

EFCC comments on the REACH revision following the 54th CARACAL meeting of 3 April 2025

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EFCC believes that the current REACH regulation functions well and already provides a high level of protection for human health and the environment. Nevertheless, based on the experience gained over the past years, some improvements could be incorporated into the revised REACH to support smoother implementation and ensure that the regulation remains fit for purpose over the next 20 years.

EFCC welcomed the European Commission's commitments outlined in the Clean Industrial Deal to simplify legislation, reduce unnecessary administrative burden, and support the competitiveness, resilience, and sustainability of European industry. These priorities were reconfirmed in the Competitiveness Compass roadmap, which identifies simplification as essential to underpin competitiveness across all sectors, calling for a "drastic reduction of regulatory and administrative burdens."

In light of these recent high-level commitments for simplification, EFCC members were disappointed by the limited changes presented in the REACH revision proposals shared at the CARACAL meeting on 3 April. Compared to earlier draft proposals, only minor adjustments were made.

This meeting appeared to be the only opportunity for stakeholders to be informed and consulted on the REACH revision, yet significant uncertainty remains regarding the specific measures that will be proposed and no impact assessments were presented to demonstrate that the changes would simplify requirements or avoid additional burdens on industry.

We call on the Commission to provide more information and clarity regarding the planned measures and their expected impact on industrial competitiveness.

Specific comments

We welcome the planned **digitalisation** of supply chain communication and support efforts to facilitate the extraction of information from Safety Data Sheets (SDSs). However, we would like to reiterate that the **volume and complexity** of SDSs should also be reduced.

We support the introduction of a **Digital Product Passport (DPP)** under REACH but note that there is currently a lack of clarity regarding how this will be implemented. It is critical that

the DPP does not impose additional burdens on manufacturers and that the system is interoperable with other legislative frameworks requiring DPPs.

In the construction chemicals sector, the Construction Products Regulation (CPR) already mandates the creation of a DPP for most products. It is therefore essential that the DPPs required under REACH and CPR are compatible and do not result in redundant work for companies. Furthermore, any confidential business information (CBI) shared through DPPs must be protected and accessible only to the relevant authorities.

We support the introduction of a structured process for **early data collection and analysis**, followed by **prioritisation** and selection of the most appropriate regulatory tool (not limited to REACH) for each substance. This approach can help avoid overlapping regulation and ensure efficient resource use. Importantly, industry needs regulatory **predictability** in order to make informed investment decisions.

We were pleased to hear that REACH enforcement is a high priority and that efforts will be made to strengthen enforcement capacities across the EU. Moreover, compliance for imported chemicals is also expected to improve through reinforced customs controls and enhanced cooperation among competent authorities, along with plans to empower OLAF to investigate cross-border infringements, distant sales, and similar issues.

However, we stress the importance of **enhancing and connecting existing systems and authorities** rather than creating new layers of complexity and of ensuring that the necessary tools and training are in place.

Registration of Polymers

We understand that the proposal to require **notification and registration of polymers** has been maintained. Like many other sectors, EFCC has previously highlighted that this would impose significant **administrative and financial burdens** on both industry and ECHA, without delivering proportional benefits for health and environmental protection.

Key concerns include:

- **Lower hazard of polymers:** Polymers, which are generally made from already registered monomers, are less hazardous than the monomers themselves. This is because they are less reactive, due to the reduced spatial availability of polymer-bonded functional groups. For example, polymers typically have low vapour pressure, so emissions into the air are not expected; additionally, their higher molecular mass means they cannot easily pass through biological membranes, making them less hazardous to both the environment and human health.
- **Impact of notifications and registrations:** Notification would require detailed chemical descriptions and volume data. Gathering and compiling this information would demand substantial resources. Many downstream users, including SMEs, would effectively become registrants—particularly for niche applications using specifically modified polymers.

If polymer registration is introduced and downstream users become registrants, it is essential to ensure that the planned 10-year registration validity limit can be reset

through a simple review, without this mechanism becoming a new tool to pressure companies into extensive updates.

- **Difficulty of grouping:** The Commission is currently working on defining the criteria for grouping polymers, based on the assumption that many polymers share similar characteristics. However, grouping polymers is challenging because their properties can vary significantly depending on the reaction conditions—such as temperature, pressure, and catalysts—used during polymerisation. Even small changes in the polymer chain can lead to substantial differences in properties. For this reason, read-across between different polymers is often difficult.
- **Confidentiality concerns:** Polymer identification data is often considered confidential business information. Companies must retain the right to protect this knowledge and should not be compelled to disclose it on the ECHA website. Likewise, downstream users may face difficulties obtaining data from suppliers.

Mixture Allocation Factor (MAF)

A blanket application of the MAF would **disproportionately affect formulators and SMEs** without delivering broad benefits in terms of chemical safety.

Unintentional co-exposure is only relevant where substances share a common mode of action, and are used simultaneously at medium or high doses. In most other cases, the MAF would not yield meaningful improvements for human or environmental health. Moreover, substances most likely to contribute to unintentional co-exposure (e.g. pharmaceuticals, pesticides) are either not covered under REACH or are already banned.

Generic Risk Approach (GRA)

In the CARACAL meeting in December 2024, the Commission stated that **professional uses** would be exempt from the GRA. However, in the 54th CARACAL, it was said that both the scope of the hazard classes and the exemption of professional users are still under discussion.

We strongly believe that professional workers should not be treated in the same way as consumers. They are capable of managing the risks associated with hazardous chemicals. Professional users receive information and training on how to handle such substances safely, including the implementation of risk management measures such as the use of personal protective equipment. In addition, occupational safety and health (OSH) measures also apply.

EFCC as member of the Downstream Users of Chemicals Co-ordination Group (DUCC member), and DUCC together with Cefic, are finalising a training platform for the safe use of chemical mixtures by professional users. This will serve as a practical tool, providing additional support for proper chemical handling in professional environments.

In this context, we would also like to reiterate that **chemical regulation must be based on risk and science**, rather than being purely hazard-driven.

Final Remark

We request the Commission to share with us the **impact assessments** carried out for all proposed changes or new concepts, including evaluations of their impact on the industry's competitiveness and how they are expected to reduce administrative burdens.

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EFCC, based in Brussels, is the European Federation for Construction Chemicals and is the European Association representing over 70% of the companies and national federations working in the Construction Chemicals Industry in Europe. The European construction chemicals market was valued at €20.5 billion in 2024. Construction chemicals are mainly used for speeding up the work in construction projects that are under development or in new projects to improve the overall sustainability of the building or construction.

Construction Chemicals are all those chemicals that are used in the construction industry, from admixtures for concrete to mortar systems, flooring applications, sealants & adhesives, waterproofing systems, anticorrosion agents and many other additives & solutions aimed at improving performance, durability, energy efficiency and the overall sustainability of construction and buildings.

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