

GAE Initial Position Paper on the EU's Chemicals Strategy for Sustainability towards a toxic-free environment COM(2020) 667 final

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On 14 October 2020, the European Commission published the Communication on the Chemicals Strategy for Sustainability - Towards a Toxic-Free Environment as part of the EU's zero pollution ambition, which is a key commitment of the European Green Deal.

The Commission acknowledges that chemicals are essential for the well-being, high living standards and comfort of modern society. But indeed, some chemicals have hazardous properties which can harm the environment and the human health. The EU chemicals strategy aims to better protect citizens and the environment and to boost innovation for safe and sustainable chemicals.

In this respect, some applications deserve more attention than others. Glass is recognised and used as one of the safest material for numerous essential applications such as in medical applications, pharmaceutical packaging, food contact, etc.

The European Union already adopted two effective legal instruments for chemicals management with the REACH and CLP Regulations. In principle, all measures arising from the Chemicals Sustainability Strategy should be built on a risk-based approach taking into account the substance, its concentration and function in the product and the use of that product itself.

The risk associated to the use of hazardous substances in industrial processes is furthermore controlled by dedicated legislation, including the Industrial Emissions Directive and the EU industrial hygiene and occupational health legislation. Therefore, not every hazardous substance needs to be banned for any use and at any concentration.

In the following, the glass industry would like to provide some initial comments on some of the most important points of the Chemicals Sustainability Strategy. The order of the topics in the Chemicals Sustainability Strategy is followed.

1) Substances of concern are to be minimised

Referring to the broad, non legally defined terminology of “substances of concern” in the Chemical Sustainability Strategy can be misleading for stakeholders and lead to possible discrepancies between regulations. This terminology, firstly introduced with the SCIP database, would induce implementation issues and thus uncertainties for industries and consumers. „Substances of Very High Concern“, also called SVHCs, are defined and identified based on specific criteria in the REACH Regulation and is therefore more suited to be used in the context of the Chemical Sustainability Strategy.

2) Safe and sustainable-by-design

The Chemical Sustainability Strategy proposes to add new criteria based on safety and sustainability performance. The European Communication highlights that the “best” chemicals should be rewarded: “Regulatory tools need to be exploited to drive and reward the production and use of safe and sustainable chemicals”.

While the European Glass industry shares the goal of safe and sustainable chemicals, until now, the new concept of substances which are safe and sustainable-by-design is still rather vague. Basically, according to our understanding, it is not so much the substances that can be safe and sustainable but rather their uses. The industry will need clarity on the criteria to be designed. E.g. the vast majority of glass is inert, does not release harmful elements and can be recycled indefinitely without loss of properties. We would expect that it would meet the safety and sustainability criteria still to be defined.

3) Recycling

The glass industry has a robust recycling system allowing to melt new glass from broken glass without any loss of quality over and over again (closed loop). Glass, as a permanent material, is one of the best examples of a successful and efficient circular value chain.

4) Green deal, innovation and impacts of chemicals

The glass industry is committed to continuous improvement through innovation in order to reduce negative impacts on human health and the environment. The aim of greening the glass production has always been a continuous process. For example, two recent projects are investigating new forms of glass production, such as the "Furnace of the future" (using green electricity to melt glass) and the "Hyglass project" (using Hydrogen).

The use of substances, including of certain SVHCs, is not necessarily leading to exposure for the environment or health as it is well controlled. Some uses might indeed contribute to achieve the goals of the Green Deal and could have overall benefits for the society without any negative impact on health or environment.

5) Essential uses

The Commission intends to define criteria on “essential uses”. The aim is to ensure that the most hazardous chemicals’ uses are only allowed if they are essential for health, safety; for achieving a climate-neutral and circular economy, or are critical for the functioning of society when no suitable alternatives exist.

The glass industry very much supports the idea of protection against exposure to hazardous chemicals and is of the opinion that the glass applications are often essential:

- Health: inert glass packaging for beverages & medical products, test tubes used for chemical and biological tests, special glass medical devices (e.g. endoscopes, microscopes)
- Safety: laminated and toughened safety glass used in buildings and cars applications
- Climate-neutral economy: performant double and triple-glazings allowing massive CO₂ avoidance in the building sector,
- Circular economy: glass is endlessly recyclable without loss, packaging glass is already recycled at 76% in EU.
- Critical for society: optical fibres & components, screens, food contact materials, glass protection anti-UV, anti-radiations etc.

The socio-economic analysis foreseen in the Authorization and Restrictions processes of the REACH regulation is already taking the essential nature of the use in consideration. The intent to limit the use of the most hazardous substances on the basis of additional “essential use” criteria is duplicating these existing, well implemented processes.

About Glass Alliance Europe

Glass Alliance Europe is the European Alliance of Glass Industries. It is composed of 14 national glass associations and of the 5 main sectors of the glass industries: container glass, flat glass, special glass, domestic glass and continuous filament glass fibres. Over Europe, glass-makers employ around 200.000 people.

Glass industries invest in research, develop and manufacture glass products fit for a sustainable, resource-efficient and low-carbon society such as energy-efficient windows, fully recyclable bottles and jars, weight-lightening continuous glass fibres, glass for photovoltaic modules, etc. Glass industries continuously invest in upgrading manufacturing installations to minimize the carbon content of products and increase their recycling.

