

From: [REDACTED] (GROW)
Sent: mercredi 13 octobre 2021 15:52
To: [REDACTED] (GROW); [REDACTED] (ENV); [REDACTED] (GROW)
Subject: Final minutes meeting with AmCham on essential uses - 13 October 2021

Minutes meeting with AmCham on essential uses - 13 October 2021

Participants

AmCham: [REDACTED] (3M); [REDACTED] (First Solar); [REDACTED] (ExxonMobil); [REDACTED] (Chemours); [REDACTED] (Johnson & Johnson's); [REDACTED] (Dupont); [REDACTED] (SC Johnson); [REDACTED] (Chevron); [REDACTED] (chair F-gas group).
Commission: [REDACTED] (DG GROW), [REDACTED] (DG ENV).

- **Meeting request:** AmCham requested the meeting to discuss the essential use concept.
- **Guiding principles:** AmCham wishes that (1) the criteria should be clear to ensure predictability for businesses and not to hamper innovation; (2) continue to assess the risk of the use and alternatives; and (3) continue to use the socio-economic assessment and preserve the work of SEAC (4) the concept should look at the functionality of the chemical.
- **Grouping of chemicals:** AmCham highlights that in their view, grouping of chemicals should be made on the bases of the same intrinsic properties to make sure chemicals that can be used safely are not restricted.
- **Regional differences:** Amcham stressed that there are difference between Member States, which might result in stockpiling of chemicals for future use (time dynamic aspect). *Example:* under the Montreal Protocol FR was stockpiling an ozone depleting substance for air-conditioning for nuclear reactors because the alternatives were seen as inferior.
- **R&D and laboratory purposes:** AmCham wondered whether such uses would have a separate consideration when the concept is developed.
- **Time dimension:** Production capacity to increase production depends on the production under normal condition of non-essential uses. That capacity allows surge in production and for flexibility when needed.
- **Application of essential uses:** AmCham raised the concern on how to distinguish between the same products used both for industrial and private uses, and how Best Available Technique (BAT) might be used in that context.
- **External study:** The external study (Wood PLC) will run for 10 months and AmCham is encouraged to contribute to that study. AmCham expressed their wish for the study to be neutral, practical and not only academic.
- **Practical examples:** the Commission asked for practical examples on uses related to the green and digital transition, as well as the time dimension of the concept (see examples on stock-piling and production capacity/flexibility above).
- **Implementation of the essential use concept:** the Commission explained that the focus now is on how to implement the actions of the Chemical Strategy for Sustainability. Stakeholders should also focus on how to make the generic risk approach and essential use work in practice.
- **Public Consultation:** The Commission concluded by inviting AmCham and companies to contribute to the public consultation for the REACH revision and upcoming workshops.