

Brussels, 31 May 2021

## 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

In the frame of the Chemicals Strategy for Sustainability (CSS), the European Commission has published the evaluation roadmap for the review of Regulation (EC) No 1272/2008 on hazard classification, labelling and packaging of chemicals (the CLP Regulation).

### Our observations

Without prejudice to BeST's active participation in the envisaged future public and targeted consultation, as scheduled in the roadmap, BeST already raises the following general statements in the frame of the current public feedback:

1. 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. Industry is often best equipped to provide this information and should therefore be actively engaged in all stages of the process.
2. For many substances, 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. When such information is available for a substance and its compounds, workers deserve 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 necessary controls to best protect their workers.
3. In reference to the above statement, several existing CLP classifications should be revised to reflect the more recent and reliable scientific evidence.<sup>1</sup> In the specific case of beryllium, its 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.
4. It is unclear if the Commission will be able to both initiate a Harmonized Classification and Labelling (CLH) process as well as a reclassification process, as is now the case for Member States. A clear and specific framework defining and clarifying the European Commission's role is necessary.
5. Given the far-reaching applications of the CLP Regulation and the enormous steps taken in research in the past years, it would be beneficial to also allow industry to directly trigger a reclassification process without the need to involve Member States. This would allow industry to share the most recent evidence-based scientific findings in an official setting to ensure up-to-date CLP classifications.

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<sup>1</sup> 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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### **Conclusions**

BeST is committed to providing further comprehensive comments once more detailed and descriptive information in the individual proposals is disclosed.

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