

ECHA strategy on substitution with safer alternatives

48th Meeting of the Management Board 14-15 December 2017

Key messages

The Management Board is invited to take note of ECHA's strategy to promote substitution to safer chemicals through innovation.

The purpose of the strategy is to accelerate substitution, supporting and complementing the stimulus provided by the EU chemicals *acquis*. The four action areas proposed in this strategy are incorporated in ECHA's Programming Document 2019-23 which focusses also on the safe and sustainable use of chemicals by industry.

ECHA envisages to plan the implementation of the substitution strategy as part of in its future annual work programmes, starting 2018. The learnings from activities implemented in 2018 will help in further developing the substitution strategy from 2019 onwards.

Background

EU chemicals regulation aims at ensuring a high level of protection of human health and the environment both for present and future generations while also ensuring the efficient functioning of the internal market and the competitiveness of the European chemical industry. REACH, CLP and BPR have been designed to provide pressure on and incentives for industry to replace hazardous substances with less hazardous ones. ECHA clearly supports substitution both directly and indirectly by ensuring that these regulations are successfully implemented.

In 2016, ECHA started to develop a strategy for substitution. A first milestone in August 2016 was a study¹, which was discussed at Caracal. Based on the feedback it prepared a "thought starter" along with a scoping document. These were consulted with Caracal in June 2017². Based on the feedback ECHA held a Workshop on substitution strategy in October 2017³. The attached *Strategy to promote substitution to safer chemicals through innovation* is based on these earlier documents, the feedback received from the Commission, Member States and stakeholders.

Rationale

ECHA's Programming document identifies several themes which are relevant for substitution:

- Promoting best practice examples of increased substitution of hazardous substances, green chemistry and sustainability in the supply chain;
- Promoting a mind-set and behavioural change within industry towards sustainable and safer chemicals. Collaborating with industry associations in raising awareness in

¹ "Improving the Identification, Evaluation, Adoption and Development of Safer Alternatives: Needs and Opportunities to Enhance Substitution Efforts within the Context of REACH" (9 August 2016). Available at https://echa.europa.eu/documents/10162/13630/substitution_capacity_lcspp_en.pdf/2b7489e1-6d96-4f65-8467-72974b032d7b

² The public version of the "Thought starter" is available at https://echa.europa.eu/documents/10162/13630/substitution_strategy_thought_starter_en.pdf/d1158bef-a5aa-9dd4-fb70-9a1fdb82cc93. The study "Approaches for Accelerating Substitution under REACH and Beyond: Strategic Options Assessment (31 July 2017) is available at https://echa.europa.eu/documents/10162/13630/lcspp_strategic_options_july_2017_en.pdf/f47e53e4-a9e8-28b8-037c-779cbbbed2e23

³ Workshop on substitution strategy 9-10 October 2017. For details, see <https://echa.europa.eu/-/workshop-on-substitution-strategy-9-10-october-2017-echa> and in particular the study

developing and providing tools for sustainability assessments of chemical supplies.

The overall purpose of ECHA's substitution strategy is to support informed and meaningful substitution of chemicals of concern in the EU and to boost the availability and adoption of safer alternative substances and technologies. This will take place through four action areas:

- (i) Further improved access to ECHA data,
- (ii) Increased capacity in Member States and stakeholders to carry out analyses of alternatives,
- (iii) Facilitating access to funding and support for innovation, and
- (iv) Enhanced networking.

Substitution contributes to the overarching EU objectives for a non-toxic environment and a circular economy wherein innovation and sustainable production and consumption are key elements. The progressive substitution of substances of very high concern by suitable alternatives is also one of the aims of REACH authorisation.

Substitution is a business critical consideration. Changing the mind-set of industry along the whole value chain (i.e. including the end-products users/retailers, which do not necessarily use the substances of concern themselves but can trigger substitution initiatives) and government agencies is essential in order to achieve a stronger cultural foundation for substitution in the EU. The mind-set change embraces the view that substitution should not be regarded in isolation and in response to regulatory pressure or intervention but is part of an innovation activity that creates business opportunities and has environmental and health benefits. Substitution can therefore be seen as an essential building block for reaching the UN 2020 and 2030 Sustainable Development Goals.

In this regard, reference can also be made to the study that ECHA recently commissioned to gather insights on the impact of REACH & CLP implementation on industry's strategies in the context of Corporate Sustainability Strategies⁴.

Resources

The resource implications for the implementation of the strategy in the years to come will naturally depend on the scale of ECHA's involvement and success in the four action areas. ECHA has currently allocated about three full time equivalents (FTE) for 2018 for substitution activities with a view of increasing resources for 2019-21. The planning of the activities from 2019 onwards will be based on the experience gained in 2018. ECHA's substitution activity depends strongly on how Member States and stakeholders collaborate to promote substitution. The availability of sufficient resources and the level of ambition will have to be balanced against this interest.

Implementation and follow up

ECHA envisages to prepare a concise annual report to document what progress has been made in the implementation of its substitution strategy. The report would also highlight how the implementation of the strategy would need to be changed in the following years. These elements will also be included in the General Report.

ECHA will explore the possibilities for developing (quantitative or qualitative) indicators for the four action areas that could help in analysing the success of the strategy, (e.g. number of workshops organised, participants' satisfaction scores, amount of R&D funding supporting substitution, number of network teleconferences, etc.). After a few years, surveys or studies would be conducted to depict a more accurate picture of how the implementation of the present strategy has contributed to supporting substitution.

⁴ See "*Insights on the impact of REACH & CLP implementation on industry's strategies in the context of sustainability*". 15 September 2017. Report prepared for ECHA. Available at: https://echa.europa.eu/documents/10162/13637/echa_css_report_without_case_studies_en.pdf/a0a6f46f-16c8-fbea-8b41-9ff683aafe5c

Drawbacks

If ECHA would not further engage itself in the activities proposed in this strategy to promote substitution, it would not be able to meet the expectations of all stakeholders in this field.

Attachment:

- Annex: Strategy to promote substitution to safer chemicals through innovation

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