



CLP revision - Classification of MOCS

Perspective of Environmental & Health NGOs

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GENERAL COMMENTS

The European Environmental Bureau (EEB), Chemsec, HEAL and ChemTrust welcome the Commission's proposal for the revision of the CLP regulation, as it aims to improve health and environmental protection against harmful chemicals. We hope that the European Parliament and the Council will make significant progress in their negotiations and swiftly adopt the revised CLP regulation.

However, we have concerns regarding the ongoing debate on the classification of substances with more than one constituent (MOCS) including essential oils. It appears that the debate is suffering from miscommunication and disinformation. Therefore, we would like to clarify the issues at hand before the Coreper meeting scheduled for 30 June. Additional information regarding essential oils can be found in the attached explainer document with a review of the classification of essential oils.

1. The Commission proposal provides clarification on the existing provisions for MOCS

The Commission's proposal for the revision of the CLP regulation includes a new article (5.3) that specifically addresses the classification of MOCS. Article 5.3 clarifies the already existing requirements for properly classifying MOCS, including essential oils. The aim of the clarifications is to ensure that MOCS are classified adequately, considering the severity of the hazards of their ingredients. For example, if a substance contains a carcinogenic ingredient above a specified concentration level, the whole substance should be classified as a carcinogen. This follows the same scientific principles applied for mixtures and should help to prevent the presence of carcinogens and other very harmful chemicals in cosmetics and food stuff. The article 5.3 does not mandate the classification of all essential oils or other substances of renewable biological origin, it applies only to substances containing hazardous ingredients like carcinogens, reprotoxicants or endocrine disruptors.

2. The new derogation clause allows exemptions from classification in specific cases

The new derogation clause proposed in article 5.3 allows exemption from classification in

specific cases. Exemptions should be justified by scientific evidence and evaluated by a scientific committee (e.g. an ECHA Committee)). For example, the derogation clause could permit exemptions based on scientific evidence of antagonistic effects in certain MOCS, such as specific essential oils. This derogation clause protects European producers of essential oils if scientific data demonstrate that classification of an essential oil based on individual ingredients is not scientifically justified.

3. CLP does not require new (animal) studies

The CLP regulation does not mandate the performance of new studies. Classification is based on existing and available scientific evidence and the weight of evidence assessment can be used to identify the intrinsic hazard properties of the chemicals taking into account all available data.

4. CLP is about intrinsic hazard properties, and not about renewable biological origin

It is important to emphasise that classification is solely based on the intrinsic hazard properties of a substance and should be based on relevant, reliable, scientific data. Classification is independent of the origin of a substance, whether it is of renewable, biological origin or not. Classification does not restrict the uses of hazardous chemicals and therefore, there is no place for exposure or risk considerations, nor for socio-economic or political considerations.

In conclusion, the Commission's proposal for the revision of the CLP regulation provides the much-needed clarification on the classification of MOCS. We urge the European Parliament and the Council to prioritise and swiftly adopt the revised regulation with inclusion of the new article 5.3.