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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*:	EFCC (European Federation for Construction Chemicals)
Town/City:	Brussels
Country*:	Belgium
Contact name:	Elisa Setién
E-mail address:	
Transparency Register ID number (if applicable)	126293811245-87
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 , 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 , h) is a distributor of nanomaterials and/or mixtures containing nanomaterials , i) is a distributor of articles containing nanomaterials
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).

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.	*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).

Number of customers	more than 100

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	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
Please provide additional comments	- e) Relevant for the supply chain is first of all to ensure that a product is safe and how it can be handled safely. Whether it contains “nano” or not is for the clients in our sector of little interest.

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
c) Maintain competitiveness and innovation of businesses bringing nanomaterials or products containing nanomaterials to the market (including SMEs)	3
d) Ensure consumer trust in products containing nanomaterials	2
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	The problem is not a lack of adequate legislation, but a lack of clarity. REACH, CLP are also suitable for nanomaterials. However, due to the ambiguity of the definition, the lack of adequate test methods the existing tools are not leading to satisfactory results. This will not change with the nanomaterial inventories, which are also not the right tools for consumer communication

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	3
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	5
e) The establishment of national registries and notification schemes causes market fragmentation and hampers trade within the internal market	5
Please provide additional comments	- a) Necessary adaptations are currently made for REACH. - c) For consumer communication inventories are not the right tools. - e) National inventories (e.g. France) create obstacles to trade within the internal market.

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
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: Nanomaterial inventories do not deliver an additional benefit for the health and safety compared to existing tools.

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)**	d) They would search for more information
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

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

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	3
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)	2

Q24: Would disclosure of the notified information conflict with the confidentiality of business information?	Yes, there would be a conflict with business information confidentiality , 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): Usually these notification schemes require confidential information (names, uses and quantities placed on the market).
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? Diverging notification schemes with different scopes in different countries cause multiple work and diverging information, which leads to confusion.
Q26: Is the market for your nanomaterials/products containing nanomaterials significantly different from Member State to Member State?	Yes, the markets differ at national level

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"?

None of them seem to be useful (no connection to hazard or risk).
As the French system is linked to substances according to REACH, the REACH number should be used instead of creating a new (national) notification numbers. This would help downstream users, especially SMEs, to reduce the administrative burden if the same substance is bought from different suppliers.

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

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: Manufacturers/importers of substances will register their nanomaterials under REACH. Downstream users to follow same procedure as with any other substance in REACH.

Q30: The following should be subject to notification requirements (tick all that apply):	a) Substances, c) Articles with intended release of nanomaterials , Please explain: Manufacturers/importers of substances will register their nanomaterials under REACH. Downstream users to follow same procedure as with any other substance in REACH.
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.) We do not see a need for an inventory. However: -substances, mixtures and articles already notified under existing EU schemes (REACH, CLP…) should be exempted. -all applications in which there is no expected release under normal conditions should be exempted. -nanomaterials of “low concern” should also 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.) We do not see the need for an inventory. However: -all applications in which there is no expected release under normal conditions should be exempted.

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 , d) Information concerning products containing nanomaterials , e) Information on the hazards and risks of nanomaterials , f) Other (please explain): -Information on natural occurring nanomaterials

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

The information should be elaborated and presented in a consumer friendly format. A database alone is not sufficient. The EU NanoDiode project is currently developing some proposals which could be worth taking into account.

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) The inventory will not increase safety of nanomaterials or improve European competitiveness. The inventory is also not a suitable tool for consumer or workers' communication. At the end the (European/ national) inventories are a duplication of a part of REACH.
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):	*Respondent skipped this question*

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

We do not see an added value of an inventory (European or national):
- It will provide additional information, but not relevant information to our clients (industrial or consumers) and to our workers.
- It will not improve safety of the materials or safer handling, and
- It might hamper EU competitiveness vs. other non-EU countries.

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

We support REACH as the legal bases to provide additional information on nano (actions already on-going).