



Basic information	
<b>2022/0432(COD)</b> COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Classification, labelling and packaging of substances and mixtures Amending Regulation 2008/1272 <a href="#">2007/0121(COD)</a> <b>Subject</b> 3.40.01 Chemical industry, fertilizers, plastics 3.70.13 Dangerous substances, toxic and radioactive wastes (storage, transport) 4.60.02 Consumer information, advertising, labelling <b>Legislative priorities</b> <a href="#">Joint Declaration 2022</a> <a href="#">Joint Declaration 2023-24</a>	

Key players				
European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>	<b>Appointed</b>
	<a href="#">ENVI</a> Environment, Climate and Food Safety		SPYRAKI Maria (EPP)	03/02/2023
			Shadow rapporteur ALBUQUERQUE João (S&D) HOJSÍK Martin (Renew) PAULUS Jutta (Greens/EFA) FIOCCHI Pietro (ECR) LANCINI Danilo Oscar (ID) HAZEKAMP Anja (The Left)	
	<b>Committee for opinion</b>		<b>Rapporteur for opinion</b>	<b>Appointed</b>
	<a href="#">ITRE</a> Industry, Research and Energy		The committee decided not to give an opinion.	
	<a href="#">IMCO</a> Internal Market and Consumer Protection		The committee decided not to give an opinion.	
Council of the European Union				
European Commission	<b>Commission DG</b>		<b>Commissioner</b>	
	Environment		SINKEVIUS Virginijus	

Key events			
Date	Event	Reference	Summary
19/12/2022	Legislative proposal published	COM(2022)0748 	Summary
13/02/2023	Committee referral announced in Parliament, 1st reading		
11/09/2023	Vote in committee, 1st reading		
21/09/2023	Committee report tabled for plenary, 1st reading	A9-0271/2023	
03/10/2023	Debate in Parliament	CRE link	
04/10/2023	Decision by Parliament, 1st reading	T9-0340/2023	Summary
04/10/2023	Results of vote in Parliament		
04/10/2023	Matter referred back to the committee responsible for interinstitutional negotiations		
11/01/2024	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	GEDA/A/(2024)000118 PE758.103	
23/04/2024	Decision by Parliament, 1st reading	T9-0296/2024	Summary
23/04/2024	Results of vote in Parliament		
14/10/2024	Act adopted by Council after Parliament's 1st reading		
23/10/2024	Final act signed		
20/11/2024	Final act published in Official Journal		

Technical information	
Procedure reference	2022/0432(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Regulation 2008/1272 2007/0121(COD)
Legal basis	Treaty on the Functioning of the EU TFEU 114-p1
Mandatory consultation of other institutions	<a href="#">European Economic and Social Committee</a>
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/9/11034




Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee draft report		<a href="#">PE745.493</a>	05/04/2023	
Amendments tabled in committee		<a href="#">PE749.004</a>	16/05/2023	
Amendments tabled in committee		<a href="#">PE749.005</a>	16/05/2023	

Committee report tabled for plenary, 1st reading/single reading	<a href="#">A9-0271/2023</a>	21/09/2023	
Text adopted by Parliament, partial vote at 1st reading /single reading	<a href="#">T9-0340/2023</a>	04/10/2023	<a href="#">Summary</a>
Text agreed during interinstitutional negotiations	<a href="#">PE758.103</a>	22/12/2023	
Text adopted by Parliament, 1st reading/single reading	<a href="#">T9-0296/2024</a>	23/04/2024	<a href="#">Summary</a>

#### Council of the EU

Document type	Reference	Date	Summary
Coreper letter confirming interinstitutional agreement	GEDA/A/(2024)000118	22/12/2023	
Draft final act	00108/2024/LEX	23/10/2024	

#### European Commission

Document type	Reference	Date	Summary
Legislative proposal	<a href="#">COM(2022)0748</a> 	19/12/2022	<a href="#">Summary</a>
Document attached to the procedure	SEC(2022)0452	19/12/2022	
Document attached to the procedure	SWD(2022)0435	19/12/2022	
Document attached to the procedure	SWD(2022)0436 	19/12/2022	
Document attached to the procedure	SWD(2022)0434 	19/12/2022	
Commission response to text adopted in plenary	<a href="#">SP(2024)394</a>	08/08/2024	

#### National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	<a href="#">DE_BUNDES RAT</a>	<a href="#">COM(2022)0748</a>	11/04/2023	

#### Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
ESC	Economic and Social Committee: opinion, report	<a href="#">CES0182/2023</a>	27/04/2023	

#### Additional information

Source	Document	Date
EP Research Service	<a href="#">Briefing</a>	13/03/2024

## Meetings with interest representatives published in line with the Rules of Procedure

### Rapporteurs, Shadow Rapporteurs and Committee Chairs

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Name	Role	Committee	Date	Interest representatives
FIOCCHI Pietro	Shadow rapporteur	ENVI	17/09/2024	Association Internationale de la Savonnerie, de la Détergence et des Produits d'Entretien
SPYRAKI Maria	Rapporteur	ENVI	15/11/2023	Bulgarian Permanent Representation
HOJSÍK Martin	Shadow rapporteur	ENVI	05/10/2023	BASF SE
HOJSÍK Martin	Shadow rapporteur	ENVI	05/10/2023	European Association of Chemical Distributors (Fecc)
HOJSÍK Martin	Shadow rapporteur	ENVI	05/10/2023	LyondellBasell Industries N.V.
HOJSÍK Martin	Shadow rapporteur	ENVI	05/10/2023	Procter & Gamble
ALBUQUERQUE João	Shadow rapporteur	ENVI	03/10/2023	Procter & Gamble
SPYRAKI Maria	Rapporteur	ENVI	08/09/2023	Procter & Gamble
HOJSÍK Martin	Shadow rapporteur	ENVI	29/08/2023	Procter & Gamble
SPYRAKI Maria	Rapporteur	ENVI	19/07/2023	CEFIC
SPYRAKI Maria	Rapporteur	ENVI	18/07/2023	ECHA
HOJSÍK Martin	Shadow rapporteur	ENVI	16/06/2023	International Fragrance Association
HOJSÍK Martin	Shadow rapporteur	ENVI	08/06/2023	Vice-mayor of Pavel Banya Municipality in Bulgaria Bulgarian farmers
HOJSÍK Martin	Shadow rapporteur	ENVI	06/06/2023	European Society of Endocrinology
ALBUQUERQUE João	Shadow rapporteur	ENVI	25/04/2023	Union of the European Lubricants Industry
ALBUQUERQUE João	Shadow rapporteur	ENVI	25/04/2023	FEICA - Association of the European Adhesive & Sealant Industry
ALBUQUERQUE João	Shadow rapporteur	ENVI	25/04/2023	Health & Environment Alliance
ALBUQUERQUE João	Shadow rapporteur	ENVI	25/04/2023	ClientEarth AISBL
HOJSÍK Martin	Shadow rapporteur	ENVI	25/04/2023	SC Johnson
ALBUQUERQUE João	Shadow rapporteur	ENVI	25/04/2023	Bureau Européen des Unions de Consommateurs
ALBUQUERQUE João	Shadow rapporteur	ENVI	25/04/2023	Cruelty Free Europe
ALBUQUERQUE João	Shadow rapporteur	ENVI	25/04/2023	Apparel and Footwear International RSL Management Group
HOJSÍK Martin	Shadow rapporteur	ENVI	24/04/2023	CEFIC
HOJSÍK Martin	Shadow rapporteur	ENVI	24/04/2023	SMEunited aisbl
HOJSÍK Martin	Shadow rapporteur	ENVI	21/04/2023	3M Covestro AG Dow Europe GmbH SC Johnson
HOJSÍK Martin	Shadow rapporteur	ENVI	19/04/2023	ALERTOX
ALBUQUERQUE João	Shadow rapporteur	ENVI	19/04/2023	Association Internationale de la Savonnerie, de la Détergence et des Produits d'Entretien

ALBUQUERQUE João	Shadow rapporteur	ENVI	18/04/2023	European Federation of Essential Oils
HOJSÍK Martin	Shadow rapporteur	ENVI	13/04/2023	European Federation of Essential Oils
HOJSÍK Martin	Shadow rapporteur	ENVI	13/04/2023	A.I.S.E.
SPYRAKI Maria	Rapporteur	ENVI	05/04/2023	EFEO Charles Laroche
SPYRAKI Maria	Rapporteur	ENVI	05/04/2023	L'Oréal Ms Barbagallo
SPYRAKI Maria	Rapporteur	ENVI	29/03/2023	AFIRM, ETAD, EUCTL
HAZEKAMP Anja	Shadow rapporteur	ENVI	29/03/2023	European Coalition to End Animal Experiments
HAZEKAMP Anja	Shadow rapporteur	ENVI	29/03/2023	European Federation of Essential Oils
SPYRAKI Maria	Rapporteur	ENVI	28/03/2023	BeST-Beryllium Science & Technology Association
HOJSÍK Martin	Shadow rapporteur	ENVI	24/03/2023	Novozymes A/S
SPYRAKI Maria	Rapporteur	ENVI	23/03/2023	L'Oreal group in Europe Annalisa Barbagallo
HOJSÍK Martin	Shadow rapporteur	ENVI	21/03/2023	European Environmental Bureau
SPYRAKI Maria	Rapporteur	ENVI	21/03/2023	European Commission, European Parliament, Permanent Representation of Belgium to EU, European Environmental Bureau
SPYRAKI Maria	Rapporteur	ENVI	10/03/2023	AmCham EU Jessica O'Flynn, SC Johnson, Alexander Majder, Luca Ibelli, P&G, Thalia Morie
SPYRAKI Maria	Rapporteur	ENVI	09/03/2023	BASF
SPYRAKI Maria	Rapporteur	ENVI	02/03/2023	EVP Bayer Crop Science Stefan Schraff
HAZEKAMP Anja	Shadow rapporteur	ENVI	02/03/2023	Cruelty Free International
SPYRAKI Maria	Rapporteur	ENVI	01/03/2023	A.I.S.E. Luca Konti
SPYRAKI Maria	Rapporteur	ENVI	28/02/2023	CEFIC Camilla Martelli
HOJSÍK Martin	Shadow rapporteur	ENVI	28/02/2023	Bayer AG

## Other Members

Name	Date	Interest representatives
ARENA Maria	10/10/2023	Amazon Europe Core SARL
GUALMINI Elisabetta	20/09/2023	Dentons Global Advisors Europe SA The Sherwin-Williams Company
DANZI Maria Angela	13/09/2023	A.I.S.E. - International Association for Soaps, Detergents and Maintenance Products
HETMAN Krzysztof	13/09/2023	A.I.S.E.
GRAPINI Maria	13/09/2023	A.I.S.E.
DANTI Nicola	12/09/2023	Association Internationale de la Savonnerie, de la Détergence et des Produits d'Entretien Federazione Nazionale dell'Industria Chimica italiana
HETMAN Krzysztof	12/09/2023	Unilever
SCHNEIDER Christine	26/07/2023	A.I.S.E.
WÖLKEN Tiemo	20/07/2023	Association Internationale de la Savonnerie, de la Détergence et des Produits d'Entretien
ARENA Maria	19/07/2023	Association Internationale de la Savonnerie, de la Détergence et des Produits d'Entretien

<a href="#">SCHNEIDER Christine</a>	03/07/2023	Verband der Chemischen Industrie e.V.
<a href="#">HOJSÍK Martin</a>	22/06/2023	Polski Związek Przemysłu Kosmetycznego
<a href="#">SCHNEIDER Christine</a>	14/06/2023	L'Oreal
<a href="#">HOJSÍK Martin</a>	08/06/2023	Cosmetics Europe
<a href="#">ORVILLE Max</a>	01/06/2023	L'Oréal
<a href="#">ARENA Maria</a>	28/04/2023	European Chemical Industry Council
<a href="#">ARENA Maria</a>	28/04/2023	BASF SE
<a href="#">ARENA Maria</a>	26/04/2023	European Environmental Bureau
<a href="#">ARENA Maria</a>	26/04/2023	Bureau Européen des Unions de Consommateurs
<a href="#">ARENA Maria</a>	25/04/2023	European Federation of Essential Oils
<a href="#">SCHNEIDER Christine</a>	25/04/2023	Verband der Chemischen Industrie e.V.
<a href="#">BITEAU Benoît</a>	25/04/2023	European Federation of Essential Oils
<a href="#">ARENA Maria</a>	19/04/2023	European Federation of Essential Oils

<b>Final act</b>
<a href="#">Regulation 2024/2865</a> OJ OJ L 20.11.2024 <span style="float: right;"><a href="#">Summary</a></span>

## Classification, labelling and packaging of substances and mixtures

2022/0432(COD) - 04/10/2023 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament adopted by 519 votes to 99, with 8 abstentions, **amendments** to the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures.

The matter was referred back to the committee responsible for interinstitutional negotiations.

### Subject

The purpose of the regulation is to ensure a high level of protection for human health and the environment, including the promotion of alternative methods for assessing the hazards of substances and mixtures.

### Hazardous substances and mixtures and specification of hazard classes

Members specified that gender differences with regard to the susceptibility to chemicals will be taken into consideration, where relevant.

For the evaluation of substances containing more than one constituent in relation to the 'germ cell mutagenicity', 'carcinogenicity', 'reproductive toxicity', '**endocrine disruption** for human health' and 'endocrine disruption for the environment' hazard classes, the manufacturer, importer or downstream user should use the relevant available information for each of the known individual constituents, impurities and additives in the substance.

### Identification and examination of available information on mixtures

An amendment specifies that where the available test data on the mixture itself demonstrate a lack of biodegradation, persistency, mobility and bioaccumulation properties that have not been identified from the relevant available information on the individual substance, such data should also be taken into account for the purpose of evaluating the mixture.

### Product identifiers

The product identifier of a mixture should include the identity of all substances in the mixture that contribute to the classification of the mixture as regards acute toxicity, skin corrosion or serious eye damage, germ cell mutagenicity, carcinogenicity, reproductive toxicity, endocrine disruption for human health, endocrine disruption for the environment, respiratory or skin sensitisation, specific target organ toxicity (STOT) or aspiration hazard, persistent, bioaccumulative and toxic (PBT), very persistent, very bioaccumulative (vPvB), persistent, mobile and toxic (PMT), very persistent, very mobile (vPvM) properties.

### General rules for the application of labels

Labels should be firmly affixed to one or more surfaces of the packaging immediately containing the substance or mixture and will be readable horizontally when the package is set down normally the label may also be presented in a form of a **fold out label**. Where the label elements are provided by means of a fold-out label, the front page should contain at least certain information provided in all official languages of the Member State where the product is put on the market along with a reference to the additional information provided on the inside page or pages.

### ***Procedure for harmonising the classification and labelling of substances***

The Commission may ask the Agency or the European Food Safety Authority to prepare a proposal for harmonised classification and labelling of a **substance or a group of substances**. The Agency and the Authority may, on their own initiative, provide scientific advice to the Commission and Member States on substances or a group of substances where a harmonised classification could be necessary to protect human and animal health and the environment.

Whenever considered scientifically justified and possible by a competent authority or the Commission, proposals for harmonised classification and labelling should **prioritise groups of substances rather than individual substances**. In the event of a proposal for harmonised classification and labelling of a group of substances, those substances should be grouped together based on clear scientific criteria, including structural similarity and similar evidence-based hazard profiles.

### ***Right to request action by the competent authorities and the Commission***

Any natural or legal person, individually or in association, would be entitled to present substantiated evidence to the competent authorities or the Commission on the hazardous properties of a substance or mixture, or of several substances in several mixtures, indicating that these properties may not have been sufficiently taken into account in the classification or labelling process. Where the evaluation indicates that the substance does not meet the criteria for classification in any of the hazard classes referred to in the Regulation, the competent authority or the Commission will initiate a harmonised classification and labelling process.

### ***Access to justice***

Natural or legal persons who have submitted a substantiated report of concern should have access to an administrative or judicial procedure to review the procedural and substantive legality of decisions, acts or omissions of the relevant competent authority under the Regulation.

### ***Advertising***

Any advertisement for a mixture classified as hazardous should indicate the hazard pictogram, the signal word, the hazard class and the hazard statements. Any advertisement for sale of mixtures to the general public should, in addition, indicate **“always read and follow the information on the product label”**.

The use of environmental claims should be **prohibited** for substances and mixtures which are classified as hazardous due to their germ cell mutagenic, carcinogenic, toxic to reproduction, endocrine disruption for human health or the environment, persistent, bioaccumulative and toxic (PBT), very persistent, very bioaccumulative (vPvB), persistent, mobile and toxic (PMT), or very persistent, very mobile (vPvM) properties.

### ***Adaptation to technical progress***

The Commission should promote and evaluate the development of alternative test methods for classification of substances and mixtures, including new approach methods and in particular **non-animal test methods**, at least every three years, and adopt delegated acts to update Annex I to this Regulation.

## **Classification, labelling and packaging of substances and mixtures**

2022/0432(COD) - 20/11/2024 - Final act

**PURPOSE:** to revise Regulation (EC) No 1272/2008 on the classification, labelling and packaging of substances and mixtures (CLP Regulation) to improve the single market for chemicals.

**LEGISLATIVE ACT:** Regulation (EU) 2024/2865 of the European Parliament and of the Council amending Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures.

**CONTENT:** this CLP regulation updates the existing 2008 EU legislation. This update has become necessary due to the popularisation of new forms of trade (such as online shopping or the reuse of containers for bulk purchases) as well as the emergence of new hazards linked to the use of chemicals (in particular the presence of endocrine disruptors or the long shelf life of certain substances).

Therefore, this regulation adapts the CLP regulation to different forms of trade (such as online trade or trade in refill products), promotes the circularity of the chemical products, makes labels clearer and easier to understand (including digital labelling), and ensures a high level of protection against chemical hazards.

### ***Scope***

The regulation will apply to all solid-state chemicals, although there will be a **five-year derogation** for substances with more than one constituent of botanical origin which have not been chemically modified. Once that period expires, the Commission can propose new legislation based on latest scientific knowledge.

The regulation aligns different provisions concerning **new hazard classes** to avoid duplication with ongoing assessments that are currently conducted under different legislation.

### ***Updated information on the hazards of chemicals***

The newly adopted revision of the CLP regulation facilitates the **reporting on new hazards** related to chemicals that are placed on the market and gives the Commission and the other stakeholders **new powers** to classify harmful substances and accelerate their identification.

**Faster and more tailored procedures** will enable all stakeholders to provide information on the hazards of chemicals placed on the EU market.

### ***Labelling and advertising***

The regulation requires that most chemical products bear a physical label while the digital label may also be an option for suppliers. It also introduces measures to make the labels clearer and easier to read in particular for people with sight difficulties. For certain products, the supplier can provide digital-only data, although a consumer can always request a physical copy of the product information.

Labels should be firmly affixed to one or more surfaces of the packaging immediately containing the substance or mixture and should be readable horizontally when the package is set down normally. The label may be presented in the form of a **fold-out label**.

Any advertisement for a substance classified as hazardous should indicate, as applicable, the hazard pictograms, signal word, hazard statements. Any advertisement for a substance for sale to the general public should in addition state: "Always read and follow the information on the product label."

### ***Refillable chemical products***

The regulation introduces specific rules for refillable chemical products, so consumers can safely buy and use chemical products, such as home care chemicals, sold in bulk.

For products purchased in **refill stations**, the regulation aims to reduce the associated risks, for example by preventing overfilling, contamination and especially any uncontrolled operation of the refill station by children.

ENTRY INTO FORCE: 10.12.2024.

## **Classification, labelling and packaging of substances and mixtures**

2022/0432(COD) - 23/04/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 533 votes to 11, with 65 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the proposal as follows:

### ***Substances containing more than one constituent extracted from plants***

Scientific data on certain substances containing more than one constituent extracted from plants have indicated that specific constituents considered in an isolated way can have hazard properties that might not be expressed in the substance as a whole. Therefore, in order to allow time for a scientific evaluation of the suitability for substances containing more than one constituent extracted from plants to follow the rules on classification of substances containing more than one constituent, a derogation from certain rules should be introduced for those substances.

However, when no relevant information is available on the substance itself, manufacturers, importers or downstream users might apply these classification rules to their substances extracted from plants, in order to maintain the current level of protection and the existing good practice. The Commission should review the rules applicable to the identification and examination of the information on substances containing more than one constituent extracted from plants, within five years of the entry into force of this Regulation and submit, if appropriate, a legislative proposal.

### ***Harmonised classification and labelling proposals***

Harmonised classification and labelling proposals need not necessarily be limited to individual substances and could cover a group of similar substances, where such similarity based on scientific justification, allows for similar classification of all substances in the group. The grouping process should be scientifically robust, coherent and transparent for all stakeholders.

Where it is scientifically justified and possible, proposals for classification should **prioritise groups of substances** rather than individual substances. In the case of a proposal for harmonised classification and labelling of a group of substances, those substances should be grouped together on the basis of clear scientific reasoning taking into account how the available information supports the grouping of substances and allows the properties of the substances to be reliably predicted from other substances in the group.

### ***Product identifiers***

The product identifier of a mixture should include the identity of all substances in the mixture that contribute to the classification of the mixture as regards acute toxicity, skin corrosion or serious eye damage, germ cell mutagenicity, carcinogenicity, reproductive toxicity, respiratory or skin sensitisation, specific target organ toxicity, aspiration hazard, persistent, bioaccumulative and toxic, very persistent, very bioaccumulative, persistent, mobile and toxic, very persistent, very mobile properties, or endocrine disruption for human health or the environment.

### ***Labelling***

Labels should be **firmly affixed to one or more surfaces of the packaging** immediately containing the substance or mixture and should be readable horizontally when the package is set down normally. The label may be presented in the form of a **fold-out label**.

Where a **digital label** is used, a data carrier linking to that digital label should be firmly affixed or printed on the physical label or on the packaging next to the label in such a way that it can be processed automatically by digital devices that are widely used.

Where label elements are provided on a digital label only, the data carrier should be accompanied by the statement "More hazard information available online" or by a similar indication.

Where those label elements are provided on a digital label only, suppliers should, upon oral or written request or when the digital label is temporarily unavailable at the time of purchase of the substance or mixture, provide those label elements by alternative means. Suppliers should provide those elements independently of a purchase and free of charge.

Where a supplier affixes or prints a data carrier linking to a digital label, it should ensure that the information on the digital label should be accessible to all users in the Union and should remain accessible for a period of at least 10 years or for a longer period where required by other Union legislation.



## **Advertisement**

Any advertisement for a substance classified as hazardous should indicate, as applicable, the hazard pictograms, signal word, hazard statements. Any advertisement for a substance for sale to the general public should in addition state: **"Always read and follow the information on the product label."**

Any advertisement for a substance or a mixture classified as hazardous should not contain statements that are not to appear on the label or packaging of that substance or mixture. When substances or mixtures are placed on the market through distance sales, the offer should clearly and visibly indicate the label elements.

## **Adaptation to technical progress**

The Commission may adopt delegated acts to amend Annex I in order to include labelling elements that may only appear on a digital label. It will regularly evaluate the development of alternative approaches for the classification of substances and mixtures, in particular methods not involving animal testing, and adopt delegated acts to update Annex I of the Regulation to reflect this technical progress, if necessary.

The Commission, acting on behalf of the Union and the Member States, should, in the manner appropriate to their role in the relevant UN fora, cooperate with a view to promoting the harmonisation of the criteria for classification and labelling of endocrine disruptors for human health, endocrine disruptors for the environment, persistent, bioaccumulative and toxic (PBTs), very persistent and very bioaccumulative (vPvB), persistent, mobile and toxic (PMT) and very persistent and very mobile substances as well as the adaptation of criteria for alternative approaches, in particular non-animal test methods, and the assessment of the need for new criteria for immunotoxic and neurotoxic substances.'

# **Classification, labelling and packaging of substances and mixtures**

2022/0432(COD) - 19/12/2022 - Legislative proposal

**PURPOSE:** to amend Regulation (EC) No 1272/2008 on the classification, labelling and packaging of substances and mixtures to improve the single market for chemicals.

**PROPOSED ACT:** Regulation of the European Parliament and of the Council.

**ROLE OF THE EUROPEAN PARLIAMENT:** the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

**BACKGROUND:** the EU has overall been successful in creating an efficient single market for chemicals. However, some weaknesses or gaps in Regulation (EC) No 1272/2008 on the classification, labelling and packaging of substances and mixtures ('CLP Regulation') prevent consumers, companies, and authorities from fully benefiting from protection against the dangers posed by hazardous chemicals.

In order to keep pace with globalisation, technological development and new means of sale, such as online sales, it is necessary to adapt Regulation (EC) No 1272/2008 of the European Parliament and of the Council.

As part of the CLP Regulation revision package, a delegated act will add definitions and scientific and technical criteria to enable substances and mixtures that have endocrine disrupting ('ED'), persistent, bioaccumulative and toxic ('PBT'), very persistent and very bioaccumulative ('vPvB'), persistent, mobile and toxic ('PMT'), or very persistent and very mobile ('vPvM') properties to be classified into established hazard classes.

**CONTENT:** the Commission proposes to adapt Regulation (EC) No 1272/2008 on the classification, labelling and packaging (CLP) of substances and mixtures as follows:

## **Comprehensive identification and classification of chemical hazards**

The first set of amendments aim at ensuring the comprehensive identification and classification of chemical hazards. They aim to:

- boost the efficiency and effectiveness of the harmonised classification process. The proposal states that harmonised classification for the **new hazard classes** to be introduced by delegated act will be **prioritised**. This includes the development of prioritisation criteria to guide the submission of harmonised classification and labelling proposals;
- boost the development of harmonised classifications which enables the Commission to initiate and fund more harmonised classification and labelling dossiers, with the possibility to mandate the Agency or the European Food Safety Authority (the Authority) to develop a dossier;
- improve companies' classification of substances. Notifiers should be required to provide reasons for **divergence** from the most severe classification. To address divergences between more recent and obsolete classifications, notifiers should be required to update their notifications;
- improve companies' classification of substances by introducing three measures to strengthen incentives and provisions for companies to appropriately classify substances. One of them involves making available the reasons for diverging notified classifications in the Agency's inventory, another one in making the names of notifiers public, while the last measure requires updates of notifications of classifications within a certain early stage deadline.

## **Improving hazard communication**

The proposal lays down measures to:

- strengthen minimum requirements for hazard communication by introducing obligatory formatting rules, such as minimum font size and colour, to increase the readability of labels. The broader use of fold-out labels should be allowed;
- establish a specific framework to ensure that the sale of chemicals in refillable containers does not lead to an increased risk. This sales method would be limited to chemicals with less serious hazards;
- allow for the voluntary **digital labelling** of chemicals. The proposal provides that some information can be provided only on the digital label and no longer needs to be indicated on the on-pack label. As a rule, only information that is not instrumental in the protection of health and the environment should be moved to the digital label without it being on the on-pack label. Simplified labelling rules will also lead to a highly positive cost-benefit ratio for companies.

- introduce additional derogations for chemicals sold to consumers in bulk, such as fuel, and in very small packaging, such as various writing instruments.

#### ***Addressing legal gaps and ambiguities of CLP provisions***

Measures to address legal gaps and ambiguities include:

- provisions for distance sales, including **online sales**, and clear responsibilities for all relevant actors. All online sales will require a supplier to ensure that a substance or a mixture placed on the EU market through distance sales meets the requirements of CLP, in particular on classification, labelling and packaging;

- provisions for notifications to **poison centres** will be clarified. All relevant actors, including distributors placing chemicals on the market across borders or rebranding/relabelling mixtures, will have to make sure that they notify poison centres across the EU about the relevant information, where necessary.

The Commission estimated that the set of measures enhancing the effectiveness of the Regulation enable direct and indirect savings, of EUR 57.5 million per year for the next 10 years. Amongst the quantified savings, the simplification of the labelling rules would generate more than EUR 39.5 million of savings per year for the chemical industry.