

From: [REDACTED] (CAB-BRETON)
Sent: jeudi 29 septembre 2022 13:37
To: CAB BRETON ARCHIVES
Subject: FW: Follow-up: REACH and Raw Materials - Paper
Attachments: Position paper on REACH and Raw Materials coherence_29.9.pdf

From: [REDACTED]
Sent: Thursday, September 29, 2022 1:24 PM
To: CANTON Joan (CAB-BRETON) <Joan.CANTON@ec.europa.eu>; [REDACTED] (CAB-BRETON)
<[REDACTED]>
Cc: [REDACTED] (CAB-BRETON) <[REDACTED]>; [REDACTED]
<[REDACTED]>
Subject: Follow-up: REACH and Raw Materials - Paper

Dear Joan and [REDACTED]

We discussed the incoherence between REACH chemicals legislation and your Critical Raw Materials goals in our recent meeting. Please find attached a follow-up paper, which:

1. Outlines the problem in more detail (side 1)
2. Provides one key solution we think should be carried forward in the REACH review (side 2)
3. *Lists the raw materials/metals that could be caught up under REACH and where investments are being delayed (annexes) – a specific request [REDACTED] had*

I hope this paper still reaches you in time for your early internal discussions on the REACH Review. It is subject to changes as we've worked to get it ready to meet your timeframe – I will make sure to send through an updated document if that becomes relevant.

We'd appreciate an opportunity to talk briefly and explain what is behind the proposal. Although chemicals legislation is technical, its associated unpredictability is a significant disincentive for certain new investment decisions in the raw materials space (without benefit to environmental outcomes), which can detract from political goals in that area. This conflict should ideally be addressed from the political level, given how wide-ranging and specific individual REACH elements can be.

In short, we are proposing that the REACH review adds a screening step to the risk management process, so you as the Commission can identify and resolve strategic conflicts in advance rather than much later in the process when your options are limited. This will lead to faster and more coherent risk management measures for strategic raw materials classified as hazardous, with a direction that can be communicated much earlier to give predictability to companies – without detriment to environmental objectives. We hope it's a workable solution that is improving the REACH system on all sides.

You may also want to look at creative ways of referencing strategic/critical raw materials directly in the REACH text, but we do not detail this. The issue of overly precautionary classifications (i.e. as experienced for lithium salts) cannot be solved in REACH, but in the CLP

Regulation - so this also isn't detailed (but happy to share views). And we have more detailed positions on essential use, mixed assessment factors etc which can also be provided.

We will also share this paper with your colleagues in the services, plus others in the Commission. And linked to the Critical Raw Materials Act, we will be able to share our recommendations on all the different elements in the coming few weeks.

Best,

[Redacted]

[Redacted]

Director for Communication & Public Affairs

[Redacted]

Tel : [Redacted]

Mob : [Redacted]

Eurometaux – European Association of Metals
Avenue de Tervueren 168, B-1150 Bruxelles
EU Transparency register No 61650796093-48
www.eurometaux.eu

[Eurometaux privacy policy](#)