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The 2020 roadmap for substances of very high concern: Industry fears for unequal treatment of the European industry

Industry strongly believes that a Risk Management Option (RMO) analysis should be the standard procedure to be followed by all Member States, respecting the outcome of this RMO. This RMO analysis should not be limited to REACH authorisation or restriction but should consider as well other EU legislation that is covering human health protection for workers or consumers or environmental protection. This should always take place before any initiative, regulatory or communication of intention, is started, even at national level, indicating the route to be followed for all substances. Industry sees that the principle is indeed accepted on paper, but finds this should be communicated clearly as being the standard procedure to be followed.

Industry believes as well that its contribution is essential at the earliest stage, in order to avoid decisions that risk having major and unpredicted consequences in the entire supply chain. These are clearly not always known, as has already been shown by some experiences in the authorisation process. It is fundamentally unfair and unjust that, depending on which country is proposing a substance, industry will or will not have the possibility to contribute its knowledge of the supply chain during the RMO analysis process. Such an approach leads to a different treatment of different substances and industry sectors

The result of the regulatory process will be less balanced regarding the REACH objectives of strengthening the competitiveness of the EU industry and a well-functioning internal market. Certainty, clarity, transparency and involvement of industry are needed in this process.

Therefore industry urges the Commission to always include in its roadmap an early interaction with industry in all cases in order to be able to provide information that will never be part of a registration dossier, e.g. the impact on CO_2 emissions, distortion of the EU market. Industry's participation can clearly improve efficiency, effectiveness and quality of the ultimate decision making process. An early communication of the considered substances will be key for an efficient, correct and smooth process.

Industry also finds that an RMO should not be launched without taking into consideration ongoing processes such as substance evaluation or harmonized classification and labeling. The outcome of these REACH and CLP embedded processes should be awaited before going into a next step and clearly choosing the pathway that authorities want to follow. In addition industry doubts the effectiveness of parallel activities under REACH authorisation and restriction and under other vertical product legislation, for the same substance(s).

Where substances are indeed coming into authorisation, industry believes that a thorough analysis of exemptions covered probably by a combination of existing legislations should take place during the prioritisation process, if not yet fully considered under the RMO exercise.

The consequences of authorisation are severe for European industry competing globally. An early industry participation can improve efficiency and quality of the REACH decision making process.