Chemicals legislation and the circular economy

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Manufacture/ import of chemicals

Manufacture of mixtures/ Production of articles

Use/product phase

End of waste phase

Enter waste phase
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Chemicals-waste interface

*Governed by the following principles*

- Waste is not a substance, a mixture or an article according to REACH
- Hazardousness of waste follows rules set in CLP
- REACH could set limits to the use of certain substances in end of waste (EoW) material
REACH and waste

- Waste is not subject to registration, evaluation, authorisation or restrictions
- REACH/CLP/... applies to materials (substances/mixtures) that have ceased to be waste
- Articles containing recycled material fall under REACH (registration, authorisation, restrictions)
- Interface between REACH and waste legislation containing restrictions on the use of certain substances (in particular RoHs and ELVs directives)
REACH's contribution to recycling

- Materials that cease to be waste must be registered: unless benefiting from Art 2(7)(d) exemption
- Information on substances at the waste stage as part of REACH registration
- Substances in materials that cease to be waste may need to apply for authorisation
- Substances may be restricted equally affecting materials that cease to be waste.

→ *Level playing field between primary and secondary raw materials*
Reality check

- More than 20 registrations of waste under REACH
- 1 application for authorisation (DEHP in recycled PVC)
- Higher concentrations of restricted substances in recycling material
- Hazardous waste not fully in line with CLP
- Fragmentation of the internal market for EoW materials
Challenges ahead

- Clarity on EoW criteria
- Level playing field on substances of concern (authorisation and restrictions)
- Closing the knowledge gap for products
Chemicals and circular economy

*Chemicals objectives for a circular economy*

- Level playing field for primary and secondary raw materials
- Tracking of substances of concern in products.

*7th Environment Action Programme*

- Ensuring that recycled waste is a reliable source of raw material in the EU
- Minimising adverse effects of hazardous substances, including chemicals in products.
Chemicals and circular economy

The promotion of non-toxic material cycles and better tracking of chemicals of concern in products will facilitate recycling and improve the uptake of secondary raw materials. The interaction of legislations on waste, products and chemicals must be assessed in the context of a circular economy in order to decide the right course of action at EU level to address the presence of substances of concern, limit unnecessary burden for recyclers and facilitate the traceability and risk management of chemicals in the recycling process.
Chemicals and circular economy

The Commission will therefore develop its analysis and propose options for action to overcome unnecessary barriers while preserving the high level of protection of human health and the environment. This work will feed into the future EU strategy for a non-toxic environment.

- The Commission will develop analysis and propose options on the interface between chemicals, products and waste legislation, including on how to reduce the presence and improve the tracking of chemicals of concern in products.
One way forward: Tracking chemicals in products

An EU product passport

Building on

- SDS for substances and mixtures
- Article 33 of REACH
- Voluntary tracking systems (electric and electronic equipment, vehicles)
Thank you!

http://ec.europa.eu/environment/chemicals/index_en.htm