

Director General

Ursula von der Leyen
President
European Commission
200, rue de la Loi
B-1049 Brussels

2 July 2020

Subject: Chemicals Strategy for Sustainability

Dear President von der Leyen,

The European Chemical Industry supports the European Green Deal and Europe's ambition to become climate neutral by 2050. We are in discussion with the Commission regarding a sectoral approach and specific industrial and innovation policy for the chemicals industry. Rapid COVID-19 recovery is crucial, including for our sector, and best brought forward by a strong construction and renovation wave, re-start of the automotive industries and investments in renewable energy and energy infrastructure.

The European regulatory framework for chemicals has REACH at the core. The Commission has rightfully made clear that the "the EU has a very comprehensive regulatory framework for chemicals... and is increasingly becoming a model for safety standards worldwide". As recently as 2018 and 2019 the Commission concluded that the system is fit for purpose, delivering on objectives, and leading the world. We agree with these conclusions and are committed to make it work.

The upcoming Chemicals Strategy for Sustainability however now seems to move towards the direction of a root and branch reform and complete overhaul of the European regulatory framework. It appears from recent presentations and discussions with the Commission that the draft strategy implies the system has failed and does not deliver. This comes after investing billions of Euro, both public and private, in making REACH and ECHA work.

One cannot have both at the same time. Moreover, these contradictory signals could not have come at a worse time. The European chemical industry and its downstream user industries will need to attract historically unprecedented levels of investments in Europe. We are core to delivering the solutions for a climate neutral and digital Europe, bolstering Europe's strategic autonomy, as shown during the COVID-19 pandemic, and enabling a post-COVID-19 recovery as clearly written by the Commission itself in the Green Deal communication and Circular Economy Action Plan.

Brexit is already leading to the start of a new UK REACH, which should be as closely aligned as possible with EU REACH. At this historically critical moment, the EU should not start to change the rules and give any further reason to calls for further regulatory divergence.

More than ever, we need to create the business case for investing in Europe. Regulatory predictability is a key component of investment decisions.

What is clear to all is that today's framework for chemicals and substance regulation is complex. There are many actors, agencies, approaches, and legal instruments. Deep thinking is needed to make what we have simpler and more effective and efficient with the scarce available resources. Such reflections are needed before changes are made to the current regulatory framework. This should be clearly noted in the upcoming strategy.

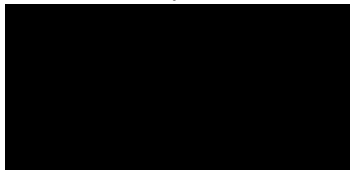
Although this call to the Commission is written from the perspective of the European Chemicals Industry, the overall message equally applies to and is supported by other industry sectors and downstream users. **Therefore, on behalf of our industry and the undersigned industrial federations, we urge you to develop a new chemical strategy that does not lead to a full re-opening of REACH.**

We support the creation of a new multi-stakeholder platform to facilitate a structured dialogue between the Commission, Member States, representatives from the European Parliament, and experts from industry, downstream users, consumer organisations and NGOs. It is a model that the Commission has used with great success in the past.

This structured dialogue, which the draft Chemical Strategy for Sustainability recommends, can be time limited and focused. It should explore how adjustments could be made to the legislative framework, if needed, without major disruption for the value chains that rely on chemicals.

We see five key problems that could be tackled by such a platform: 1. Safe and Sustainable chemicals by design; 2. Improving regulatory efficiency with 'One Substance, one assessment'; 3. Simplification of EU Chemicals legislation; 4. Enabling the circular economy - safe recycled materials; and 5. Better implementation and enforcement of REACH and other chemicals legislation. These five problems do not necessarily constitute an exhaustive list.

Yours sincerely,



Marco Mensink

CC: Executive Vice President Timmermans, Commissioner Sinkevicius, Commissioner Breton,
Vice President Šefčovič, Commissioner Kyriakides, Secretary-General Juhansone

CC: DGENV: Daniel Calleja Crespo and Kestutis Sadauskas
DGGROW: Kerstin Jorna and Carlo Pettinelli
DGSANTE: Sabine Juelicher

The Cefic call to avoid a full re-opening of REACH is supported by:

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Director General



Christine Marlet
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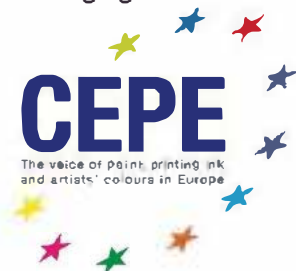
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