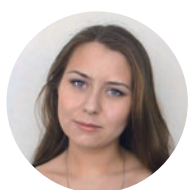




WORKING GROUPS

# WORKING GROUP ON THE REGULATION OF CHEMICAL PRODUCTS



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The Working Group on the Regulation of Chemical Products was founded in 2017 to discuss the Technical Regulations 'On the Safety of Chemical Products', approved by Decision of the Eurasian Economic Commission No. 19 dated March 3, 2017, which raises a number of questions from a wide range of industrial sectors, including raw materials for chemicals and the manufacturing of tyres, crop protection agents, paint materials, household chemical products, etc.

The Technical Regulations of the Eurasian Economic Union 'On the Safety of Chemical Products' (TR EAEU 041/2017) (the 'Technical Regulations') provide for the development of a procedure for the creation and maintenance of a register with the notification and registration of substances by December 1, 2018.

**TECHNICAL REGULATIONS OF THE EURASIAN ECONOMIC UNION ON THE SAFETY OF CHEMICAL PRODUCTS (TR EAEU 041/2017)**

The AEB Working Group on the Regulation of Chemical Products would like to express the concern of importing companies and major investors in the Russian economy regarding the current situation with the Technical Regulations of the Eurasian Economic Union "On the Safety of Chemical Products" (TR EAEU 041/2017) approved on March 3, 2017.

At present, any organizations producing and/or importing chemical substances and mixtures – whether they be raw materials, materials, finished products, or even waste (with rare exceptions established by Technical Regulations 041/2017), regardless of their tonnage – are included in the field of activity covered by the draft EEC decision.

The time frames established by the draft documents for creating Registers for chemical substances and mixtures make the creation of the Registers impossible within the given time frames.

At present, thousands of chemical substances are not subject to compliance assessment in EAEU countries, and there is no data on them in the informational sources of the countries of the Union; they are produced in amounts less than one tonne per year and are not subject to registration in other countries around the world. As a result, data on these substances cannot be found in open sources. In addition, thousands of chemical mixtures are not subject to compliance assessment in EAEU countries and do not require registration in any other countries around the world. Therefore, to create a register of chemical mixtures, it is necessary to first create a register of chemical substances.

Countries within the Union lack a sufficient number of qualified specialists and equipped laboratories capable of conducting expert examination and, where necessary, testing of such products within the given time frames.

The rules specified in the drafts will lead to significant costs (financial, time, labour and other costs) that are largely excessive and unjustified.

The lack of a graduated approach (based on the annual tonnage of chemical products produced and/or imported) in the introduction of notification and registration, along with the excessive information provision requirements, will significantly complicate the activity of large enterprises and may not always

be feasible for medium-sized and especially small enterprises (with low-tonnage production and import). It is also likely that this will lead to the establishment of technical trade barriers for innovative chemical substances/mixtures in the form of progressive innovations that have not entered the markets yet.

In general, the approach corresponds with the best world practices; however, the omission of certain essential details makes it less effective and, more importantly, unreasonably complicates the operations of companies. The most optimal approach is to use the development, implementation, and operational experience of existing systems. It makes sense to look more closely into Europe's experience and employ the best aspects of it.

## RECOMMENDATIONS

- › To implement thresholds (tonnage ranges) for data requirements, i.e., the amount of data requested for notification regarding new chemical substances should depend on the tonnage manufactured or imported and

placed on the EAEU market. This will avoid creating trade barriers, especially as regards low volume chemical substances.

- › A Chemical Safety Report (CSR) should only be requested for notification regarding new chemical substances manufactured or imported and introduced to the EAEU above a certain threshold. This could be 1 tonne/year and per notifier as under the EU's REACH. Without a tonnage threshold and a CSR requirement only for high-volume substances, far too many data/costs will be required for low-volume substances.



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Committee page**