

#43



COMPLETE

Collector: Nano Consult - Industry (Web Link)

Started:

Last Modified:

Time Spent:

IP Address:

PAGE 2: Section I - Identification

Q1: Please provide the following details (*compulsory):

Organisation*:

Town/City:

Country*: Germany

Contact name:

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 but should be kept anonymous

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):

e) is a formulator of mixtures containing nanomaterials

,

j) None of the above

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

Primary business sector (NACE 4 digit code): F43.3

Secondary business sector (NACE 4 digit code): F43.9

Q7: Please indicate the number of employees.

≥ 250 employees

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).

Annual turnover	≥ €50m
Nano-related annual turnover	≥ €50m

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.

Nanomaterials	6 to 10
Mixtures	101 to 250

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.

Nanomaterials	6 to 10
Mixtures	101 to 250

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.

Nanomaterials	6 to 10
Mixtures	101 to 250

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).

Number of customers	more than 100
---------------------	---------------

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 | 3 |
| b) Provide consumers with relevant information on products containing nanomaterials on the market | 3 |
| 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 | 3 |
| f) Ensure the proportionality of the information requirements and the associated costs and administrative burden. | 5 |
| g) Protect confidential business information | 5 |

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 | 2 |
| c) Maintain competitiveness and innovation of businesses bringing nanomaterials or products containing nanomaterials to the market (including SMEs) | 4 |
| d) Ensure consumer trust in products containing nanomaterials | 4 |
| e) Ensure the availability of relevant information on the presence of nanomaterials or products containing nanomaterials on the market | 5 |
| f) Ensure the proportionality of the information requirements and the associated costs and administrative burden. | 3 |
| g) Protect confidential business information | 3 |

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 |
| 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 | 1 |
| c) The current level of available information on the presence of nanomaterials and products containing nanomaterials on the market is detrimental to consumer trust | 3 |
| 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 |

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 not aware of any classified nanomaterials,

I am not aware of any DNELs/PNECs/OELs set for specific nanomaterials/types of nanomaterials

,

I am not aware of any significant exposure of workers/users/consumers to specific nanomaterials/types of nanomaterials

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

,

Please explain (if any, please report the events and any scientific publication):

Nanomaterials in paints and coatings are bound to the matrix. No release of nanoscaled objects during application and service life.

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

PAGE 6: Section V – Consumer trust

<p>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)</p>	<p>d) They would search for more information</p>
<p>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)</p>	<p>c) generate insecurity or stigmatise such products, and thus have a negative effect on the market for the concerned products</p>

PAGE 7: Section VI - Innovation and competitiveness

<p>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)</p>	<p>c) hamper innovation in the EU (e.g. through concerns about confidential business information or through additional costs related to providing information)</p>
<p>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)</p>	<p>f) hamper the competitiveness of European companies against extra-EU companies</p>

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

<p>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):</p>	
<p>a) with respect to nanomaterials on their own</p>	<p>4</p>
<p>b) with respect to nanomaterials in mixtures</p>	<p>5</p>
<p>c) with respect to articles with intended release of the nanomaterials</p>	<p>2</p>
<p>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)</p>	<p>5</p>
<p>Q24: Would disclosure of the notified information conflict with the confidentiality of business information?</p>	<p>Yes, there would be a conflict with business information confidentiality</p>
	<p>, 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): The composition of paint and coatings is definitely important business information which must be kept confidential. This is even more important in case that the exact uses must be notified.</p>

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?
Additional administrative burden to already existing or upcoming registration/notification obligations (e.g. national product registers, notification according to art. 45 CLP)

Q26: Is the market for your nanomaterials/products containing nanomaterials significantly different from Member State to Member State?

No, there is not any significant difference in the national markets for our products

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”?

Notification shall be restricted to materials/uses with significant risk of exposition of man or environment to nanoscaled objects. Stable aggregates of nanoscaled objects and mixtures from which nanoscaled objects are not released (as for liquid paints and coatings, and their dried films) shall be exempted.

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.

No added value, but enormous added bureaucratic burden.

Q29: Which actors along the supply chain should be subject to notification requirements? (tick all that apply):

a) Manufacturers of nanomaterials,
b) Importers of nanomaterials,
Please explain:
If notification is considered to be necessary at all, it should be on substance level and per manufacturer/importer. Uses could be part of notification. Similar approach as under REACH!

Q30: The following should be subject to notification requirements (tick all that apply):

a) Substances,
Please explain:
Information related to substances is considered to be much more useful than information related to an enormous number of formulations

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.)
Nanomaterials which form stable aggregates/agglomerates should be exempted since there is no risk of exposure to isolated nanoscaled objects. Nanomaterials which have been shown to have not hazardous properties should be exempted.

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.)
Only used with intended or foreseeable release of isolated nanoscaled objects should be subject of notification.

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

,

e) Information on the hazards and risks of nanomaterials

Q34: How should the information in a Nanomaterials Observatory be presented in order to reach the consumers, workers and authorities?

Via an internet platform. Information should be related to substances and generic uses rather than to individual products or specific uses.

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):

c) Promotion of safe use of nanomaterials in products

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):

Information should be restricted to nanomaterials classified as hazardous and/or materials/uses with intended or foreseeable release of isolated nanoscaled objects. If information requirements would not be restricted accordingly, the register would become a cemetery for data because the vast majority of the data wouldn't be of any relevance.

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

REACH already covers the evaluation of the substance characteristics, taking into account the physical form including the particle size distribution. Thus, REACH already includes a "Nanomaterial Registry". We do not see an additional value of a new, separate registry for nanomaterials.

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

Information should be focused on possible risks. The information that a product contains a nanomaterial not really useful.

A relevant information would be that a product contains nanomaterials which are classified as hazardous and/or nanoscaled isolated particles will be released under the intended or foreseeable conditions of use.

