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COMPLETE

Collector: Nano Consult - Non-Industry (Web Link)

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PAGE 2: Section I - Identification

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

Your name:	Hanns-J. Neubert
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E-mail address:	

Q2: Please indicate if you are responding to this questionnaire on behalf of/as: a) an individual

Q3: 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

Q4: We might need to contact you to clarify some of your answers. Please state your preference below: I am available to be contacted

PAGE 3: Section III – Problem definition and objectives

Q5: 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 | 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 | 3 |
| 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. | 1 |
| g) Protect confidential business information | 1 |

Please provide additional comments

The problem that "nanotechnologies" are only defined over their seize while the kind of substances are neglected, leads to the attempts of the industry to play down risks, either arguing that its substances existed even before the term "nanotechnology" came up and are nothing new (Nanotechnology Industry Association), or it tries to find formulations where substances are just above 100 nm (101 to 110 nm), or it argues that its nanosubstances are strong agglomerations neglecting the fact that gglomerations may dissolute in certain environments. -- It is very important that industry is not allowed to protect "confidential" information. Transparency is the only path to trust.

Q6: 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	3
b) Provide consumers with relevant information on products containing nanomaterials on the market	1
c) Maintain competitiveness and innovation of businesses bringing nanomaterials or products containing nanomaterials to the market (including SMEs)	Do not know
d) Ensure consumer trust in products containing nanomaterials	1
e) Ensure the availability of relevant information on the presence of nanomaterials or products containing nanomaterials on the market	Do not know
f) Ensure the proportionality of the information requirements and the associated costs and administrative burden.	2
g) Protect confidential business information	5
Please provide additional comments	Framework and databases protect fully the confidential business information. This is not acceptable in an open and democratic society.

Q7: 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	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	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	1
e) The establishment of national registries and notification schemes causes market fragmentation and hampers trade within the internal market	2

<p>Q8: With regard to health and environmental hazards and risks of specific nanomaterials/types of nanomaterials, please tick the relevant boxes:</p>	<p>I am aware of health and/or environmental hazards of specific nanomaterials/types of nanomaterials</p>
	<p>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</p>
	<p>I am not aware of any DNELs/PNECs/OELs set for specific nanomaterials/types of nanomaterials</p>
	<p>I am aware of significant exposure of workers/users/consumers to specific nanomaterials/types of nanomaterials</p>
<p>Q9: With regard to the past and current use of nanomaterials (tick the relevant box):</p>	<p>I am not aware of any health and/or environmental incidents which have occurred</p>
<p>Q10: The establishment of an EU nanomaterial registry (tick the relevant box):</p>	<p>Would significantly contribute to reducing the health and/or environmental risks related to the use of nanomaterials</p>

PAGE 5: Section V – Consumer trust

<p>Q11: In case information on the presence of nanomaterials in specific products were made available, what impact do you think this would have on consumers? (Please tick all that would apply)</p>	<p>b) They would try to avoid those products, d) They would search for more information</p>
<p>Q12: 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 6: Section VI - Innovation and competitiveness

<p>Q13: 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>b) have no significant impact on innovation</p>
<p>Q14: 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>c) have no significant impact on intra-EU competitiveness d) have no significant impact on the competitiveness of European companies against extra-EU companies</p>

PAGE 7: Section VIII – Possible options and exemptions

Q15: 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.

In real daily life notifications per substance get lost in memory, especially when the substance in various products is not used very often. Notification per use on the other hand reminds the user every time of the substance in a product. It is too much especially for lower educated people to remember the fact for a substance, the memory on people is simply overstretched. But with notification per use the information is much more present. And information per use is, psychologically, the better practical method than the abstract notification on a substance.

Q16: Which actors along the supply chain should be subject to notification requirements? (tick all that apply):

- b) Importers of nanomaterials,
- c) Downstream users (e.g. re-formulators, manufacturers of products containing nanomaterials)
- ,
- d) Distributors to professional users (e.g. wholesalers)
- ,
- e) Distributors to consumers (e.g. retailers),

Please explain:
 What a question... Of course the downstream and all other users and especially distributors to consumers should always be subject to notification requirements. We have already too many of these especially in the chemical industry who do not have the slightest idea about what they are handling every day.

Q17: The following should be subject to notification requirements (tick all that apply):

- b) Mixtures containing nanomaterials,
- c) Articles with intended release of nanomaterials
- ,
- d) Articles containing nanomaterials without intended release
- ,

Please explain:
 Again: This should be not question, it should be self-evident.

Q18: Is there a need to exempt certain types of nanomaterials?

No, all kinds of nanomaterials should be subject to notification obligations

Q19: Is there a need to exempt certain uses of nanomaterials?

No, all uses of nanomaterials should be subject to notification obligations

Q20: 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,
- d) Information concerning products containing nanomaterials
- e) Information on the hazards and risks of nanomaterials

Q21: How should the information in a Nanomaterials Observatory be presented in order to reach the consumers, workers and authorities?

On the "ingredients list" of a product, e.g. "Nanosubstance: Name(s) of the substance or item". Detailed information under the mentioned name in a nano database/chemicals database like the ones for medicines and for dangerous substances. In addition with a detailed article in Wikipedia.

PAGE 9: Section X - Potential use and benefits of a nanomaterial registry

Q22: In what ways could the information on nanomaterials from registries be potentially useful (tick all that apply):

- a) Risk assessment and/or risk management,
- e) Informed purchasing decisions by consumers,
- f) General education of the public

Q23: 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):

Both: There should be a list of substance accompanied by a list of products containing this substance. And there should be list of products accompanied by a list of all ingredients including the nanomaterials. In addition, a lot more transparency -- even for those consumers who do not want to spend a lot of time with searching for substances -- could be achieved if these information were available on Wikipedia.

Q24: What would be the added value of a European nanomaterial registry beyond the current framework of chemicals legislation, including REACH registration?

It is not necessary to have a separate registry besides REACH, but it should be easily possible to find nanosubstances within the current framework.

Q25: Please provide any other comments that you would like to share regarding transparency measures for nanomaterials on the market.

"Nanotechnology" is a political term which basically has no meaning except the size. Scientists never use that term in their scientific communication. They only use it when it comes to writing research proposals hoping that the term "Nanotechnology" impresses the politicians and grant decision makers. They use it also in public communication, giving rise to as well concerns as hopes and/or hypes. The industry is imaginative in re-defining their nanosubstances as "nano" or "non-nano" depending if it may give rise to risk debates or if it is beneficial as a marketing argument. But more of a concern is that the industry is not open, it does not even tell the amount of nanosubstance produced and sold. But this is necessary for example to perform risk assessments. Thus the foremost measure should be to urge the industry to be as transparent as any normal consumer is when for example when surfing the internet. Openness and proven transparency should be even more a duty, as there is no industry in the nanotechnology business which had developed its products without public funding. The public, which has funded the innovations, has a right to know what the industry does with the substances funded by the tax payers.