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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*:	Cabot corporation
Town/City:	Ioncin (Belgium)
Country*:	based in USA with manufacturing and sales operations within EU (BE, CzR,FR,GE,NL,UK); contact in Loncin Belgium
Contact name:	Dr. Valerie Moise
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?	Yes

PAGE 3: Section II - Organisation Information

Q5: Please indicate which of the following applies to you or your members (tick all that apply):	*Respondent skipped this question*
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	2
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	5
Please provide additional comments	Nanomaterials (NMs) are covered under the definition of a substance in REACH regulation. NMs should be regarded and handled as any other substance. In that context data should be gathered by industry in order to perform risk assessments and ensure safe use of the products that are placed on the market. Applications-specific legislation, such as cosmetics or biocides, already requires information on nanomaterials for consumers and health authorities. An inventory is not the right tool for consumer communication. Producers of consumer products do not want to buy /use a raw material which is now defined as nanomaterial while they have been using that material since several years. It even does not matter that the substance re-mains not classified as hazardous per CLP criteria; the [NANO flag] is sufficient to hinder sales. While it is important to communicate to downstream user any safety concern on a chemical substance, another reporting scheme will bring unnecessary focus on nanomaterial and will reinforce the wrong/bad feeling that “nano” means “hazardous”. Nanomaterials are not intrinsically hazardous and this has been recognized in 2011 Eu recommendation definition of a nanomaterial definition.

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	5
b) Provide consumers with relevant information on products containing nanomaterials on the market	3
e) Ensure the availability of relevant information on the presence of nanomaterials or products containing nanomaterials on the market	4
f) Ensure the proportionality of the information requirements and the associated costs and administrative burden.	4
g) Protect confidential business information	4
Please provide additonal comments	Cabot believes that the current regulatory framework adequately addresses the need for risk assessment of nanomaterials. The Eu Commission 2nd regulatory review recognized that NMs are adequately covered by REACH because they meet the definition of a substance and the general obligations for a substance apply. Consumer trust would be increased by a good implementation of the current legislative framework. Additional requirements would constitute an administrative burden for the industry with no guaranty of a positive impact on consumer trust.

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	1
e) The establishment of national registries and notification schemes causes market fragmentation and hampers trade within the internal market	2
Please provide additional comments	The adequate response to health and environment risks is not linked to the information on the presence of NMs in products but to an effective and reliable risk assessment carried out for the whole life-cycle of the substance (as foreseen by REACH and product-specific regulations). The notification to an inventory itself has no impact on public perception. Several different notification schemes represent a burden for industry.

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:**	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): Cabot Corporation is a leading producer of specialty chemicals and performance materials globally. For over 125 years, we have delivered a broad range of products and solutions to customers serving key industries such as transportation, infrastructure, environment and consumer. Our product portfolio includes carbon black, synthetic amorphous silica, fumed alumina and other performance particles – many of Cabot's products now are considered "nanomaterials" by current definitions. Many of these substances were developed decades and decades ago. Some of these historic substances have robust toxicology and epidemiology data sets, which have been reviewed under various EU and international regulatory programs (e.g., USA/OECD HPV, USA EPA NMSP, etc.) – they have been determined and are considered to be substances of low toxicity and are safe when handled properly
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: Actually, as a result of this new "nanomaterial" classification, many of the existing and widely investigated low toxicity substances are being regulated as hazardous substances with repeated risk assessment and evaluation requirements. Scientific data have demonstrated that the hazard profile of nanomaterials cannot be generalized; a nanomaterial's hazard must be evaluated and determined individually. This will not be undertaken by another inventory reporting obligation. This new "nanomaterial classification" creates a huge burden to the industry and dramatically increase the workload as each national inventory has its own specificity and reporting tool requirements. Cabot believes that risk inherent to hazardous nanomaterial can be adequately controlled in using the current regulatory framework (REACH, CLP and already existing application-specific regulations). Most important, communication down the supply chain is made though the safety datasheet. Hence, we do not see the added value of an EU registry with regard to risks control.

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)	b) They would try to avoid those products, Please explain: The notification to an inventory itself has no impact on public perception, but [NANO] labelling has a very negative impact on consumer's behaviour and desires to buy a product that contains a nanomaterial. Nano-free certifications are already requested.
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: [NANO] labelling has a very negative impact on consumer's behaviour and desires to buy a product that contains a nanomaterial.

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)	b) have no significant impact on innovation
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 Manufacturers of a same substance do not all end up with the similar determination that their substance is a nanomaterial which leads to the presence of conflicting info on the market.

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	1
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)	1
Please explain:	Cabot product portfolio includes carbon black, synthetic amorphous silica, fumed alumina and other performance particles – many of Cabot's products now are considered "nanomaterials" by current definitions and will be impacted.

Q24: Would disclosure of the notified information conflict with the confidentiality of business information?

Yes, there would be a conflict with business information confidentiality
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If yes, please elaborate; you may differentiate according to the different information that may be required in a notification scheme (e.g.: if a notification is only per substance and general use, or if the exact use needs to be disclosed): This is not an exhaustive list; several confidential information may be disclosed : - The information linked to the substance identity (characterisation of the NM) - The uses - The quantities put on the market - The name of the customers,

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? Different notification obligations increase the workload for companies not only for filling the notification but also to ensure adequate compliance in schemes that diverge from each other. In addition, it creates confusion at the customer level because the same material can either be considered nano or not.

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"?

- Use of the same nanomaterial definition.
- Allow the transmission of the notification number from a MS scheme to another.
- Transmission of the notification number along the supply chain in order to minimize the burden for companies and protect confidential information.
- Consider as much as possible information as Confidential Business Information in order not to hamper more competitiveness and innovation.

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.

A NM notification/flag as part of the REACH registration dossier of the substance already exists and is a good start for a NM Observatory.

A "uses" notification already exists in the food area, cosmetics and biocides. This encompasses already enough consumer sectors.
For workers and consumer, the best tool to convey information on hazard and adequate risk management measures remains the safety data sheet.

Q29: Which actors along the supply chain should be subject to notification requirements? (tick all that apply):	Please explain: Notification systems/schemes already exist. Cabot does not see the need for an additional one. See Q1 of this section
Q30: The following should be subject to notification requirements (tick all that apply):	Please explain: See Q1 and Q2 of this section
Q31: Is there a need to exempt certain types of nanomaterials?	Yes, certain types of nanomaterials should be exempted from a notification system , If yes, which types should be exempted and why? (in terms of specific properties, available knowledge, absence of hazards, etc.) Notification systems/schemes already exist. See above. Should a new notification be implemented, NMs which have been demonstrated to be non-hazardous per CLP criteria should be exempt.
Q32: Is there a need to exempt certain uses of nanomaterials?	Yes, certain uses of nanomaterials should be exempted from a notification system , If yes, which uses should be exempted and why? (in terms of specific exposure scenarios, available knowledge, absence of hazards, etc.) Notification systems/schemes already exist. See above

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, c) Information on the use of nanomaterials across Europe , 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, biocide 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) none

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):

Not aware of any benefit

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 identified so far. Nanomaterials are not inherently hazardous and should be regulated as any other chemicals.

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