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## Information to Poison Centres – Commission moves forwards despite strong concerns and plea of industry.

**Last chance to contact and convince national authorities!**



As previously reported, jointly with CEMBUREAU, EFCC and EUROGYPSUM, EMO voiced the industries concerns with the [European Commission's draft proposal for amending Regulation \(EC\) No 1272/2008](#) (CLP Regulation). While the group suggested to at least subject mixtures under the scope of the Construction Products Regulation (Regulation (EU) No 305/2011) only to the same limited submission requirements as mixtures for industrial uses, **concerns came up and were put forward that the whole submission procedure is likely to result in a unproportionate burden to manufactures and might not even be compliable.**

The burden and challenges result from the following requirements:

- According to the draft proposal for amending the CLP Regulation, information to Poison Centres has to be submitted using a Unique Formulation Identifier (UFI). The UFI unambiguously links the submitted information on the composition of a mixture or group of mixtures. **When components within a mixture vary stronger than the given limits in the draft proposal**, the submission has to be updated, i.e. if the components within a mixture vary strongly, **the information for this mixture may have to be submitted several times using different UFIs.** CEMBUREAU claims that the variations of components within a mixture of a specific type of cement is not only such that several UFIs would be needed, even if the relevant health and safety information is always the same, but **that in fact it is not possible to control the variation of components in order to connect a mixture to a specific UFI, unless wider concentration ranges are permitted.**
- **The UFIs have to be generated using electronic means that** are yet to be supplied by the European Chemicals Agency (ECHA). **From the VAT number of the company and a number that is chosen by the company itself**, randomly or not, the electronic tool will generate a unique alphanumeric code. **This code has to be indicated when submitting the information, stated on the Safety Data**



**Sheets and** – except in case the mixture is subject to limited submission requirements – **printed on the product labelling.**

**For manufacturers of mortars**, who use mixtures (e.g. cement) to produce their own mixture, **the combination of both requirements is a bureaucratic nightmare.** According to the draft proposal for amending the CPL **a manufacturer of a mortar will have to**

- provide the information on the compositions of the mixtures within his own mixture (the mortar)

or if he has no access to this information, which will be mostly the case,

- **indicate the UFI of the mixtures in his mixture along with their concentration.**

With a variety of UFIs for a specific cement multiplied by number of potential suppliers with different VATs **mortar manufacturers are threatened to constantly have to update their supplied information and to frequently having to change their own UFI numbers.** **Managing internal cross-references and ensuring that the correct information**, i.e. the number of the Declaration of Performance, the Unique Identification Code of the Product Type (both required by the Construction Product Regulation) and the UFI, **is printed on the label is challenge of its own.**

**The Chemicals Industry Unit (D2)** within DG GROWTH **invited stakeholders** who had previously commented the draft proposal for amending the CLP **to a meeting on 23 August 2016.** There Mr Otto Linher (deputy head of unit) and Ms An Jamers (policy officer) **informed about the latest amendments and the next steps.** The amendments were only informally presented as they are still under internal discussion, but none of them concern construction products anyway. So **the Commission will not propose to spare construction products under the CPR from the full submission requirements**, as we had suggested. **The final draft will be circulated to the public and Member States in the coming days**, meeting the deadline **to present it for adoption at the next REACH Committee meeting on 20.09.2016.** **Once adopted the Council and Parliament will be informed for approval or rejection, but not consulted.**

**CEMBUREAU and EMO** as well as stakeholder from the paints, perfumes and refining industry **once more voiced their strong concerns and objected against advancing with the proposal for amending the CLP as it is, stressing that the proposal is unproportionate and for some products even not doable.** The Commission officials showed understanding, **but repeatedly stated that the Commission will not put forward further amendments itself. They are open to discuss last minute proposals for amendments at the next REACH Committee meeting, only if introduced by Member States.** The industry was encouraged to take this last opportunity to **contact the members of the competent Member State authorities in the REACH Committee to try to convince them to propose respective amendments.**

Given the situation as described, **CEMBUREAU and EMO urge their members to contact the respective**

- **[Member State Competent Authority member\(s\) of the REACH Committee](#) to draw their attention to the problems and the burden the current proposal will cause not only for our industry but also for Poison Centres and the respective**
- **[national appointed bodies for the submission of the information relating to emergency health response](#) for support**, as some have previously expressed their satisfaction with receiving only safety data sheets for construction products, fearing the upcoming amount of additional information.

For further information and support, please contact the secretariat.

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Registered Address:

EMO  
68 Boulevard du Souverain  
1170 Bruxelles / Belgium

Secretary General:

Antonio Caballero González

Secretariat:

Alliance of European Associations  
c/o EMO  
Oberforstbacher Straße 407a  
52076 Aachen / Germany

Telephone: +49 2408 5996207

Mobile: +49 173 9501590

Fax: +49 2408 5996208

E-Mail: [acg@euromortar.com](mailto:acg@euromortar.com)