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Collector: Nano Consult - Industry (Web Link)
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PAGE 2: Section I - Identification

Q1: Please provide the following details (*compulsory):	
Organisation*:	Chemical Industry Federation
Town/City:	Helsinki
Country*:	Finland
Contact name:	Eliisa Irpola
E-mail address:	
Q2: Received contributions may be published on the Commission's website, with the identity of the contributor. Please state your preference with regard to the publication of your contribution:	My contribution may be published under the name indicated
Q3: We might need to contact you to clarify some of your answers. Please state your preference below:	I am available to be contacted
Q4: Did your organisation participate in the online survey (undertaken by RPA/BiPRO for the European Commission in early 2014) on the administrative burden of the notification schemes?	No

PAGE 3: Section II - Organisation Information

Q5: Please indicate which of the following applies to you or your members (tick all that apply):	a) has to notify to the French Notification System , b) has to notify to the Cosmetic Products Notification Portal , c) is a manufacturer of nanomaterials, d) is an importer of nanomaterials, e) is a formulator of mixtures containing nanomaterials , f) is a manufacturer of articles containing nanomaterials without intended release

Q6: Please indicate the four-digit NACE code of your primary and secondary business sector (if applicable). If you require information regarding NACE codes, please visit the European Commission Competition webpage at http://ec.europa.eu/competition/mergers/cases/index/nace_all.html	*Respondent skipped this question*
Q7: Please indicate the number of employees.	*Respondent skipped this question*
Q8: Please indicate the approximate annual turnover of your organisation and the annual turnover which relates to nano-related products (where these include nanomaterials as well as mixtures and articles containing nanomaterials).	*Respondent skipped this question*
Q9: Please indicate the number of nano-related products (where these include nanomaterials as well as mixtures and articles containing nanomaterials) that you place on the national market.	*Respondent skipped this question*
Q10: Please indicate the number of nano-related products (where these include nanomaterials as well as mixtures and articles containing nanomaterials) that you place on the EU market.	*Respondent skipped this question*
Q11: Please indicate the number of nano-related products (where these include nanomaterials as well as mixtures and articles containing nanomaterials) that you place on the global market.	*Respondent skipped this question*
Q12: Please indicate the number of customers and, if applicable, number of suppliers for all your nano-related products combined (where these include nanomaterials as well as mixtures and articles containing nanomaterials).	*Respondent skipped this question*

PAGE 4: Section III – Problem definition and objectives

Q13: Please rate the importance of the following objectives on a scale between 1 (not important at all) and 5 (very important).

a) Provide decision makers, regulatory authorities and professional users with information that allows for an appropriate response to health or environmental risks of nanomaterials	5
b) Provide consumers with relevant information on products containing nanomaterials on the market	4
c) Maintain competitiveness and innovation of businesses bringing nanomaterials or products containing nanomaterials to the market (including SMEs)	5
d) Ensure consumer trust in products containing nanomaterials	5
e) Ensure the availability of relevant information on the presence of nanomaterials or products containing nanomaterials on the market	2
f) Ensure the proportionality of the information requirements and the associated costs and administrative burden.	5
g) Protect confidential business information	4
Please provide additional comments	There is already in place specific legislation covering sensitive products containing nanomaterials, like cosmetics or biocides, which require information for consumers and health authorities. Consumers have also access to information on nanomaterials registered under REACH and their potential application. An inventory is not the right tool for consumer communication.

Q14: To what degree (from 1 - not at all to 5 - fully) does the current legislative framework (including the REACH and CLP Regulations and product-specific legislation) and the currently available databases (including the JRC web platform, see http://ihcp.jrc.ec.europa.eu/our_databases/web-platform-on-nanomaterials) meet the following objectives?

a) Provide decision makers, regulatory authorities and professional users with information that allows for an appropriate response to health or environmental risks of nanomaterials	4
b) Provide consumers with relevant information on products containing nanomaterials on the market	5
c) Maintain competitiveness and innovation of businesses bringing nanomaterials or products containing nanomaterials to the market (including SMEs)	2
d) Ensure consumer trust in products containing nanomaterials	4
f) Ensure the proportionality of the information requirements and the associated costs and administrative burden.	3
g) Protect confidential business information	3
Please provide additonal comments	Cosmetics need already be labelled, if they contain nanomaterials. If consumer products or articles on the market contain nanomaterials, they are normally bound to a matrix or an integral part of the material. The exposure to a chemical in nanoform is highly unlikely.

Q15: To what extent do you agree with the following statements from 1 (strongly disagree) to 5 (strongly agree):

a) The current level of available information on the presence of nanomaterials and products containing nanomaterials on the market is insufficient for an adequate response to health and environmental risks	2
b) The current level of available information on the presence of nanomaterials and products containing nanomaterials on the market is insufficient for informed consumer choice	2
c) The current level of available information on the presence of nanomaterials and products containing nanomaterials on the market is detrimental to consumer trust	1
d) The available information on the presence of nanomaterials and products containing nanomaterials on the market is presented in an incoherent or ineffective way	3
e) The establishment of national registries and notification schemes causes market fragmentation and hampers trade within the internal market	5
Please provide additional comments	Cosmetics need already be labelled, if they contain nanomaterials. If consumer products or articles on the market contain nanomaterials, they are normally bound to a matrix or an integral part of the material. The exposure to a chemical in nanoform is highly unlikely.

PAGE 5: Section IV – Health and environmental aspects

Q16: With regard to health and environmental hazards and risks of specific nanomaterials/types of nanomaterials, please tick the relevant boxes:	I am aware of health and/or environmental hazards of specific nanomaterials/types of nanomaterials , I am aware of specific nanomaterials that are classified as hazardous under Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures , I am aware of DNELs/PNECs/OELs set for specific nanomaterials/types of nanomaterials , I am aware of significant exposure of workers/users/consumers to specific nanomaterials/types of nanomaterials , Please explain your responses (if any, please report the nanomaterials, the health and/or environmental hazards, any relevant classification, any DNELs/PNECs/OELs, any exposure and in which condition): Certain manufactured nanomaterials have hazardous properties (like carbon nanotubes), but the exposure to these is in practice not occurring. Workers and consumers may be exposed to tobacco smoke, urban air particulate matter and other non-manufactured nanos.
Q17: With regard to the past and current use of nanomaterials (tick the relevant box):	I am not aware of any health and/or environmental incidents which have occurred
Q18: The establishment of an EU nanomaterial registry (tick the relevant box):	Would not significantly contribute to reducing the health and/or environmental risks related to the use of nanomaterials , If appropriate, please explain further: When nanomaterial is hazardous, it is that only when in loose form. When nanos are bound to a matrix, material or article, the nanocharacter does not exist anymore. Pure nanoforms need to be registered under REACH, and safety instructions for industrial use is given in SDS.

PAGE 6: Section V – Consumer trust

Q19: In case information on the presence of nanomaterials in your products were made available, what impact do you think this would have on your clients? (Please tick all that would apply)	*Respondent skipped this question*

Q20: Do you believe that the public availability of information on the presence of nanomaterials in products would be likely to...(choose one of the following answers)	c) generate insecurity or stigmatise such products, and thus have a negative effect on the market for the concerned products , Comments: As presence of nanomaterial in product does not mean, that the product is more hazardous than other products, the information could cause confusion among some consumers. If non-hazardous products are being treated in this specific way, it may also pose a challenge to other risk communication and dilute the effect of CLP-labeling, for example.

PAGE 7: Section VI - Innovation and competitiveness

Q21: With regard to innovation, do you believe that information on nanomaterials and products containing nanomaterials that could be gathered in a nanomaterial registry would...(choose one of the following answers)	c) hamper innovation in the EU (e.g. through concerns about confidential business information or through additional costs related to providing information)
Q22: With regard to competitiveness of EU companies manufacturing nanomaterials or products containing nanomaterials, do you believe that information on nanomaterials and products containing nanomaterials that could be gathered in a nanomaterial registry would...(tick all that apply)	e) hamper intra-EU competitiveness, f) hamper the competitiveness of European companies against extra-EU companies , Please explain Such a registry would create additional regulatory burden which affect most SMEs. Nanomaterials register would be difficult to enforce => not level playing field in EU, as enforcement resources differ from country to country

PAGE 8: Section VII – Possible impact of a registry on your company/members of your association

Q23: Overall, how would a possible obligation to notify nanomaterials at the EU level affect your company/the members of your association, assuming that no exemptions were to be made from 1 (no impact) to 5 (significant impact):

a) with respect to nanomaterials on their own	5
b) with respect to nanomaterials in mixtures	5
c) with respect to articles with intended release of the nanomaterials	4
d) with respect to articles containing nanomaterials in general (i.e. in case also articles without an intended release of nanomaterials were to be covered)	4

Q24: Would disclosure of the notified information conflict with the confidentiality of business information?	Yes, there would be a conflict with business information confidentiality

Q25: Do you experience or expect any significant barriers for your company/members of your association from diverging registration obligations in the schemes in France/Belgium/Denmark?	Yes, we foresee significant barriers, If yes, please describe these barriers? Regulatory burden, diverging obligations, endless checking that you comply with the different schemes.
Q26: Is the market for your nanomaterials/products containing nanomaterials significantly different from Member State to Member State?	*Respondent skipped this question*

Q27: In case the European Commission were to recommend a best practice model for national notification schemes based on the experiences in France, Belgium and Denmark, which elements of these systems can be considered as "best practice"?

The European Commission should not recommend national notification schemes

PAGE 9: Section VIII – Possible options and exemptions

Q28: What would be the added value of a notification per use (i.e. for each mixture/article) compared to a notification per substance? – Please consider the usefulness of the information for public authorities, downstream user companies, workers and consumers.

Notification scheme or nanoregister should not be established. It would not bring benefits for authorities, DUs or consumers nor clarity on the need for risk management for nanos. It would create a big regulatory burden.

Q29: Which actors along the supply chain should be subject to notification requirements? (tick all that apply):	Please explain: Manufacturers or importers of nanomaterials already need to register under REACH
Q30: The following should be subject to notification requirements (tick all that apply):	Please explain: Substances and substances in mixtures are already registered under REACH
Q31: Is there a need to exempt certain types of nanomaterials?	*Respondent skipped this question*
Q32: Is there a need to exempt certain uses of nanomaterials?	*Respondent skipped this question*

PAGE 10: Section IX – Nanomaterials Observatory

Q33: If a Nanomaterials Observatory is established instead of an EU-wide registry, what type of information should be collected? (please tick all that apply)	a) Information from existing notification systems, b) Information from market studies on nanomaterials and products containing nanomaterials , c) Information on the use of nanomaterials across Europe , d) Information concerning products containing nanomaterials , e) Information on the hazards and risks of nanomaterials , f) Other (please explain): Publishing information on nanomaterials already regulated at EU level ie used in food, cosmetics, biocidal products as well as substances submitted under REACH would already increase transparency to a large extent and cover most needs.
Q34: How should the information in a Nanomaterials Observatory be presented in order to reach the consumers, workers and authorities?	*Respondent skipped this question*

PAGE 11: Section X - Potential use and benefits of a nanomaterial registry

Q35: In what ways could the information on nanomaterials from registries be potentially useful (tick all that apply):	g) Other purposes (please specify) Before any nanomaterial registry is inititated, there should be clear understanding, why it is needed and for what purposes the information is collected. None of the abovementioned issues would be enhanced by such registry.

Q36: Please give a justification for your views (presented in the previous question) and describe which data would be necessary to allow the desired use (e.g. would information on substances alone be enough for informed consumer purchase decisions, or would this require information for each concerned product):

The administrative burden for companies, the expected negative impact on European nanotechnology and innovations and the cost for authorities of maintaining and enforcing such scheme are significant. As can be seen from the French register, the output provides no benefits for risk management.

Q37: What would be the added value of a European nanomaterial registry beyond the current framework of chemicals legislation, including REACH registration?

No added value has been identified so far.

Q38: Please provide any other comments that you would like to share regarding transparency measures for nanomaterials on the market.

Regulating and registering manufactured nanomaterials more than already is required under REACH and cosmetics legislation is significantly hampering innovations in EU, without any benefit for health or environment. The other aspect is risk communication, which is challenging in many ways:
- nanomaterials as such are not hazardous, they should be regarded case by case
- nanomaterials bound in material or article are no longer available in nanoform, but for example in case of abrasion, nanomaterial is part of the bigger particle
- for any nanomaterials, the risks are best controlled for manufactured nanomaterials compared for example to smoke or urban air.