



2020/2531(RSP)

21.2.2020

DRAFT MOTION FOR A RESOLUTION

further to Questions for Oral Answer B9-0000 and B9-0000

pursuant to Rule 136(5) of the Rules of Procedure

on **Chemicals strategy for sustainability**
(2020/2531(RSP))

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on behalf of the Committee on the Environment, Public Health and Food
Safety

B9-0000/2020

**European Parliament resolution on a chemicals strategy for sustainability
(2020/2531(RSP))**

The European Parliament,

- having regard to the Charter of Fundamental Rights of the European Union,
- having regard to Decision No 1386/2013/EU of the European Parliament and of the Council of 20 November 2013 on a General Union Environment Action Programme to 2020 ‘Living well, within the limits of our planet’ (the ‘7th EAP’), and its vision to 2050,
- having regard to Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency (the ‘REACH Regulation’),
- having regard to Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures (the ‘CLP Regulation’),
- having regard to Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products,
- having regard to Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market,
- having regard to Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants,
- having regard to Regulation (EU) No 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals
- having regard to Regulation (EU) 2019/1381 of the European Parliament and of the Council of 20 June 2019 on the transparency and sustainability of the EU risk assessment in the food chain,
- having regard to Directives (EU) 2017/2398 of 12 December 2017, Directive (EU) 2019/130 of 16 January 2019 and Directive 2019/983 of 5 June 2019 of the European Parliament and of the Council, amending Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens or mutagens at work,
- having regard to Directive 2010/63/EU of the European Parliament and of the Council of 22 September 2010 on the protection of animals used for scientific purposes,

- having regard to the Council conclusions of 26 June 2019 entitled ‘Towards a Sustainable Chemicals Policy Strategy of the Union’,
- having regard to the United Nations 2030 Agenda for Sustainable Development and to the Sustainable Development Goals (SDGs),
- having regard to the Council conclusions of 4 October 2019 entitled ‘More circularity - Transition to a sustainable society’,
- having regard to the political guidelines for the European Commission 2019-2024, in particular to the zero-pollution ambition for Europe,
- having regard to the Commission Communication of 11 December 2019 entitled ‘The European Green Deal’ (COM(2019)640),
- having regard to the Commission Communication of 28 November 2018 entitled ‘A Clean Planet for all A European strategic long-term vision for a prosperous, modern, competitive and climate neutral economy’ (COM(2018)0773) and to the In-depth analysis in support of this communication¹,
- having regard to the Commission Communication of 5 March 2018 entitled ‘Commission General Report on the operation of REACH and review of certain elements - Conclusions and Action’ (COM(2018)116) and to the accompanying staff working document,
- having regard to the Commission Communication of 7 November 2018 entitled ‘Towards a comprehensive European Union framework on endocrine disruptors’ (COM(2018)734),
- having regard to the Commission Communication of 7 November 2018 entitled ‘Review of Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products with regard to substances with endocrine-disrupting properties’ (COM(2018)739),
- having regard to the Commission Communication of 25 June 2019 entitled ‘Findings of the Fitness Check of the most relevant chemicals legislation (excluding REACH) and identified challenges, gaps and weaknesses’ (COM(2019)264),
- having regard to its resolution of 24 April 2009 on regulatory aspects of nanomaterials (2008/2208(INI)),
- having regard to its resolution of 9 July 2015 on resource efficiency: moving towards a circular economy (2014/2208(INI)),
- having regard to its resolution of 17 April 2018 on the implementation of the 7th Environment Action Programme (2017/2030(INI)),

¹ https://ec.europa.eu/clima/sites/clima/files/docs/pages/com_2018_733_analysis_in_support_en_0.pdf

- having regard to its resolution of 13 September 2018 on implementation of the circular economy package: options to address the interface between chemical, product and waste legislation (2018/2589(RSP)),
- having regard to the Commission communication of 16 January 2018 on the implementation of the circular economy package: options to address the interface between chemical, product and waste legislation (COM(2018)0032), and to the accompanying Commission staff working document (SWD(2018)0020),
- having regard to its resolution of 13 September 2018 on a European strategy for plastics in a circular economy (2018/2035(INI)),
- having regard to its resolution of 13 September 2018 on the implementation of the Plant Protection Products Regulation (EC) No 1107/2009 (2017/2128(INI)),
- having regard to its resolution of 16 January 2019 on the Union’s authorisation procedure for pesticides (2018/2153(INI)),
- having regard to its resolution of 12 February 2019 on the implementation of Directive 2009/128/EC on the sustainable use of pesticides (2017/2284(INI)),
- having regard to its resolution of 18 April 2019 on a comprehensive European Union framework on endocrine disruptors (2019/2683(RSP)),
- having regard to its resolution of 15 January 2020 on the European Green Deal (2019/2956(RSP)),
- having regard to its resolution of x X 2020 on a strategic approach to pharmaceuticals in the environment (2019/2816(RSP)),
- having regard to the United Nations Environment Programme report of 29 April 2019 entitled ‘Global Chemicals Outlook II - From Legacies to Innovative Solutions: Implementing the 2030 Agenda for Sustainable Development’,
- having regard to the European Environment Agency report of 4 December 2019 entitled ‘The European environment - state and outlook 2020’ (SOER 2020),
- having regard to the study of August 2017 commissioned by the European Commission entitled ‘Study for the strategy for a non-toxic environment of the 7th Environment Action Programme’²,
- having regard to the study of January 2019 and updated May 2019 commissioned by the PETI Committee of the European Parliament entitled ‘Endocrine Disruptors: From Scientific Evidence to Human Health Protection’³,

² <https://op.europa.eu/s/nJFb>

³ [http://www.europarl.europa.eu/RegData/etudes/STUD/2019/608866/IPOL_STU\(2019\)608866_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2019/608866/IPOL_STU(2019)608866_EN.pdf)

- having regard to the question to the Commission on chemicals strategy for sustainability (O-000000/2019 – B9-0000/2019),
 - having regard to Rules 136(5) and 132(2) of its Rules of Procedure,
 - having regard to the motion for a resolution of the Committee on the Environment, Public Health and Food Safety,
1. Welcomes the zero pollution ambition for a toxic-free environment;
 2. Calls on the Commission to come up with a chemicals strategy for sustainability that effectively ensures a high level of protection of human health and the environment, minimising exposure to hazardous chemicals;
 3. Stresses that the new strategy should be coherent with, and complementary to, the other policy objectives of the Green Deal;
 4. Considers that the chemicals strategy should achieve coherence and synergies between chemicals legislation (e.g. REACH, CLP, POPs, mercury, plant protection products, biocides) and related Union legislation, including specific product legislation (e.g. toys, cosmetics, food contact materials, construction products, packaging), general product legislation (e.g. eco-design, eco-label), legislation on environmental compartments (e.g. water and air), as well as legislation on industrial installations (e.g. IED, Seveso III Directive);
 5. Stresses that the chemicals strategy has to be aligned with the hierarchy of actions in risk management that prioritises exposure prevention, elimination and substitution over control measures;
 6. Stresses that the strategy should fully reflect the precautionary principle and the polluter pays principle;
 7. Highlights that the new chemicals strategy should be based upon robust and up-to-date scientific evidence and that subsequent regulatory action should be accompanied by impact assessments, taking into account the input of relevant stakeholders;
 8. Reaffirms that all regulatory gaps in EU chemicals legislation should be closed and that the new chemicals strategy should effectively contribute to the rapid substitution of substances of very high concern and other hazardous chemicals, including endocrine disruptors, very persistent chemicals, neurotoxicants and immuno-toxicants, as well as tackling the combination effects of chemicals, nano-forms of substances and exposure to hazardous chemicals from products; reiterates that any ban of these chemicals should take all aspects of sustainability into account;
 9. Underlines the need for a clear commitment to securing funds for improved research into safer alternatives and to promoting substitution of harmful chemicals, non-toxic production and sustainable innovation;
 10. Reiterates the need to minimise animal testing with the help of new approach methodologies and calls for increased efforts and funds to this end with aim to

establish non-animal based safety assessments in all relevant legislation, in addition to cosmetics; regrets that there are still barriers to the use and acceptance of alternative (non-animal) test methods for regulatory purposes, partially linked to gaps in the available test guidelines⁴, requests action to remedy this situation;

11. Considers that the strategy should extend the use of generic risk assessment across legislation;
12. Calls on the Commission to take all necessary action to ensure that combination effects are fully addressed across all relevant legislation, including the development of new test methods and the revision of data requirements, where necessary;
13. Welcomes the ‘one substance – one hazard assessment’ principle in order to better use the resources of the Union’s agencies and scientific bodies, avoid duplication of efforts, reduce the risk of diverging outcomes of assessments, speed up and bring consistency to chemicals regulation, and to ensure enhanced health and environment protection and a level playing field for industry;
14. Stresses the need for a more integrated approach towards assessing chemicals with similar hazard, risk or function as a group; calls therefore on the Commission to rely on a grouping approach more widely both in evaluation and in subsequent regulatory actions, to avoid regrettable substitution; stresses that the ‘one substance – one hazard assessment’ approach should not contradict nor prevent the development of a grouping approach to assess families as a whole;
15. Considers that regulatory measures are needed to protect vulnerable groups; calls on the Commission to adopt a cross-cutting definition of vulnerable groups, to adapt risk assessments and to align the protection of vulnerable groups throughout all chemical legislation;
16. Calls for the strategy to improve the implementation of REACH, with regard to registration, evaluation and authorisation; reiterates the principle of ‘no data, no market’; calls for ensuring the mandatory updating of registration dossiers, based on latest available science; calls for transparency with regard to the compliance with registration obligations, and for giving explicit power to ECHA to withdraw registration numbers in case of continued non-compliance;
17. Considers that the evaluation of substances needs both to improve and speed-up;
18. Asks the Commission and the Member States to refrain from authorising substances and approving products with incomplete data sets about health and environment hazards;
19. Calls on the Commission to enable fast, efficient and transparent regulatory control of harmful chemicals, and to develop and implement an early warning system to identify new and emerging risks so as to ensure a rapid regulatory follow-up upstream;

⁴ Findings of the Fitness Check of the most relevant chemicals legislation (excluding REACH) and identified challenges, gaps and weaknesses’ (COM(2019)264).

20. Stresses that the legislation on food contact materials should be revised;
21. Is worried by the many inconsistencies in the Union legislation concerning PBTs/vPvBs as identified in the Fitness check; calls on the Commission to come up with a clear action plan and legislative proposals on how to address all persistent, bioaccumulative and toxic, as well as very persistent and very bioaccumulative, and persistent and mobile chemicals, across all relevant legislation and environmental media, including the action plan to phase-out all non-essential use of perfluoroalkylated substances (PFAS) as part of the chemicals strategy for sustainability;
22. Reaffirms its calls of 18 April 2019 for a comprehensive Union framework on endocrine disruptors (EDCs), in particular to adopt a horizontal definition based on the WHO definition for suspected EDCs, as well as for known and presumed EDCs in line with the classification of CMRs in the CLP Regulation, revise data requirements accordingly, effectively minimise overall exposure of humans and the environment to EDCs, make legislative proposals to insert specific provisions on EDCs into the legislation on toys and cosmetics to treat EDCs like substances that are carcinogenic, mutagenic or toxic for reproduction and to revise legislation on food contact materials to substitute EDCs;
23. Reaffirms its call of 14 March 2013 that EDCs should be regarded as non-threshold substances;
24. Calls on the Commission to introduce new hazard classes in the CLP Regulation (e.g. for EDCs);
25. Stresses that the chemicals strategy for sustainability should improve the assessment of complex substances (e.g. substances of unknown or variable composition (UVCBs)) and registration of polymers, notably by supporting ECHA to develop further the solutions already put in place (e.g. Substance Identity Profile); calls for the development of specific methods to assess this type of substances which allow for a solid scientific based approach and are practically applicable;
26. Calls for full implementation of the plant protection products (PPP) legislation; calls on the Commission to publish the results of the REFIT exercise of the PPP legislation as soon as possible; calls on the Commission to accelerate Europe's transition towards low-risk pesticides and reduce pesticide dependency to meet the objectives of the directive on Sustainable Use of Pesticides and support farmers in doing so;
27. Underlines the worrying delay in the delivery of the review programme and the need to ensure faster and comprehensive safety (re-)assessment of biocides active substances, co-formulants and entire products – including for endocrine disrupting properties – to ensure the protection of citizens health and the environment;
28. Underlines the importance of developing non-toxic material cycles; reaffirms that, in accordance with the waste hierarchy, prevention takes priority over recycling and that, accordingly, recycling should not justify the perpetuation of the use of hazardous legacy substances;

29. Considers that the disclosure of all hazardous chemicals in articles along the supply chain to consumers and waste managers is a prerequisite to achieve non-toxic material cycles;
30. Calls on the Commission to ensure that a user-friendly public information system on hazardous substances present in materials, articles and waste, is swiftly established and made available in all languages of the Union;
31. Points out that the strategy should help the chemical industry to reach climate-neutrality and the zero pollution objectives as well as support the good functioning of the internal market while enhancing the competitiveness and innovation of EU industry;
32. Calls for support to be given to SMEs to help them comply with EU chemical legislation;
33. Stresses that legislation is key to give direction to the necessary innovation for the transition to a circular and sustainable chemicals sector and long-term investments;
34. Highlights the need for Union chemicals legislation to provide incentives for sustainable chemistry, materials (including plastics) and technologies, including non-chemical alternatives, that are safe and non-toxic by design;
35. Recalls that the fee income received by the ECHA will be substantially reduced; calls for a sustainable funding mechanism, in order to ensure its proper long-term functioning and to remove the inefficiencies due to the separation of budget lines, providing the resources needed to meet the increasing demands on its current work and sufficient additional resources for any additional work required;
36. Calls for full implementation of Union chemicals legislation; calls on Member States to devote sufficient capacities to improve the enforcement of EU chemicals legislation and for the Commission and ECHA to provide adequate support in doing so;
37. Calls on the Commission to ensure that imported products abide by the same standards as those governing chemicals and products produced in the Union; considers that control checks of non-compliance inside the Union and at its borders should be enhanced;
38. Considers that the Union chemical safety standards should be promoted internationally;
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39. Instructs its President to forward this resolution to the Council and the Commission.