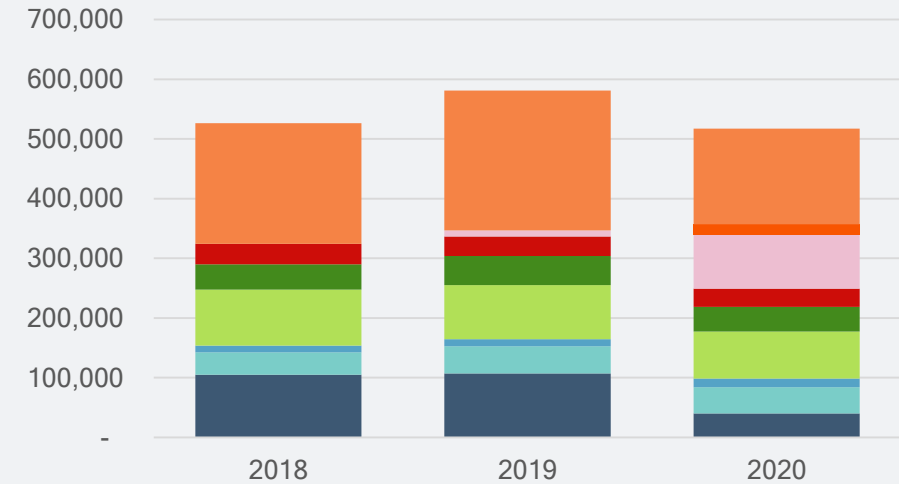
## Main hazardous waste streams generated in the EU in 2018 (in million tonnes)

Total Hazardous Waste Generated in the EU  
**> 100m tonnes**  
(167kg/cap)

Source: ECA, based on Eurostat data.



## Hazardous Waste Generated in Ireland (2020 data)



- IBA
- Health Care
- Ash (Waste Treatment)
- Soil
- Solvents
- WEEE
- Dredging Spoil
- Waste Oils
- Other

2021 Data  
**467k tonnes**  
(22kg/cap)



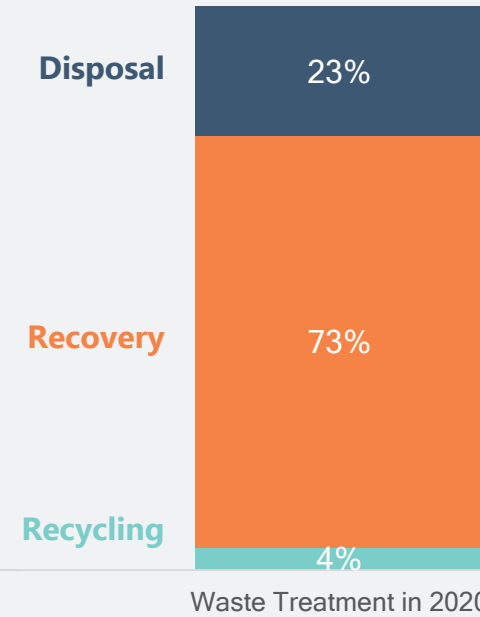
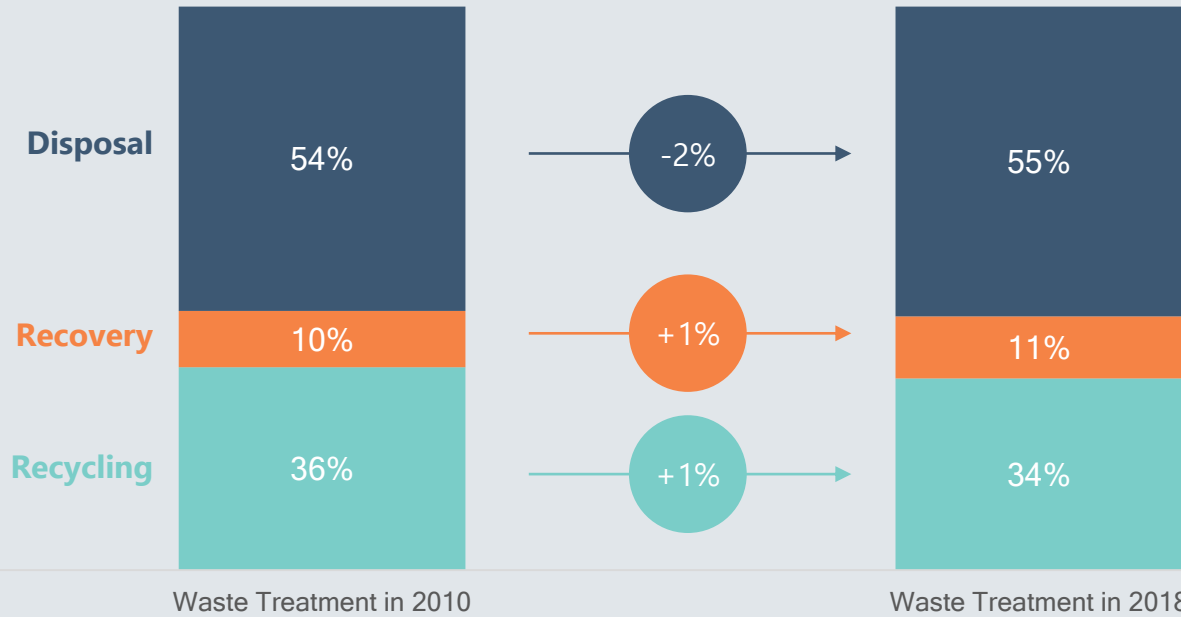
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# HAZARDOUS WASTE CAPACITY

## Hazardous Waste Treatment in the EU (2010, 2018 data) and Ireland (2020 data)



Ireland recycles only 4% of hazardous waste & has no hazardous waste disposal capacity.

Our indigenous recovery capacity is provided by on-site treatment, Waste-to-Energy and Cement Plant facilities.

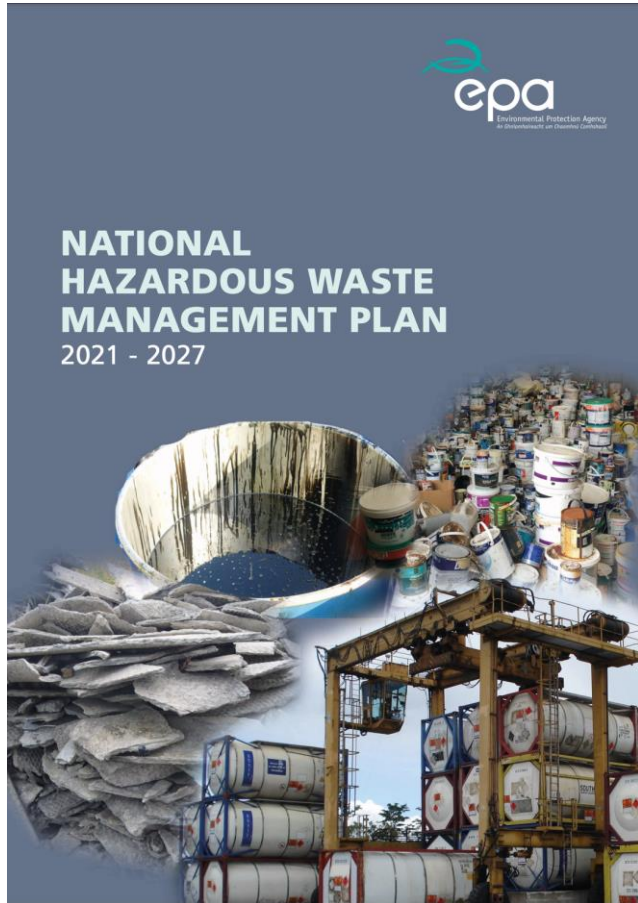


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# HAZARDOUS WASTE



4th National Plan published in December 2021

**Increasing restrictions on hazardous substances**, resulting in more wastes requiring hazardous classification



Whole of government, **collaborative approach**



**National collection systems for hazardous waste** are urgently needed for:



Farm hazardous wastes

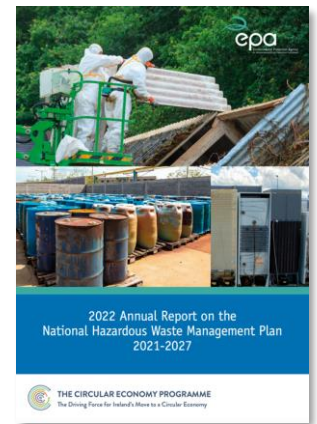


Medicines



Household hazardous wastes

**Annual Report** published



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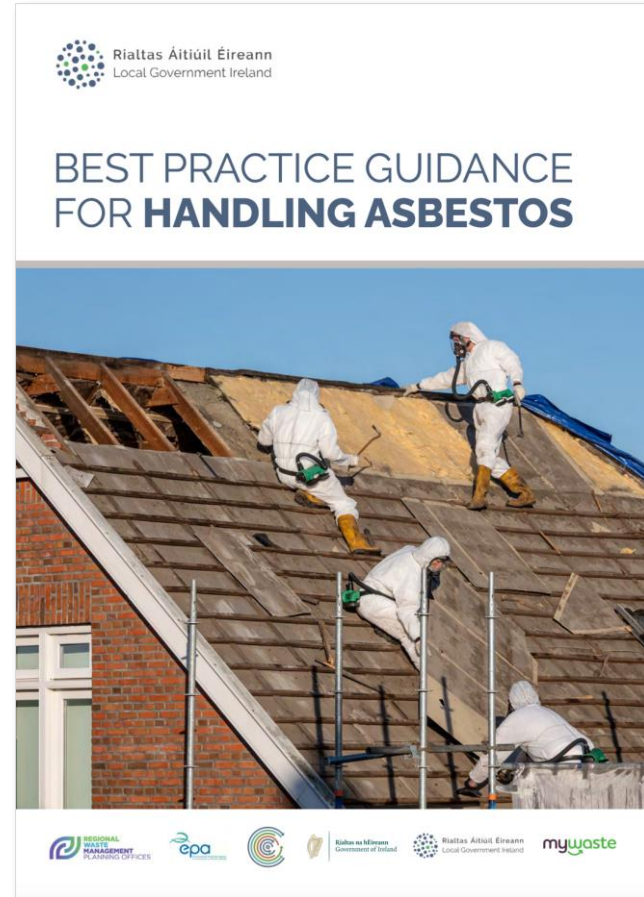


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# PLAN OUTPUTS

## ASBESTOS GUIDANCE

Published in July 2023



Legislative context



Best practice for handling asbestos



Health Risks



Advice on collection



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# PLAN OUTPUTS

## LITHIUM ION BATTERIES

Guidance on Safe Storage at Waste Handling facilities:



Will be published in Q4 2023





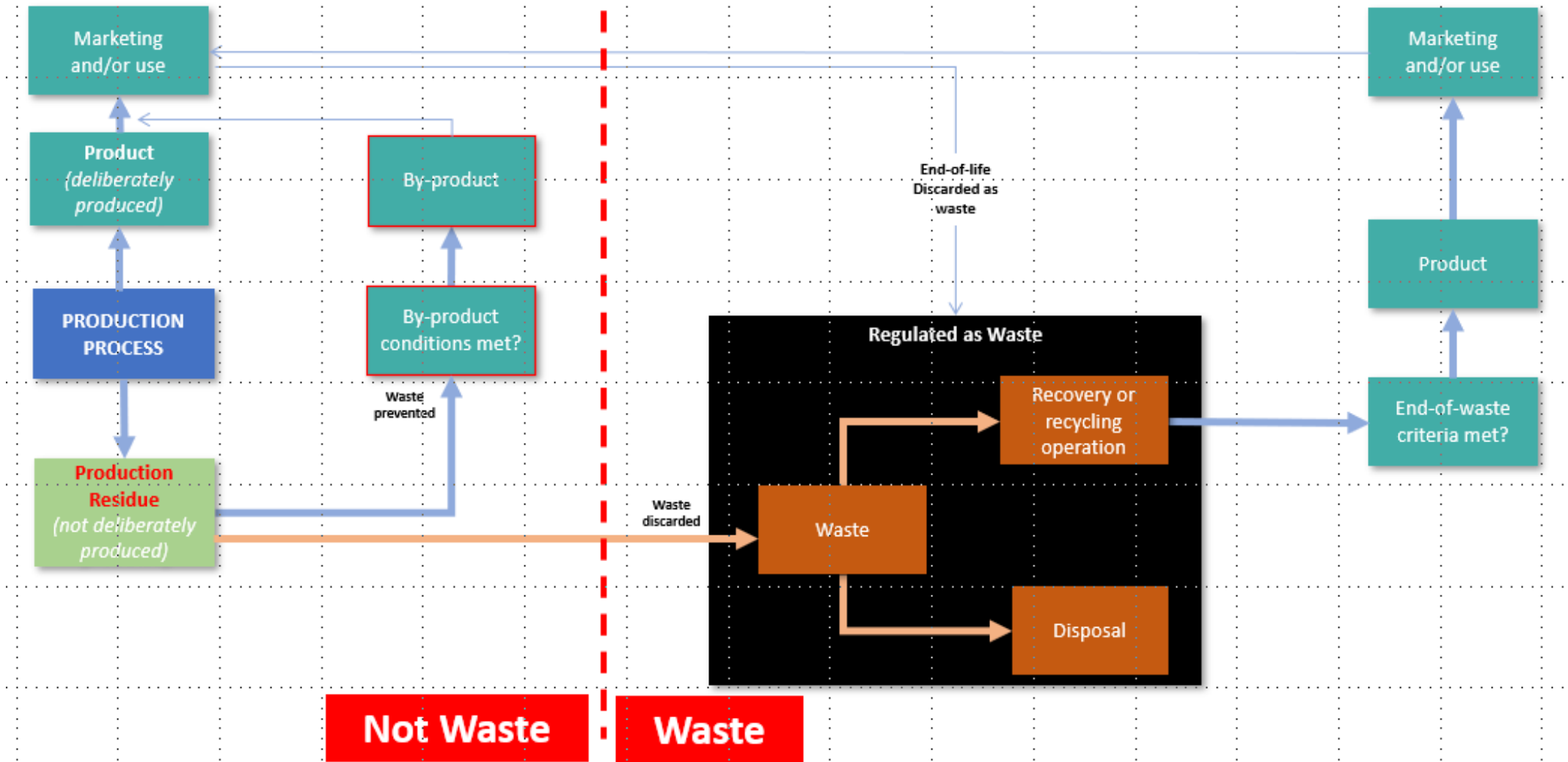
# END-OF-WASTE & BY-PRODUCTS 101

1 By-product -> never a waste = **waste prevention**

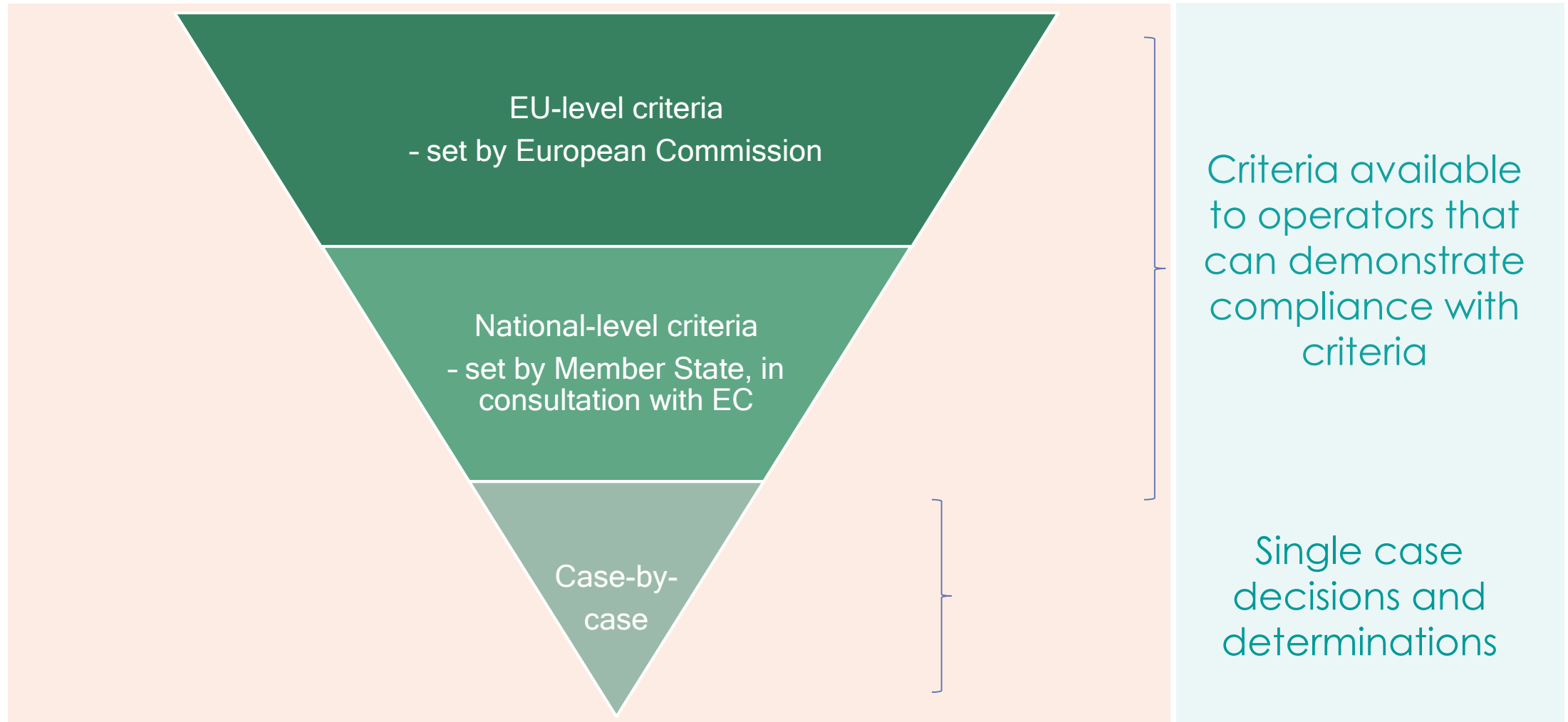
2 End of waste -> classified as waste → **waste treatment**



# PRODUCTION PROCESS



# END-OF-WASTE DECISION LEVELS



# INDIVIDUAL END-OF-WASTE DECISIONS

## END-OF-WASTE CRITERIA FOR PULVERISED FUEL ASH & FURNACE BOTTOM ASH



### SINGLE CASE DECISION FOR ELECTRICITY SUPPLY BOARD (ESB)

This document sets out end-of-waste criteria for pulverised fuel ash (PFA), sometimes referred to as coal fly ash, and furnace bottom ash (FBA) produced during the combustion of coal.



ENVIRONMENTAL PROTECTION AGENCY

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© Environmental Protection Agency 2019

## ESB (ELECTRICITY SUPPLY BOARD)

- Determination in 2019
- Pulverised Fuel Ash & Furnace Bottom Ash can be used in bound applications (e.g. concrete).
- Must comply with End of Waste criteria
- Waste authorisation obligations still apply (e.g. waste collection permit, waste licence, Cert of Registration etc.)



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# INDIVIDUAL BY-PRODUCT DECISIONS

## JOHNSON & JOHNSON

Determination in 2022

**Notified Materials:** Propylene glycol (PG)

**Production Process:** Contact lens manufacture at Johnson & Johnson  
Vison Care Facility in Limerick

**Further Use:** Aircraft de-icer (antifreeze) & heat transfer fluid

**Defined User:** Within Europe (Sweden)

### PG IS A HIGH DEMAND PRODUCT

Production of PG to increase from  
**14,000m<sup>3</sup>** per annum to **24,500m<sup>3</sup>** in 2025.



**BY-PRODUCT  
NOTIFICATIONS  
REGISTER:**  
[www.epa.ie](http://www.epa.ie)



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# END-OF-WASTE & BY-PRODUCTS

## DEVELOPMENT OF NATIONAL CRITERIA:



**Recycled aggregates**  
(end-of-waste criteria)

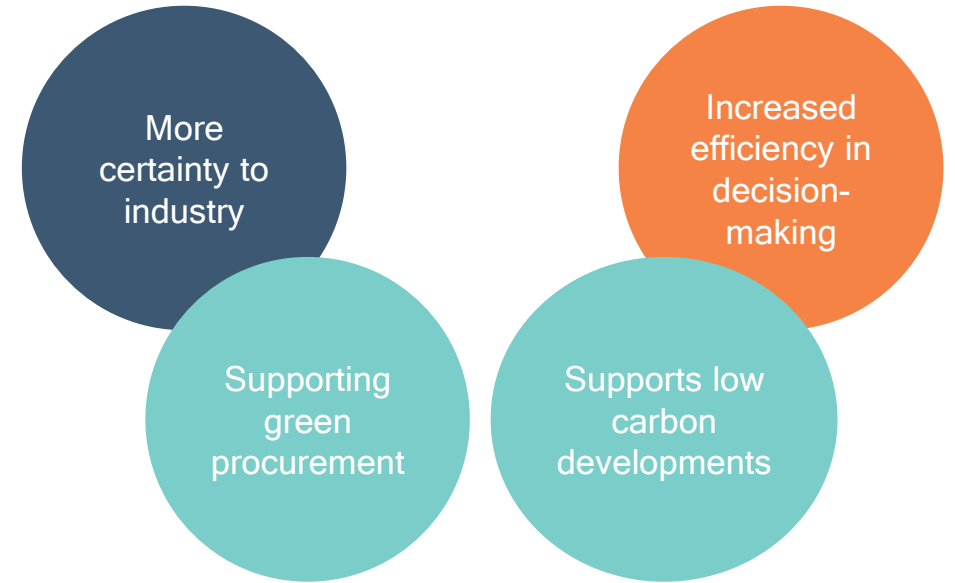


**Site-won Asphalt**  
(by-product criteria)



**Greenfield soil & stone**  
(by-product criteria)

## STRATEGIC STEP CHANGE IN OUR APPROACH:



Development of other national criteria may follow





# CHALLENGES & OPPORTUNITIES



## PREVENTIO

N

1. Expanding the use of by-product regulation
  2. Reducing hazardous substances in production processes
- Role of legislation -
3. Eco-design Regulations
  - Alignment of hazardous waste definitions in CLP and Reach Regulations



## RECYCLING

1. Expanding the use of end of waste regulation
2. New treatment technologies are needed
3. National collection systems and producer responsibility schemes needed for the management of hazardous substances



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# THANK YOU

For more information on the **Circular Economy Programme** contact [cep@epa.ie](mailto:cep@epa.ie)



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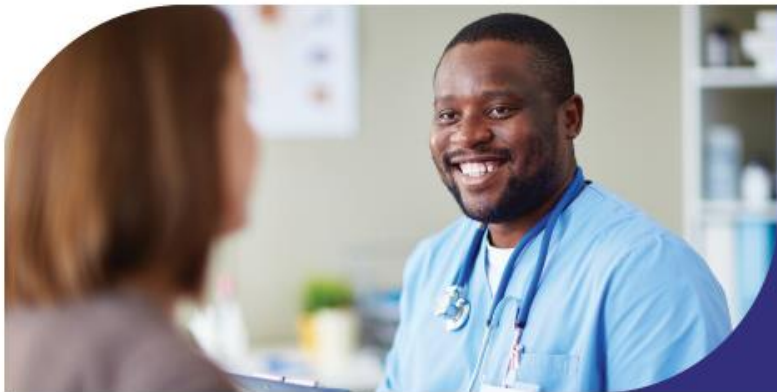
epa  
Environmental Protection Agency  
An Ghníomhaireacht um Chaomhnú Comhshaoil

October 18<sup>th</sup> 2023

## Updates to the Classification, Labelling and Packaging (CLP) Regulation

Dr. Majella Cosgrave

18<sup>th</sup> October 2023



# Introduction

- CLP – a reminder
- Revisions to CLP in place via Delegated Act
- Upcoming revisions to CLP via normal legislative procedure
- Upcoming deadline for PCN
- Guidance and Chemicals Helpdesk



# CLP – a Reminder

- Based on United Nations' Globally Harmonised System (GHS)
- Aims to ensure:
  - protection of health and the environment
  - free movement of substances and mixtures
- Requires manufacturers, importers, downstream users to classify, label and package hazardous chemicals before placing them on the market
- A key aim: determine if substance/mixture has properties that lead to hazardous classification
- Identified hazards must be communicated -> Labelling
- Packaging standards to ensure safe supply
- Other elements include harmonised classification and labelling, notification to the C&L inventory and Poison Centre notifications
- Overall, CLP provides basis for action under other EU legislation to address and mitigate risks of hazardous chemicals

# Revision of CLP

- CLP has ensured a well-functioning single market for chemicals and a high level of protection for human health and the environment since 2008
- **But**, Commission's fitness check showed revision required to:
  - ✓ Take account of scientific/technological progress/market developments
  - ✓ Optimise labelling rules
  - ✓ Address gaps to ensure more complete information on chemical hazards
  - ✓ Clarify roles of different parties
- New hazard classes to be introduced



# Quotes

*'We are making the rules on marketing chemicals simpler and more transparent, also relying on digital labelling where possible. Consumers and workers – notably in SMEs – will be better informed of chemical hazards included in substances and mixtures. The proposal will enable investments in even safer and more sustainable chemicals in Europe'.*

**Thierry Breton, Commissioner for Internal Market - 18/12/2022**

*'This proposal is an essential deliverable of the Chemicals Strategy for Sustainability and of our commitment to move towards a toxic-free environment. .... will ensure that very dangerous substances are properly identified, labelled and classified. It will strengthen evidence-based policy making and informed citizens' choices and will pave the way for the upcoming revision of the REACH Regulation'.*

**Virginijus Sinkevičius, Commissioner for Environment, Oceans and Fisheries - 18/12/2022**

# Delegated Act 2022 – New Hazard Classes **HSA**

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- Commission Delegated Act (DA 2022) introduced new hazard classes and criteria for classifying substances and mixtures into CLP (EiF 20 Apr 2023)
- New hazard classes:
  - Endocrine disruptors for human health or the environment (Cat 1 and Cat 2)
  - Persistent, bioaccumulative and toxic (PBT); very persistent and very bioaccumulative (vPvB)
  - Persistent, mobile and toxic (PMT); very persistent and very mobile (vPvM)
- DA 2022 sets out:
  - Criteria to classify a substance into one of the new hazard classes
  - Label elements (signal words, hazard statements, precautionary statements) and the classification limits for mixtures

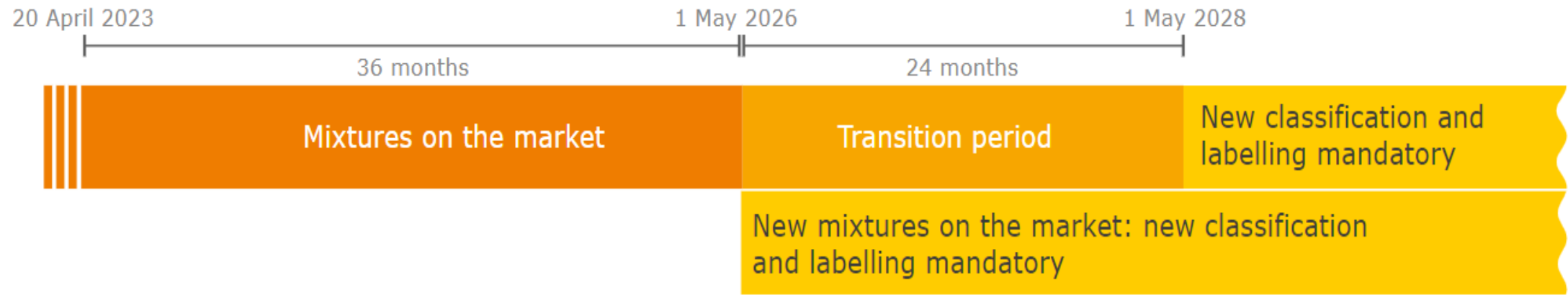
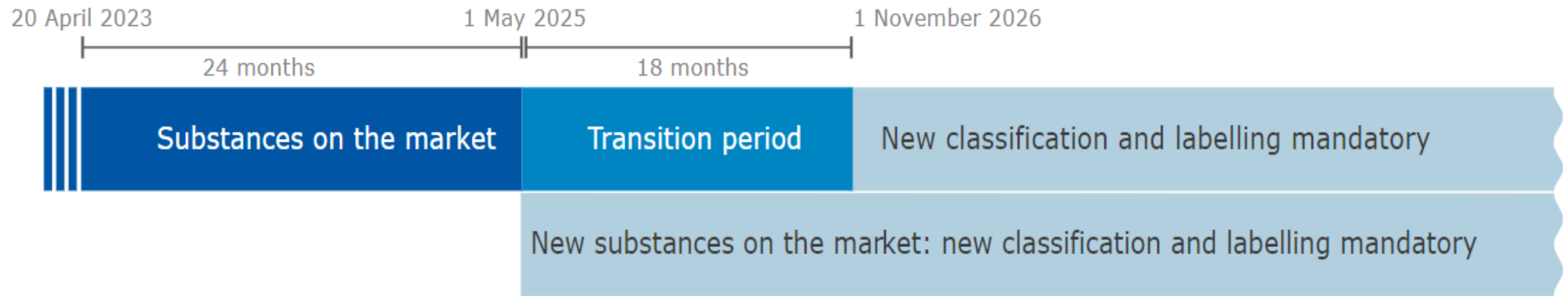
# Delegated Act 2022– New Hazard Classes

An tÚdarás Sláinte agus Sábháilteachta  
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- Applies to all chemical substances and mixtures placed on the EU market
- As of April 2023:
  - Member States can prepare CLH proposals with the new hazard classes
  - Manufacturers, importers, downstream users and distributors can self-classify
- Transition periods:
  - The new hazard classes can be applied on a voluntary basis
  - At the end of the transitional period, all manufacturers, importers, downstream users and distributors must apply the new hazard classes
- New hazard classes are included in the GHS 2023-2024 biennium
- ECHA guidance expected mid 2024



# New Hazard Classes Transition Periods



# Obligations for Industry after 20<sup>th</sup> April 2023



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All manufacturers, importers, distributors and downstream users should:

- ✓ Review C&L of substances and mixtures against criteria for new hazard classes
- ✓ Note transition periods
- ✓ If part of REACH joint submission, agree on C&L; update registration dossier
- ✓ If part of group of manufacturers/importers for C&L notification, agree on C&L; update notification
- ✓ Contact other notifiers for the same substance to agree on the new C&L
- ✓ Revise labels
- ✓ Update Poison Centre notification
- ✓ Consider if new Poison Centre notification required
- ✓ Update SDS with new C&L and relevant new hazard information
- ✓ Prepare to provide SDS upon request if mixtures not classified but contain a substance at 0.1% or more of Cat 2 endocrine disruptor not intended for general public

# Revision of CLP – ordinary legislative procedure

- Commission proposal to amend CLP published 20 Dec 2022
- Proposal subject to European Parliament and Council approval
- EU Council adopted general approach 30 June
- European Parliament (Committee on the Environment, Public Health and Food Safety) adopted legislative report 11 Sept. Voted in plenary Oct 4
- Next step: Trilogue negotiations between Council, Commission and Parliament

# Elements of COM Proposal to revise CLP

## *1. Identification and Classification of Chemical Hazards*

- **New hazard classes** introduced by Delegated Act in 2022
- COM to initiate and fund more **harmonised C&L dossiers**
- Changes around the **C&L Inventory**
- Improve transparency and predictability of **C&L proposals**
- How to evaluate and classify '**multi-constituent substances**'

# Elements of COM Proposal to revise CLP

## *2. Improving Hazard Communication*

- **Formatting rules for labels** and deadlines for **updating labels**
- Rules for the **refill sales** of chemicals
- Allow for the voluntary **digital labelling** of chemicals
- Broader use of **fold-out labels**
- **Derogations** for chemicals sold to consumers in bulk and in very small packaging



# Elements of COM Proposal to revise CLP

HSA

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## *3. Addressing legal gaps and ambiguities of CLP provisions*

- Provisions for distance sales, including **online sales**
- Clarify provisions for notifications to **poison centres**

# EU Council adopted negotiating position 30 June 2023

Introduced amendments to improve clarity and legal certainty of the proposal:

- ✓ Adjusts provisions on label form and design, addressing legibility issues and industry burdens
- ✓ Clarifies the concept and rules for digital labelling
- ✓ Strikes a balance between promoting refilling and reducing the risks linked to it
- ✓ Further clarifies COM's proposal on issues such as the labelling and information to be provided for chemical products sold at distance (including online)
- ✓ Calls on COM to prepare a report 4 years after EiT on the classification provisions for MOCS
- ✓ Amends provisions concerning new hazard classes to avoid duplication with ongoing assessments under different legislation

# EU Parliament adopted negotiating position

## 4<sup>th</sup> Oct 2023

MEPs broadly backed COM's proposal, with some suggested amendments incl:

- ✓ Promotes alternative methods (new approach methodologies) for assessment of hazards
- ✓ Calls for prioritisation of groups of substances in harmonised C&L proposals
- ✓ Maintains COM's proposal for MOCS but:
  - provides for exemption for those of renewable botanical origin that are not chemically or genetically modified, and
  - calls for COM to report on evaluation and classification of these MOCS of renewable botanical origin within 6 years of EiF
- ✓ Strengthens provisions related to access to justice for anyone with 'substantiated concern' on classification decisions
- ✓ Calls for adequate resources and funding for the Agency

# CLP Revision and REACH

- REACH and CLP revisions are complementary
- New information requirements under REACH will provide information on the intrinsic properties of substances leading to their classification under new hazard classes
- Harmonised classification of substances for those hazards under CLP will be the basis for increased risk management under REACH

# CLP Revision and European Green Deal

- Revision of CLP will:
    - ✓ Help innovate for safe and sustainable chemicals
    - ✓ Allow the identification of the most harmful substances
    - ✓ Enable actions to be taken to restrict the use of harmful substances
    - ✓ Increase protection from hazardous chemicals
    - ✓ Lead towards a toxic-free environment
  - Combined actions will contribute to:
    - ✓ Tackling climate change
    - ✓ Reducing pollution
    - ✓ Enhancing toxic-free material cycles in the circular economy
- all of which are objectives of the **European Green Deal**



# Upcoming Deadline on PCN – 1<sup>st</sup> Jan 2024



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- CLP Annex VIII will EiT for industrial use mixtures on 1<sup>st</sup> Jan 2024
- Hazardous mixtures placed on Irish market must be notified to the National Poisons Information Centre (NPIC) in the harmonised format via ECHA PCN portal
- Notifications submitted before 1<sup>st</sup> Jan 2024 remain valid until 1<sup>st</sup> Jan 2025, or until changes are made to the product
- If product remains unchanged until 1<sup>st</sup> Jan 2025, new notification must then be made as no migration of data is planned
- If that unchanged product discontinued before end of 2024, no new submission required
- ECHA website has information on making a notification via the PCN portal
- ECHA webinar 14 November 2023 <https://echa.europa.eu/-/poison-centre-notifications-ensuring-compliance-for-industrial-use-mixtures>

# Guidance and Chemicals Helpdesk



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- CLP Guidance and Q&As on ECHA's website [www.echa.europa.eu](http://www.echa.europa.eu)
- HSA website [www.hsa.ie/chemicals](http://www.hsa.ie/chemicals)
- HSA's Chemicals Helpdesk; [chemicals@hsa.ie](mailto:chemicals@hsa.ie) or 1890 289 389



# HSA

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The logo for the Health and Safety Authority (HSA) features the letters 'HSA' in a serif font. The 'H' and 'S' are dark blue, while the 'A' is orange. A thin orange horizontal line is positioned below the letters.

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# EU Chemicals Strategy for Sustainability Conference

October 18<sup>th</sup> 2023

The logo for the Environmental Protection Agency (EPA) features a stylized green leaf icon above the lowercase letters 'epa' in a blue sans-serif font. Below the letters, the full name of the agency is written in two lines: 'Environmental Protection Agency' and 'An Ghníomhaireacht um Chaomhnú Comhshaoil'.

epa  
Environmental Protection Agency  
An Ghníomhaireacht um Chaomhnú Comhshaoil

## Questions and Answers