

11 December 2007

FECC comments on the Technical Guidance Document (TGD) for preparing the chemical safety assessment (RIP 3.2)

The European Association of Chemical Distributors (FECC) would like to take this opportunity to make the following comments on the proposed Use Descriptor system, as proposed in part D of the concise TGD of the RIP 3.2-2 project.

FECC is concerned that the proposed system seems to have failed to take into account the work of the Arona network, particularly the main conclusions that were presented at the workshop in Brussels on 30-31 August. At this meeting the outcomes of the industry trials were discussed. Most of the trials showed that the proposed Use Descriptor (UD) system was too complex, produced unrepeatable results and was in need of refinement. FECC has included some of the conclusions of the **Arona network** meeting below:

- *“All practical proposals (smaller and larger) made during the process will be compiled and taken into account in refining the cTGD.”*
- *“There is a need for refinements to improve the workability of the suggested processes and tools.”*
- *“Keep it as simple as possible “*
- *“It is recommended that the technical function of the substance is no longer part of the descriptor system.”*
- *“The list of possible user groups (=“IC”) in the descriptor system should be limited. As a minimum, it should include consumer, professional [public domain], industrial”*

In view of the conclusions above, FECC would like to request that the following points are taken into account in the review of the TGD by the REACH Competent Authorities:

The currently proposed UD system has 4 categories:

1. sector of use, [SU]
2. product, [PC]
3. process [PROC]
4. article [AC].

During the Arona workshop, the value of the information provided through the function category was questioned. This category was also broadly opposed because it caused inconsistencies and also CBI problems. The technical function was then replaced by the Product Category. FECC feels that this new category still implies the same problems, in particular CBI concerns. Therefore FECC suggests to remove the product category.

The UD should be simplified further and FECC proposes to base the UD on three descriptors as follows:

- **Sector of Use Category [SU]:** Instead of the NACE codes, further simplification can be achieved by referring to the three main categories mentioned in the REACH Regulation (Annex VI section 6):
 - Industrial (Manufacturer/Repacker/Formulator/Industrial User/Recycler)
 - Professional



- Consumer.

FECC also proposes that further guidelines on how to differentiate between industrial and professional should be developed.

FECC proposes to limit the Sector of Use Category as described above.

- **Process Category [PROC]:** for the sake of simplification, it is clearly necessary to keep a limited number of types of processes. They should also be generic and form the basis for a Standard ES Library.

When going downstream in the chain, it may be necessary that each DU sector 'translates' those generic processes in relevant and understandable language for the sector.

Example: the generic process will speak of wide dispersive use while the painting sector will say spraying.

Standard ESs will become standard practice and DUs will soon know what to do with what type of Standard ES. FECC fears that detailed and non-standard ESs will not only be very complicated and unworkable for the M/I, but also for DUs and local authorities.

FECC proposes to have a limited list of generic Process Categories.

- **Article Category [AC]:** the question to be answered is 'does the article have an intended release? Yes / No'.

FECC proposes that to limit the pick-list to 'substance in article with intended release' and 'substance in article with no intended release'.

FECC will be pleased to provide further input on the above. For further information:

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The European Association of Chemical Distributors (FECC) represents around 1,200 European chemical distributors to the EU Institutions. FECC Members – most of them SMEs - create value in the supply chain meeting the demands of over one million downstream users with a large range of products. FECC Members distribute and regularly import substances and preparations vital for the success of the European economy.