

Date: 13 May 2022, 11.30 – 12.30

Participants : BusinessEurope – [REDACTED] GROW F1 – [REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED]

Topics brought forward by the representatives of BusinessEurope:

- Stated that they consider the implementation of an extended GRA problematic, both with regards to the addition of further hazard classes and of professional uses.
- Expressed their concern regarding the interface between REACH and OSH legislation.
- Hold the opinion that the concepts for the extended GRA and Essential Use are not yet well enough defined and that the three options assessed in the IA for the reform of authorization and restriction lack clarity with regard to their practical implications.

COM's answer

- The implementation of extended GRA has already been announced in the CSS. However, its final implementation is currently being discussed and shaped.
- The REACH revision will not include an automatic or a blanket-ban, but it will be followed by a stepwise implementation of GRA restrictions with the possibility for derogations. The 'minimal exposure' route for derogations is under discussion internally. Furthermore, the implementation of the GRA will follow a transparent work plan to help industry with a gradual implementation of the changes. The concerned professional uses are going to be selected carefully.
- In the course of the revision, the OSH and REACH interface will be clarified. We are also discussing options for discussing the choice of the best legislative pathways upon candidate listing.
- COM clarified that one option is that the authorisation system will not be fully replaced but will have a different, streamlined form which will reduce workload for industry, MS CA, and COM.
- On the essential use concept, COM noted that its introduction was announced in the CSS and COM is now discussing how to best implement in REACH. COM elaborated that the definition of essentiality is a technical but also a very political task. As the EsU concept is currently subject to internal discussion, no definite details about the definition can be given. However, the concept will likely be a general notion, should not be overregulated, and provide flexibility through case by case decisions. Further, essentiality will explicitly concern the function of the substance, not the product it is part of.
- Final remarks: A last discussion about EsU and other aspects of the reform of authorisations and restrictions with stakeholders is planned for 6 July (CARACAL); COM expects that the work plan for GRA will be developed in parallel to the co-decision process. BusinessEurope was invited to participate in the on-going online survey on the reform of authorisations and restrictions.

