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Position Paper on the Revision of the CLP Regulation

BeST

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

Introduction

The below views of BeST specifically concern the challenges associated with the procedure foreseen in the Regulation (EC) No 1272/2008 on hazard classification, labelling and packaging of chemicals (the CLP Regulation) for the reclassification of substances.

Our views

The classification of substances under the CLP Regulation should be based on the most **recent and reliable scientific evidence and research** that have resulted from registration and evaluation of substances under the REACH legislation. For many substances classified as hazardous under the CLP, research has evolved to now allow the identification of differing potential health outcomes for different forms of the same basic substance, such as **the differences in health risks between soluble and insoluble forms**.

The dissemination of the correct data according to the form of a substance is fundamental, for example, to allow workers to know more precisely the potential health risks of the substance they are working with rather than general health risks that may or may not apply to the form they are processing. Providing more scientifically accurate classification information will help employers focus on the most relevant necessary controls to best protect their workers.

In reference to the above statements, **several existing CLP classifications should be revised to reflect the more recent and reliable scientific evidence**.¹ In the specific case of beryllium, the CLP classifies insoluble forms of beryllium as having the same health risks of soluble beryllium forms, while more recent scientific evidence demonstrates that the bioavailability and toxicity of insoluble metallic forms and soluble compounds are clearly not the same.

Considering the above and the data available, there would be an opportunity for the reclassification of the material. The reclassification process currently foreseen in the CLP Regulation, however, strongly relies on the action of the competent authorities in Member States. Unfortunately, these authorities often do not have the necessary expertise and resources to proceed with the reclassification process of a substance.

Given the far-reaching applications of the CLP Regulation and the enormous steps taken in research in the past years, it would be, therefore, beneficial to allow **industry to directly trigger a reclassification process without the need to involve Member States and actively participate in the process**. This would allow industry to share the most recent evidence-based scientific findings in an official setting to ensure up-to-date CLP classifications.

Conclusions

BeST encourages co-legislators to consider the possibility of including industry supported reclassification in the revisions to the CLP Regulation or alternatively allow the European Commission to propose

¹ Alan R. Boobis et Al. - Classification schemes for carcinogenicity based on hazard-identification have become outmoded and serve neither science nor society (2016).



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reclassification based on data provided by industry. Indeed, industry is best equipped to provide important, relevant, and necessary data and information to policymakers. This would be in line with the objective of the CLP to correctly classify substances based on the more recent, relevant, and available data.
