

Joint letter
Austria, Belgium, Denmark, Finland, France, Luxembourg,
The Netherlands, Norway, Spain, Sweden

To: Mr. Frans Timmermans, Executive Vice-President for the European Green Deal & Climate Action; Mr. Virginijus Sinkevičius, Commissioner for Environment, Oceans & Fisheries; Ms. Stella Kyriakides, Commissioner for Health; Mr. Thierry Breton, Commissioner for Internal Market; Mr. Nicolas Schmit, Commissioner for Jobs & Social Rights.

Safe chemicals for the future; building blocks for the Chemicals Strategy for Sustainability and the Zero Pollution Ambition

Chemicals are an essential part of many products and services that modern society makes use of. Chemicals legislation needs to remain fit to guarantee the continued high level of protection of health and the environment.

The European Green Deal provides a unique opportunity to develop an ambitious, green, sustainable and long-term Chemicals Strategy as a first step to move towards a Zero Pollution Ambition for a toxic-free environment. This Chemicals Strategy should ensure that the EU is committed in achieving sustainable production and consumption and a high level of protection of human health and the environment, while supporting innovation and competitiveness of the EU industry.

As highlighted by the joint letter to the Commission dated 4 December 2019 there is an urgent need to further develop the chemicals policy which should build on the 7th Environmental Action Plan (EAP), the Council Conclusions of June 2019 and the recent fitness checks of the chemicals legislation.

Combatting the current number one priority in society, the worldwide COVID-19 pandemic, reminds us of the link between human health, animal health and environmental health. Sound management of chemicals through prevention and precaution and by making a transition to a circular economy will be a driver to enable a sustainable green recovery. The chemicals strategy has a role to play to prevent and to deal with this kind of pandemics from the perspective of guiding investments in i.e. less hazardous chemicals and non-toxic and easily recyclable materials, as well as addressing chemicals known to affect the immune system. Furthermore, the need to improve security of supply and to have shorter supply routes may result in more domestic production in the EU to ensure an effective response to e.g. pandemics. A sustainable, cross-sectoral strategy will enable this and the ambition to better protect human health from the impacts of chemicals exposure.

Green production and sustainable use of chemicals

The chemical industry is the world's second largest manufacturing industry and has an important role in everything from daily products to innovative technologies. The OECD predicts that the production, use and trade of chemicals will more than double between 2020 and 2050. However, still two thirds of chemicals produced in the EU are hazardous to human health and one third is hazardous to the

environment¹. Therefore, inaction linked to chemicals exposures have substantial costs for society. As an example, endocrine disruptors represents around €160 billion per year for the European Health system, not counting environmental costs and derived diseases².

The production, use and trade of chemicals is a core part of industry and thus not only affects human health and the environment through exposure to hazardous chemicals, but also directly affects climate, biodiversity, ecosystems, resilience to climate and environmental risks, the realisation of the Circular Economy and the use of resources. Therefore, chemicals management is an integral part of environmental sustainability. Thus, it should be considered in the development of both Green Deal initiatives and the chemicals policies how these considerations contribute to:

- Fulfilling the Sustainable Development Goals,
- Safe chemicals and progressive substitution,
- Climate neutrality,
- Circularity and
- Use of renewable resources

The Chemicals Strategy for Sustainability will be able to contribute with important elements that are also crucial for the implementation of the new Circular Economy Action Plan, including a Sustainable Products Policy, and other chemicals related strategies, such as the Industrial Strategy. The considerations relate well to the objectives of Green Chemistry³, which can serve as inspiration to the Chemicals Strategy for Sustainability.

The Chemicals Strategy should be ambitious and complementary to other major initiatives launched by the Commission, including the Circular Economy Action Plan, the Farm-to-Fork strategy, the Strategy for Biodiversity, the Prevention Cancer Plan and Pharmaceutical strategy. It should also address the challenges identified in the fitness checks of both the REACH regulation and all other relevant chemicals legislation.

Elements regarding a toxic-free environment to be included in the Chemicals Strategy for Sustainability

The Chemicals Strategy for Sustainability should address environmental concerns and the concerns of citizens, workers and consumers about exposure to chemicals in their daily life and thereby in particular protect human health and the environment. The Council conclusions of June 2019 and the commitments made in the 7th EAP should be fulfilled as part of this strategy. The strategy should include concrete and comprehensive measures, including on the following:

- **Elimination of substances of concern**: Speeding up phasing out substances of concern, including groups of substances, by introducing restrictions only exempting essential uses, for which a definition needs to be developed.
- **Closing the loop**: Streamlining the interface between chemicals, product and waste legislation in order to move towards non-toxic circular material cycles, and supporting increased resource efficiency and reduced energy intensity and transition to renewable raw materials in the chemicals industrial sector.

¹ SWD(2019) 199 final. Available at: https://eur-lex.europa.eu/resource.html?uri=cellar:e7e0a70-9757-11e9-9369-01aa75ed71a1.0001.02/DOC_1&format=PDF

² Trasande et al. (2015). Estimating Burden and Disease Costs of Exposure to Endocrine-Disrupting Chemicals in the European Union. Available at: <https://academic.oup.com/jcem/article/100/4/1245/2815065>

³ Milieu Ltd (Belgium) (2017): "Study for the strategy for a non-toxic environment of the 7th EAP; Sub-study f: Programme on new, non-/less toxic substances". Available at: <https://ec.europa.eu/environment/chemicals/non-toxic/pdf/NTE%20main%20report%20final.pdf>

- Innovation through green and sustainable chemistry: Enhancing innovation and competitiveness by including concepts of ‘Safe-by-design’ and Green Chemistry in chemicals innovation and promoting alternative business models such as Chemical Leasing.
- Clean recycling: In view of the zero-pollution ambition under the Green Deal creating a well-functioning single market for high-quality, non-toxic secondary raw materials that are safe for human health and the environment.
- Prevention-targeted research and monitoring: Accelerating research and monitoring effects of chemicals on human health and the environment, and promoting green and sustainable substitution by establishing appropriate mechanisms.
- Deepen research on environmental impacts: Increase level of protection of the environment by better understanding the effects of hazardous chemicals on more environmental species, biodiversity, ecosystem resilience and impact of climate change on chemicals effects in the environment.
- Implement the chemicals refits: Continue the development and implementation of chemical policies as identified under the Refit program, with particular emphasis on:
 - Developing an action plan with clear and concrete measures including horizontal hazard-based criteria to minimize exposures to endocrine disruptors (EDs),
 - addressing combination effects of different substances in all relevant chemicals and emissions legislation,
 - taking measures to speed up the identification of Substances of Very High Concern (SVHC),
 - developing an EU action plan to address the large group of fluorinated substances (PFAS) and
 - developing a coherent and consistent chemicals *acquis* which also covers ensuring social justice to better protect EU citizens and, in particular, vulnerable groups.

New initiatives under the strategy, with concrete actions and clear milestones, should address the challenges identified by adaptation of relevant existing legislation and in an 8th EAP for other measures.

Need for a coherent new products policy

The environmental impact of products is determined largely in the design phase. All products should be designed and produced in a way that preserves resources and prevents negative impact, thus enabling non-toxic material cycles, which are essential for the transition to a circular economy. The new Product Policy Framework should therefore integrate all environmental sustainability aspects, including energy, chemicals, circular economy aspects and Safe-by-design. Acknowledging the steady inflow of products for European consumers into the EU strengthens the call for policies that contribute to a more sustainable global products policy, taking advantage of our position as frontrunners. Highest international standards, particularly those related to health and environment and restricting the production and export of hazardous chemicals that are prohibited in EU, should be promoted. This Strategy should also aim to further address or restrict import of articles produced using non-authorized chemicals into the EU. We must also promote ambitious standards beyond the Union and at international level to ensure safe management of chemicals and to preserve European competitiveness. Furthermore, there is a need to improve the management of e-trade to avoid the import to the EU of non-compliant products.

We look forward to an ambitious, green and sustainable long-term Chemicals Strategy, which will integrate specific and overarching challenges identified, ensure the EU chemicals legislation has a high level of protection of human health and the environment, contribute to creating a level playing field globally and enable the EU to continue to show global leadership in the work to achieve sustainable chemicals management.

Annex with the signatories

Leonore Gewessler

Federal Minister for Climate Action, Environment, Energy, Mobility, Innovation and Technology,
Republic of Austria

Zuhal Demir

Flemish Minister of Environment, Belgium

Lea Wermelin

Minister for the Environment, Denmark

Krista Mikkonen

Minister of the Environment and Climate Change, Finland

Élisabeth Borne

Minister for the Ecological and Inclusive Transition, France

Carole Dieschbourg

Minister for the Environment, Climate and Sustainable Development, Luxembourg

Stientje van Veldhoven – Van der Meer

State Secretary for Infrastructure and Water Management, The Netherlands

Sveinung Rotevatn

Minister of Climate and Environment, Norway

Teresa Ribera

Fourth Vicepresident of the Government and Minister for the Ecological Transition and Demographic Challenge, Spain

Isabella Lövin

Minister for the Environment and Climate, and Deputy Prime Minister, Sweden