

EU ISSUES UPDATE

JANUARY 2022



OPPORTUNITIES FOR DIALOGUE

European Commission consults on the REACH process

The European Commission has started a public consultation on the REACH regime (the Registration, Evaluation, Authorisation and Restriction of Chemicals) as a part of its plans under the European Green Deal to move further toward the objective “that we all live in a truly toxic-free environment”. The consultation will address plans to increase information requirements for chemicals registration, introduce the concept of ‘essential use’ and extend generic approaches to risk management. FIVA will submit its views to the consultation.

European Commission continues its REACH examination of Chromium Trioxide for functional decorative uses

Following its positive decision on the use of Chromium Trioxide for industrial purposes by a large number of companies in the CTAC consortium last year, the European Commission has now scheduled its decision on the use of Chromium Trioxide for plating for functional decorative uses for June. The Commission’s decision will be influenced by the Committee for Socio-Economic Analysis which has already decreed that the substitution plan (i.e. the plan proposed by the consortium identifying less harmful alternatives to the use of Chromium Trioxide) is not credible. However, other factors will also influence the decision – and so data provided by the sector on the negative impact of a “non-authorisation” decision will be important to balance the discussion – and in particular data showing the impact of a non-authorisation decision on jobs, businesses, revenues and an increase in imports from outside of the EU.

INFORMATION

Reaction to T&E E-fuels study

Further to the report in the December 2021 EU Issues Update on the negative view of the environmental lobby group T&E on e-fuels, the German fuel industry trade association has challenged the T&E’s report’s findings saying that the tests used do not allow any statements to be made about e-fuels, because the fuels examined were specially mixed test fluids that do not meet the fuel standard and because the test results from a test laboratory were incorrectly reproduced. It has also reported that the test laboratory has already distanced itself from the T&E interpretation of the study’s findings.

ACEA suggests that e-fuels have a positive role to play in the future mobility environment

The European car makers association (ACEA) has stated its view that it is too early to fix the target of zero emissions for 2035 as the European Commission has proposed in its revision to the CO₂ emission performance standards for cars and vans. Instead, ACEA has suggested that the Commission should aim to leave the door open to the possibility of new technologies including synthetic fuels. This call has been supported by FuelsEurope (the refiner's association), which has called for technological neutrality to allow room for low-carbon fuels in the revision. The organization is also calling for a 'well-to-wheel' calculation of CO₂ emissions, which would account for the emissions along the car and fuels' production versus the pre-established method of measuring tailpipe emissions saying that "some low-carbon fuels will have a similar well-to-wheel carbon footprint as electric cars...". The comments follow the European Parliament's rapporteur for the file in the Environment Committee, Jan Huitema (NL) who is a member of the Renew Europe Group, saying that the Commission's proposal should be more ambitious and that it should have a higher short-term target and new intermediate target for 2027. However, Dominique Riquet (French Renew Europe MEP) in the Industry Committee also noted that "Electric vehicles are not zero emissions in terms of carbon...We need to take account of where the electricity comes from, there is the use of rare earths and the extraction costs."

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The FIVA Legislation Commission members are: Lars Genild (Chairman), Sébastien Berthebaud, Giuseppe Dell'Aversano, Wolfgang Eckel, Carla Fiocchi, Peeter Henning, Johann König, Stanislav Minářík, Bob Owen, Bert Pronk, Kurt Sjoberg and Andrew Turner of EPPA works with the Committee.