

**Question for written answer E-003022/2017
to the Commission**

Rule 130

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Subject: Stainless steel and the CLP system

Metallic alloys behave differently from their constituents. Stainless steel, which is used when safety and hygiene are particularly important, such as in food processing or hospital equipment, contains 'classified substances' like nickel and cobalt. As the classification, labelling and packaging (CLP) system only takes contents into account, stainless steel is thus considered hazardous.

Article 12(b) and the labelling derogations of the CLP Regulation are of little use when legislators decide to refer to the CLP system and fail to consider risk or route of exposure, and consequently impose rigid restrictions and bans that affect alloys in order to eliminate the use of harmful substances.

Article 35 of the EU Charter of Fundamental Rights states that 'a high level of health protection shall be ensured in the definition and implementation of all the Union's policies and activities'. This requirement is jeopardised if proven materials like stainless steel are being replaced by inferior substitutes because of the non-scientific CLP system.

In view of this conflict between common sense, science and the implementation of the CLP Regulation:

1. How will the Commission ensure that metallic alloys benefit from a science-based classification that is recognised by other legislation and initiatives?
2. Does the Commission support the standardisation and implementation of the bio-elution test methodology for collecting scientific information on the hazards of metallic alloys?
3. Could the Commission establish a 'white-list' or 'fast-track derogation' for materials proven to be safe?