Online information session

Call for evidence on possible restriction of microplastics

12 March 2018

11:00 – 12:30 Helsinki time

With you today

Mark Blainey
Process coordinator: restrictions

Evgenia Stoyanova
Socio-economic analyst

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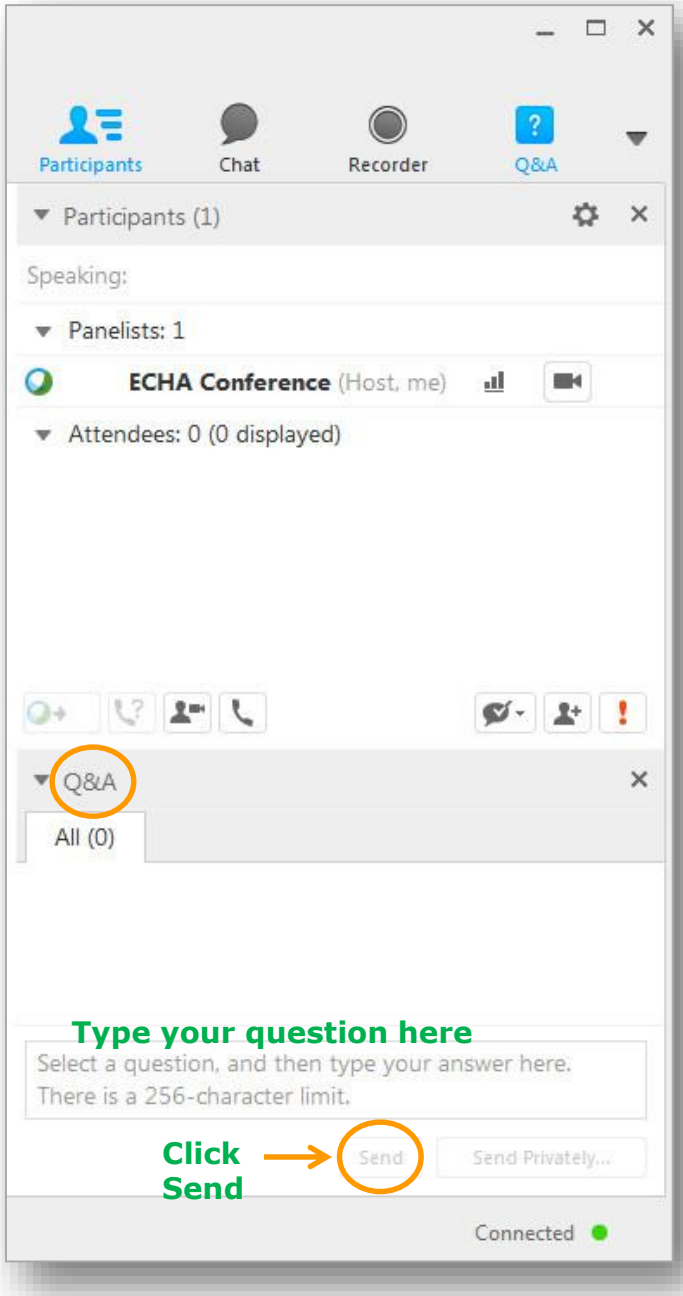
Senior Scientific Officer

To ask a question

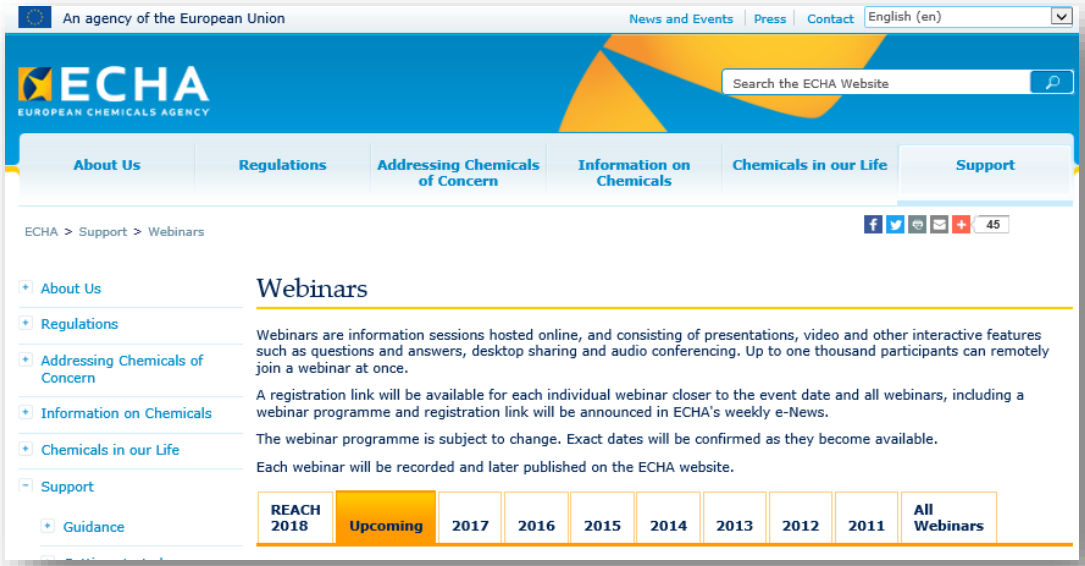
- Use the Q&A panel
- We will answer as many questions as we can today
- We will answer any remaining questions afterwards
- Q&A document published ASAP
- Questions after the event to www.echa.europa.eu/contact
- All press enquiries to press@echa.europa.eu



Recordings published

- On our YouTube channel YouTube.com/EUchemicals

- Webinar material on our website



Objective of the information session

- To introduce the REACH restriction procedure
- To outline the scope of our investigation into 'intentionally used' microplastics in products
- To help potential respondents to decide if and what information they should submit in the call for evidence.
- To clarify any elements of the information requested
- Not a debate about whether a restriction is needed
- Not an information session for the oxo-degradable plastics restriction work (call for evidence in April)

Introduction to REACH
Restriction procedure

Restrictions under REACH

- Any condition on the manufacture/import/use of a substance (also in a mixture/article) – 'safety net'
- Address a risk that is not adequately controlled
- Action needs to be taken at the Union level
- ECHA investigate the need for a restriction based on request of COM (12 months)
- Information gathering/analysis may show – no need for action under REACH or different scope from COM request

Registry of Intentions (ROI)

Name	EC / List no.	CAS no.	Status	Expected date of submission	Submitter	Co-submitter	Details on the scope of restriction	
formaldehyde and formaldehyde releasers	-	-	Intention	11/01/2019	ECHA		Restriction of formaldehyde and formaldehyde releasers in mixtures and articles for consumer uses	
microplastics	-	-	Intention	11/01/2019	ECHA		Restricting the use of intentionally added microplastic particles to consumer or professional use products of any kind.	
Octamethylcyclotetrasiloxane (D4); Decamethylcyclopentasiloxane (D5); dodecamethylcyclohexasiloxane (D6)	-	-	Intention	11/01/2019	ECHA		Leave on personal care products and other consumer/professional products (e.g. dry cleaning, waxes and polishes, washing and cleaning products) containing D4/D5/D6 in concentrations > 0.1% shall not be placed on the market. In addition, wash off and rinse off cosmetic products containing D6 in concentrations > 0.1% shall not be placed on the market.	

Risk considerations

- Risk assessment according to Annex I of REACH
  - Threshold - DNEL/PNEC approach
    - Hazard
    - Exposure
    - Risk characterisation
  - PBT/vPvB/non-threshold – qualitative/semi-quantitive approach.
  - Other effects - for which the above are impracticable, risks are assessed on a case-by-case basis.

Impact considerations

- Effectiveness of proposed measure: key criteria for justifying a restriction on EU-wide basis:
  - Targeted to the exposure or risks
  - Capable of reducing these risks
  - Proportionate to the risk:

    Costs vs Benefits of proposed measure

SEA in Restrictions

Costs

- Economic, e.g.,
  - Arising from transition to alternatives
  - Negative impacts on the supply chain
- Social impacts
- Wider economic impacts

Benefits

- Human health
- Environmental

Submission of the Dossier

- Submitted in Annex XV format:
  - Problem identification
  - Impact Assessment
  - Uncertainties and assumptions
  - Conclusions
- Report made publicly available: within 2 weeks of submission.
- Opinion making process begins:
  - Conformity check
  - RAC/SEAC evaluation of the dossier

Scope of our investigation into ‘intentional uses’ of microplastic particles

Why are we investigating microplastics?

- Recent scientific studies suggest that microplastic particles may pose a threat to the aquatic environment
- A number of Member States have already taken measures to ban the use of microplastic particles (e.g. microbeads) in some products for consumer and other uses
- Commission requested ECHA to develop an Annex XV restriction dossier (submission date 11 Jan 2019)

Existing or planned regulation

County	Brief details
France	'rinse-off' cosmetics – exfoliate and cleanse – solid plastic particles – *Jan 2018*
Italy	microplastics with scrubbing function – *2020*
UK	'rinse-off' cosmetics – all microplastics - Jan 1, 2018 (formulation), June 30, 2018 (sale)
Sweden	'rinse-off' / 'spat-out' cosmetics – cleanse, exfoliate, polish functions *- Jul 2018 with 6 months for stocks*
US	'rinse-off', including toothpaste – cleanse, exfoliate, polish functions *- mid-2017 & 1yr transition for drugs*
Canada	toiletries that contain plastic microbeads - *Jan 2018 + 6 m for drugs*
NZ	wash-off cosmetics and heavy-duty hand cleansers and abrasive cleaning products, including household, car or industrial cleaning products - *June 2018*
EU	'Rinse-off' cosmetics containing 'micro-plastics' are no longer eligible for EU Ecolabel. Commission decision 2014/893/EU

Scope of our investigation

- We will investigate a restriction on 'intentional uses' of microplastic particles
  - Microplastic particles 'intentionally added' as ingredients to a product
  - Products that are designed with the knowledge that microplastic particles are 'intentionally released' during their life-cycle
- Complementary scope to the Commission's study on microplastics created during the lifecycle of a product through wear and tear, or emitted through accidental spills - http://www.eumicroplastics.com

Scope of our investigation

- The initial scope of our investigation is deliberately wide
- Intentional use in products of any kind (across all sectors)
- To ensure we fully understand diversity of uses across relevant sectors
- The scope of any proposed restriction will be based on the information we receive and our analysis of risks and socio-economic impacts

Known intentional uses

Use	Estimated tonnages
Cosmetics / PCPs - 'Rinse off' - 'Leave on' - Super-absorbents (nappies)	 714 – 793 tonnes/yr & ↘ 540 – 1 120 tonnes/yr
Paints & coatings	>220 tonnes
Detergents & cleaning products	190 – 200 tonnes
Industrial abrasives - Sandblasting	 1 000 – 5 000 (burned?)
Oil & gas - in drilling fluids	Use in offshore exploration can be substantial
Agriculture - Nutrient prills - Controlled release coatings - Soil additives…	Up to 8 000 tonnes of polymers – no info on share of microplastics

‘Working’ definition of microplastic

- *‘Any polymer-containing solid or semi-solid particle having a size of 5mm or less in at least one external dimension”*
  - Potential definitions of solid and semi-solid in background document
- Definition implies assessment (but not necessarily restriction):
  - All relevant sectors (not limited to cosmetics or personal care)
  - All potential functions of microplastic particles (not limited to exfoliating or cleansing)
  - Intentional uses of ‘biodegradable’ or ‘bio-based’ microplastic particles
  - Intentional uses of ‘nanoplastic’ particles
  - Intentional uses of non-carbon based polymers (e.g. polysiloxanes) in particles
  - Intentional uses of hydrogel polymers in particles

Key challenges (known info needs)

- Scope
  - Appropriate definition of microplastic particles
  - Identifying and understanding the uses and sectors affected
- Risk assessment
  - Releases (particularly for some types of use e.g. paints)
  - Nature of the hazard / risk
- Analysis of alternatives (some uses)
  - Function of microplastic particles in products
  - Technical and economic feasibility of alternatives
- Socio-economic analysis
  - Costs – costs for affected industry / society
  - Benefits - valuation of environmental benefits

Timeline (2018)

Q1
- Project scoping and planning
- **'Call for evidence' (10 weeks until 12 May 2018)**
- Literature review

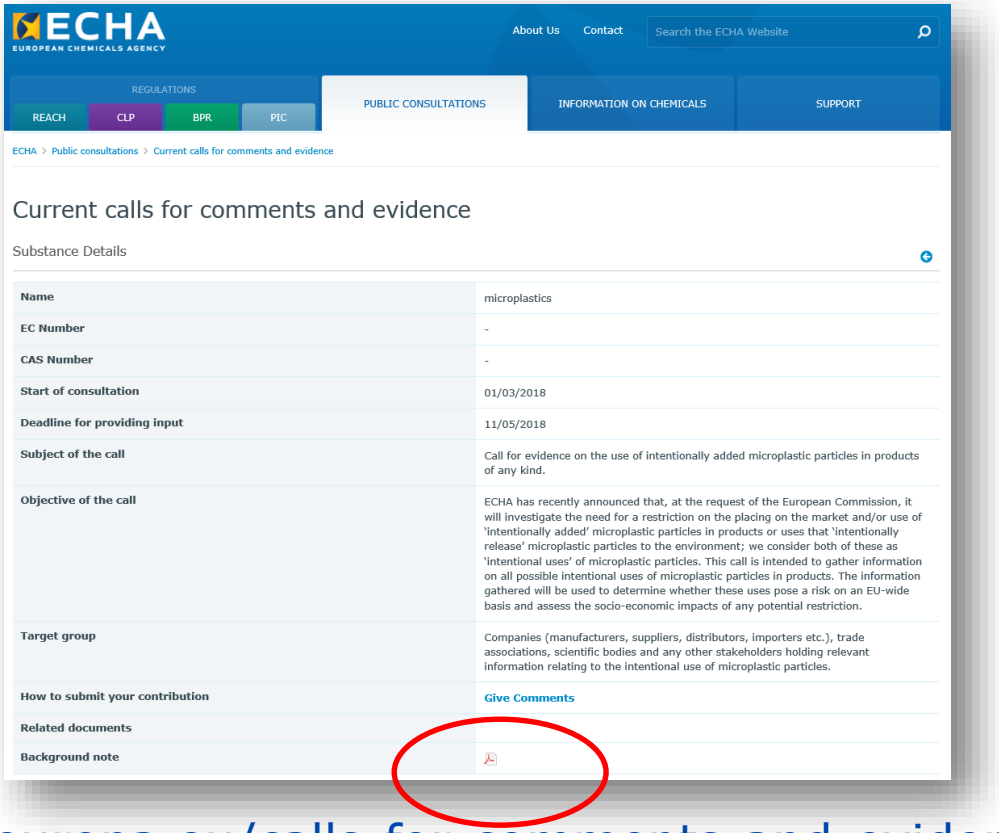
Q2
- Internal 'problem identification document' (April/May)
- Stakeholder workshop (end of May) – **Invitation only**
- Further information gathering

Q3
- Annex XV report writing

Q4
- Finalisation of Annex XV report for submission in Jan 2019 (if restriction proposed)

Call for evidence

- Open until 11 May 2018



echa.europa.eu/calls-for-comments-and-evidence

Specific evidence and information requested

Q1 'Working definition'

- Our objective is to adopt an appropriate, unambiguous, definition
- Should be relevant to the potential risks
- We know that there are other definitions and that the working definition is likely to evolve
  - e.g. to take into account solubility, particle definition, min/max dimensions
- Please share your views on the proposed working definition
  - Relevance to risk
  - Impacts (and unintended consequences)
  - How could it be improved

Q2/3 Manufacture, use and function of microplastic particles

- We have information on some uses, but we do not consider that this is comprehensive
- We also do not know which actors in the supply chain produce microplastic particles
- Background document lists the types of information we are interested, for example:
  - Polymer identity, technical function, particle size distribution, particle morphology, degradability, potential for release.
- The list should not be considered exhaustive

Q4 Information on alternatives

- Specific information includes:
  - Identity of existing or emerging alternatives
  - Existing market share of comparable products that use alternatives
  - Technical and economic information on alternatives
    - E.g. product performance, price differences, number of products that may require reformulation, reformulation costs and timelines to transition
  - Availability of alternatives in sufficient quantities on the market: current and future trends

Q5 Information on socio-economic impacts

- Our investigation will consider the relative costs and benefits of a restriction on affected actors along the supply chain, from manufacturers of microplastics to end-users
- To do this we need information on how the supply chain (and society as a whole) will react to a restriction
  - E.g., transition to alternatives, discontinue certain products, etc.
  - Information could also include key economic parameters such as turnover of the concerned sector(s), the number of people employed, current share of products containing microplastics, etc.

Information on hazard and risk

- We note that this is an area of intensive research
- We will undertake our own review of published literature
- However, you are welcome to tell us why particular studies should be considered as relevant
- Please also inform us of relevant ongoing research that will report during 2018 or 2019

Who should participate

- Any interested party
  - Manufacturers, suppliers, distributors, importers
  - Trade Associations
  - Scientific institutions and academics
  - NGOs
  - Members of the public
- Respondents should try to share as much information as they can, but we know that time is short
- Derogations from any restriction are possible, but can only be justified with adequate information and analysis

Question and Answer session

Q&A panel

Mark Blainey
Process coordinator: restrictions

Evgenia Stoyanova
Socio-economic analyst

Peter Simpson
Senior Scientific Officer

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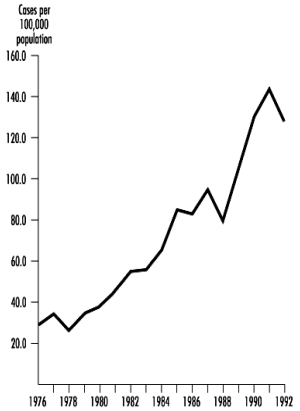
How are restrictions initiated

- Screening (ECHA/MS)
- SVHC (candidate list)
- Commission review report (ECHA)
- Identification of a problem e.g. disease
- National issue (Political?)
- Market harmonisation
- Voluntary agreement
- Commission request



Annex XV Dossier preparation – Timing

- Member States:
  - No time limit
  - notify (RoI) 12 months before ready to submit
  - submission within 12 months
  - ECHA offers support and possibility for call for evidence
- ECHA to prepare and submit dossier within **12** months from the request of the COM

Dossier preparation – RoI

- Aims of RoI
  - allows co-ordination and co-operation between the MSs and ECHA
  - allows the interested parties to provide information for the MS/ECHA preparing the dossier (informal communication)
  - …and to prepare themselves for the commenting period

Current Restriction intentions

- Registry of Intentions

Name	EC Number	CAS Number	Details on the scope of the restriction	Expected date of submission	
Microplastics	-	-	Restricting the use of intentionally added microplastic particles to consumer or professional use products of any kind.	11/01/2019	Details
Oxy-degradative plastics	-	-	Restricting the placing on the market and use of oxy-degredative plastics in various products for consumer and professional use.	11/01/2019	Details

Annex XV: Dossiers for restriction proposal

- Proposal
  - Identity of substance(s), restriction proposal and summary of the justification.
- Information on hazard and risk
  - The risks to be addressed according to Annex I.
  - Evidence that implemented risk management measures are not sufficient.
- Information on alternatives
  - Available information on alternative substances and techniques:
    - risks to human health and the environment,
    - availability
    - technical and economical feasibility.

Annex XV: Dossiers for restriction proposal

- Justification:
  - action required on Union-wide basis,
  - restriction is the most appropriate Union wide measure:
    i. effectiveness (targeted; capable of reducing the risks and proportional to the risk)
    ii. practicality (implementable, enforceable and manageable)
    iii. monitorability.
- Socio-economic assessment
- Information on stakeholder consultation