



## **ChemSec and CHEM Trust call on Commission Circular Economy action plan to contribute to a toxic-free environment**

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ChemSec and CHEM Trust welcome the consultation on the roadmap towards a new circular economy action plan by the Commission but are concerned by the missing consideration of the toxic-free environment objective set by the European Green Deal. Only if the action plan addresses the need to phase out substances of concern will a circular economy be successful.

In 2018 the European Commission presented its *Communication on the implementation of the circular economy package: options to address the interface between chemical, product and waste legislation*. The Circular Economy action plan should build on this communication.

We therefore call on the Commission to include following considerations into the Circular Economy Action plan:

### **Phase out all substances of concern as input chemicals in products**

All substances identified as hazardous (by REACH, CLP and other relevant processes) have to be understood as substances of concern in a circular economy context and should thus be phased out as input into new products either via primary or secondary raw materials. One key problem is the movement from one hazardous chemical to another similar one that is less well understood and not yet classified as hazardous (e.g. bisphenols). Grouping of similar substances needs to address this issue. This means REACH as well as other chemical regulations needs to be implemented more efficiently and, in many cases, also revised to facilitate a clean circular future.

### **Same standards for virgin as for recycled material**

It is in the greatest interest of all advocates of the circular economy that the quality of secondary material is maintained and does not become a new source of pollution. If not, reuse and recycling will not become an attractive option. Producers and downstream users need to be able to trust that the material they use is clean enough to keep customers safe and their brand reputations unharmed. The success of Circular Economy is therefore dependent on virgin and recycled materials that are free from hazardous substances.

### **Traceability throughout the supply chain**

Traceability is key for the trust in recycled material. Few companies would buy recycled material without any knowledge about the chemical content. Many companies will require

full insight in the chemical content to be able to trust it and for the material to comply with their internal standards. The substances of concern in products database (SCiP) currently developed by ECHA following the Waste Framework Directive revision is a step in the right direction. We suggest this database to be extended to include all substances of concern and to provide sufficient resources into the development of the database which can become useful for waste operators, consumers and regulators in their work toward a clean circular economy.

Being able to provide brands with recycled material that is guaranteed to be free from substances of concern will be a major advantage to any waste management company short term, and a requirement in to future proof a company in the long run.

### **Circularity by design**

We welcome the mention of a sustainable products policy for the action plan and emphasis to ensure circularity by design, which should include also the chemical content.

### **Summary**

The circular economy will only be successful if it delivers on the zero pollution ambition for a toxic-free environment and if companies and customers – including the public – are confident in the quality of recycled material. If this confidence is removed, then the market will demand virgin materials, and the attempt to create a circular economy will fail. The removal of substances of concern is therefore key to achieve a successful circular economy.

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