



Call for postponement of applicability dates for harmonized reporting to Poison Centers (CLP Annex VIII) from Construction Product Manufacturers

CEMBUREAU, EFCA, EFCC, EMO, ERMCO, Eurogypsum and FEICA, the European associations representing several construction product industries affected by the implementation of the new provisions according to CLP Annex VIII (Regulation (EU) 2017/542)), strongly support A.I.S.E.'s call for a postponement of the applicability dates for harmonized reporting to Poison Centers.

In addition to the overarching reasons exposed in A.I.S.E.'s letter, the concerned industries have identified workability issues specific to their sectors. Our industries have repeatedly voiced the severe difficulties for manufacturers to meet with the new obligations set out in the Regulation (EU) 2017/542. The difficulties are such, that in many cases, the requirements of the legal text cannot be met by our industries. In order to enable our sectors to comply with the legislation, adapted and applicable solutions must be found.

Unfortunately, the signatories of this letter do not believe that appropriate and pertinent solutions can be found and applied before the approaching deadline of 1st January 2020 for our mixtures which have consumer uses. Therefore, we strongly call for a postponement of the deadline to be able to overcome the following key obstacles to our industries:

- ***Workability study is delayed***

The concerned industries firmly believe that the results of the workability study will conclude to the need for legal amendments to Regulation (EU) 2017/542 (CLP Annex VIII). Considering the 6 months delay in the start of the study, it is difficult to expect that any proposed amendment could be implemented by the end of 2019, let alone with sufficient time for proper implementation by the industry. As a consequence, the respect of the deadline set out in the text for compliance with the obligations seems unattainable.

- ***Legal uncertainty prevents industries from preparing for implementation of obligations***

As the concerned industries do not know what is to be asked of them as a result of possible amendments and ongoing debates about the role of certain actors in the supply chain (e.g. re-labeller / re-brander), they cannot prepare and begin compiling the relevant information for submission nor creating UFI numbers so as to be ready by the defined deadline for consumer use mixtures.

- ***The IT infrastructure and the ECHA guidance's will need to be adapted***

The adapted solutions found and implemented for the concerned industries will very likely have an impact on the submission process and on the ECHA IT tools, requiring an amendment of the tools currently tested and delaying the development of the still not commenced system-to-system integration. Consequently, the solutions will also require an adaptation of the commercial IT software. This will lead to a further delay in the legislation implementation by the industry.



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