

BeST's comments on the Generic Risk Management Approach

BeST

The Beryllium Science and Technology Association (BeST) represents the manufacturers, suppliers and users of beryllium metal, beryllium containing alloys and beryllium oxide ceramics in the EU market. BeST has the objective of promoting sound policies, regulations, science and actions related to the use of beryllium and to serve as an expert resource for the international community on the benefits and criticality of beryllium applications.

Introduction

The extended application of the Generic Risk management Approach (GRA), announced in the Chemicals Strategy for Sustainability (CSS), would allow the European Commission to propose regulatory action targeting chemicals/substances on the sole basis of their intrinsic hazard properties, independently from exposure and risk. The declared objective of the GRA is to accelerate the substitution of the most harmful chemicals/substances according to their CLP classification.

Comments

Considering the discussions during the stakeholder workshop held on 21 March 2022 and the documents disclosed to stakeholders, BeST submits the following key messages:

- **A risk-based approach constitutes a more efficient streamlining tool** – The extension of the GRA represents a departure from the current risk-based regulatory approach which will erase decades of risk management assessments and measures already implemented at EU level as well as result in duplication of efforts for both industry and authorities. Indeed, over the years, industry has implemented effective and efficient risk management measures allowing the safe use of hazardous materials in strategic and commercial applications. A risk-based approach should therefore be preferred, confirming that a substance proven to be safe should not fall in the scope of the GRA.
- **Need for a scientific and transparent validation process** – The discussion and validation of uses potentially impacted by the extension of the GRA in absence of indication of the specific substances targeted by the extension of the GRA, as in the workshop, constitutes an assumption driven exercise with limited scientific basis.
- **Inclusion of clear definitions** – Clear and specific definitions for 'most harmful chemicals/materials', and 'consumer, industrial and professional uses' are necessary to allow the assessment of the impact of the extension of the GRA and guarantee legal and regulatory certainty.
- **Coordination with other regulatory policies** - A coordinated framework, streamlining resources and considering parallel regulatory actions, specifically the Essential Use Concept and the Safe Use Concept, is of pivotal importance. The European Commission's decision-making should be supported by RMOAs to determine the most appropriate risk management option for a given substance instead of a sweeping implementation of the GRA.

Conclusions

BeST stresses, once again, the need for a coherent and balanced approach. Several regulatory actions stemming from the CSS are currently being developed in parallel and it is of utmost importance that these are developed in coordination, coupled with proper impact assessments to determine benefits and drawbacks. To meet the green deal challenges, we will need to use hazardous chemicals. Simplistic and unscientific statements on phasing out hazardous chemicals will be counterproductive. A real risk-based approach is essential: Risk = Hazard x Exposure.

These regulatory actions must be attentive to the needs of EU industry, consumers and society to guarantee industry and innovation in the EU, resilient EU supply chains, societal wellbeing and achievement of the overall objectives of the EU's Green Deal.