#32

**COMPLETE**

**Collector:** Nano Consult - Industry (Web Link)
**Started:**
**Last Modified:**
**Time Spent:**
**IP Address:**

## PAGE 2: Section I - Identification

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| **Q1: Please provide the following details (*compulsory):** | |
| Organisation*: | CEPE |
| Town/City: | Brussels |
| Country*: | BE |
| Contact name: | Emilie Carasso |
| 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

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| **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* |

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| **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).**

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| 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?**

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|---|---|
| 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 |
| 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 | 5 |
| 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):**

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| 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 | 2 |
| d) The available information on the presence of nanomaterials and products containing nanomaterials on the market is presented in an incoherent or ineffective way | 2 |
| 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**

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| **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<br>,<br>I am not aware of any classified nanomaterials,<br>I am not aware of any DNELs/PNECs/OELs set for specific nanomaterials/types of nanomaterials<br>,<br>I am not aware of any significant exposure of workers/users/consumers to specific nanomaterials/types of nanomaterials<br>,<br>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):<br>Nanoparticles are not to be regarded as dangerous just because of their small size. Personal protection measures (such as protection gear during sanding) have to be taken anyhow regardless whether nanoparticles might be present or not. |
| **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<br>,<br>Please explain (if any, please report the events and any scientific publication):<br>here is no evidence that paints, coatings and printing inks containing nanoparticles cause any danger. Scientific studies have proved that nanoparticles are bound into the polymer matrix. |
| **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<br>,<br>If appropriate, please explain further:<br>Introducing a register of nanomaterials will denounce any nanoparticles as dangerous and derogate the intended use. The unintentional emergence of nanoparticles will not be influenced by any register. |

**PAGE 6: Section V – Consumer trust**

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| **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 |

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| **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 |

**PAGE 7: Section VI - Innovation and competitiveness**

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| **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)** | f) hamper the competitiveness of European companies against extra-EU companies<br>,<br>Please explain<br>The establishment of a nanoproduct register which will stigmatize all nanoparticles as dangerous will hinder the production and use as well as R & D in Europe. Non EU countries without legal provisions on nanomaterials will be able to perform research on nanoparticles and produce and use them without obligations. Additionally, the costs related to the registration and testing of nanomaterials would weight down European companies (estimated 20€ per declaration). |

**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):**

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| a) with respect to nanomaterials on their own | 4 |
| b) with respect to nanomaterials in mixtures | 5 |
| c) with respect to articles with intended release of the nanomaterials | 2 |
| 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) | 5 |
| Please explain: | More than 500.000 Mixtures of paints are concerned in Germany only. |

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| **Q24: Would disclosure of the notified information conflict with the confidentiality of business information?** | Yes, there would be a conflict with business information confidentiality<br>,<br>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 formulations are the most important know how of our companies. A disclosure of the formulations must be avoided. |
| **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,<br>If yes, please describe these barriers?<br>The existing schemes all have different definitions, requirements, notification formats and exemptions. Additionally we have linguistic barriers. This raises the costs and the administrative barriers. |
| **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"?**

Nanomaterials not being released during use (e.g. fixed in a matrix) should not be covered by a registry because there is no exposure of consumers to these Nanomaterials. Non hazardous materials (like pigments and fillers) should be exempted as well.

**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.**

Certain nanoparticles may be used in rather large number of products causing registrations. This would mean enormous costs and burden for all downstream users. More appropriate would be the registration of a substance.

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| **Q29: Which actors along the supply chain should be subject to notification requirements? (tick all that apply):** | a) Manufacturers of nanomaterials,<br>b) Importers of nanomaterials,<br>Please explain:<br>Otherwise too many products (millions and millions) would be concerned. |
| **Q30: The following should be subject to notification requirements (tick all that apply):** | a) Substances,<br>Please explain:<br>Otherwise too many products (millions and millions) would be concerned. |

**Q31: Is there a need to exempt certain types of nanomaterials?**

Yes, certain types of nanomaterials should be exempted from a notification system

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If yes, which types should be exempted and why? (in terms of specific properties, available knowledge, absence of hazards, etc.)
Non-hazardous nanomaterials and nanomaterials bound in a matrix like pigments and fillers should be exempted because no risk has been observed.

**Q32: Is there a need to exempt certain uses of nanomaterials?**

Yes, certain uses of nanomaterials should be exempted from a notification system

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If yes, which uses should be exempted and why? (in terms of specific exposure scenarios, available knowledge, absence of hazards, etc.)
Uses in which has been demonstrated that no Nanomaterials can be released.

## 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

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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?**

Internet platform

## 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):**

*Respondent skipped this question*

**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):**

Only in the cases where nanoparticles can be released and have toxic or eco toxic properties, a notification in a register is indicated. If a register is not up to date or too comprehensive it is worthless.

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

As part of the implementation of the new European chemicals legislation REACh substances are subjected to extensive toxicological and eco toxicological studies. So there will be no added value by a nanomaterial registry on the health and safety aspect. The only potential benefit would be if all the national nanoregistries were cancelled out by this European one, lowering the regulatory burden.

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