

Brussels, 07 June 2023

BeST statement on Green Claims proposal

Introduction

With the present statement, BeST shares its views and recommendations on the European Commission's proposed Directive on the substantiation and communication of explicit environmental claims (Green Claims Directive).

Views and recommendations

- **Supporting industry**

The proposed directive should not disproportionately limit companies' marketing opportunities and business development by introducing excessive and disproportional red tape. Overly ambitious requirements to demonstrate significant positive impact from a life-cycle perspective and absence of any trade-offs will be difficult and costly to implement in the frame of a green claim. A more feasible and realistic framework, streamlining resources and considering parallel regulatory actions, should therefore be considered.

- **Risk instead of hazard**

Introducing a prohibition of environmental claims for products containing hazardous substances would be overly simplistic and counterproductive. Indeed, hazard classifications of substances do not reflect the concrete occurrence of risks associated with the use of a material. A risk-based approach should therefore be preferred, confirming that a substance proven to be safe can contribute to the environmental claim.

- **Avoiding unintended consequences**

The directive, as currently proposed, would result in unnecessary substitution and unintended consequences. 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. On the contrary, the use of the cut-off criteria based on hazard alone would jeopardise the performance of the products by promoting the phasing out of materials that are used safely based solely on their hazardous classification.

- **Avoiding confusion and uncertainty**

The Directive should refrain from referring to concepts that are still in the making and debated by EU institutions, i.e. essentiality for society. Indeed, reference to concepts that have not yet been defined and approved in the frame of EU legislation negatively impacts the investment climate and competitiveness of EU industry while also fueling uncertainty.

Conclusions

BeST encourages EU policymakers to coordinate and develop regulatory and non-regulatory frameworks able to support industry to allow the EU to remain competitive at international level while guaranteeing EU societal well-being.

About 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 safe use of beryllium and to serve as an expert resource for the international community on the benefits and criticality of beryllium applications. It is also the objective of BeST to promote good practices in the workplace to protect workers handling beryllium containing materials.