EUROPEAN COMMISSION

Directorate-General for Environment
Circular Economy and Green Growth
Sustainable Chemicals

Directorate-General for Internal Market, Industry, Entrepreneurship and SME's
Chemicals and Consumer Industries
REACH
Chemicals

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Competent Authorities for REACH and CLP

Written comments

Subject: **CASG-Polymers – Mandate**

A proposal of a mandate for a CARACAL sub-group to provide advice on the need to register certain types of polymers under REACH is presented in this document.
Following comments received, the Commission intends to adopt a revised version by written procedure.

Action Requested: **The Competent Authorities for REACH and CLP are invited to nominate experts and send comments on document CA/16/2020.**

Comments on this proposal should be sent by 8 May 2020 to ENV-CARACAL@ec.europa.eu and GROW-CARACAL@ec.europa.eu.

Mandate for the CARACAL sub-group to provide advice on the need to register certain types of polymers under REACH

Objective

The objective of the CARACAL sub-group on polymers (CASG-Polymers) is to advise the Commission on how to best consider the outcomes of the recent study by Wood & PFA ('Scientific and technical support for the development of criteria to identify and group polymers for Registration/Evaluation under REACH and their impact assessment') in its development of a possible proposal for registration of certain types of polymers.

The Commission will keep CARACAL informed of the progress and results of the work of the CASG-Polymers.

Context

Polymers are exempt from the provisions on registration of Title II of REACH (Article 2(9)). However, Article 138(2) of REACH requires a further review of polymers and comparison of the risks compared to other substances. Two previous studies were completed for the European Commission on the issue, in 2012 and 2015. These two studies highlighted the challenges in identifying which polymers should be subject to registration, largely due to scarcity of public data.

The 2012 study makes clear that the difference in cost burden between medium (<10 t REACH registration requirements) and high tier (>1000 t REACH requirements) registration is significant. Therefore, there is a need to better understand and manage polymers in a cost-effective way that limits the burden on industry but provides a higher level of protection for human health and the environment.

The second REACH review[1], published by the Commission in March 2018, stated that the Commission would further investigate information necessary to assess the affordability of additional information requirements for low tonnage substances or to identify relevant polymers that could be subject to registration, for the companies involved, especially given the number of SMEs that might be affected.

Several jurisdictions outside the EU have a system in place that exempts polymers of low or no known hazard from regulatory requirements (polymers of low concern (PLC)). Such an approach, if applied under REACH in the EU, would likely lead to registration of a large group of polymers of which it is not known whether they fulfil PLC criteria or not. Therefore, the reverse approach has been proposed, i.e. to try and define polymers that, based on a set of criteria, can reasonably be assumed to display some hazardous properties, and design registration requirements only for those (Polymers Requiring Registration (PRR)).

Expected output

The CASG-Polymers should provide advice to the Commission, in particular on the following regulatory and policy issues:

[1] COM (2018) 116 final

- Which type or classes of polymers may deserve registration under REACH for the benefit of further assessment and potential risk management, taking into account EU competitiveness and innovation on the one hand as well as the protection of human health and the environment on the other;
- What information requirements should be proposed for polymers requiring registration under REACH;
- Provide options to be considered in the context of an impact assessment.
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Composition

The meetings of the CASG-Polymers will be chaired by the Commission services. ECHA will participate in the meetings of the sub-group. Each Member State may nominate up to two members for the CASG-Polymers.

EEA, accession and candidate countries may nominate two observers each to the CASG-Polymers. Other observers to the CARACAL meeting may nominate experts until a maximum of 15 observers to the subgroup is reached. For each nomination, the field of expertise should be indicated. The Commission will assign observer seats to the subgroup meetings based on nominations received and the field of expertise, with a view to ensure a balanced representation between various interests groups. The Commission may invite external experts to participate in the sub-group as appropriate. The rules for the replacement of members/observers of the CARACAL apply *mutatis mutandis*.

Operation and Timeline

The Rules of Procedure of the CARACAL apply with regard to convening the subgroup meetings, the agenda and the documents. Subject to the needs identified by the Commission and advised by the members of the CASG-Polymers, two or three meetings per year will be organised.

The CASG-Polymers activities will start indicatively in June 2020. Subject to the delivery of the expected outputs, future needs and discussions in CARACAL, the CASG-Polymers will be disbanded on 31 December 2021.