



**Conference
"Building Blocks for Completing
EU Regulation of Nanomaterials"
The Hague, 11-12 April 2013**

Majority Agreements

Ministry of Infrastructure and the Environment

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Date

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Majority Agreements

1. General agreement: Market and safety information on nanomaterials is currently insufficient!
2. We should have one harmonised definition for various legislation on a European scale only, preferably even on a global scale; allowing for some flexibility on the legal implication within sector-specific legislation where warranted by concerns for the environment, health, safety or competitiveness.
3. Information requirements for nanomaterials should be included in legislation.
4. Action foreseen by European Commission to amend REACH-annexes is therefore important and this should be realised as soon as possible (stick to current EC timeframe end this year)!
5. In the amendment of REACH an earlier deadline is needed to assess new and earlier registered materials covered by the definition of nanomaterial as soon as possible.
6. No agreement was reached on whether a legally binding definition of nanomaterials is required for REACH or not.
7. While many member states and stakeholders plea for lowering the tonnage triggers in REACH, no detailed agreement was reached yet on such an amendment.
8. Substance evaluation under REACH can demand industry to provide additional information on nanomaterials, but is time-consuming and resource intensive for authorities, is only possible in a limited number of cases, and should not be regarded as taking over the primary responsibilities of industry.
9. Most participants felt it is a key problem and public concern that information on presence and safety of nanomaterials is lacking for workers

protection. Information on exposure, especially in the supply chains, is not generated by REACH. Amendment of REACH is therefore needed, but amending the annexes alone seems a challenge!

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10. The directive on Safety and Health at Work and the Chemical Agents Directive apply in principle, but better implementation should be ensured. For this, information generated by REACH or other means is vital.
11. DG Employment should take the lead in implementing a precautionary approach for the protection of workers handling nanomaterials, if necessary by adopting new legislation.
12. Because of the consumer's right-to-know, labelling should be extended to more consumer products than for cosmetics alone.
13. Communication on safe use of products with nanomaterials to consumers is important. Labels tell about the presence of nanomaterials, but not about risks. Instruments should be explored to communicate about safety. The idea was discussed that it might help if a beneficial and proven safe nanoprodukt could qualify for instance for an ecolabel, but participants did not agree on this.
14. There is a need to further discuss the goals, costs/benefits and outcome of a register of (products with) nanomaterials. Such discussion should address:
 - a. Public concern;
 - b. Consumers choice;
 - c. Traceability;
 - d. Information (for authorities, in the supply chain, for consumers);
 - e. Proportionality, etc.

General observations

15. If there would have to be a register of (products with) nanomaterials it should preferably be one EU register instead of multiple national registers.
16. Innovation should not come at the cost of safety and uncertainty about risks, and regulation should not hamper innovation.
17. Nanomaterials are in principle under the legal scope of REACH.
18. However, REACH only functions with an adequate implementation and enforcement of legal requirements, and with greater clarity on how to apply it to nanomaterials.