



# Climate

CONFIDENTIAL

# 2040 Climate Target Communication

Updated January 2024

**Commission  
publication  
Q1 2024**

## Background

The European Climate Law (Regulation 2021/1119) calls on the Commission to present a Union-wide climate target for 2040. To that end, a legislative proposal shall be made at the latest within six months of the first global GST under the Paris Agreement, which took place at COP28 in Dubai, taking into account the outcomes of the global stocktake.

To keep the EU GHG emissions budget within reach the European Scientific Advisory Board on Climate Change, recommends the EU to set an emissions reduction target of 90-95% by 2040, relative to 1990 levels.

The Commission is set to publish the Communication on a 2040 climate target on 06 February 2024.

## Impact

The EU has already adopted binding climate targets, requiring the EU to reach a 55% emissions reduction by 2030 and setting a climate neutrality objective by 2050. The upcoming 2040 climate target will have to bridge the gap between these two milestones.

The Communication will set the scene for the future EU regulatory framework as it will inform the legislative proposal setting the 2040 target.

An ambitious climate target will translate into deep emissions reduction requirements for industry. As such, companies will have to reassess and whether their targets and investments are in line with the new trajectory.

## State of play

- On 06 February 2024, the Commission is expected to publish the Communication on a 2040 climate target, supported by an in-depth impact assessment.
- The European Parliament and the European Council are expected to position themselves towards the Commission communication.
- The next European Commission will present the related legislative proposal.

## Advocacy Objectives

- Ensure that the enabling conditions are in place to support the chemical industry thriving in Europe by maintaining the license to operate and invest.
- Bring forward the technology-positive perspective: get the chemical industry at the forefront of all low-carbon solutions.
- Secure access to the chemical industry to all low-carbon emissions technologies, infrastructure and low-carbon energy volumes by creating a supportive regulatory framework.
- Shape the public knowledge about the chemical industry transition hurdles and impact, emphasizing the positive impacts of a thriving European chemical industry.

## Advocacy Actions

- Assessment of the Commission Communication and its impact assessment.
- Identify the enablers and hurdles to the transition of the chemical industry against the proposed target.
- Engage with the Commission, other EIs and private stakeholders on the direction and implications the Communication sets.
- Set out a holistic plan for the sector to leverage with stakeholders at national, European and international level.



Issue Owner: Nicola Rega [nre@cefic.be](mailto:nre@cefic.be)  
Elena Leonardi [ele@cefic.be](mailto:ele@cefic.be)

# Proposal for a Regulation on a Union certification framework for carbon removals

Updated February 2024

|                                                      |
|------------------------------------------------------|
| <b>Inception Impact assessment<br/>February 2022</b> |
| <b>Commission publication<br/>30 November 2022</b>   |
| <b>EP position<br/>24 October 2023</b>               |
| <b>Council General Approach<br/>17 November 2023</b> |
| <b>Trilogues<br/>Ongoing, 19 February</b>            |
| <b>Adoption</b>                                      |
| <b>Implementing or delegated acts</b>                |

## Background

The European Climate Law requires the EU to achieve a balance between greenhouse gas emissions (GHG) and removals at the latest by 2050, and to achieve negative emissions thereafter.

On 15 December 2021, the Commission adopted a Communication on Sustainable Carbon Cycles, which considers among other objectives, the role of carbon removals towards the achievement of the climate-neutrality objective.

The Commission considers an EU framework for the certification of carbon removals – based on robust accounting rules – as a fundamental step towards a policy of negative emissions.

## Impact

Carbon removals in industry is negligible today but will be essential towards 2050, in order to balance remaining hard- or impossible-to-abate emissions.

Certification rules can be an important investment signal for the chemical industry to invest in carbon removal solutions.

## State of play

- Following the Communication on Sustainable Carbon Cycles, the European Commission launched a public consultation in February 2022.
- On 06 July 2022, the EC published a call for applications for the Expert Group on Carbon Removals. Cefic submitted an application to appoint an expert/representative, which was accepted. The first Expert Group on Carbon Removals meeting took place on 07 March 2023.
- The Commission legislative proposal for a Regulation on a Union certification framework for carbon removals was presented on 30 November 2022.
- The EC opened a public consultation on the file running until 23 March 2023.
- ENVI Rapporteur published the draft report on the file in May: [available here](#)
- The ENVI Committee amendments were published in June: [available here](#)
- In the European Parliament, the position was adopted on 24 October 2023: [available here](#)
- The Council adopted its position on 17 November 2023: [available here](#)
- The Parliament and Council are in trilogues. The next – and most likely final – trilogue meeting will take place on 19 February 2024.
- The next Carbon Removal Expert Group meeting will take place on 15-17 April 2024.

## Advocacy Objectives (subject to emerging Cefic positioning):

1. Ensure sound definitions for the role of chemicals and materials to achieve carbon removals, taking into account the role of circularity.
2. Ensure long-term convergence and compatibility between ETS MRV and carbon removal certification.
3. In the longer-term, as residual emissions become hard or even impossible to abate, balancing options will also be needed to reach climate-neutrality.
4. A consolidated position paper on Restoring sustainable carbon cycles, including a position on carbon removals certification is expected to be finalised by the end of March 2023.
5. Upon adoption of Cefic's position paper, a response to the related public consultation will be submitted.

## Advocacy Actions

Cefic:

- engages with the Commission on the overall direction, as well as the specifics of the Regulation.
- sent a letter to relevant cabinets as regards the carbon removals Regulation proposal on 24 November 2022.
- is closely monitoring the key persons working on the file in both the Parliament and the Council.
- has developed amendments
- Has analysed the ENVI amendments and shared its comments with the offices of the rapporteur and shadows in July
- In collaboration with the national associations, is reaching out to Permanent Representations

Issue Owner: Justin van Schepen ([Jva@cefic.be](mailto:Jva@cefic.be))



# Revision of the EU Emissions Trading System (ETS) (completed)

Updated February 2024

|                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|--------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Inception Impact assessment<br/>October 2020</b>                      | <p><b>Background</b></p> <p>The proposal was presented as part of the Fit for 55 package on 14 July 2021, a broader legislative package aimed at aligning relevant legislation to an increased 2030 emissions reduction target. The Commission published an Inception Impact Assessment (Roadmap) on the expected amendment to the EU ETS in October 2020. The Commission proposes a set of changes to the existing ETS that should result in an overall emission reduction in sectors under the ETS of 61% by 2030 compared to 2005, from the current objective of 43%. The increased ambition is to be achieved through extending the scope of the ETS and strengthening its current provisions.</p> <p><b>Impact</b></p> <p>The linear reduction factor will change to 4.2% from the year following the entry into force of the Directive. The increased linear reduction factor is combined with a one-off downward adjustment of the cap. The provisions are amended to tighten benchmark rules by following the emission reductions in sectors and sub-sectors with an increase to the maximum update rate to 2.5% per year as of 2026 instead of the current 1.6%. In addition, free allocation is made conditional on decarbonization efforts to incentivize the uptake of low-carbon technologies. These changes imply weakening of current carbon leakage provisions and increasing EU carbon costs, thus weakening industries' international competitiveness.</p> |
| <b>Commission publication<br/>14 / 07 / 2021</b>                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>EP position<br/>22 / 06 / 2022</b>                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Council General Approach<br/>28/ 06 / 2022</b>                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Trilogues<br/>2H2022</b>                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Adoption<br/>12/2022</b>                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Implementing or delegated acts<br/>During 2023/24<br/>FAR adopted</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

## State of play

- European Parliament Committees issued reports and >1.300 amendment proposals.
- Important Cefic proposals were integrated in the EPs position. So were adverse proposals.
- The ENVI Committee vote mid-May 2022 adopted compromises that would reduce carbon leakage provisions beyond the Commission's proposal and further weaken EU industry competitiveness.
- The Plenary adopted both ETS and CBAM reports on 22 June 2022.
- The compromise amendments envisaged using the Market Stability Reserve (MSR) to sell earlier additional allowances in auctions to collect €20 billion for funding energy crisis relief measures.
- Trialogue negotiations between the Council, EP and Commission took place between July and December 2022 and the final agreement adopted entailed 62% emission reductions by 2030, introducing a 2-step 'rebasing' of the total emissions cap, updating benchmarks (minimum 0.3% maximum 2.4%, conditionality for free allocation, 'bonus/malus' for free allocation, etc.
- Besides Ammonia and fertilizers, also hydrogen will be in CBAM scope thus respective companies having to buy all emission certificates by 2034.
- Cefic remains member of free allocation rules (FAR) expert group of DG CLIMA advising on COM on benchmark updates, implementing and delegated acts.
- Free Allocation Rules Delegated Regulation was adopted on 30 January. It is sent to the EP and Council for scrutiny, with the expectation to be published in the OJ by late March 2024.

## Advocacy Objectives:

Cefic advocacy aims at safeguarding sufficient Free Allocation volume as successful carbon leakage provision mindful of increasing overall climate ambition towards carbon neutrality.

1. To help invest in breakthrough technologies, all revenues generated by the EU ETS need to return to the economy to support emission reductions.
2. Base free allocation performance standards (benchmarks) on realistic, generally implementable circumstances. This would exclude exceptional, exclusive cases setting the standard.
3. We welcome the increase in the size of the Innovation Fund as well as the introduction of additional supporting instruments such as Carbon Contracts for Difference.
4. Safeguard proportionate implementation, feasible benchmark updates.

## Advocacy Actions

- Assessment of Commission proposal (July)
- Define Cefic position and strategy on the dossier (July-October); engaging with EU stakeholders based on the Cefic position; feedback to the ex-post public consultation (November)
- Issuing amendment proposals (end 2021/early 2022)
- Analyze >1.300 amendments and advocate during March- May, June
- Event with MEP rapporteur on 29 April
- Outreach towards Trialogue through national federations i.e. regarding protecting Innovation Fund and accounting of CCU
- Outreach to DG CLIMA regarding FAR and implementation acts.
- Respond to the consultations on the Climate Neutrality Plans implementing act and the FAR Delegated Act; advocating to Member State experts on Cefic's key priorities

**Issue Owners:** Peter Botschek [pbo@cefic.be](mailto:pbo@cefic.be)  
Justin van Schepen [jva@cefic.be](mailto:jva@cefic.be)





# Energy

CONFIDENTIAL

# Energy Taxation Directive (ETD) Revision

Updated January 2024

|                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Impact assessment<br/>Q1-Q2 2021</b>                        | <b>Background</b> <p>The ETD sets minimum energy taxation levels across Europe. Taxation required unanimity in the Council.</p> <p>The ETD was established in 2003, is considered by the Commission outdated and not aligned with the climate neutrality target by 2050/ the 2030 climate objectives.</p> <b>Impact</b> <p>By reopening the directive, minimum levels of energy taxation – on average - are corrected upwards. If our industry won't manage to be exempted, it will be subject to double regulation, given that the ETD aims at promoting energy efficiency while, in our case, this is already achieved via carbon prices under the ETS.</p> | <b>State of Play</b> <ul style="list-style-type: none"><li>The European Commission has carried out the impact assessment published their proposal on 14 July 2021.</li><li>The European Parliament and Council are in the process of reviewing the document and formulating their own positions on it.</li><li>The draft ECON Committee report was adopted on 26 September 2022.</li><li>The ETD being a Council Directive, the ultimate decision-making power lies exclusively with the Council, while the EP only provides an opinion.</li><li>In an update to Member States, the Czech Presidency at the end of November noted that no agreement could be found yet but vowed to continue developing the file.</li><li>The Swedish presidency voiced doubt on whether the file could be finalised in the first semester of 2023.</li><li>The file has not been a priority for the Spanish Presidency. Divisions between Member States raise the question whether a political compromise on the reform proposal is possible.</li><li>Discussions are currently ongoing in the Council Working Party on Tax Questions, but the file has stalled over deep political disagreement on the minimum taxation rates.</li></ul> | <b>Advocacy Objectives</b> <ol style="list-style-type: none"><li>No double regulation: industry already covered by the ETS should be exempted from the ETD.</li><li>Existing differentiation between business &amp; non-business use of energy, as well as existing possibilities for exemptions for EIs should be continued.</li><li>The taxation of hydrogen should be designed in a way that facilitates its scale-up. There should be no differentiation between the various types of hydrogen.</li></ol>                      |
| <b>Commission publication<br/>14 / 07 / 2021</b>               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>EP position<br/>Q4 2022<br/>(tentative)</b>                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Council general approach<br/>Q3/Q4 2022<br/>(tentative)</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Trilogues</b>                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Adoption</b>                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Advocacy Actions</b> <ul style="list-style-type: none"><li>Assessment of the Commission proposal (July 2021)</li><li>Define Cefic position and strategy on the dossier (July-October 2021)</li><li>Provide feedback to the ex-post public consultation (November 2021)</li><li>Engage with EU stakeholders in general on the basis of the Cefic position (October 2021-end of trilogues)</li><li>Advocate vis-à-vis Parliament &amp; Council based on the Cefic amendments (February 2022 until the end of trilogues)</li></ul> |
| <b>Implementing or delegated acts</b>                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |



# Gas and Hydrogen Market Review (Gas Package)

(completed)

Updated January 2024

|                                                  |                                                                                                                                                                                                                               |
|--------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Impact assessment<br/>Q3 2021</b>             | <b>Background</b><br>Reaching carbon neutrality by 2050 requires addressing carbon emissions deriving from combustion of natural gas.                                                                                         |
| <b>Commission<br/>publication<br/>15/12/2021</b> | The Commission identified hydrogen and renewable and low-carbon gases as ways forward.                                                                                                                                        |
| <b>EP position<br/>13/02/2023</b>                | This requires an update of the gas regulatory framework. Legislative proposals are expected to amend (common rules for the internal market in natural gas and conditions for access to the natural gas transmission networks. |
| <b>Council general<br/>approach</b>              |                                                                                                                                                                                                                               |
| <b>Trilogues</b>                                 | <b>Impact</b><br>Our industry is the main industrial consumer of natural gas and one of the main producers and consumers of hydrogen. Hydrogen consumption is expected to rise in the run up to 2050.                         |
| <b>Adoption</b>                                  | Priority is to secure gas quality deliveries and access to cost-competitive hydrogen.                                                                                                                                         |
| <b>Implementing or<br/>delegated acts</b>        |                                                                                                                                                                                                                               |

## State of Play

- The European Commission has carried out the impact assessment published their proposal on 16 December 2021.
- The European Parliament Council are in the process of reviewing the document and formulating their own positions on it. The vote in the ITRE committee is scheduled to take place on 28/11/2022.
- The on-going war in Ukraine and possible repercussions for the EU's strategic dependence on Russian gas imports may affect the legislative timeline on this file.
- The European Commission called on co-legislators in its REPowerEU Action Plan (18 May) to decrease natural gas consumption in the EU as a means of reducing strategic dependencies on Russia. The proposal may also affect the respective Parliament position and Council general approach.
- The ITRE committee approved a report on both the Gas Directive & the Gas Regulation on 13/02/2023; the files will not be subject to amendments in the plenary phase – so the reports form the Parliament negotiating position
- The Swedish presidency came to a general approach on 28 March.
- Trilogues began in June 2023 and concluded on 28 November (Gas Directive) and 8 December (Gas Regulation) respectively.
- Overall, the concerns of our sector are well reflected in the final text, particularly on safeguarding gas & hydrogen quality, as well as prioritising hydrogen supplies to hard-to-abate sectors.

## Advocacy Objectives:

1. Secure gas quality deliveries, particularly with view to the proposed blending cap at cross-border interconnection points
2. Secure hydrogen quality, as well as its cost-competitive availability
3. Establish a workable definition of low-carbon hydrogen in the Gas Package
4. Ensure that Gas Markets and Tariffs are competitive, transparent, and cost-reflective. System costs of the transition should be reduced through facilitating the re-purposing of existing assets

## Advocacy Actions

- Response to the Commission consultation
- Dialogue with the Commission, Member States, and relevant stakeholders to explain and promote our priorities
- Position paper on the basis of the priorities already identified (March-April 2022)
- Develop amendments on the Cefic priorities (May-June 2022)

Key institutional dates –  
dates are forward looking  
while also reflecting  
completed actions



Issue Owner: Nicola Rega/ Nicolai Romanowski  
[nre@cefic.be](mailto:nre@cefic.be) / [nro@cefic.be](mailto:nro@cefic.be)

# Revision Energy Efficiency Directive (EED)

(completed)

Updated January 2024

|                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Impact assessment<br/>Q1-Q2 2021</b>          | <b>Background</b> <p>The EED review is conducted in the context of an increase in the EU's 2030 emissions reduction target.</p> <p>In August 2020, the Commission presented a Roadmap/Inception Impact Assessment on the evaluation and possible revision. This was followed by a public consultation, that ended in February 2021.</p> <p>As the EED was subject to a limited revision in 2018, the present evaluation will also assess the effectiveness of the legal framework in its entirety, while also assessing what is necessary to update for alignment with the European Green Deal objectives as a whole.</p> <b>Impact</b> <p>The EED recast maintains a cap on energy consumption in the EU, thus presenting a possible obstacle for industrial growth and GHG-emissions reduction in industry. The EED recast strengthens provisions on energy audits to also promote the use/production of renewable energy.</p> <p>Measure to promote energy efficiency via the EEOS could result in higher costs for industry.</p> | <b>State of Play</b> <ul style="list-style-type: none"><li>• The Commission carried out an impact assessment and published their proposal on 14 July 2021.</li><li>• The European Parliament (EP) developed a Draft Report (ITRE) and Draft Opinions (ENVI &amp; TRAN). The Consideration of the Draft Report was on 03/03/2022.</li><li>• The Council adopted its General Approach on 27 June 2022 and the EP adopted its position on 13 September 2022, preparing the ground for the subsequent interinstitutional trilogue negotiations.</li><li>• Trialogues began in October 2022 and the negotiating parties achieved an agreement on 6 March 2023.</li><li>• The file was formally approved by the Council &amp; the EP in June 2023.</li></ul> | <b>Advocacy Objectives</b> <ol style="list-style-type: none"><li>1. Promote greater coherence between the EED's objective of reducing energy consumption and the overall aim to reduce GHG emissions</li><li>2. Clarify the proposal's guidelines on energy audits and energy management systems, to avoid disclosure of sensitive information in annual reports and broaden the scope of the directive consider both renewable &amp; low-carbon pathways</li><li>3. Avoid the socialization of associated costs of Energy Efficiency Obligation Schemes, resulting in undue cost pass-through to energy-intensive industries exposed to international competition.</li></ol> |
| <b>Commission publication<br/>14 / 07 / 2021</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>EP position<br/>September 2022</b>            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Council general approach<br/>June 2022</b>    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Trilogues<br/>2<sup>nd</sup> Half-2022</b>    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Adoption</b>                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Implementing or delegated acts</b>            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Advocacy Actions</b> <ul style="list-style-type: none"><li>• Assessment of Commission proposal (July 2021)</li><li>• Define Cefic position and strategy on the dossier (July-October 2021)</li><li>• Provide feedback to the ex-post public consultation (November 2021)</li><li>• Engage with EU stakeholders in general on the basis of the Cefic position (October 2021-end of trialogues)</li><li>• Advocate vis-à-vis Parliament &amp; Council based on the Cefic amendments (February 2022 -end of trialogues)</li></ul>                                                                                                                                             |

Key institutional dates –  
dates are forward looking  
while also reflecting  
completed actions



Issue Owner: Nicolai Romanowski [nro@cefic.be](mailto:nro@cefic.be)

# Electricity Market Design (EMD) Revision

Updated January 2024

(completed)

|                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Impact assessment<br>Q3 2021         | <b>Background</b><br>Reaching carbon neutrality by 2050 requires addressing carbon emissions deriving from combustion of natural gas.<br><br>The Commission identified hydrogen and renewable and low-carbon gases as ways forward.<br><br>This requires an update of the gas regulatory framework. Legislative proposals are expected to amend (common rules for the internal market in natural gas and conditions for access to the natural gas transmission networks. | <b>State of Play</b> <ul style="list-style-type: none"><li>The European Commission did not carry out an impact assessment on its electricity market design proposal.</li><li>The Commission proposal was published on 16 March 2023. The scope of the proposal largely affirms the current electricity market design, focusing on improving long-term contracting and integrating flexibility solutions rather than overhauling the existing market.</li><li>The Parliament and Council have both prepared their respective positions (EP <a href="#">report</a> and Council <a href="#">General Approach</a>) and trilogue negotiations started in October 2023. The trilogues concluded in December 2023.</li><li>The reform introduces fairly small-scale revisions to the existing market system, improving access to PPAs and harmonising the design of contracts-for-difference – both of which are generally positive.</li></ul> | <b>Advocacy Objectives:</b> <ol style="list-style-type: none"><li>Secure cost-competitive electricity for our operations</li><li>Promote Access to Power-Purchase-Agreement (PPAs) to support large-scale investment in adequacy and renewable and low-carbon technologies.</li><li>Minimise market distortions when applying non-market instruments to electricity contracting and supporting the roll-out of renewable and low-carbon capacity.</li></ol> |
| Commission publication<br>14/03/2023 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| EP position                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Council general approach             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Trilogues                            | <b>Impact</b><br>Our industry is the main industrial consumer of electricity. Electricity consumption is expected to rise, particularly as technologies such as e-crackers, chemical recycling, or renewable hydrogen production are applied at scale in the chemical industry.<br>Priority is to secure cost competitive, abundant electricity, as well as enable access to different, voluntary contracting and hedging options.                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Adoption                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>Advocacy Actions</b> <ul style="list-style-type: none"><li>Response to the Commission consultation in February 2023</li><li>Dialogue with the Commission, Member States, and relevant stakeholders to explain and promote our priorities</li><li>Respond to the Commission ex-post consultation by 23 May with our position paper</li><li>Develop amendments on the Cefic priorities (23 May 2023)</li></ul>                                             |
| Implementing or delegated acts       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

Key institutional dates –  
dates are forward looking  
while also reflecting  
completed actions



Issue Owner: Nicolai Romanowski [nro@cefic.be](mailto:nro@cefic.be)

# Revision Renewable Energies Directive (RED)

(completed)

Updated January 2024

|                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Impact assessment<br/>Q1-Q2 2021</b>              | <b>Background</b> <p>The RED review was conducted in the context of an increase in the EU's 2030 emissions reduction target.</p> <p>In August 2020, the Commission presented a Roadmap/Inception Impact Assessment on the evaluation and possible revision. This was followed by a public consultation, that ended in February 2021.</p> <p>As RED was subject to a limited revision in 2018, the present evaluation will also assess the effectiveness of the legal framework in its entirety, while also assessing what is necessary to update for alignment with the European Green Deal objectives as a whole.</p> <b>Impact</b> <p>The revision proposed a binding target for renewable hydrogen use in industry by 2030, which would affect the chemical sector as one of the largest consumers of hydrogen.</p> <p>Streamlining of the Directive's guidance on PPAs and removal of administrative barriers to the deployment of renewables may ease access to renewable energy for industry.</p> | <b>State of Play</b> <ul style="list-style-type: none"><li>• The Commission carried out an impact assessment and published their proposal on 14 July 2021.</li><li>• The European Parliament's ITRE Committee was responsible for drafting the report and the ENVI Committee delivered an opinion. The final draft report was adopted in Plenary on 13 September 2022.</li><li>• The Council agreed its General Approach on 27 June 2022, preparing the ground for the subsequent interinstitutional trilogue negotiations.</li><li>• The Commission called on co-legislators in its REPowerEU Action Plan (18 May) to increase the renewable energy ambition of the RED. The respective legislative proposal would need to be integrated into the already agreed Parliament position and Council General Approach.</li><li>• Trialogues reached a preliminary agreement on 28 March 2023, with favourable treatment in particular for by-product hydrogen as it is found primarily in our sector.</li><li>• Negotiating parties complemented that preliminary agreement with a 'Declaration' - that is not part of the legal text of the RED – that charts a compromise for France, which had withheld support for the final text over concerns of what the renewable hydrogen mandate would mean for its steam-methane reformers.</li><li>• The final text was formally adopted by the Parliament in September 2023 and by the EU Council in October 2023.</li></ul> | <b>Advocacy Objectives</b> <ol style="list-style-type: none"><li>1. Secure access to cost-competitive renewable energy sources for our industry</li><li>2. Ensure that the target for renewable hydrogen in industrial applications (Art. 22a) is set in a way that takes into account the specificities of the chemical sector</li><li>3. Ensure access to cost-competitive renewable-based products and materials for the chemical industry through a labelling scheme for industrial products manufactured with renewable energy and renewable fuels of non-biological origin</li></ol> |
| <b>Commission<br/>publication<br/>14 / 07 / 2021</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>EP position<br/>September 2022</b>                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Council general<br/>approach<br/>June 2022</b>    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Trilogues<br/>2<sup>nd</sup> Half-2022</b>        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Adoption</b>                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Implementing or<br/>delegated acts</b>            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

Key institutional dates –  
dates are forward looking  
while also reflecting  
completed actions



Issue Owner: Nicola Rega/ Nicolai Romanowski  
[nre@cefic.be](mailto:nre@cefic.be) / [nro@cefic.be](mailto:nro@cefic.be)



# HSSE, Transport & Logistics

CONFIDENTIAL

# Healthy soils – Soil Monitoring and Resilience Law (Directive)

Updated January 2024



|                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Impact assessment                  | <p><b>Background</b></p> <p>The importance of soil protection and restauration was recognized in the Biodiversity Strategy for 2023, the Farm to Fork Strategy, Zero Pollution Action Plan. More recently in Soil Strategy, where it was announced the development of the soil health law, underlining that the revision will address the soil issues in a comprehensive way and help to fulfil EU and international commitments on land-degradation neutrality.</p> <p><b>Impact</b></p> <p>The Commission proposal includes provisions such as:</p> <ul style="list-style-type: none"><li>• to identify contaminated sites; set up an inventory and register of those sites;</li><li>• to remediate the sites that pose a significant risk to human health and the environment by 2050.</li><li>• to assess the feasibility of soil health certificate for land transaction</li><li>• to develop an EU priority list of descriptors of contaminants of major and/or emerging concern that pose significant risks for European soil quality by 2024</li><li>• MS should establish a system of voluntary soil health certificates for land transactions</li></ul> | <p><b>State of Play</b></p> <ul style="list-style-type: none"><li>• Commission <a href="#">Roadmap consultation</a>: 16 February - 16 March 2022</li><li>• Commission <a href="#">Public consultation</a>: 1 August-24 October 2022</li><li>• Adoption by the Commission: 5 July 2023</li><li>• Commission <a href="#">Consultation</a> on the proposal until 3 November 2022. Cefic is <a href="#">responding</a>.</li><li>• In the European Parliament, the ENVI Committee rapporteur (lead) the deadline for amendments was on 27 November 2023.</li><li>• A Council Policy debate took place in the Environment Council on 18 December 2023.</li><li>• The Council will continue the exchange on the file in view of achieving a general approach (expected in June 2024).</li><li>• The EP ENVI compromise amendments negotiations are taking place with the view to adopting the report on 7 March (to be confirmed). The plenary vote has been tentatively planned for 10 April 2024 (tbc).</li></ul> | <p><b>Advocacy Objectives</b></p> <ul style="list-style-type: none"><li>• <a href="#">Position</a> published in October 2023</li><li>• Cefic developed a <a href="#">7 point action plan for Soil Monitoring Law</a></li><li>• Overall asks: clarification of the definition of ‘soil health’, request a nuanced approach to assess soil health; exclude the artificial land from the application of soil health criteria; remove the voluntary soil health certification; restrict EU register to contaminated sites.</li></ul> <p><b>Advocacy Actions</b></p> <ul style="list-style-type: none"><li>• Cefic reply to the questions posed to the Soil Expert Group in November 2022</li><li>• Cefic <a href="#">reply</a> to the Commission Consultation in October 2023</li><li>• Cefic attended the round tables organized by the rapporteur in 2023</li><li>• Engagement with Rapporteur and Shadow Rapporteurs</li><li>• Follow-up with Cefic proposal for amendments</li><li>• Analysis of the draft report and later also the analysis of all amendments tabled in ENVI shared with MEPs</li></ul> <p><b>Issue Owner: Ioana Blaj</b> (ibl@cefic.be)</p> |
| Commission publication 7 June 2023 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| EP position                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Council general approach           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Trilogues                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Adoption                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Implementing or delegated acts     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

# Industrial Emissions Directive (IED) (and E-PRTR) review

Updated January 2024

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Impact assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Background</b><br>With the EU Green Deal in 2020, comprehensive action on various aspects related to climate change, decarbonisation, circularity and zero pollution was launched. The IED is likely to become the ‘vehicle’ for the Green Deal.<br><br><b>Impact</b><br>The Commission’s proposal was presented on 5 April 2022 and, if implemented as proposed, will have a major impact on industry. Permitting will take much more time and a large unit will face the need to retrofit, if the proposed push for the strictest emission levels possible is implemented. Significant administrative burden due to binding Envi Management Systems, including a potentially broad chemical inventory. Significant penalties in case of non-compliance including a reversal of the burden of proof. |
| Commission publication<br>April 5, 2022                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| EP position                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Council general approach<br>16 March 2023                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Trilogues                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Adoption                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Implementing or delegated acts:<br>30/06/2023                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>State of Play</b><br>The Commission <a href="#">proposal</a> was adopted on 5 April 2022.<br><br><b>European Parliament:</b> <ul style="list-style-type: none"><li>• Vote in the ENVI Committee: April 2023</li><li>• Vote in Plenary: May 2023</li></ul><br><b>Council:</b> <ul style="list-style-type: none"><li>• General Approach agreed on 16 March 2023</li></ul><br><b>Trilogues</b> started mid July 2023. The second trilogue meeting took place on 10 October 2023.<br><br><b>Next:</b> The <b>institutions achieved a political agreement on 28 November 2023</b> . Both the Council and the European Parliament are set to formally adopt the text in the coming weeks in line with the political agreement reached. Once formally adopted, the directive will enter into force on the 20 <sup>th</sup> day following its publication in the Official Journal. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Advocacy Objectives</b><br>Ensure the IED stays manageable. Further, overlap with other legislation (e.g., the EU ETS Directive) must be avoided. As regards compensation, remove the adaptation of the burden of proof. COM needs to understand to apply a risk-based rather than a hazard-based approach. Cross Media Effects of pollution reduction must not outweigh the benefits.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Advocacy Actions</b> <ul style="list-style-type: none"><li>• Finalization of advocacy material (amendments, one pager with high level political messages) and engagement with the European Parliament.</li><li>• Close cooperation with Industrial Emissions Alliance, Cefic Legal and Public Affairs teams.</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

Key institutional dates –  
dates are forward looking  
while also reflecting  
completed actions

Issue Owner: **Ioana Blaj** ([ibl@cefic.be](mailto:ibl@cefic.be)). **William Garcia** ([wga@cefic.be](mailto:wga@cefic.be))

# Waste Shipment Regulation

Updated January 2024



## Impact assessment

**Commission publication 19 November 2021**

**EP position January 2022**

**Council general approach**

**Trilogues**

**Adoption**

**Implementing or delegated acts**

## Background

The Waste Shipment Regulation lays down the procedure and control mechanisms for the transboundary shipment of waste (hazardous and non-hazardous). The Commission is seeking to identify and develop a plan to eliminate regulatory barriers that hamper the well-functioning of an EU-wide market for secondary raw materials, necessary for the transition to a circular economy and for achieving the critical mass needed for the growth of recycling technologies (chemical, dissolution and mechanical).

## Impact

Offers the opportunity to present the chemical industry as a solution provider and to contribute to eliminate the regulatory barriers in EU

## State of Play

### Commission:

- Inception impact assessment running until 8 April 2020
- Public consultation launched on 7 May until 30 July 2020
- Legislative proposal was published on 17 November 2021
- Consultation on the EC proposal: 19 November 2021 - 17 January 2022

### European Parliament:

- Vote in the ENVI Committee: 1 December 2022
- Adoption in the Plenary: 12 January 2023

**Council:** [Adopted](#) its negotiating mandate to start trilogues on 24 May 2023.

**Trilogues:** Interinstitutional negotiations meeting dates: 31 May, 21 Sep and 16 Nov 2023

The institutions achieved a political agreement on 17 November. Both the Council and the European Parliament are set to formally adopt the text in the coming weeks in line with the political agreement reached. Once formally adopted, the regulation will enter into force on the 20<sup>th</sup> day following its publication in the Official Journal.

## Advocacy Objectives

Promote a safe and responsible shipment and treatment of waste to preserve the environment and human health. Identify barriers which hinder the transition to a Circular Economy to ease up the administrative burden for the transboundary shipment of waste, while ensuring the application of the safety principle.

## Advocacy Actions

- Assessment of Commission proposal (November 2021)
- Engagement with Rapporteur and Shadow Rapporteurs (February-March 2022)
- Follow-up with Cefic proposal for amendments (April-May 2022)
- Assessment of the draft report and amendments tabled (May 2022)

**Issue Owner:** William Garcia/Ioana Blajibl@cefic.be

# Waste Framework Directive

Updated January 2024



## Impact assessment

## Commission publication July 2023

## EP position

## Council general approach

## Trilogues

## Adoption

## Implementing or delegated acts

### Background

The Waste Framework Directive protects public health and the environment through the proper management of waste. This is done by applying the EU's waste hierarchy, which promotes waste prevention and re-use over waste recovery and disposal. This initiative will improve waste management by:

- reducing waste generation including through re-use of products or components
- reducing mixed waste and increasing preparation for re-use or recycling of waste by improving separate collection.

The Commission has recently launched the public consultation. The Commission is seeking to identify the best options for setting EU-level targets limiting waste generation, increasing re-use, and increasing cost-efficient preparation for re-use and quality recycling, including for waste oils, textiles and food waste.

### Impact

Offers the opportunity to identify the key issues for the industry that should be addressed by this targeted revision and the potential opportunities to improve the directive. The revision also provides an opportunity to unlock the full potential of waste becoming a resource as part of the transition to a circular economy and to work towards a clear set of definitions both through an update of existing definitions (e.g. End-of-life) and through new concepts such as chain of custody mass balance.

### State of Play

- [Commission Call for evidence](#): 25 January - 22 February 2022
- [Commission Public consultation](#): 24 May - 16 August 2022
- The Commission [proposal](#) was presented on 5 July 2023
- The Commission proposal focuses only on **textile and food wastes**. Therefore, **Cefic has not engaged in the public consultation**, since the proposal does not address **industrial wastes**.
- EP is expected to vote on the draft report on 14 February 2024. The Plenary for adoption is expected on 11 March 2024.
- Council started working towards achieving the general approach.

### Advocacy Objectives:

The revision of the Waste Framework Directive should make a clear separation in policy objectives for increasing reduction, re-use, and recycling on the one hand, and decreasing disposal in landfills or incinerations on the other hand. To unlock the full potential of waste becoming a resource as part of the transition to a circular economy. In addition, it provides the opportunity to work towards a clear set of definitions both through an update of existing definitions (e.g. End-of-life) and through new concepts such as chain of custody mass balance.

### Advocacy Actions

- Cefic responded to the Call for evidence in February 2022
- Cefic responded to the Public Consultation, which closed on 16 August 2022
- **No further actions foreseen until YE2024**

# Integrated water management – Revised lists of surface and groundwater pollutants (Directive)

Updated January 2024



|                                                   |
|---------------------------------------------------|
| <b>Impact assessment</b>                          |
| <b>Commission publication<br/>26 October 2022</b> |
| <b>EP position</b>                                |
| <b>Council general approach</b>                   |
| <b>Trilogies</b>                                  |
| <b>Adoption</b>                                   |
| <b>Implementing or delegated acts</b>             |

## Background

This initiative addresses the Commission's findings on chemical pollution and the obligation under the EU water directives to regularly review the lists of priority substances and groundwater pollutants. According to the directives, the Commission is under a legal obligation to regularly review these lists of pollutants every six years.

Cefic contributes to the consultations and also to the technical working groups from the EC on the revision dossier for substances (PFAS, BPA, ibuprofen, nonylphenols) and to the SCHEER consultations on the preliminary opinions.

The proposal includes substantial changes including the replacement of the co-decision procedure with delegated acts to propose substances and amend environmental quality standards. The Commission also gives a more formal role to ECHA in the prioritization process. Another significant change set out in the financial statement is the proposal to improve the scientific process by replacing the support by JRC, SCHEER and contractors in "rather non-systematic manner" with ECHA, in line with the Chemicals Strategy for Sustainability (CSS) and OSOA.

## Impact

In the context of the EU initiatives coming from the Green Deal (e.g. Zero Pollution Ambition, Chemical Strategy for Sustainability, 8<sup>th</sup> EAP), the revision of the substances plays a key role in reducing the chemical pollution to water.

## State of Play

- Commission [Roadmap consultation](#): 23 October-20 November 2020
- Commission [Public consultation](#): 26 July - 1 November 2021
- The Commission [proposal](#) was published on 26 October 2022 and the consultation closed on 14 March 2023.
- The European Parliament's ENVI Committee adopted a draft report on 27 June 2023.
- [Adoption](#) in Plenary: 13 September 2023
- The Council's Working Party on the Environment is currently examining the proposal.

## Advocacy Objectives:

The overall objective is to ensure that the prioritization process continues to be based on risk assessment and priority substances/pollutants lists should include only the substances that are of EU wide relevance. In addition, ensure a transparent process and consultation of stakeholders.

Considering the latest mandate given to the JRC to develop an EQS for total PFAS, Cefic PC HSSE together with SG FPP4Eu and EFCTC SG joined forces to implement a two-way advocacy plan (1) focus on science and facts finding on a med to longer term; and (2) toward the Council, on short term, to raise awareness of the consequences if PFAS LoQ was adopted as per the EC proposal of 4.4 ug/l and potential EQS for total PFAS.

## Advocacy Actions

- Assessment of Commission proposal (October 2022)
- Cefic position shared with Rapporteur and Shadow Rapporteurs with requests for a meeting
- Cefic drafted and shared with MEPs our proposal for amendments and assessed the draft report
- Toward the Council, Cefic paper to raise awareness of the consequences if PFAS Lo was adopted as per the EC proposal of 4.4 ug/l and potential EQS for total PFAS
- Cefic contributes to JRC technical working group in charge of drafting the dossier for the EQS for Total PFAS
- Cefic aims to contribute to the revision the watch list of surface water pollutants expected in 2024

# Urban Wastewater Treatment Directive

Updated January 2024



|                                           |
|-------------------------------------------|
| Impact assessment                         |
| Commission publication<br>26 October 2022 |
| EP position                               |
| Council general approach                  |
| Trilogues                                 |
| Adoption                                  |
| Implementing or delegated acts            |

**Background**

Under the Urban Wastewater Treatment Plant Directive (UWWTPD), the Commission proposes to create new Extended Producers Responsibility Schemes (EPR) targeting diffuse pollutants found in wasted waters, to make industrial producers co-finance the measurements of pollutants and the upgrade of many UWWTP across Europe by adding quaternary treatment facilities.

On 16 March 2023, the Environment Council held a debate on the Urban Wastewater Treatment Directive (UWWTD), where a majority of Member States declared their support for the EPR scheme, and agreed that there is a need for more discussion on EPR.

**Impact**

Although the Commission limits the call for new EPR in the UWWTPD to Cosmetics and Pharmaceuticals products, Cefic sees the risk that the Commission or the European Parliament use the UWWTD as a backdoor to impulse a new definition of ‘micro-pollutants’ and foster the application of a new EPR scheme for chemicals substances found in wastewaters based on open-ended lists of substances (like naming ‘all PFAS’ or CMRs, ED, PMT, vPvM, PBT and vPvB).

**State of Play**

- Commission Roadmap consultation: 21 July 2020 - 08 September 2020
- Commission Public consultation: 28 April 2021 - 21 July 2021
- The proposal was published on 26 October 2022 and the consultation closed on 14 March 2023.

**European Parliament**

- Adoption in ENVI Committee: 21 September 2023
- [Adoption](#) in Plenary: 5 October 2023

**Council**

- The Council adopted its [position](#) on 17 October 2023.

**Trilogues ended**

On 29 January, the Council and the EP reached a provisional political agreement on the file. The institutions agreed to include EPR schemes in the directive for pharmaceuticals and cosmetics. Hence, the producers of these sectors will need to contribute a minimum 80% of the costs for the quaternary treatment. Flexibility was given to the Member States on how to allocate the remaining costs.

**Next steps:** formal adoption by the institutions and publication in the OJ followed by entry into force in 20 days from the publication.

**Advocacy Objectives:**

In April 2023, Cefic issued a generic position on EPR for diffuse pollution found in waters to cover all the above-mentioned legislations, highlighting the complexity of setting such a scheme for diffuse organic pollution in water and key questions that should be addressed before an EPR for water policies is set, such as who the polluter is, how to characterize a pollutant, what should the polluter pay for, and how much should the polluter pay to which governing body. Moreover, we proposed key principles that should be applied e.g., clear definitions and methodology, the mandate for a Producer Responsibility Organisation, and actions to be taken.

**Advocacy Actions:**

Survey for any potential extension to micropollutants and EPR which might lead to further advocacy actions

**Issue Owner:** William Garcia/Ioana Blaj  
ibl@cefic.be

# AAQD (Ambient Air Quality Directive) review

Updated January 2024

|                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                          |
|-----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Impact assessment<br>12/16/2021               | <b>Background</b> <p>Clean air is essential for our health and that of the environment. To this end, the EU sets standards to avoid the buildup of excessive pollution concentrations.</p> <p>As part of the European Green Deal, the EU is revising these standards, to align them more closely with the recommendations of the World Health Organization.</p> <p>It also aims to improve overall EU legislation for clean air, building on the lessons learnt from last year's evaluation ('fitness check') of EU rules in this field.</p> <p>The revision is expected to set new emission targets for SO<sub>2</sub>, NO<sub>2</sub> and NO<sub>x</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, Pb, benzene, and CO</p><br><b>Impact</b> <p>Given the likely close alignment of the revised AAQD to the more stringent guidance values of the WHO, the revision can have a <b><u>significant impact</u></b> on the chemical industry, other industries and the society at large (e.g. via transportation and household heating).</p> | <b>State of Play</b> <p>The Commission presented its <a href="#">proposal</a> on 26 October 2022.</p> <p><b>European Parliament:</b> Plenary adopted the ENVI Committee <a href="#">report</a> (negotiating mandate with the Council) on 13 Sep 2023.</p> <p><b>Council:</b> A Progress Report or General Approach is scheduled for the <a href="#">Environment Council</a> on 18 Dec 2023.</p> <p><b>Trilogues:</b> February 2024 (date tbc)</p> | <b>Advocacy Objectives</b> <ul style="list-style-type: none"><li>• Cefic has prioritized the IED recast as leading Directive.</li><li>• Sector Group ESIG remains in the lead to address AAQD.</li></ul> |
| Commission publication<br>26 October 2022     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                          |
| EP position                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                          |
| Council general approach                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                          |
| Trilogues                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                          |
| Adoption                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                          |
| Implementing or delegated acts:<br>30/06/2023 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                          |

Key institutional dates – dates are forward looking while also reflecting completed actions

Issue Owner: Ioana Blaj (ibl@cefic.be)

# Seveso III Directive

Updated January 2024

|                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Impact assessment              | <p><b>Background</b></p> <p>With the EU Green Deal on 11 December 2020, comprehensive action on various aspects related to climate change, decarbonisation, circularity and zero pollution was launched. The Commission explores options to better align the IED and Seveso Directives.</p> <p>The possible proposal would amend several provisions of the Directive 2012/18/EU on the control of major accident hazards involving dangerous substances (SEVESO III), in line with the conclusions of the implementation reports of the Directive for the periods 2015-2018 and 2019-2022 submitted under Article 29(1) of the Directive.</p> <p><b>Impact</b></p> <p>Given the broad scope of the EU Green Deal the revision of the IED could create closer ties to the Seveso Directive.</p> |
| Commission publication         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| EP position                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Council general approach       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Trilogies                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Adoption                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Implementing or delegated acts |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

Key institutional dates –  
dates are forward looking  
while also reflecting  
completed actions

**State of Play**

No deadlines defined yet. Member States argue against a broader overlap of IED and Seveso. ZPAP mostly follows that notion.

**The revision of Seveso is currently not planned in 2024. DG ENVI will review in 2024 the implementation report 2019-2022 and report on it in September 2024. They don't foresee a revision of the Directive.**

**Advocacy Objectives**

- Ensure that IED stays manageable and mostly **independent of Seveso.**

**Advocacy Actions**

- Cefic is involved with the Seveso Expert Group of DG Environment. Cyber security will be on the agenda of the 2024 meeting
- No other actions foreseen in 2024

# Revision of the TEN-T network guidelines (incl RFC regulation 913/2010)

Updated February 2024

|                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Impact assessment                     | <p><b>Background</b></p> <p>EU wants to decarbonize freight transport through a substantial shift to alternative modes (rail and inland waterways). Target : increasing rail freight traffic 50% by 2030 and doubling by 2050. Availability of reliable and competitive rail freight services is crucial to the chemical industry's ability to maintain seamless supply chain operations.</p> <p><b>Impact</b></p> <p>The chemical industry is highly impacted by rail freight however reliability and competitiveness are lacking compared to road transport. Revision of related regulation will be paramount for the future modal shift potential.</p> | <p><b>State of Play</b></p> <ul style="list-style-type: none"><li>Commission proposal on revision of TEN-T guidelines <u>including</u> revision of Rail freight corridor guidelines published in December 2021.</li></ul> <p>Council</p> <ul style="list-style-type: none"><li>The Council adopted its general approach during the TTE Council meeting on Dec 5th 2022</li></ul> <p>EP</p> <ul style="list-style-type: none"><li>The TRAN draft report was published in Dec 2022, and 1850 amendments were tabled by the TRAN Committee members.</li><li>Cefic submitted its evaluation of the TRAN amendments to the rapporteurs and shadow-rapporteur (Jan 2023)</li><li>TRAN position was adopted in April 2023.</li></ul> <p>Trilogues kicked off on 24 April 2023.</p> <ul style="list-style-type: none"><li>Provisional agreement reached on 18 December 2023</li><li>2 Feb 2024 (Council): Working Party on Transport - Examination of revised recitals and information on the next steps</li><li>14 Febr 2024: TRAN Committee vote on trilogue agreement</li><li>22 April 2024 (EP): Indicative Plenary vote</li></ul> | <p><b>Advocacy Objectives:</b></p> <ul style="list-style-type: none"><li>Drastic improvement of reliability and efficiency of rail freight. Uniform punctuality KPIs should be put in place.</li><li>Increase availability and capacity of infrastructure, to allow for multimodal optimization and higher weight limits.</li><li>Improvement of cross-border interoperability</li><li>More power to the RFCs: train path planning, incident management, works coordination</li></ul> |
| Commission publication<br>14 Dec 2021 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| EP position                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Council general approach              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Trilogues                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Adoption                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Implementing or delegated acts        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

**Advocacy Actions**

Several actions were undertaken related to this proposal:

- position on rail freight & rail corridors : continue communication
- Position on TEN-T / RFC proposal.
- Respond TEN-T /RFC proposal feedback round.
- Team-up with other associations (UIRR, ESC) for communication towards TRAN Committee.
- Amendments to TRAN draft report evaluated and shared with rapporteurs (Jan 2023)

Key institutional dates –  
dates are forward looking  
while also reflecting  
completed actions

Issue Owner: Joost Naessens, [jna@cefic.be](mailto:jna@cefic.be)

# Directive on the use of Rail Infrastructure Capacity

Updated February 2024

|                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Impact assessment                      | <div><b>Background</b><p>On July 11th, the EU commission presented its Greening Freight Package. With the overarching goal of reducing transport emissions by 90% by 2050 and supporting the growth of the EU single market, these measures aim to optimize rail infrastructure, incentivize low-emission road transport, and provide comprehensive information on greenhouse gas emissions.</p><p>The main goal of the proposal on the use of rail infrastructure capacity is to improve the management of rail infrastructure capacity and traffic management, resulting into increased train punctuality, service reliability, and a reduction in the negative impact of infrastructure works on rail traffic.</p></div> <div><b>Impact</b><p>The chemical industry is highly impacted by rail freight, however reliability and competitiveness are lacking compared to road transport. Effective coordination among infrastructure managers is crucial for safe and efficient cross-border rail operations.</p><p>The proposal contains measures to enhance the management and coordination of international rail traffic. This includes revising the entire framework for capacity management into a single legal text and providing infrastructure managers with greater flexibility for strategic planning and short-term capacity allocation.</p></div> |
| Commission publication<br>14 July 2024 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| EP position                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Council general approach               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Trilogues                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Adoption                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Implementing or delegated acts         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

### State of Play

EU Parliament (TRAN Committee)

- Draft report published on 10 Nov 2023
- The TRAN Committee tabled 629 amendments to the draft report on 5 Dec 2023
- Adoption of the TRAN Report on the proposal is provisionally expected on 14 February 2024.
- A vote in plenary is provisionally foreseen on 11 March 2024.

Council

- Council experts are also expected to meet over the coming months and examine the proposal, in order to prepare the Council’s internal position (General Approach).
- 9 Feb 2024: Working Party on Land Transport - Discussion on the basis of a Presidency compromise proposal – Articles 5 to 25
- 18 Jun 2024: Transport Council - General approach

### Advocacy Objectives:

- Drastic improvement of reliability and efficiency of rail freight. Uniform punctuality KPIs should be put in place.
- Increase availability and capacity of infrastructure, to allow for multimodal optimization and higher weight limits.
- Improvement of cross-border interoperability
- More power to the RFCs: train path planning, incident management, works coordination

### Advocacy Actions

- [position on the proposal](#) shared with Rapporteur and Shadows
- Amendments on the proposal analysed. No official position taken.

Key institutional dates –  
dates are forward looking  
while also reflecting  
completed actions

# Emission measuring of European chemicals transport (Count Emissions EU)

Updated January 2024

|                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Impact assessment              | <div><b>Background</b><p>According to the EU Commission, shippers/logistics operators organizing a delivery, do not give sufficient consideration to environmental footprint. This is partly because they are not given the right information, including on available alternatives. With adequate information on the environmental footprint, businesses will be empowered to make more sustainable delivery and transport choices.</p></div> <div><b>Impact</b><p>To be able to act on transport CO2 emissions regulation, establishing an emissions baseline, measuring and reporting are key processes for our companies.</p></div> | <div><b>State of Play</b><p>As part of its Smart &amp; Sustainable mobility strategy, the Commission plans to establish a European framework for the harmonized measurement of transport and logistics greenhouse gas emissions, based on global standards. Cefic and Smart Freight Centre published a GLEC Module 5 with emission measuring standards for EU chemical transport. SQAS, the safety &amp; quality assessment scheme of Cefic, has been revised to reflect these emission measuring standards. Results of GLEC Module 5 and SQAS were shared with DG MOVE, for consideration in the EU emission measuring framework.</p><ul style="list-style-type: none"><li>• The COM proposal was published in July Q2 2023 as part of the Greening Freight Package</li><li>• The Council adopted its General Approach to the proposal on 4 December 2023.</li><li>• MEPs from the TRAN and ENVI Committees had until 17 January 2024 to table amendments to draft Report. 333 AMs were tabled.</li><li>• The TRAN and ENVI Committees are provisionally scheduled to vote on the amendments tabled to the draft Report and adopt the final Report on the measure on 4 March 2024, for a provisional plenary date scheduled on 10 April 2024.</li></ul></div> | <div><b>Advocacy Objectives</b><ul style="list-style-type: none"><li>• Provide a framework which fits for chemicals transport emission measuring (incl pipeline transport, load factors, cleaning, SWAP's...)</li><li>• Focus on collection of primary data (energy based) as basis for emission measuring</li><li>• Secure input and experience from the chemical sector in defining the framework and its emission calculation parameters</li></ul></div> |
| Commission publication         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| EP position                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Council general approach       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Trilogues                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Adoption                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Implementing or delegated acts |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <div><b>Advocacy Actions</b><ul style="list-style-type: none"><li>• Update the Cefic guideline on transport and logistics calculation (Q3 2024)</li><li>• <a href="#">Position</a> on the COM proposal shared with Co-Rapporteurs and Shadows on 22/11/2024</li><li>• Position on proposed amendments to be shared until mid February</li></ul></div>                                                                                                       |

Key institutional dates –  
dates are forward looking  
while also reflecting  
completed actions

Issue Owner: Joost Naessens, [jna@cefic.be](mailto:jna@cefic.be)

# European Single Wagonload transport (SWT)

Updated January 2024

|                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Impact assessment              | <div><div><b>Background</b><br/>The transition towards a sustainable and effective transport system must be supported by a high-performance, efficient and sustainable backbone rail freight system, catering for all types of rail operations, including SWT. Restructuring of SWT operations did not support SWT service and resulted in a further decline in SWT volumes.</div><div><b>Impact</b><br/>SWT represents more than 50% of the chemical industry’s total rail freight volume and is an integral part of chemical producers’ logistics networks : inbound of raw materials, as well as for distribution of finished products to its customers</div></div> | <div><div><b>State of Play</b><br/><br/>January 2024 :<ul style="list-style-type: none"><li>SWT remains not efficient, due to lack of open access infrastructure and lack of collaboration/bundling by railway operators. Escalation done via DG MOVE.</li><li>Belgium published its performance contract with Infrabel (rail infrastructure provider). This contract includes actions and KPIs that are well in line with Cefic’s SWT position. Cefic will support Belgium in advocating for the performance contract towards Council experts.</li><li>SERAF (Single European Rail Area Forum) kicked-off in September 2023. Cefic joined the forum and will use this as lobby forum for SWT</li></ul></div><div><div><b>Advocacy Objectives:</b><ul style="list-style-type: none"><li>Independent provision and management of first and last mile SWT infrastructure</li><li>Full separation of first and last mile SWT operations from the provision of long-haul train operations</li><li>Fully digitalize and automate SWT operations</li></ul></div><div><div><b>Advocacy Actions</b><ul style="list-style-type: none"><li>Position paper is endorsed and shared with DG MOVE.</li><li>Advocacy plans on national level are developed via the national associations.</li><li>Lobby activities ongoing in NL, F, DE and B.</li><li>Cefic joined the SERAF community and tabled a mandate for a subgroup on single wagon transport</li><li>Cefic supported the NL infrastructure manager in the development of an SWT strategy</li></ul></div></div></div></div> |
| Commission publication         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| EP position                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Council general approach       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Trilogues                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Adoption                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Implementing or delegated acts |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

Key institutional dates –  
dates are forward looking  
while also reflecting  
completed actions

Issue Owner: Joost Naessens, [jna@cefic.be](mailto:jna@cefic.be)

# Revision Weights and Dimensions (Directive 96/53/EC)

Updated February 2024

|                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|--------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Impact assessment              | <div><b>Background</b><p>Making Europe climate neutral by 2050 is one of the Commission’s top political priorities (European Green Deal). Greenhouse gas emissions from the transport sector represent a quarter of the EU’s total emissions.</p><p>Road transport is responsible for around 72% of transport emissions, with 26% coming from heavy-duty vehicles, such as lorries. The current rules on weights and dimensions of commercial vehicles should be in line with the Commission’s commitments to reaching the full potential of the single market and significantly reducing greenhouse emissions from transport.</p></div> <div><b>Impact</b><p>Revision of weights and dimensions should:</p><ul style="list-style-type: none"><li>• increase of efficiency and reduce emission intensity of road transport</li><li>• Increase potential for intermodal transport</li><li>• Increase efficiency of drivers, and reduce impact of driver shortage</li></ul></div> | <div><b>State of Play</b><p>The EU Commission announced its intention to revise the weights &amp; dimension directive as part of the smart of sustainable mobility strategy. This revision is linked with the revision of the combined transport directive.</p><ul style="list-style-type: none"><li>• The commission launched its call for evidence in February 2022. Cefic has shared first feedback, supporting this revision.</li><li>• Public consultation launched (due July 2022)</li></ul><p>The Commission present its proposal in July 2023, as part of the Greening Freight Package.</p><p>EP (TRAN Committee)</p><ul style="list-style-type: none"><li>• 20 Oct 2023: Draft Report</li><li>• 21 Nov 2023: Amendments 51 – 304</li><li>• 11 Mar 2024: Indicative Plenary vote</li><li>• 14 Feb 2024: TRAN Committee Vote</li></ul><p>Council</p><ul style="list-style-type: none"><li>• 18 Jun 2024: Transport Council - General approach/progress report</li></ul></div> | <div><b>Advocacy Objectives:</b><ul style="list-style-type: none"><li>- Amend current weight limitations of 40 ton for border crossing.</li><li>- The maximum weight along the TEN-T comprehensive network should be increased to 44 tonnes in all countries.</li><li>- The maximum weight for intermodal transport operations should be increased to 48/50 tonnes.</li><li>- Additional weight and dimension credits should be accounted for low and zero-emission vehicles.</li></ul></div> <div><b>Advocacy Actions</b><ul style="list-style-type: none"><li>• First feedback shared on launch of initiative</li><li>• Taskforce on weight and dimensions started, which has responded to the public consultation and drafted a position.</li><li>• Cefic position on the COM proposal shared with Rapporteur and Shadows</li><li>• Evaluation of TRAN Amendments shared with (shadow) rapporteurs</li></ul></div> |
| Commission publication         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| EP position                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Council general approach       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Trilogues                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Adoption                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Implementing or delegated acts |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

Key institutional dates –  
dates are forward looking  
while also reflecting  
completed actions

Issue Owner: Joost Naessens, [jna@cefic.be](mailto:jna@cefic.be)

# Revision Combined Transport Directive

Updated February 2024

|                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Impact assessment              | <div><b>Background</b><p>To achieve its climate goals, the European Union needs to reduce greenhouse gas emissions in its transport sector by 90% by 2050. The European Green Deal stated that a substantial part of the 75% of inland freight carried today by road should shift to rail and inland waterways. The Combined Transport Directive is the most important Union legal instrument supporting intermodal freight transport.</p><b>Impact</b><p>The revision of the CT directive should support our sector to shift transport to lower emission transport modes (rail, inland waterways and short sea shipping), thereby reducing carbon emissions and other negative externalities of the transport sector.</p><p>At the same time, CT alternatives should be reliable and competitive compared to road-only transport.</p></div> | <div><b>State of Play</b><ul style="list-style-type: none"><li>Commission proposal published in November 2023 as part of the Greening Freight Package.</li><li>Support is redirected to operations reducing negative externalities by at least 40% compared to road-only operations on the same route.</li><li>EFTI platforms will host a calculation tool for transport organizers to prove eligibility for support.</li><li>Introduction of exemptions from temporary driving bans, like weekend bans, for combined transport.</li><li>Cost reduction targets for member states: at least 10% within 7 years.</li><li>Terminal operators are mandated to provide minimum information on their websites</li></ul><p>Cefic published a discussion paper on how to boost Combined Transport.</p><b>Council:</b><ul style="list-style-type: none"><li>17 Nov 2023: Working Party on Transport - Presentation of the proposal and impact assessment by the Commission</li><li>12 Jan 2024: Working Party on Transport - Examination of the proposal article by article</li><li>19 Jan 2024: Working Party on Transport - Presentation by the Commission on the complementarity of the two directives</li><li>18 Jun 2024: Transport Council - General approach</li></ul></div> | <div><b>Advocacy Objectives</b><p>Main action areas to make CT chemical producers' first choice:</p><ul style="list-style-type: none"><li>CT services to be focused on satisfying end-customers' needs at all times</li><li>CT to be competitive compared to road transport,</li><li>adequate network infrastructure structure to access rail as well as capacity to enable reliable and efficient execution of main legs</li><li>CT transport chains to be fully digitalized end-to-end, enabling seamless information exchange and optimization of operational execution</li></ul></div> |
| Commission publication         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| EP position                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Council general approach       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Trilogues                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Adoption                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Implementing or delegated acts |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <div><b>Advocacy Actions</b><p>Jan 2022 : Discussion paper - Cefic requirements and recommendations to boost Combined Transport (published)</p><p>Feb 2023 : exchange with DG MOVE on greening freight package and scope of CT Directive revision</p><p>Dec 2023 : Cefic position paper on the proposal for a revision of the Combined Transport Directive</p></div>                                                                                                                                                                                                                       |

Key institutional dates –  
dates are forward looking  
while also reflecting  
completed actions

Issue Owner: Joost Naessens, [jna@cefic.be](mailto:jna@cefic.be)

# Revision Train Drivers’ Directive 2007/59/EC

Updated February 2024

|                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|--------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Impact assessment              | <div><b>Background</b><p>As announced in the Strategy for Sustainable and Smart Mobility (initiative 67), the Commission is expected to revise Directive 2007/59/EC on the certification of train drivers operating locomotives and trains on the railway system.</p><p>This initiative complements the EU legislative actions to double the share of rail freight until 2030. The aim is to modernize the requirements and certification of train drivers, to allow easier (international) access and increase the resilience of the rail freight system.</p></div> <div><b>Impact</b><p>The proposal for a revision would lead to further improvement of the mobility of train drivers between companies as well as between Member States. In the case of line disruptions (e.g. Rastatt incident), rail traffic and supply chain continuity is severely impacted due to the lack of train driver flexibility to drive in other countries. Route knowledge and language requirements are the main obstacles to increase this flexibility.</p></div> | <div><b>State of Play</b><ul style="list-style-type: none"><li>Public consultation launched on June 1st until September 30th.</li><li>Publication commission proposal not expected during this term of the EU COM.</li></ul></div> | <div><b>Advocacy Objectives</b><p>Secure resilience of the EU rail freight system by :</p><ul style="list-style-type: none"><li>Introducing English as EU-wide accepted language for train drivers (cfr air transport).</li><li>Reduce route knowledge requirements in case of line disruptions and making diversionary routes more accessible</li><li>Increased use of digital tools to secure safety and effective communication in international rail freight transport</li></ul></div>                                                                            |
| Commission publication         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| EP position                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Council general approach       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Trilogues                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                    | <div><b>Advocacy Actions</b><p>Sept 2022 :</p><ul style="list-style-type: none"><li>Cefic participation in commission workshop for rail stakeholders</li><li>Cefic responded to the public consultation</li></ul><p>March 2023</p><ul style="list-style-type: none"><li>Proposal announced as part of the Greening Freight Package (publication June 21st 2023)</li><li>Exchange of views with DG MOVE (Feb 2023)</li></ul><p>January 2024:</p><ul style="list-style-type: none"><li>Proposal not expected before Q2 2024, due elections in June 2024</li></ul></div> |
| Adoption                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Implementing or delegated acts |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

Key institutional dates –  
dates are forward looking  
while also reflecting  
completed actions

Issue Owner: Joost Naessens, [jna@cefic.be](mailto:jna@cefic.be)

# Digitalisation of freight transport information (eFTI – corridor data sharing)

Updated January 2024

|                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Impact assessment                            | <div><b>Background</b><p>The use of paper documents represents a significant administrative burden and additional cost for logistics operators, industry and authorities. EU wants to define a legal framework at Union level requiring competent authorities to accept relevant freight transport information, required by legislation, in electronic form.</p></div> <div><b>Impact</b><p>Chemical logistics is highly regulated, requiring intensive checks and controls before, during and after (un)loading and transport of chemical goods. Digitalization will increase efficiency, safety and compliancy, but also authority supervision and enforcement.</p></div> | <div><b>State of Play</b><ul style="list-style-type: none"><li>eFTI Regulation adopted August 2020, and shall apply August 24th 2024. Rules on logistics corridors data sharing expected in 2022.</li><li>Digital transport &amp; logistics Forum (DTLF) prepared input for eFTI delegated and implementing acts on datasets / subsets, platform access, platform requirements and service providers.</li><li>Data requirements defined for dangerous goods and waste shipments</li></ul><p>January 2024</p><ul style="list-style-type: none"><li>COM is expected to adopt delegated and implementing acts in Q2 2024</li><li>Go live of the regulation is therefor postponed with 1 year until August 2026.</li><li>Cefic will pay special attention to eFTI impact on waste shipments and dangerous goods</li></ul></div> | <div><b>Advocacy Objectives</b><ul style="list-style-type: none"><li>Data governance: ensure data security, integrity and ownership</li><li>Ensure technology independent services : free choice of IT service providers and interoperability of technical solutions.</li></ul></div> <div><b>Advocacy Actions</b><ul style="list-style-type: none"><li>Cefic position on digital collaboration &amp; data sharing shared with DG MOVE.</li><li>Input in eFTI DA &amp; IA via DTLF Subgroup 1.</li><li>Cefic submitted 8 use cases for evaluating eFTI regulation datasets, functional and architecture requirements, and governance.</li><li>Ceifc participates in DTLF B2B consultation on the implementation of eFTI Regulation for dangerous goods and waste shipments (all modes)</li></ul></div> |
| Commission publication                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| EP position                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Council general approach                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Trilogues                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Adoption<br>24-08-2020                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Implementing or delegated acts<br>Q2/Q4 2024 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

Key institutional dates –  
dates are forward looking  
while also reflecting  
completed actions

Issue Owner: Joost Naessens, [jna@cefic.be](mailto:jna@cefic.be)

# 2010 HNS Convention

Updated January 2024

|                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Impact assessment              | <p><b>Background:</b></p> <p>The 2010 HNS Convention ensures effective compensation to participating States for damages to persons and property, clean up and reinstatement and economic losses from incidents with Hazardous and Noxious Substances (HNS) at sea.</p> <p>It is a 2-tier system: Tier 1 covers damage via shipowners' insurance up to 100 mln SDR (115 mln SDR for packed), Tier 2 up to 250 mln SDR via the HNS Convention Fund.</p> <p><b>Impact</b></p> <p>4 accounts are created: a general account, an oil account, an LNG account and an LPG account. In case of an incident, the <b>receivers of bulk goods</b> via sea in the respective account will have to compensate for the costs which fall in Tier 2. This will be based on mandatory yearly reporting of received bulk liquid and solid HNS goods in every member state by the companies.</p> |
| Commission publication         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| EP position                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Council general approach       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Trilogues                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Adoption                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Implementing or delegated acts |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

**State of Play**

- The 2010 HNS Convention will enter into force when 12 States have ratified, whereof 4 States with no less than 2 mln units of gross tonnage, and when the general account's contributing cargo is at least 40 mln tonnes. Currently, 6 States have ratified: South Africa, Canada, Denmark, Norway and Turkey.
- The EU Council decided in 2017 that EU Member States shall endeavor to take the necessary steps to deposit the instruments of ratification, if possible, by 6 May 2021.
- A position has been drafted and shared with several stakeholders, including DG MOVE, IOPC Fund, ECSA and some countries
- Cefic's position has been presented to the IOPC Fund General Assembly (March 2022)

April 2022

6 countries ratified the Convention (South Africa, Canada, Norway, Denmark, Turkey and Estonia). Belgium, France, the Netherlands and Germany are planning to ratify together in summer 2023. National legislative work is ongoing. National associations are connecting with their authorities, with support from Cefic.

HNS Workshop held 3-4/4/2023, with Cefic participation.

**Advocacy Objectives:**

- Secure level playing field, by pushing for collaborative ratification and implementation with EU.
- Harmonized scope and reporting criteria
- follow-up after entry into force :
  - compensation by bulk receivers for packed goods incidents
  - compensation when shipowner's liability is inadequate, not available or exempted from repayment
- Improved HNS finder tool
- Be involved in communication towards companies

**Advocacy Actions**

- engage with members states, to ask for collaboration and harmonization on criteria and scope
- Connect with DG MOVE on joint action
- Follow up on classification of plastic pellets, which would bring them under HNS Compensation.
- Participate in IOPC Fund Assembly to influence implementation.
- Cefic shared its position during IMO HNS Workshop in April 2023

Key institutional dates –  
dates are forward looking  
while also reflecting  
completed actions

Issue Owner: Joost Naessens, [jna@cefic.be](mailto:jna@cefic.be)



cefic

# Industrial Policy

CONFIDENTIAL

# Carbon Border Adjustment Mechanism (CBAM)

Updated February 2024

|                                                          |
|----------------------------------------------------------|
| <b>Inception Impact assessment<br/>March 2020</b>        |
| <b>Commission publication<br/>14 / 07 / 2021</b>         |
| <b>EP position<br/>22 / 06 / 2022</b>                    |
| <b>Council General Approach<br/>15 / 03 / 2022</b>       |
| <b>Trilogues<br/>2H2022</b>                              |
| <b>Adoption<br/>12/2022</b>                              |
| <b>Implementing or delegated acts<br/>During 2023-25</b> |

## Background

The Commission published a proposal on establishing a carbon border adjustment mechanism as part of its Fit for 55 package on 14 July 2021.

The draft Regulation proposed to establish a carbon border adjustment mechanism (CBAM) to address the embedded greenhouse gas emissions of certain goods imported into the EU and to prevent carbon leakage. It aimed to complement the EU ETS by applying an equivalent regime to imports. In addition, it aimed to eventually become an alternative to the elements of the EU ETS that prevent carbon leakage, notably the allocation of free allowances. The goods covered and the related GHG emissions are cement, iron and steel, aluminum, fertilizers, electricity. Importers have to notify imports and their 'embedded' carbon and purchase CBAM certificates for compliance equivalent to carbon costs had their imports been produced in EU.

## Impact

Apart from fertilizers, products of the chemical industry are not in scope of the proposal yet – also due to the chemical industries' export-orientation and complexity of value chains. The biggest revenue effect from CBAM for Member States is expected to come from the stepwise withdrawals of free allocation.

The proposed CBAM does not consider indirect carbon costs (embedded in consumed electricity) nor export competitiveness effects of EU carbon pricing and complex value chains with the problem of circumvention possibilities. Withdrawing existing provisions as envisaged in the COM proposal whilst EU carbon costs increase would expose large parts of the chemical industry business to a high risk of carbon leakage.

## State of play

- Informal interinstitutional trilogue negotiations reached an agreement in December 2022: inclusion of hydrogen in the CBAM scope, leaving unresolved issues like lack of solution for export competitiveness, how to cover value chains, indirect emissions, etc. By 2025, reports need to recommend scope extension, indirect emission inclusion, value chains, etc. Phase out of free allocation for CBAM sectors between 2026 to 2034 (-100%).
- Cefic is a member of the Commission's informal CBAM Expert Group advising on methodology of carbon footprinting calculation.
- In August 2023, the Commission published detailed implementation guidance for importers' reporting required starting 1/10:2023 (1st report in January '24) and announced educational tools for CBAM sectors.
- The 'Transitional Phase' of implementation has started 1 October 2023: By 31 January 2024, importers should have submitted their first reports on imported CBAM goods and the respective carbon footprints using templates. Initial technical issues triggered Commission to give some relief concerning initial reports' obligations.

## Advocacy Objectives

1. For us as export-oriented sector, the Commission proposal lacks consideration i.e. of Export competitiveness.
2. WTO compatibility must be ensured
3. Promote international dialogue to avoid trade conflicts
4. Use revenues completely to support low carbon manufacturing and investment
5. Current carbon leakage safeguard must not be compromised
6. Cost and complexity must be minimized, while the framework must be robust
7. Safeguard appropriate carbon footprint methodology for hydrogen, ammonia
8. Monitor/influence developments towards envisaged CBAM scope extensions
9. Build advocacy on PE impact study findings and Cefic ExCom assessments.

## Advocacy Actions

- Assessment of Commission proposal and Cefic position and strategy (July-October)
- Feedback to the ex-post public consultation (18 November 2021)
- Amendment proposals and dialogue with key MEPs (Q4 2021/Q1 2022)
- Outreach to Member States through national federations
- Involvement in CBAM Expert Group towards delegated/implementing acts drafting
- Contributing to PE CBAM study
- Involving the Commission's participation in a series of three Cefic Policy Horizon events on CBAM
- Positioning towards future scope extension and outreach resulting from PE study conclusions



Key institutional dates –  
dates are forward looking  
while also reflecting  
completed actions

Issue Owner: Peter Botschek ([pbo@cefic.be](mailto:pbo@cefic.be))

# Net Zero Industry Act (NZIA)

Updated January 2024

|                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Inception Impact assessment</b><br>xx/xx          | <p><b>Background</b></p> <p>The European Commission proposed the Net-Zero Industry Act (NZIA) on 16 March 2023 as part of the Green Deal.</p> <p>NZIA aims at strengthening the European manufacturing capacity of 'net-zero technologies' through supporting skills development, easier funding, devoted Platform, etc.. Targets and measures in the Regulation aim at securing the net-zero technology industrial base and at improving the EU's energy resilience.</p> <p><b>Impact</b></p> <p>Beyond net-zero technologies to benefit from this regulation, 'strategic net-zero technologies' would enjoy additional benefits: 'Net-Zero strategic projects' may be granted priority status with shorter permitting timelines, etc..(Solar photovoltaic and solar thermal technologies, renewable technologies, battery/storage technologies, electrolyzers, etc.).</p> <p>The proposal sets a benchmark for the manufacturing capacity of strategic net-zero technologies to meet at least 40% of the EU's annual deployment needs by 2030.</p> <p>Chemicals, although of fundamental importance to make selected net-zero technologies, are not included, only 'components' mentioned.</p> |
| <b>Commission publication</b><br>16/03/2023          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>EP position</b><br>November 2023                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Council General Approach</b><br>December 2023     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Trilogues</b><br>ongoing                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Adoption</b><br>During Q1 2024                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Implementing or delegated acts</b><br>xx/xx /xxxx |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

## State of play

- President von der Leyen announced the European Green Deal Industrial Plan in January 2023 considering a path to climate neutrality also by investing in clean technology. The Green Deal Industry Plan also includes the Net Zero Industry Act finally presented in March '23.
- Council and Parliament have since then worked on the proposal: 'materials and value chains' language have been added into the NZIA compromise text.
- The Council negotiating text includes also references to «transformative industrial technologies» for decarbonisation, to 'materials' and 'components' and also to the Chemicals Industry
- The last trialogue is scheduled for 6 February
- The EU Council in October 23 has asked EU Institutions to finalise the file as soon as possible

## Advocacy Objectives **Cefic Position May 2023**

1. Include materials and chemicals to the scope
2. Bring CCU into the Annex as a strategic net-zero technology
3. Consider circularity by bringing in recycling, advocacy opportunities:
  1. DG COMP can re-calculate the ETS indirect cost compensation, given the higher carbon costs
  2. Frontload the Innovation Fund, as the first call was heavily oversubscribed
  3. The Energy Market Design should allow for long-term agreements, joint ventures and PPAs
  4. The Energy Taxation Directive could introduce low tax rates for electricity supplied to these net-zero technologies.

## Advocacy Actions

- Liaison with Rapporteur MEP Ehler office
- M Mensink speech at EP ITRE Hearing, 23 May 2023
- Cefic amendments i.e. on NZIA scope launched
- October '23: High-level meeting with Commissioner Breton highlighting chemical industry needs



Key institutional dates –  
dates are forward looking  
while also reflecting  
completed actions

Issue Owner: Peter Botschek ([pbo@cefic.be](mailto:pbo@cefic.be))

# Export Bans

Updated January 2024

|                                                      |
|------------------------------------------------------|
| <b>Inception Impact assessment</b><br>xx/xx          |
| <b>Commission publication</b><br>xx/xx /xxxx         |
| <b>EP position</b><br>xx/xx /xxxx                    |
| <b>Council General Approach</b><br>xx/xx /xxxx       |
| <b>Trilogues</b><br>xx/xx /xxxx                      |
| <b>Adoption</b><br>xx/xx /xxxx                       |
| <b>Implementing or delegated acts</b><br>xx/xx /xxxx |

## Background

The 2020 Chemicals Strategy for Sustainability (CSS) includes an action that aims to ensure that hazardous chemicals banned in the EU are not produced for export. To this end, relevant legislation if and as needed. The Commission aims to deliver the EU's global leadership in safeguarding human health and the environment from harmful chemicals.

The inclusion of the action follows repeated calls by NGOS , especially with regards to Africa. There have been also calls by African countries for such a measure. Both EP and Council have expressed their general support for the action in their positioning on the CSS. There are already several national initiatives (France, Belgium, Germany) that are either in place or under development. Outside the EU, Switzerland has also implemented a limited export ban.

## Impact

Given that neither the scope nor definitions are known at the point of writing, it is hard to gauge the potential impact on the European chemical industry. The [Economic Assessment by RICARDO](#) estimates annualized losses in turnover from exports that would range from €7 billion to €11 billion per year between 2023 and 2040. Over 60% of the 47 chemical companies surveyed anticipate a negative or very negative impact on their competitiveness from an export ban, while less than 36% foresee no significant effects, and none anticipate a positive impact.

Moreover, the majority (77%) expect that non-EU located manufacturers would increase their production to close any gaps in supply caused by a reduction in exports from the EU. At the same time, almost a third plans to carry out or has already shifted (13%) its production elsewhere. The impact will have to be assessed in future when further information is available.

## State of play

The call for evidence and the public consultation ran back-to-back from the 08 May 2023 - 31 July 2023 to gather data and information to support the targeted evaluation of the PIC Regulation and to inform the impact assessment process. 2,668 contributions were received on the call for evidence, and 264 on the public consultation.

**In Autumn 2023, the European Commission decided to postpone the initially planned adoption of the export ban proposal by early 2024 to the next Commission.**

As next steps, the Commission is preparing a Staff Working Document on the evaluation of the PIC Regulation. In parallel, the work on the impact assessment on the initiative to prohibit production for export of chemicals banned in the EU will continue.

It is planned to finalize the impact assessment in 2024. The date for the adoption of the proposal is not yet known.

## Advocacy Objectives

Cefic's main asks as submitted in the Public consultation. To be further developed as more information becomes available.

- Global issues should be tackled with global solutions: given the global nature of trade, only global initiatives like the better implementation of the Rotterdam Convention can tackle the issue.
- Cefic supports the review and improvement of the EU Prior Informed Consent (PIC) regulation
- Production and export bans should be considered as measures of last resort for chemical substances banned in the EU
- There is a need for clear definitions, processes, and case-by-case decisions
- Compliance with WTO law and the Rotterdam Convention needs to be ensured

## Advocacy Actions

- Export ban Issue Team established
- Feedback to call for evidence and public consultation submitted
- Organized stakeholder awareness about survey for study to support impact assessment
- Legal assessment conducted
- Outreach to relevant DGs (e.g. ENV; GROW; TRADE)
- Position paper under development



Key institutional dates –  
dates are forward looking  
while also reflecting  
completed actions

Issue Owner: Philipp Sauer - [phs@cefic.be](mailto:phs@cefic.be)



# Innovation

CONFIDENTIAL

# Chemical Recycling - Packaging and packaging waste regulation

Updated February 2024

|                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Impact assessment completed          | <b>Background</b><br>The Circular Economy Action Plan, presented by the European Commission in March 2020, sets out various actions to revise the EU's waste legislation to make the European economy more circular. A key file is the <b>Packaging and Packaging Waste Directive</b> , which sets targets and requirements for packaging and the processing of packaging waste.<br><br><b>Impact</b><br>The PPWR sets targets and will adopt calculation methods in an implementing act, that may have significant implications for chemical recycling, in particular the targets on recycled content. A key objective is the inclusion of a mass balance chain of custody for recycled plastics. Also, the contribution of biobased materials to circularity should be taken into account. |
| Commission publication 30 Nov 2022   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| EP position 30 Nov 2023              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Council general approach 18 Dec 2023 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Trilogues                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Adoption                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Implementing or delegated acts       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

## State of Play

- The Commission ran a [roadmap consultation](#) in summer 2020 and a [public consultation](#) until January 2021.
- DG ENV B3, in charge of this revision, commissioned Eunomia to run the studies for an impact assessment
- Cefic updated its position paper on chemical recycling, with a particular view to the upcoming PPWD proposal.
- The proposal was presented on 30 Nov 2022
- The proposal is currently being reviewed by the Parliament and Council
- PPWR first trialogue: 5 February 2024, final trialogue meeting on 4 March 2024

*For chemical recycling, PPWD is the most imminent file. Further files of major relevance include Waste Framework Directive, End-of-Life Vehicles, Implementing Act Single Use Plastics, Waste Shipment Regulation, Commission Regulation on recycled content in food contact materials.*

## Advocacy Objectives

Establishing chemical recycling as a mature technology that can contribute in achieving recycling targets of Member States, also through showcasing the industry's efforts.

A legislative framework which moves from a waste orientation to a resource orientation, which also includes:

- The calculation of recycled content accepting the use of a chain of custody mass balance approach
- Resolve disconnects, complexity and inconsistency of approach caused by the co-existence of waste and product regulations

## Advocacy Actions

- The [position paper](#) on chemical recycling, contributing to the recycled content targets, has been shared with the relevant decisionmakers on PPWD in all three EU institutions.
- 30 May 2022: [Cefic response](#) to the consultation on Single Use Plastics Implementing Act
- Cefic submitted feedback to the proposal, also with a view to effective advocacy towards Parliament and Council. Working closely with Product Stewardship and BioChem Europe team.
- Advocacy towards the EP and the Council through national associations, and members

Key institutional dates –  
dates are forward looking  
while also reflecting  
completed actions



Issue Owner: Annick Meerschman (ame@cefic.be)

# Safe and Sustainable-by-Design

Updated January 2024

## Background

In the CSS, it has been announced that the Commission will develop a Methodology to set criteria for safe and sustainable chemicals, extended to materials & products. The objective is to set a common framework to support frontrunning companies, that are innovating towards alternatives. This is about the innovation pillar to realise the Commission's Vision on Safe and Sustainable chemicals; an innovation pillar that will be complemented through additional actions such as a strategic research and innovation agenda, funding opportunities, the creation of a network etc.

## Impact

A common framework to define criteria for safe and sustainable chemicals, materials and products, will bring a level playing field and provide a sound knowledge base & toolbox to bring to the market sustainable products. As such, it lays a foundation for the Ecodesign Regulation for Sustainable Products (ESPR).

## State of Play

**European Commission:** The Commission (DG RTD) published a [Mapping study](#) providing an overview of existing initiatives and R&I activities related to sustainability that are relevant for the development of safe and sustainable-by-design criteria for chemicals, materials and products. Next, the JRC finalised a [methodology](#) to define the criteria. The Commission did issue a [Recommendation](#) and [annexes](#) in December 2022, inviting Member States, RTS, academia, industry to test the Framework for setting criteria. A draft JRC report presenting a test case has been presented at the 3<sup>rd</sup> stakeholder workshop, as well as industry cases. A large consensus exists amongst industry, academia and RTOs, that the currently proposed Framework is difficult to implement and a call for simplification as well as providing further guidance and tools is made. A 2-year trial period (2023-2024) was launched for application of the framework. In June 2023, JRC published the report "[Safe and sustainable by design chemicals and materials - Application of the SSbD framework to case studies](#)". The JRC/Commission held a workshop on the first feedback phase in December 2023.

## Advocacy Objectives

- To have a workable and implementable approach, that builds on existing industry experiences and brings added value to the innovators.
- In particular, we are looking for a methodology that can be easily connected to portfolio steering methodologies, that are being used by the companies.

## Advocacy Actions

- Defined and presented a definition of the concept and way forward ([link](#)).
- Developed, published and presented an innovation guidance for the sector towards safe and sustainable chemicals, materials, products, processes & services ([link](#)).
- Organised an event in the European Parliament together with the Intergroup on "Climate Change, Biodiversity and Sustainable Development" ([link](#)).
- Liaised with downstream users.
- Participation to the [1<sup>st</sup>](#), [2<sup>nd</sup>](#) and 3<sup>rd</sup> stakeholder meetings organised by DG RTD & DG ENVI
- Provided feedback on JRC report presenting a first test case.
- Cefic [Statement](#) on the Publication of the Commission's Recommendation Establishing A European Assessment Framework For 'Safe and Sustainable by Design' Chemicals and Materials
- SusChem's [input](#) to the Commission's survey which was also published as a [position](#) on SusChem's webpage in March 2023.
- Cefic joins the EU initiatives the [IRISS](#) consortium and PARC (the European Partnership for the Assessment of Risks from Chemicals).





# Product Stewardship

CONFIDENTIAL

# Essential Uses

Updated January 2024

|                                |
|--------------------------------|
| Impact assessment              |
| Commission publication         |
| EP position                    |
| Council general approach       |
| Trilogues                      |
| Adoption                       |
| Implementing or delegated acts |

### Background

According to the Chemical Strategy for Sustainability, the Commission aims to limit the use of the most harmful chemicals to so called **essential uses** only. The concept goes hand-in-hand with the introduction of generic restrictions (hazard-based, default bans) under REACH or under sector legislation. This political objective is fully supported by the Council, individual Member States and the EU Parliament. How to translate this objective into legislation and roll it out in practice is yet to be defined. The Commission is seeking to get clarity in the context of the REACH revision. The concept will be integrated into REACH authorisation and restriction as well applied across sectoral legislation.

### Impact

In a worst-case scenario, the ‘essential use’ concept leads to an oversimplified (political) pre-decision approach, where any use considered as non-essential would be banned by default regardless of the substance - specific risks. This would lead to a “highly restrictive” regulatory environment to operate in where regulating chemicals would largely be steered by political decisions including elements of normative evaluation and subjective judgement. On the contrary, If well-defined and applied, the essential use concept can become a supplementary tool for assessing whether or not to continue a use of a chemical subject to a ban or restriction.

### State of Play

**European Commission (Pre-legislative stage):** At this stage many questions are still to be answered: how to assess what is essential, who would make the judgement etc., how the concept will be implemented in REACH and other legislation. The EC is expected to publish a Communication, timing unknown. The REACH revision is put on hold and postponed for the next Commission. At this stage it is difficult to predict what will happen in the next EC. The unknowns are twofold. First, when and how will the EC re-table the REACH revision. Will they (partially) return to the drawing board or not. Second, when will the EC table implementing legislation (e.g. for data-requirements). Although not everyone in the EC is convinced that slicing it up into pieces is the way to go, there is nothing (except political pressure) that prevents the Commission from tabling implementing legislation today. It is unlikely that much will happen before early 2025.

**European Parliament:** Their July 2020 Resolution on the CSS supports the approach. The EP intends to remain involved in the debate.

**Council of the EU:** Through the March 2021 Conclusions on CSS, stressed that the concept of ‘essential uses’ is a key element in the implementation of the CSS that will receive priority attention to make it operational without undue delay. Member States might prefer a more pragmatic approach to support decision making on chemicals.

### Advocacy objectives

- Introduce the “Essential Uses” concept under REACH in such a way that:
  - it is in line with the general CSS and facilitates decision making;
  - it’s applied optional/complementary alongside existing processes (socio-economic assessment and adequate control)
  - it is transparent, proportionate and predictable to identified risks.
- Ensure that decisions on Essential Uses are made by a politically accountable body and that the decision making is transparent and involve different stakeholders.

### Advocacy actions

- Dedicated [webpage](#) on essential use has been set up, including links to:
  - A concept paper outlining how an essential use assessment can be introduced under REACH
  - Suggestion on how such an assessment could be done.
- Phase 2 of Cefic’s economic analysis of the impact of the CSS assessed what the essential use concept could bring to regulatory decision making



# REACH: increased information requirements (IR) and the use of New Approach Methodologies (NAMs)

Updated January 2024

| Impact assessment              |
|--------------------------------|
| Commission publication         |
| EP position                    |
| Council general approach       |
| Trilogues                      |
| Adoption                       |
| Implementing or delegated acts |

## Background

The [Chemicals Strategy for Sustainability \(CSS\)](#) flagged the need for a targeted revision of REACH to achieve its objectives. To address the problems identified, a range of possible measures are being considered, among which the revision of the registration requirements for all substances is a key piece to enable an effective identification of substances with critical hazard properties (including effects on the nervous and the immune systems), manufactured or imported in the EU, irrespective of the volume. Although in a side note, the CSS further acknowledged that safety testing and chemical risk assessment should innovate to reduce dependency on animal testing and improve the quality, efficiency and speed of chemical hazard identification.

## Impact

- **Risk:** may imply for companies (manufacturers and importers of substances) to test much more chemicals for more hazardous properties.
- **Opportunity:** modernize REACH and improve acceptance of testing requirements (and adaptations) that are based on 21st century science and New Approach Methods (NAMs) for transitioning to animal-free testing.

## State of Play

### European Commission (pre-legislative stage):

The REACH revision is put on hold and postponed for the next Commission. Predictions on how the next Commission will handle the file are challenging. The unknowns are twofold. First, when and how will the Commission re-table the REACH revision (partial or no return to the drawing board) . Second, when will the Commission table implementing legislation (eg. for data-requirements). Although not everyone in the Commission is convinced that slicing it up into pieces is the way to go, there is nothing (except political pressure) that prevents the Commission from tabling implementing legislation today. At this stage, it seems unlikely that much will happen before early 2025.

**European Parliament:** Societal and political pressure to move away from animal testing (see also [European Citizen Initiative \(ECI\)](#)). July 2023, the Commission responded to the ECI to move away from animal testing and organized December a workshop to prepare for [The Commission roadmap for phasing out animal testing in chemical safety assessments - European Commission \(europa.eu\)](#)

**Council:** Member States have diverging views on how to integrate NAMs into REACH, in particular concerning triggers for deciding on further animal testing, NAM-based testing requirements and classification criteria. DE, FR, NL, BE, DK, SW Competent Authorities sent Sep 2023 a strong pushback signal on the latter to the Commission [CASG IR/ED](#).

## Advocacy objectives

- Position Cefic as trusted and knowledgeable partner, coordinating inputs to regulators on NAMs and IR matters. Achieve concrete changes in the REACH Revision towards a responsible transition to animal –free testing. Focus 2024 activities on the [commission roadmap](#) and member states experts (Short/Medium/long-term action plan).
- **Avoid being hit twice (animal testing and NAMs), and overregulation of substances based on NAM alerts (lacking quality information on uses and exposure increasingly becoming an issue)**

## Advocacy actions

- 2022: informal exchanges with ECHA and COM
  - 2022-2023: inputs to various Partner Expert Groups (PEG) on REACH and CLP Guidance updates and Commission's [CARACAL](#) and its sub-group [CASG IR/ED](#)
  - ECHA Workshop on NAMs (31/05-01/06/23): with Cefic in organizing Cttee and presentation of industry perspective
  - Continued cooperation with [European Partnership for alternative approaches to animal testing \(EPAA\)](#) on tools for a responsible transition to NAMs : 13-14 Nov event on Environmental NAMs took place at Cefic premises
  - Continued gathering scientific opinion pieces on the use of NAMs , incl. on OECD level
  - Engage with DG ENV/DG GROW , Parliament and Member States active on NAMs (DE, NL, F, BE) by actively contributing to the [The Commission roadmap for phasing out animal testing in chemical safety assessments - European Commission \(europa.eu\)](#), also via the [PARC NGRAroute](#) project (lead by German BfR)
- See further Public affairs activities on animal-free testing, REACH and CLP revisions

Key institutional dates –  
dates are forward looking  
while also reflecting  
completed actions



Issue Owner: Katia Lacasse, [kla@cefic.be](mailto:kla@cefic.be)

# The Classification, Labelling and Packaging Regulation (CLP) & the Globally Harmonised System for classification and labelling of chemicals (GHS) – New hazard classes

Updated January 2024

|                                |
|--------------------------------|
| Impact assessment              |
| Commission publication         |
| EP position                    |
| Council general approach       |
| Trilogues                      |
| Adoption                       |
| Implementing or delegated acts |

## Background

CLP was adopted in 2008, based on the UN GHS (Globally Harmonised System for classification and labelling of chemicals).

Every two years, a new version of the UN GHS is delivered, which is taken up under CLP.

Cefic contributes to the further development of the GHS and its implementation in Europe via the CLP.

In December 2022 the European Commission published the [CLP main text](#) proposal introducing new provisions for poison centres, multi-constituent substance and mixture classification rules, updating/ formatting labels, digital labelling, harmonised classification and labelling (CLH) (including for the group of substances), classification and labelling inventory and online sales.

## Impact

- New hazard classes will trigger bans and restrictions under REACH and sector legislation.
- New provisions in the OLP text may have a big impact on e.g. label formats, substance definition and CLH for group of substances.

## State of play

- On 19th of December 2023, the Council and the European Parliament reached a [provisional agreement](#) on CLP.
- The ENVI Committee of the Parliament adopted the provisional agreement on 11 January 2024. A formal adoption by the EU Parliament is expected in March/April 2024.
- Publication in Official Journal is expected earliest in June 2024.

## Advocacy objectives

- Classification of MOCS should be based on UN GHS principles.
- Grouping of substances, for CLH purposes must be based on scientific criteria as in REACH.
- Specific formatting rules for labels should be workable and preferably kept in the guidance document as currently is the case.
- The timeline to update all labels should be 12 to 18 months.

## Advocacy actions

- Cefic has been engaging in the discussions with the EP and Council to discuss Cefic's position on the main text of CLP and to propose amendments to the proposal from the Commission.
- Participate in the relevant CARACAL meetings.
- Collaborate and align positions with other associations on specific topics (e.g., via cross-industry platform).
- Participate in ICCA CP&H task force on UN GHS discussion for possible introduction of the new hazard classes into UN GHS purple book. TF aligns positions with other associations globally and pursues options for further actions. They agreed on [ICCA position](#) on new hazard classes.
- Provided comments to the [IIA](#), [open public consultation](#), targeted stakeholder survey, [published initiative](#), produced [a concise action plan](#) and intervened at CARACAL.
- In the lead in the Cross-Industry Platform on CSS.



# REACH: NEW DATA REQUIREMENTS (Polymers)

Updated January 2024

|                                |
|--------------------------------|
| Impact assessment              |
| Commission publication         |
| EP position                    |
| Council general approach       |
| Trilogues                      |
| Adoption                       |
| Implementing or delegated acts |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Background</b><br>The European Commission is assessing options for the registration of certain polymers under REACH (currently exempted).<br>For this purpose, several actions were taken by the European Commission, including the preparation of a report as basis for discussion and the establishment of a subgroup of Member States Competent Authorities (CASG) to discuss, amongst other things, which data requirements would be necessary to register Polymers Requiring Registration (PRR) under REACH. A legislative proposal is now on hold as the full REACH Revision has been postponed to the next Commission. |
| <b>Impact</b><br>The registration of polymers under REACH is one of the Actions included in the CSS. Due to the high number of existing polymers, the correct criteria to identify PRRs need to be proposed and the data requirements would need to be adjusted. If not, the costs of registering polymers would be significative and disproportionate.                                                                                                                                                                                                                                                                          |

## State of Play

In the **Commission** (CARACAL), the CASG on polymers met 8 times since being established in 2020. Several meetings took place and the last one before the REACH Impact Assessment took place in May 2022. The latest proposal showed significant requirements for industry, in particular regarding notification of all polymers which Cefic strongly disagrees.

To address the concerns from industry, Cefic has further developed strategies for grouping of polymers (including grouping criteria) which can fulfil the regulatory and legal requirements set up by ECHA and the Commission. These criteria will be tested further possibly in new pilot studies with Sector Groups to understand applicability.

However, the REACH revision is currently put on hold and postponed for the next Commission. At this stage it is very difficult to predict what will happen in the next Commission. The unknowns are twofold. First, when and how will the Commission re-table the REACH revision. Will they (partially) return to the drawing board or not. Second, when will the Commission table implementing legislation (eg. for data-requirements). Although not everyone in the Commission is convinced that slicing it up into pieces is the way to go, there is nothing (except political pressure) that prevents the Commission from tabling implementing legislation today. At this stage, it seems unlikely that much will happen before early 2025.

The **European Parliament** and the **Council** will likely be in favour of including the latest information requirements proposed (ordinary legislative procedure).

## Advocacy Objectives

- Due to the nature and complexity of polymers, the standard registration approach of REACH should be revisited to be fit for polymers. Any polymer registration scheme needs to be proportionate and workable, focusing only on Polymers Requiring Registration (PRR), thus excluding all polymers that are not PRRs, identified according to a specific set of criteria. Furthermore, the registration requirements need to be fit for purpose and new methodologies to group polymers into classes for registration need to be developed.
- Currently, Cefic supports that, due to the lack of knowledge on the real number and nature of polymers in the European market, the current REACH Revision should include only notification of all polymers, with minimum amount of information that would allow to understand how many polymers exist on the European market, what type of polymers are sold in Europe and how many would possibly be registered at a later stage.
- Cefic strongly disagrees with the proposal from the Commission on the extensive information requirements to be submitted during the notification step. Notification should be seen as a tool to provide Commission and MS a quick overview of all the polymers present in the European market.
- Regarding the proposed information requirements for PRRs, Cefic disagrees with the current proposal from the Commission and has proposed a first view of how information requirements for polymers could look like, in particular which endpoints should be evaluated for polymers in order to perform a proposed risk assessment, fulfilling the goal of REACH.

## Advocacy Actions

- At the moment Cefic is discussing how to better engage with ECHA in particular on the topic, especially regarding the grouping of polymers for registration and what data requirements would be asked at notification step.

Issue Owners: Filipe Almeida, [fal@cefic.be](mailto:fal@cefic.be) / Jesus Arroyo, [jar@cefic.be](mailto:jar@cefic.be)



# One Substance, One Assessment

Updated January 2024

|                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Preparation of proposal (no impact assessment) | <p><b>Background</b></p> <p>In the <a href="#">Communication on a Chemical Strategy for Sustainability</a>, the European Commission announced its intention to put in place a ‘One Substance, One Assessment’ approach to improve the efficiency, effectiveness, coherence and transparency of safety assessments of chemicals across legislation. A legislative package of 3 proposals was adopted by the Commission in December 2023: (a) a proposal for a Regulation establishing a common data platform on chemicals, (b) a proposal for a Regulation on the re-attribution of scientific and technical tasks and improving cooperation among EU Agencies in the area of chemicals and (c) a proposal for a Directive on the re-attribution of scientific and technical tasks to ECHA.</p> <p>The first proposal aims, inter alia, to establish a common data platform as a one-stop-shop for access to data on chemicals held by the Commission and EU Agencies and to set up a monitoring and outlook framework to enable the early detection of chemical risks. An obligation on the industry to notify all studies conducted for regulatory purposes is also proposed under this initiative. The Commission also proposes to establish a mechanism for data generation by ECHA by commissioning testing and monitoring of substances.</p> <p>The second and third proposals aim to rationalise the use of expertise and resources by proposing the reattribution of technical and scientific work on chemicals performed under the relevant pieces of legislation to the EU agencies.</p> |
| Commission publication                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| EP position                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Council position                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Trilogues                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Adoption                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Implementing or delegated acts                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

## Impact

The proportionate implementation of One Substance, One Assessment will lead to improved consistency and better coordination between the Authorities and the different safety assessment processes. Special attention should be paid to safeguarding the industry’s CBI and limiting the bureaucracy and additional administrative burden of the new obligations – notably for notification of studies - so that the objective of simplification and efficiency of the processes is fulfilled.

## State of play

The legislative package (adopted by the Commission on 7 December 2023) will be examined by the European Parliament and the Council under the ordinary legislative procedure. While the Parliament is unlikely to effectively work on the files prior to the European elections, the Council will proceed with the examination of the proposal with a view to adopting a negotiating mandate.

The proposals are open for feedback on the Commission's website (the current deadline is 19 March 2024).

## Advocacy objectives

Cefic welcomes the One substance, One Approach and supports the efforts for more efficient safety assessments.

On data dissemination and transparency, CEFIC supports the application of an originator principle which will safeguard CBI and ensure that data owned by companies will be protected from unfair use by competing entities.

Regarding the new obligation for notification of studies commissioned for regulatory purposes, Cefic calls for a proportionate scope so that the generated burden on the industry (and subsequently the Agency) does not jeopardise the overall objectives in terms of simplification and efficiency of processes.

## Advocacy actions

Cefic will maintain the dialogue with the European Commission and engage with the co-legislators to monitor the developments and promote its views.



# REACH: COMPLIANCE OF REGISTRATION DOSSIER

Updated January 2024

|                                |
|--------------------------------|
| Impact assessment              |
| Commission publication         |
| EP position                    |
| Council general approach       |
| Trilogues                      |
| Adoption                       |
| Implementing or delegated acts |

## Background

On 26 June 2019, Cefic launched its multi-annual **REACH Dossier Improvement Action Plan**. With this unprecedented action, Cefic intends to help its members to proactively and systematically review and improve their REACH registration dossier, if needed. This initiative comes in response to increasing criticism (NGOs and Member States mostly) about “*non-compliant*” REACH dossiers.

## Impact

With this Action Plan, Cefic wants to help restore confidence in the industry’s ability to place safe substances on the market and demonstrate that the EU chemical industry does make REACH work.

Within the Action Plan Framework, a **Cooperation Agreement** between Cefic and ECHA has been established, which outlines a governance model as well as a series of specific activities to support the implementation of this Action Plan and guide registrants to a better understanding of how to meet ECHA’s expectations under Article 41 of REACH (*‘Compliance Check’*). All Cefic members and members of Cefic Member Federations & Associated Federations have been encouraged to join this initiative. Around 200 Companies signed their commitment to the Action Plan.

## State of Play

### European Commission:

The Commission and ECHA launched their “joint REACH Evaluation Action Plan” in June 2019. ECHA aims to screen all registrations dossiers by 2023 for substances registered over 100 tonnes per year and by 2027 for substances in the tonnage band 1–100 tonnes per year.

Based on the CSS, Implemented regulations to amend Annexes VI to XI is in force and new data requirements is foreseen.

### European Parliament:

Requested swift action from the Commission and ECHA to remedy what is considered a failure to implement REACH, putting consumers at risk.

### Council:

Urgent need to improve registration dossiers and compliance with REACH is mentioned in the Council conclusions of June 2019.

### NGOs:

Remain critical about the non-compliance dossiers as result of ECHA statistics.

## Advocacy Objectives

- The Action Plan outlines the timeline, roles and responsibilities, substance prioritisation criteria, critical issues, and explains how progress will be reported. The main goal is to achieve a better alignment between the data that have been submitted in good faith by registrants and with the most recent ECHA requirements. The 4<sup>th</sup> progress reporting Industry's efforts has been published on [Cefic’s Website](#).
- Cefic is in regular contact with ECHA to support the program. As part of the cooperation, ECHA discussed with Industry on a workshop concerning reflections from pilot project and the interaction process
- Cefic also supports revocation of registration numbers in case of negligence.

## Advocacy Actions

- 4<sup>th</sup> Progress report (May 2023)
- Cefic response to the final EOGRTs interim report (February 2023)
- Meeting with ECHA on current issues on Registration and evaluation (January 2023)
- Hybrid meeting with ECHA on current issues on Registration and Evaluation (May2023)
- PEG Comments to ECHA Mutagenicity Guidance (July 2023)
- Update Cefic members on the ECHA screening campaign for update of ADMIN information and cease of manufacturing (July 2023)
- Cefic responses to the Substance Identification Guidance (September 2023)
- Meeting with ECHA to discuss on issues concerning IUCLID and TCC (December 2023)
- Cefic responses via BIAC to the ECHA request to review OECD 443 (December 2023)
- Joint response with other Industry Association on the use of ARN ( December 2023)
- Message to the signatory companies of the Cefic Action Plan for the 5th Progress report ( December 2023)



# REACH Regulation revision

Updated January 2024

|                                |
|--------------------------------|
| Impact assessment              |
| Commission publication         |
| EP position                    |
| Council general approach       |
| Trilogues                      |
| Adoption                       |
| Implementing or delegated acts |

## Background

To achieve the objectives of the Chemical Strategy for Sustainability, the Commission is preparing a revision of the REACH regulation. This revision will include a.o. a registration obligation for a subset of polymers, an obligation to assess combined exposure to unintentional mixtures of chemicals (Mixture Assessment Factor), an extension of the generic approach to risk management (GRA), a reform of the current authorisation scheme, requirements to close data gaps on uses (and exposure) of chemicals and measures supporting zero tolerance to non-compliance such as revocation of registration numbers by ECHA.

## Impact

REACH is the cornerstone of the EU chemicals legislation. Revising REACH means changing the very foundation of the world-leading chemicals management system that we have in Europe. The first in a series of studies conducted by independent economic research consultancy Ricardo Energy & Environment on the business impacts of the EU CSS, showed that as many as 12,000 substances could be impacted by an extension of the generic approach. The consultants concluded that the most likely impacted portfolio would be as much as 28% of the industry's estimated annual turnover.

## State of play

The REACH revision is put on hold and postponed for the next Commission. At this stage it is very difficult to predict what will happen in the next **Commission**.

The unknowns are twofold. First, when and how will the Commission re-table the REACH revision. Will they (partially) return to the drawing board or not. Second, when will the Commission table implementing legislation (eg. for data-requirements). Although not everyone in the Commission is convinced that slicing it up into pieces is the way to go, there is nothing (except political pressure) that prevents the Commission from tabling implementing legislation today. At this stage, it seems unlikely that much will happen before early 2025.

The **European Parliament** adopted a [Resolution](#) in July 2020 that supports a revision of REACH on many topics the Commission has outlined in the CSS.

The **Council of the EU**, through the March 2021 Conclusions on CSS, supports a revision of the REACH Regulation in a targeted manner. As a general rule new/changed legal requirements must not weaken the current regulatory system, nor lower the level of protection already accomplished, or affect the rights of Member States to initiate and influence actions taken under REACH.

## Advocacy objectives

- Keeping the industry's engine of growth and innovation running at full speed whilst raising the bar on safety.
- Prioritisation of regulatory actions that bring the most benefits to health and environment, keeping the regulatory framework as stable as possible, and maintaining coherence of REACH with all other pieces of EU legislation.
- Having a workplan for GRA for sequencing of regulatory actions.
- For different topics advocacy objectives are described in our [10-point action plan for a targeted and efficient REACH revision](#).

## Advocacy actions

- Cefic to use 2024 to further strengthen its advocacy on REACH revision
- Cefic provided extensive input to the REACH revision public consultation and targeted consultations ran by the EU Commission in 2022.
- A dedicated [webpage on the REACH revision](#) has been set up. This webpage includes links to publicly available positions and studies related to specific topics expected to be addressed through the REACH revision.
- Cefic provided feedback for the last CARACAL discussion on 28 March, on [increased info requirements and GRA workplan](#).
- Cefic liaises with other sectors via Cross-Industry Platform to gain a common understanding.

Issue Owner: Dunja Drmač, [ddr@cefic.be](mailto:ddr@cefic.be)



# Eco-design for Sustainable Products Regulation (ESPR) / non-toxic material cycles

Updated January 2024

|                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Impact assessment              | <p><b>Background</b></p> <p>The Sustainable Product Initiative implements actions from the Circular Economy Action Plan and the Chemical Strategy for Sustainability to deliver a circular economy.</p> <p>The first package of the Sustainable Product Initiative (SPI) has been published on 30 March 2022 and it's central element is the Ecodesign for Sustainable Products Regulation (ESPR). Based on the revision of the current Ecodesign Directive to enlarge its scope to a broader number of products, the ESPR sets minimum performance and information requirements. Transposal of requirements per product type will be done via delegated acts (DA). In the meantime, the Commission is continuing with the workplan of the current Ecodesign Directive (2022–2024), is preparing the working plan for the new ESPR (2024–2027). RoHS and the EU Ecolabel criteria are also under review to ensure alignment and avoid overlaps.</p> <p>Consumers, the environment, and the climate will benefit from products that are more durable, reusable, repairable, recyclable, and energy-efficient. The initiative will also address the presence of substances of concern in products.</p> |
| Commission publication         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| EP position                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Council general approach       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Trilogues                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Adoption                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Implementing or delegated acts |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

### Impact

**1. Double Legislation Risk:**

Expansion of Eco-design measures in the ESPR may sideline relevant legislation, especially REACH restrictions.

**2. Inconsistent Sustainability Assessment:**

ESPR's sustainability principles should align with ongoing efforts on Safe and Sustainable-by-Design criteria to avoid inconsistencies.

**3. SoC and Product Impact:**

ESPR's definition of Substances of Concern (SoC) and their information requirements may restrict substances affecting product circularity. Key provisions for successful implementation are crucial.

**4. Value Chain Information Requirements:**

Development of the Digital Product Passport (DPP) under ESPR should prioritise feasibility and protect Confidential Business Information (CBI) along the value chain.

### State of Play

- in May 2023. The **Commission** proposal SPR was published on 30 March as part of the Commission's communication on making sustainable products the norm. In January 2023, a public consultation on product prioritization under the ESPR was opened.
- The **Parliament's** ENVI Committee the (Competitiveness Council in the lead) adopted their positions in Q3 and Q2 2023 respectively.
- The 3rd and final **trilogue meeting** took place on Dec 4 2023.
- Publication of in OJ is expected by Q2 2024, followed by the publication of the ESPR Working Plan.

### Advocacy Objectives

**1. Harmonize Regulations:**

- Ensure seamless alignment of the Environmental Sustainability Product Regulation (ESPR) with existing legislations like REACH, RoHS, Waste, and product-specific laws.

**2. Promote Transparency:**

- Advocate for transparent communication on substances of concern throughout value chains, with digital tools as a facilitator for effective information sharing within value chains

**3. Ensure Policy Coherence:**

- Proactively identify and address potential overlaps with existing regulations to create a coherent and integrated regulatory landscape.

**4. Support Practical Implementation:**

- Actively engage in practical strategies to implement the ambitious goals of the ESPR by giving input to preparatory studies

### Advocacy Actions

- Input provided to the SPI public consultation (Q2 2021), the SPI Impact Assessment study (Q2 2021); the public consultation on ESPR (Q2 2022)
- Input submitted to the revision of the RoHS Directive (Q2 2022)
- Input provided to public consultation on product prioritisation for ESPR (Q2 2023)
- Specific position papers were prepared on SoCs to support advocacy activities on ESPR and other legislations such as PPWR, ELV and other product legislations. A joint letter with other associations was issued on this topic. (Q2&3 2023)
- Input provided to a call for evidence on Ecodesign requirements for electronic displays [precedent for chemicals under Ecodesign] stating that no chemical restrictions should be placed until ESPR in in force (Q3 2023)



# Basic regulation of the European Chemicals Agency

Updated January 2024

|                                |
|--------------------------------|
| Impact assessment              |
| Commission publication         |
| EP position                    |
| Council general approach       |
| Trilogues                      |
| Adoption                       |
| Implementing or delegated acts |

## Background

The tasks and how ECHA should operate are set out in Title X of the REACH Regulation. As part of implementing the CSS, a proposal for ECHA’s basic Regulation will be adopted by the Commission. The initiative aims to reflect the evolved mandate of ECHA and its new (and future) tasks deriving from CLP Regulation, Biocidal Product Regulation, SCIP database, POPs Regulation, Drinking Water Directive etc, and to align it with the principles of the common approach for decentralised agencies.

In parallel a sustainable financial framework for ECHA will be set up. Today ECHA’s income constitutes of: (a) fees and charges paid by industry and (b) an EU contribution (from three different budgets). The initiative will aim at making the financing of ECHA less volatile and more predictable.

## Impact

ECHA has a key role within REACH (processing registration dossiers, support to regulatory risk management) and other chemical legislation. It is in industry’s interest to have a well-functioning Agency. The Basic Regulation will set the future governance of ECHA (Committees, Forum). It is an opportunity to improve the functioning of its committees (such as RAC) and to address some of the challenges identified in the past, incl. the issue of expertise availability in the Committees.

## State of play

The **Commission** launched a call for evidence which closed on 10 October 2022. The legislative proposal was expected at the beginning of 2024; with the delays in the adoption of the REACH proposal however the timing for the adoption of the proposal for a Basic Regulation is unclear.

Options on new fees were being considered as part of ongoing revisions of legislation, in particular the REACH Regulation. An impact assessment was to be conducted, with a recurrent fee a very probable approach. The Commission was also looking into the possibility of registration fees for polymers (to be determined as soon as the obligations of duty holders are defined under REACH).

A **European Parliament Resolution** adopted in July 2020 supports a revision of ECHA’s financing model by introducing a more predictable and sustainable funding mechanism and stresses the need for providing the necessary resources to ECHA for any additional tasks.

The **Council of the EU**, through the March 2021 Conclusions on CSS underlined the importance of allocating the necessary resources, including an appropriate and long-term budgetary framework for ECHA and called on the Commission to explore ways of ensuring adequate funds for ECHA, taking into account the polluter pays principle and the extended producer responsibility principle.

## Advocacy objectives

- Support a proper functioning of ECHA by making the Committees fit for purpose by a.o. securing adequate staffing and the appropriate expertise for the existing and new tasks.
- The financing of ECHA must remain a combination of fee incomes and EU subsidies.
- Fees paid by industry should only cover services provided by ECHA (e.g., processing of registration dossiers, applications for authorisation).
- A new fee mechanism must not discourage voluntary updates of registration dossiers or be directly linked to evaluation activities carried out by the Agency.
- A tailored and separate fee mechanism for polymer registration will be needed.

## Advocacy actions

- Cefic has provided input to the call for evidence. It will maintain the dialogue with the European Commission to promote its already expressed views on both the fees on industry and the governance of ECHA.



# Enforcement

Updated January 2024

|                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Impact assessment              | <p><b>Background</b></p> <p>One of the actions of CSS is to strengthen enforcement through “zero-tolerance approach” to non-compliance. The announced actions aim to target both imports (offline and online) and registration dossiers: via REACH revision to give ECHA the power to revoke non-compliant registration dossiers and introduce a European Audit Capacity to (“control the controller”), target high risk areas of non-compliance, including online sales, etc. The importance of this topic is evident from the discussion in the High-Level Roundtable (HLRT).</p> <p><b>Impact</b></p> <p>According to <a href="#">Cefic analysis</a> of EU Safety Gate, almost 80 % of detected REACH non-compliance comes from outside the EU. The data are only indicative since many cases do not get reported. With CSS aiming to increase regulatory complexity with faster and broader regulatory action, both enforcement/tightening controls on current rules and enforceability need to be considered. Better market surveillance will lead to level playing field and true protection of human health and the environment.</p> |
| Commission publication         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| EP position                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Council general approach       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Trilogues                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Adoption                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Implementing or delegated acts |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |



## State of Play

The REACH revision is put on hold and postponed for the next Commission. At this stage it is very difficult to predict what will happen in the next **Commission**.

The unknowns are twofold. First, when and how will the Commission re-table the REACH revision. Will they (partially) return to the drawing board or not. Second, when will the Commission table implementing legislation (eg. for data-requirements). Although not everyone in the Commission is convinced that slicing it up into pieces is the way to go, there is nothing (except political pressure) that prevents the Commission from tabling implementing legislation today.

At this stage, it seems unlikely that much will happen before early 2025.

As part of the REACH revision, the Commission is planning to introduce a European Audit Capacity (EAC) to “control the controller” and a reference for online platforms. The Commission acknowledges that the ECHA Forum will need to have a more prominent role in assessing restrictions for its enforceability. The Commission gave further insights at the last [CARACAL](#) on 28/3.

The **European Parliament** adopted a [Resolution](#) in July 2020 on the CSS, among other points also calling for better enforcement of chemical legislation.

The **Council of the EU**, through the March 2021 Conclusions on CSS supported a more coordinated and harmonised enforcement across EU and increase capacities of MS.

The **ECHA Forum** agrees on the need for them to have a more prominent role in new REACH. Their advice is not public.

**NGOs/consumer organisations** such as BEUC are highly active on enforcement of imports and online sales. Other environmental NGOs seem to criticise industries’ call for enforceability and are rather focusing on revocation of registration numbers and sanctions.

## Advocacy Objectives

Cefic welcomes the Commission’s efforts for both enforcement of imports and revocation of registration numbers with a transparent legal process in place for the latter. Key messages include:

- Need to tighten control and enforcement of current legislation
- Give a more prominent role to ECHA Enforcement Forum when assessing enforceability
- Include enforceability criteria in REACH legal text
- Ensure online platforms comply with EU chemical legislation by including them as duty holders
- Ensure general policy coherence between REACH/CLP, Digital Services Act, Market Surveillance Regulation and General Product Safety Regulation to close legal loopholes

## Advocacy Actions:

- Joint statement on enforcement ahead of HLRT session in November 2021 ([link](#))
- Participation at DG GROW breakout sessions on enforcement
- Liaison with other sectors via CSS Cross Industry Platform
- Presentation at ECHA Enforcement Forum Open Session and exchange with the enforcement authorities
- Inclusion of Cefic views on enforcement in REACH PC response

Issue Owner: Dunja Drmač, [ddr@cefic.be](mailto:ddr@cefic.be)

# Global Framework on Chemicals (GFC)

Updated January 2024

|                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Impact assessment              | <p><b>Background:</b></p> <p>During ICCM5 (fifth session of the International Conference for Chemicals Management, Bonn 25 - 29 September 2023) the new Global Framework on Chemicals was adopted. The GFC, successor of the Strategic Approach to International Chemicals Management (SAICM), is a voluntary, multistakeholder and multisectoral policy framework to address chemical management at global level.</p> <p><b>Impact:</b></p> <p>The chemical industry has a vested interest in the success of GFC as it currently is voluntary and multistakeholder. The chemical industry intends to demonstrate that meaningful and impactful actions can be taken within a voluntary, multistakeholder framework, and that such frameworks can produce change.</p> <p>This will in turn enhance the industry's reputation and visibility of its actions, highlighting its engagement, e.g. on sustainability and capacity building.</p> <p>This would positively contribute to its efforts in avoiding global top-down regulatory approaches and bans/listing/grouping approaches, as well as overlap or duplication with other MEAs.</p> |
| Commission publication         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| EP position                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Council general approach       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Trilogues                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Adoption                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Implementing or delegated acts |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |



### State of Play:

While the preparations for ICCM5 have been long and intensive, the work for the implementation of the new Framework has only just begun. The industry will keep up its active engagement and participation in the relevant intersessional processes, under the ICCA umbrella. The most pertinent workstreams include the measurability structure/indicators, the implementation programmes and work on the issues of concern.

New ICCA workstreams will be set up for the implementation of the three industry ambitions:

- Transparency: By 2030 we have provided access to available data on the safety and sustainability of our products.
- Capacity Building: By 2030 we have supported 30 countries in their implementation of effective chemical management systems.
- Sustainability: By 2030 we will guide our product portfolios, including processes, toward sustainable solutions.

Work is already ongoing for the finalisation of ICCA's GFC workplan. In addition, the industry will determine the amount of its contribution to the new GFC Trust Fund, which is expected to ensure its participation to the Fund's Executive Board.

As part of the ongoing negotiations under the legally binding Plastics Treaty, and in line with the First industry's ambition, ICCA is conducting a survey to prepare a publicly available plastic additives database, to understand how many additives are used in the world and how they are regulated. Additionally, a risk assessment framework is also being worked to deal with the most hazardous additives which might need to be addressed. Both activities would contribute to more transparency and also possibly allow for removing these chemicals from the treaty and bringing them into the chemicals management field.

### Advocacy Objectives:

- Coordination and active participation of the EU chemical industry to the ICCA workstreams related to the implementation of GFC and the industry ambitions.
- Establishment/Maintaining of Cefic as a committed EU partner, next to ICCA, in the international arena under the new framework.
- On the plastics treaty, the aim to is remove those chemicals from the treaty and have them being dealt under chemicals management, which could include the GFC.

### Advocacy Actions:

- Liaison with UNEP, the European Commission, key EU Member States and other stakeholders to promote the industry's initiatives under the new framework
- Support the national associations in their outreach activities towards national governments

Issue Owners: Chrysanthi Sofokleous, [cso@cefic.be](mailto:cso@cefic.be)



# Legal Affairs

CONFIDENTIAL

# Environmental Crime Directive (ECD) Revision

Updated November 2023

|                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Impact assessment</b>                                         | <b>Background</b><br>On 15 December 2021, the Commission published a proposal for a directive on environmental crime replacing the existing one dating back to 2008 (Directive 2008/99/EC on the protection of the environment through criminal law).<br>The proposal follows the publication in 2020 of the Commission's evaluation of the 2008 Environmental Crime Directive. The results indicate that the number of successfully prosecuted environmental cases was low, sanctions were too insufficient to be a deterrent and cross-border cooperation was weak.<br><br><b>Impact</b><br>The legislative proposal brings in three main novelties. (i) It introduces new categories of criminal offences, including certain breaches of EU chemicals legislation (incl. REACH, crop protection, biocides, CLP and POP). (ii) It adopts new provisions on sanctions. (iii) It refines the protection of environmental defenders. |
| <b>Commission publication</b><br>15 December 2021                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>EP position</b><br>21 March 2023                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Council general approach</b><br>9 December 2022               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Trilogues</b>                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Adoption</b><br>Agreement on consolidated text on 16 Nov 2023 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Implementing or delegated acts</b>                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

## State of Play

- The **European Parliament's** leading JURI Committee rapporteur Antonius Manders (EPP) issued a draft report in October. +400 amendments were tabled in JURI. The committees for opinion (PETI, DEVE, LIBE and ENVI) adopted opinions.
- The **JURI Committee report**, adopted on 21 March, served as the Parliament's negotiating position during trilogues.
- The Justice and Home Affairs **Council** approved the **General Approach** on 9 December 2022.
- Trilogues started in May 2023, and the 4th trilogue meeting took place on 16 November 2023.
- Co-legislators reached preliminary agreement in November 2023; Council (at COREPER level) approved the provisional agreement on 6 December 2023. The text was approved by the JURI committee on 11 December 2023.
- Next steps: the text is expected to be considered in Plenary on **26 February 2024** (TBC).
- The **consolidated text** increases the number of offences that currently exist under EU environmental criminal law **from 9 to 18**; offences are punishable if committed **intentionally** or (the ones relevant for the chemicals sector) with **at least with serious negligence**.
- A **qualified offence clause** is added to include cases comparable to ecocide.
- Permits cannot shield from criminal liability if obtained fraudulently or by corruption, extortion or coercion or when the authorisation is **in manifest breach of relevant substantive legal requirements**.

## Advocacy Objectives

1. **Position Cefic as a reliable partner in the discussion with DG JUST & DG ENV**, supporting the Commission on the need to enforce environmental law including via criminal proceedings, but flagging concerns on specific technical issues.
2. **Communicate red lines on 5 top issues ('permit shield', chemical law violations, board member liability, ecocide, statute of limitation)**

## Advocacy Actions

- 9/11/22: Cefic assessment of draft JURI report shared with MEP Manders (EPP/NL - Rapporteur)
- 30/11/22: Cefic assessment of all amendments tabled in JURI shared with shadows and EPP coordinator
- 7/12/22: meeting with MEP Manders (EPP/NL - Rapporteur)
- 6/02/23: Cefic sent follow-up note to MEP Manders (EPP/NL - Rapporteur) on board members liability and ecocide
- 28/04/23: Cefic reached out to the Council's Swedish Presidency via the Swedish association (IKEM) with a letter illustrating the industry's five priority red lines on the file, focusing on issues where Council and European Parliament diverge.
- **05/09/2023**: Cefic reached out to the Council's Spanish Presidency via the Spanish association (Feique) with the letter on the five priority red lines.
- **20/09/2023**: Cefic had an exchange with the Commission on status of trilogues and priority issues.

Issue Owner: Francesca Zuccarello, [fzc@cefic.be](mailto:fzc@cefic.be)



# Corporate Sustainability Due Diligence Directive (CS3D)

Updated February 2024

|                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|--------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Impact assessment              | <b>Background</b><br>As part of the <i>Just and Sustainable Economy Package</i> , the European Commission published (23 February 2022) a legislative proposal on corporate sustainability due diligence. This initiative aims to facilitate the transition to a climate-neutral and green economy by prompting companies (across all sectors) to implement a process for preventing and mitigating adverse human rights and environmental impacts in their value chains.<br><br><b>Impact</b><br>Proposal aims to establish an EU level framework on corporate due diligence by 1) Improving corporate governance practices through better integration of risk management and mitigation processes of human rights and environmental risks and impacts into corporate strategies, 2) Addressing Member State fragmentation of due diligence requirements in the single market, 3) Increasing corporate responsibility for adverse impacts and ensuring coherence for companies regarding obligations under existing and proposed EU initiatives and 4) Improving access to remedy for those affected. |
| Commission publication         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| EP position                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Council general approach       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Trilogues                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Adoption                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Implementing or delegated acts |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

## State of Play

- In the **European Parliament**, the JURI Committee has exclusive competence. Committees for opinion were ECON, ENVI, ITRE, AFET, EMPL, INTA, DEVE and IMCO.
- JURI adopted its report in May 2023 (strong majority of 19 votes to 3) and the Plenary vote took place on 1 June 2023 ([adopted](#) – 366 in favour, 225 against, 38 abstentions).
- Hot-spots: Scope, Inclusion of environmental due diligence, Definitions, Directors' duties, Civil liability, Annex
- In the **Council**, discussions are led by the Working Party on Company Law (under the Competitiveness configuration).
- A General Approach was [endorsed](#) on 1 December 2022, although several Member States have raised concerns ahead of co-legislative discussions.
- Hot-spots: Scope, Inclusion of environmental due diligence, Definitions, Civil liability, Annex
- **Trilogues** began in June 2023 and were concluded on 13 December: **Political agreement** see [here](#).
- Next step: Coreper on 9 February 2024. Potential blocking minority in the Council, led by Germany.
- EP JURI Committee vote on 13 February 2024 (TBC)
- EP Plenary 10 April 2024.

## Advocacy Objectives

- Position Cefic as a reliable partner in the discussion with DG JUST and DG GROW (co-authors of the proposal) while bridging the information gap with DG FISMA (EU Sustainable Finance Agenda).
- Cefic seeks to promote meaningful transparency (reliable, comparable, and consistent information) which could be achieved through the simplification of the Commission proposal and clarification of key elements. Position paper is accessible [here](#)
- In Trilogues, focus has been on: value chain concept, risk-based approach climate plans, civil liability, director duties.

## Advocacy Actions

- Position paper (Cover Letter + Technical Annex) which was submitted in the Commission public consultation
- Contacts made in Czech Presidency Secretariat, ongoing engagement with forthcoming Swedish Presidency
- Roundtable discussion with MEP Wolters (JURI Rapporteur) 27/09/22 and with MEP Voss (JURI Shadow) 7/11/22. Stakeholder roundtable with MEP Voss on 8/3/23. EJF event with Greta Koch (Axel Voss' APA) 13/04.
- 25/05/23 Joint industry statement with BusinessEurope.
- 20/06/23 Outreach to Swedish presidency & 25/07 outreach to Spanish presidency.
- 13/09/23 stakeholder roundtable with Greta Koch.
- 25/09/23 Outreach to Council (German attaché).
- November 2023: Outreach to Council (French attaché). Greta Koch invited to Legal Forum.
- December: stakeholder roundtable with Greta Koch.
- January: input into technical discussions, flagging inconsistencies in text.

Issue Owners: Carlos Bravo Navarro, Sustainable Finance Manager ([cbn@cefic.be](mailto:cbn@cefic.be))



Key institutional dates –  
dates are forward looking  
while also reflecting  
completed actions