ANNUAL REPORT 2024

CEPE

The voice of paint, printing ink and artists' colours in Europe

Table of content

CEPE Organisation

Regulatory Dossiers

Sector Groups

Masthead

Published by
CEPE
Boulevard du Triomphe 172
4th Floor | B-1160 Brussels
Belgium
T +32 (0)2 897 20 20

Christel Davidson
Managing Director
secretariat@cepe.org

Layout by
Romy Möhrle
www.cepe.org

Source Cover: shutterstock.com - Shakirov Alber

The pastyear has been marked by increasing political, economic, and commercial uncertainties at the global level. In Europe, the shift in focus from the Green Deal to competitiveness, following the European elections and the appointment of the new European Commission, signals changes in the policy landscape. Announcements such as the reinforcement of the Single Market and the simplification of administrative burdens are welcome steps in the right direction. However, while focusing on competitiveness is commendable, we should steer clear of protectionism as demonstrated in the rise in anti-dumping measures, most notably on TiO_2.

Also, the introduction of a competitiveness agenda does not negate the long-term objectives set by the EU Green Deal. Sustainability remains at the heart of European policy making, and our industry must continue to adapt to new requirements while advocating for a return to a science-based approach to chemical legislation.

On the regulatory front, several key decisions with direct impacts on our industry were made in 2024, including the adoption of legislation on CLP, Eco-design for a Sustainable Product Regulation and the Packaging and Packaging Waste Regulation.

Internally, CEPE has undergone some important changes. In October, we bid farewell to Roald Johannsen and welcomed David Beckford as new Chairman.

With the European Commission now in full swing, for 2025 we can expect a series of initiatives including the EU Industrial Deal in February followed by the chemicals package and a proposal for a revision of the REACH regulation towards the end of the year. Engaging with policymakers and ensuring that the perspectives of downstream users of chemicals are addressed will remain to be our priority.

As we move forward, CEPE remains dedicated to providing a strong and united voice for the industry. It is more important than ever for our members to rally around these issues and actively participate in shaping future policies.

We extend our gratitude to all CEPE members for their continued support and commitment. Your engagement is vital to the success of our industry, and we look forward to working together to navigate the challenges and opportunities ahead.

Christel Davidson

Christel Davidson

David Beckford

CEPE Mission Statement

- To work with member companies and their value chain to ensure the long-term prosperity of the paints, printing inks and artists' colours sector.
- To advise EU and national institutions to help reach decisions based on accurate and balanced information and sound science.
- To continuously increase the awareness of the paints, printing inks and artists' colours industry and its valuable contribution to sustainability with all stakeholders.
- To provide an organisational structure of committees, working groups and ad-hoc task forces in order to achieve CEPE's vision.
- To foster relationships with other international associations related to the paints, printing inks and artists' colours industry.

CEPE Board

Situation as of March 2025

David Beckford
Pronto Paints
CEPE Chairman

Martin Beck
BASF Coatings

Toon Bossuyt
Boss paints

Andreas Karl Bubenhofer
Bubenhofer AG

Brendan Catlow
Sherwin-Williams

Guillaume FREMAUX
Haghebaert & Fremaux

CEPE Staff

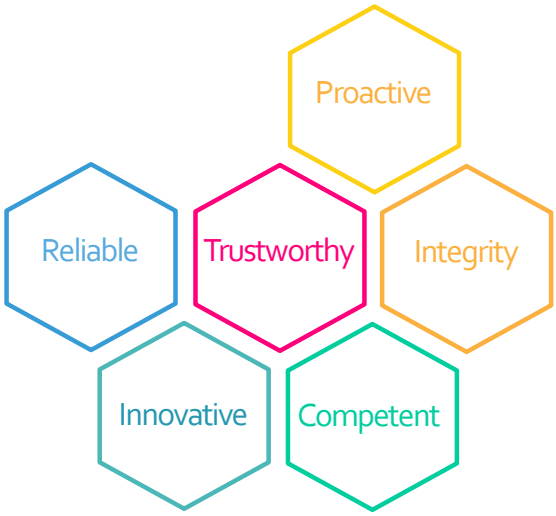
Christel Davidson
Managing Director

Carine Willems
Managing Director's Assistant

Didier Leroy
Technical & Regulatory Affairs Director

Lorena Santin
Regulatory Affairs Manager

CEPE Values



Klaus-Georg Gast
Axalta Coatings

Peter William Lockley
INX Europe

Rachel O'Connor
General Paints Group

Rui Ribeiro
Divercol

Pedro Serret Salva
PPG

Dirk Sieverding
RemMers Gruppe AG

Jan-Piet van Kesteren
AkzoNobel

Mehran Yazdani
Sun Chemical

Linda Heughebaert
Regulatory Affairs Manager

Cornelia Tietz
EuPIA Director

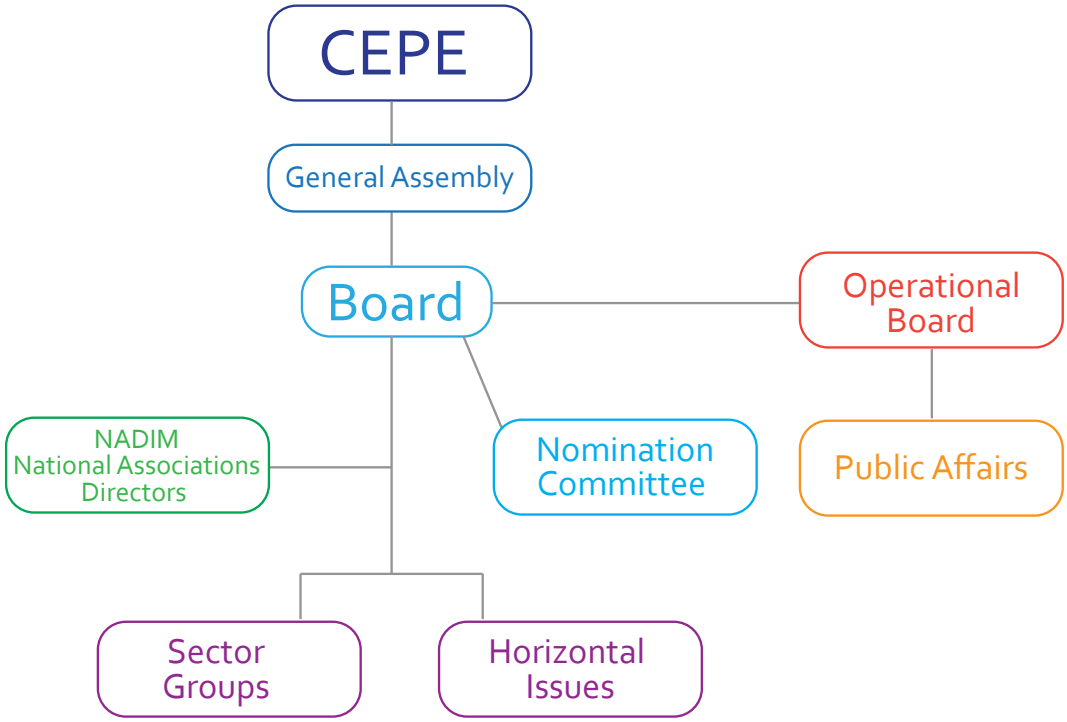
Romy Möhrle
Communication Manager

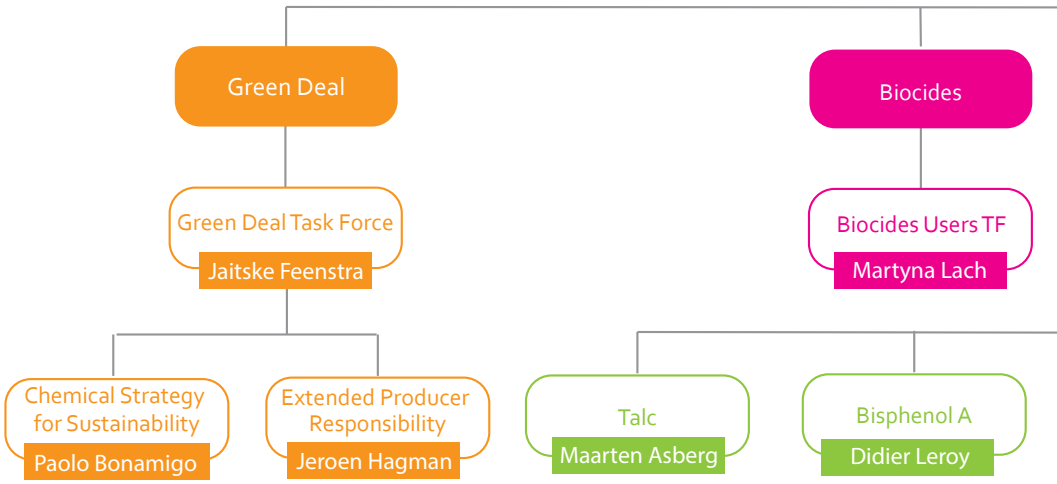
Marie Nyemba
Working Group Assistant

Karthik Ashok Kumar
Sustainability Officer

Organigramme

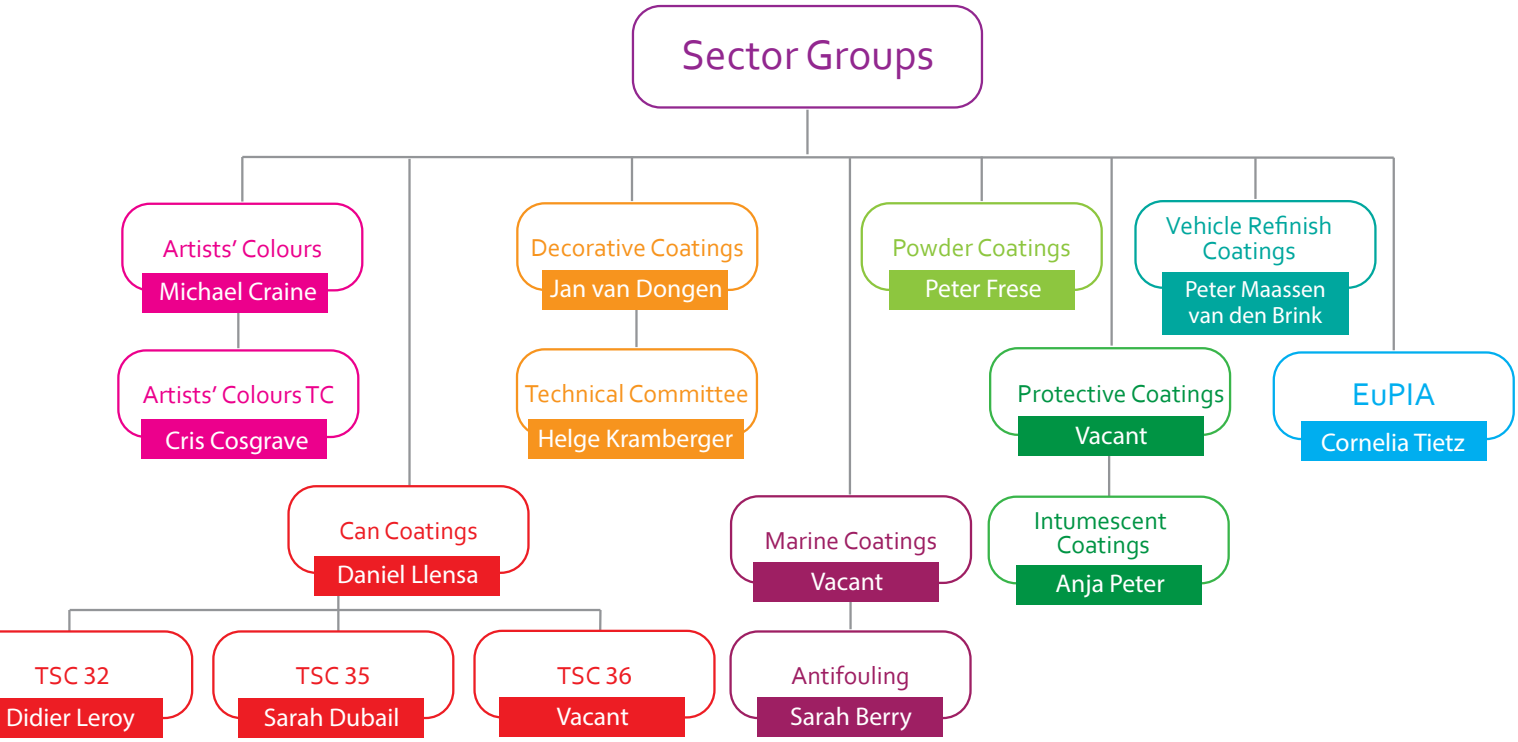
Situation as of March 2025

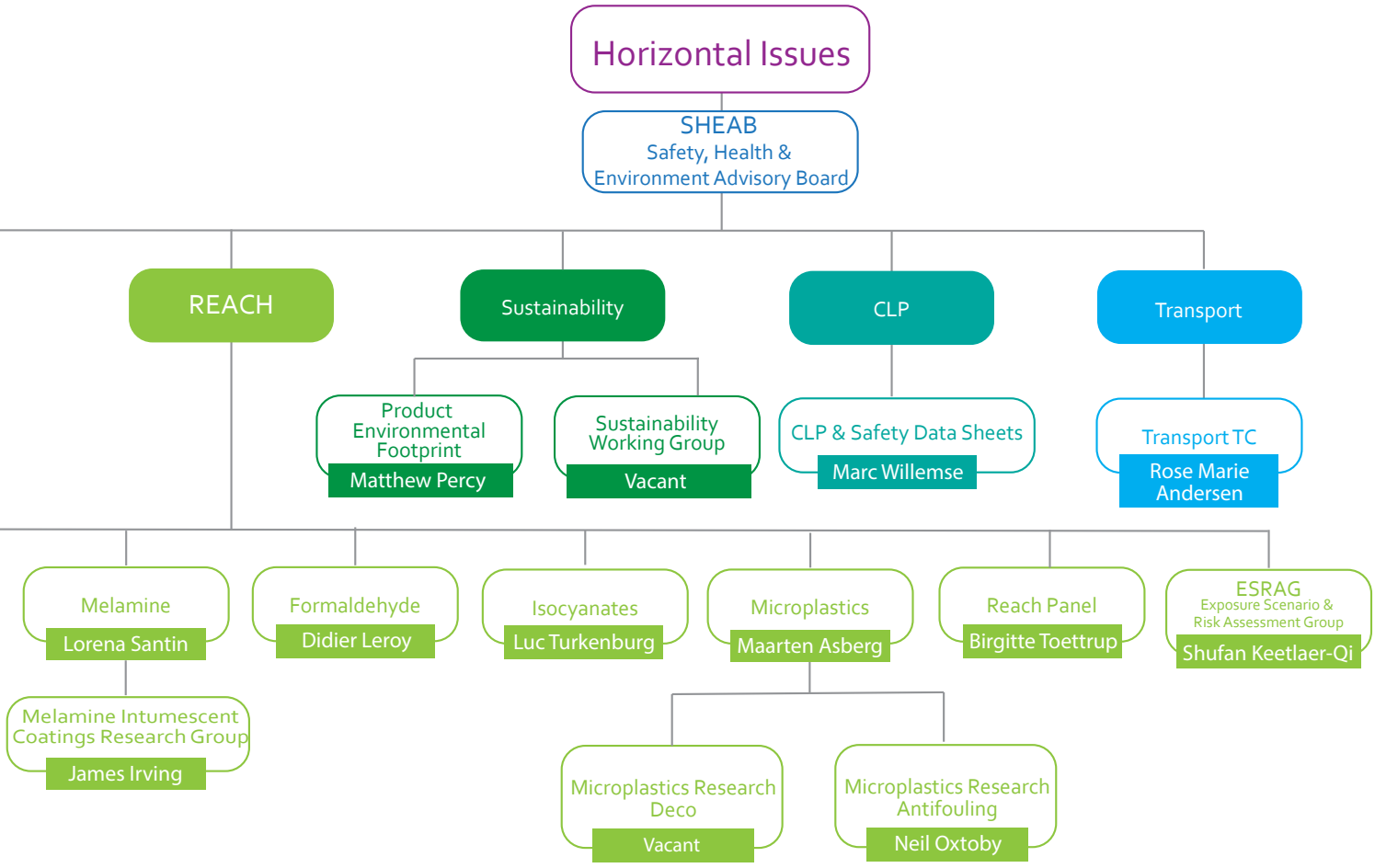




CEPE is member of:

cefic World Coatings Council DUCC Downstream Users of Chemicals Co-ordination group


Sector Groups
Artists' Colours
Michael Craine
Artists' Colours TC
Cris Cosgrave
Decorative Coatings
Jan van Dongen
Technical Committee
Helge Kramberger
Powder Coatings
Peter Frese
Vehicle Refinish Coatings
Peter Maassen van den Brink
Protective Coatings
Vacant
EuPIA
Cornelia Tietz
Can Coatings
Daniel Llensa
TSC 32
Didier Leroy
TSC 35
Sarah Dubail
TSC 36
Vacant
Marine Coatings
Vacant
Antifouling
Sarah Berry
Intumescent Coatings
Anja Peter


Horizontal Issues
SHEAB
Safety, Health & Environment Advisory Board
REACH
Sustainability
CLP
Transport
Product Environmental Footprint
Matthew Percy
Sustainability Working Group
Vacant
CLP & Safety Data Sheets
Marc Willemse
Transport TC
Rose Marie Andersen
Melamine
Lorena Santin
Melamine Intumescent Coatings Research Group
James Irving
Formaldehyde
Didier Leroy
Isocyanates
Luc Turkenburg
Microplastics
Maarten Asberg
Microplastics Research Deco
Vacant
Microplastics Research Antifouling
Neil Oxtoby
Reach Panel
Birgitte Toettrup
ESRAG
Exposure Scenario & Risk Assessment Group
Shufan Keetlaer-Qi

National Associations

AIVR – The Romanian Paint Industry Association
www.aivr.ro

Irish Decorative Surface Coatings Association
www.idsca.ie

ASEFAPI – Asociacion Española de Fabri cantes de Pinturas y Tintas de Imprimir
www.asefapi.es

IVP – Industrie des Vernis et Peintures
www.ivp-coatings.be

APT – Associação Portuguesa de Tintas
www.aptintas.pt

MAFEOSZ - Hungarian Paint Producers' Association
www.mafeosz.hu

Assovernici
www.assovernici.it

M&L - Maling & Lakkindustriens Forbund
www.norskindustri.no

AVISA
www.avisa.federchimica.it

PZPFiK - Polish Paint & Adhesives Association
www.pzpfik.pl

BCF – British Coatings Federation
www.coatings.org.uk

SVEFF – Sveriges Färg och Limföretagare
www.sveff.se

DFL - Danmarks Farve- og Limindustri
www. www.danskindustri.dk
/medlemsforeninger/dfl

VdL – Verband der deutschen Lack- und Druckfarbenindustrie
www.wirsindfarbe.de

FCIO – Fachverband der Chemischen Industrie Österreichs
www.fcio.at

VSLF – Verband der Schweizerischen Lack- und Farbenindustrie
www.vslf.ch

FIPEC – Fédération des Industries des Industries des Peintures, Encres, Couleurs, Colles et adhésifs, Préservation du Bois
www.fipec.org

VTY – Väriteollisuusyhdistys r.y
www.variteollisuus.fi

Hellenic Coatings Association
www.hellenicoatings.gr

VVVF – Vereniging van Verf- en Drukinktfabrikanten
www.vvvf.nl

Public Affairs

With the European Parliament (EP) elections in June 2024 followed by the appointment of the new Commission (Ursula von der Leyen 2), the European institutions are beginning a new mandate that will run until 2029.

Initiated by the Antwerp declaration to which CEPE is a signatory and the subsequent Letta report on the EU Single Market and the Draghi report on the future of European competitiveness, the European Commission (EC) has announced its intention to place competitiveness at the heart of its economic agenda, while remaining committed to meeting the EU Green Deal objectives.

What are our activities?

The public affairs group was set up to meet the need for stronger political engagement and to provide support to the regulatory team. It also provides public affairs support where campaigning or communication is deemed more suitable. The group is made up mainly of experts in public affairs and communication specialists from both member companies and national associations.

The public affairs group monitors the political developments in the European institutions and proposes advocacy opportunities for priority dossiers. It also develops the key messages based on existing technical position papers and advocates, in alignment with national associations and member companies, the position of the industry vis-à-vis the EU institutions and relevant stakeholders. The group liaises directly with the relevant working groups of CEPE and reports directly to the Operational Board.

What have we achieved?

One of the tasks of the public affairs group is to prepare material for information and advocacy purposes as well as to position the sector. In this framework, CEPE developed a manifesto and a pitch deck presenting the key demands of the sector for the new mandate. The key demands are to focus on scientific evidence when producing legislation, to ensure that European companies are competitive globally and leading the way when it comes to innovation, and above all else, that the institutions ensure a robust single market and a true level playing field.

Members of the national associations were invited to send these documents to their respective members of the European Parliament (MEP) and CEPE to the others. CEPE also sent out congratulation letters and meeting requests to the relevant EU Commissioners following their appointment.

The public affairs group also initiated several position papers including a general one on "the EU chemicals regulatory environment" and one on "demands of the European coatings and printing inks industry for the EU's Chemicals Industry Package". CEPE also updated its position on the one substance, one assessment package in the framework of the discussions in the EP.

What are the next steps?

With the REACH revision announced for the end of 2025 and other initiatives in preparation such as the Competitiveness Compass, the Clean Industrial Deal and especially the Chemicals' Package this new term of the EC will shape the future of the EU chemicals industry for the next decade at least. Therefore, CEPE will continue to work closely with the EC on these topics and will develop proposals for public affairs strategies to support its members of national associations to develop their relationships with their respective members of the EP.

As a first step, CEPE will organise an event in the EP early 2025. Additional events, jointly organised by CEPE and other associations and platforms such as DUCC, the Downstream Users of Chemicals Coordination Group, are under consideration. Also, based on its experience and feedback from participants from its previous visit, CEPE will organise visits of paint and printing inks companies for Brussels-based civil servants.

Another objective for 2025 is the establishment of engagement trackers to increase intelligence and especially to coordinate the outreach by the CEPE network. <

Source: shutterstock.com - SeventyFour

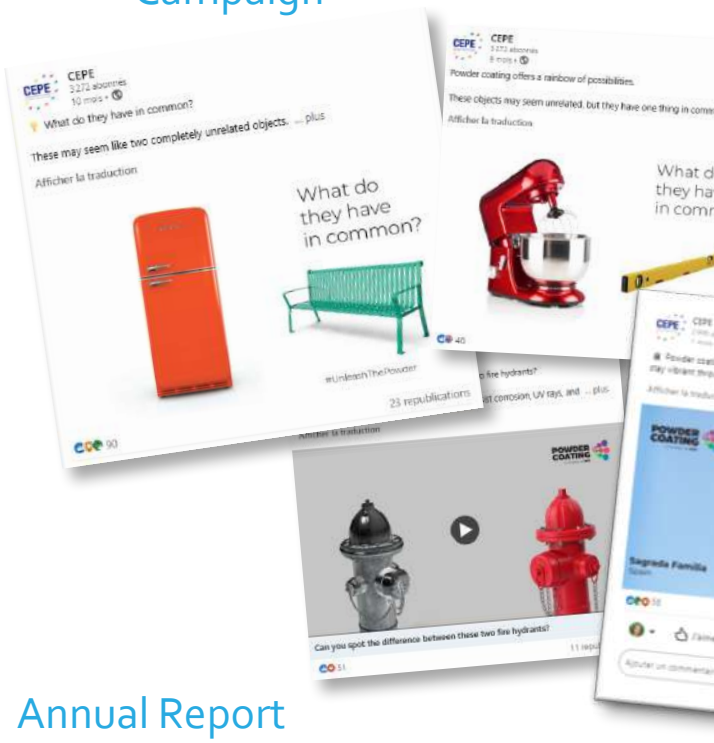
Events and

Information tools

Webinars

CEPE Signal

Campaign



Annual Report

EuPIA Monthly Report

Communication

Awareness - Raising

Events

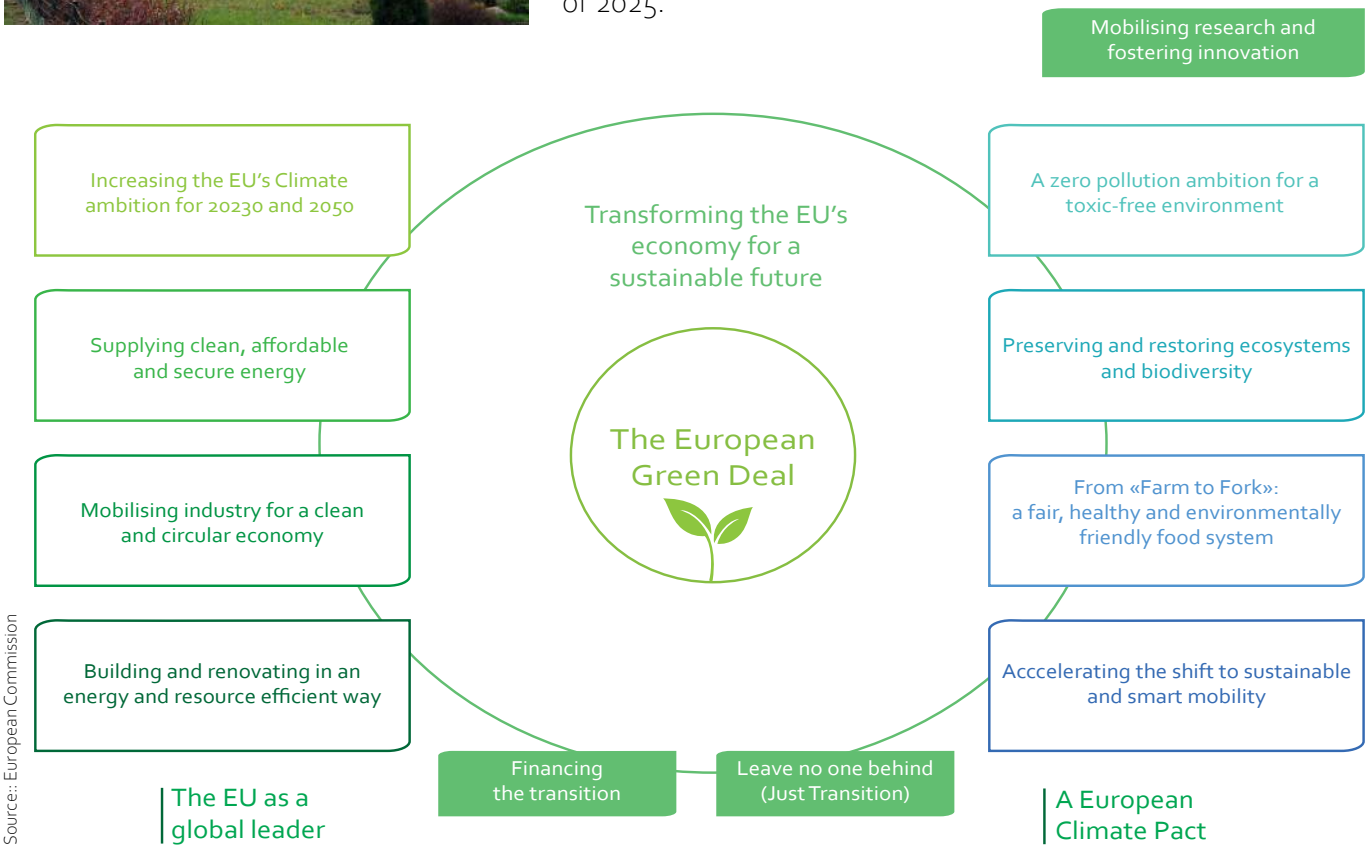
The EU Green Deal

Source: shutterstock.com - Lukasz Szalkiewicz

The EU Green Deal, endorsed in 2020 aims at making Europe the first climate-neutral continent by 2050. It is designed as a holistic and integrated approach to address climate and environment-related challenges by bringing together, and improving, several existing policies, initiatives, and funding programmes dedicated to addressing sustainability and climate change. The diagramme (below) highlights the different dimensions of the EU Green Deal. Most relevant to the coatings industry are the dimensions for the "environment", "circular economy" and "food systems" which each contain several initiatives. The implementation phase of the EU Green Deal began in 2020 and has continued ever since.

In 2024, the EU adopted several legislative milestones amongst which the Nature Restoration Law, which mandates member states to restore at least 30% of degraded habitats by 2030, with a target of 90% by 2050 and the Net-Zero Industry Act, which focuses on strengthening the EU's clean technology manufacturing capacity to support the green transition. We also noted some substantial developments in the area of circular economy described hereunder.

Alongside these developments, the EU also initiated an industrial competitiveness agenda following the Antwerp declaration in February 2024 which calls for a European Industrial Deal to complement the EU Green Deal and to which CEPE is a signatory and several other reports such as the Letta Report on the Single Market, the Draghi Report on European Competitiveness and the priorities of Ursula von der Leyen's Second-Term. The first concrete proposals of the European Commission are scheduled for the beginning of 2025.



Source:: European Commission

Mobilising industry for a clean and circular economy

As part of the European Green Deal, the Circular Economy pillar is about greening industry processes and is therefore of importance to the coatings industry. It encompasses, amongst others, the EU Industrial Strategy and the Circular Economy Action Plan (CEAP) including a sustainable product policy as well as actions targeting the handling of waste.

One of the focal points of the CEAP is the proposal for an Eco-design for a Sustainable Product Regulation (ESPR).

Ecodesign for Sustainable Product Regulation

The Ecodesign for a Sustainable Product Regulation (ESPR) is undoubtedly one of the milestones of the European Commission (EC) in the framework of the EU (product policy) Green Deal. It extends the former eco-design regulation to non-energy related products with the sole aim to improve the durability of products such as paints, furniture, textiles, and focuses also on improving recycling, reducing secondary microplastics emission, improved carbon footprint. The Regulation achieves its aim through three main requirements: performance requirements, information requirements via the Digital Product Passport (DPP), and horizontal requirements (durability, repairability and reusability).

2024 saw the entry into force of the ESPR and the establishment of the Ecodesign Forum followed by a call for experts. In parallel, the Joint Research Centre (JRC) published their final assessment on the priority product groups for ESPR. In the reports, paints are still identified as a possible product group, alongside textiles (notably garments and footwear), furniture, tyres, detergents, chemicals etc. A delegated act will be developed for each of the product groups identified in the work programme. While it is still unclear if paints will be in the 1st work programme, it is important to understand how paints will be affected by the horizontal requirements set for other product groups like furniture where paints can be part of it.

What can we do and how?

In 2023, CEPE formed an ad-hoc group on Circular Economy for monitoring sustainability topics under the EU Green Deal. This group monitored the initial policy developments around ESPR and responded to the JRC consultation in 2023. In 2024, CEPE realised that it was important for a proposal to be in place within CEPE. To develop this proposal the decorative sector group of CEPE created a subgroup for ESPR for deco paints. The reason why deco paints could be a suitable candidate for ESPR is attributed to facts like the market share in the EU, the existence of the Product Environmental Footprint (PEF) framework, the issue around secondary microplastics, etc. Considering that PEF already exists for deco paints (excluding outdoor wood paints) it would be easier and faster for our industry to already propose something from the durability requirements in the PEF category rules and link it with the foreseeable performance requirements in ESPR.

As a member, CEPE will monitor the activities and developments in the Ecodesign Forum. Most of the focus will be on the possible delegated act for paints, as well as ongoing projects on the scope of the DPP. The DPP will be a core element of the ESPR. While the DPP has its merits, CEPE is continuously stressing that only the most essential information should be provided to protect confidential business information and to avoid constant updates which is a source of administrative burden.

What are the remaining steps?

In 2025, the EC will identify the priority products for the 1st work programme which will cover a three-year period as a minimum. This process will involve detailed impact assessments and stakeholder consultations through the Ecodesign Forum.

It is important to stress that the issue of the ESPR will be on the CEPE agenda for many years ahead.

Packaging and Packaging Waste Regulation

The Packaging and Packaging Waste Directive (PPWD) sets out the essential requirements with which all packaging placed on the EU market must comply. It is currently under revision. Besides changing the PPWD into a regulation, the proposal for a revision aims to reduce packaging waste and to promote the sustainability of the packaging through reuse and recyclability. The regulation proposal also aims to introduce requirements for recycled content from post-consumer waste in plastic packaging. The regulation proposes a recyclability assessment procedure that evaluates packaging (A-E scoring) to enhance design for recycling (DfR) criteria that will be established through a delegated act. The A-E scoring system also foresees to ban packaging formats that score D or E over the years. The Extended Producer Responsibility (EPR) fees that will be collected from economic operators will be based on this A-E scoring evaluation. Finally, the regulation proposal sets ambitious targets to reduce packaging waste by the years 2030, 2035 and 2040.

Source: shutterstock.com - Borri_Studio

What can we do and how?

This topic of the PPWR is discussed in the newly formed Sustainability Working Group (WG) of CEPE and the EuPIA plastics recycling Task Force. There were major concerns regarding the proposed definition of paints, inks, and coatings in the revision proposal of the PPWR as some of our products could have been considered a plastic part and the regulation assigns some requirement for post-consumer recycled content. Another key concern that arose in 2024 was the reusability requirements for transport packaging such as pallets, IBCs, pails, drums, etc. including sales packaging as well. The PPWR sets some reusability targets for this type of packaging spanning over 2030, 2040, etc. which may not be feasible for the paint manufacturer to comply with. There are areas of the paint sector which require the highest levels of hygiene possible prohibiting the reuse of such packaging materials.

CEPE quickly engaged with the relevant sector groups and liaised with many packaging associations to raise our concerns to decision-makers. Furthermore, CEPE liaised with national associations to engage with respective MEPs to support the existing amendments which were shared previously that would help industry to achieve the targets set in the PPWR gradually and contribute to the circular economy goals. These amendments were more focused on the definitions used and the technical feasibility on certain reuse and recycling targets for coatings and printing inks industry in general.

What are the remaining steps?

In 2024, the EC progressed when it comes to the PPWR. In March 2024, a provisional agreement was reached between the Council and the European Parliament (EP) leading to its formal adoption. Following this, in April 2024, the EP adopted the text in its first reading, followed by the Council in December 2024 finalising the legislative process and setting the stage for its implementation across member states.

The PPWR will formally come into effect early 2025, setting the stage for implementation of its provisions across member states. Specific dates for compliance and key milestones will depend on the regulation's transitional periods and implementation schedules. In 2025, implementing acts to establish methodologies for calculating and verifying the recycled content percentage in packaging materials, and a mandatory eco-modulated extended producer responsibility (EPR) system in member states are foreseen.

Extended Producer Responsibility

The issue of the Extended Producer Responsibility (EPR) is an important topic for CEPE. It finds its relevance when it comes to how paints are managed at their End of Life. Also, the EPR concept is linked to European legislation such as the PPWR, where the fee is based on the performance criteria (A-E) that grades the recyclability of the packaging. The PPWR also aims to eliminate those packaging that score a grade D or E. However, EPR represents a two-fold challenge for CEPE sectors:

- How would paints interfere with packaging recyclability (example: plastics or steel)?
- What is the fate of the leftover paints that ends up with consumers? These two questions even span further when it comes to ESPR, where there is a performance requirement in terms of reuse, recycling, etc.

Therefore, it is important for the different sector groups of CEPE to consider how to tackle this topic. One important question to always bear in mind is whether paints can be recycled or reused whilst complying with EU legislation.

What can we do and how?

While a separate "EPR for paints" is not a subject of legislative discussion, the end of life of paints is an important topic that our industry should start focusing on. It is especially relevant when it comes to addressing the circularity of paints, as EPR closes the loop of leftover paints from consumers. For now, the focus is on decorative paints as the topic can be complex when it comes to industrial paints or differently viewed for sectors like inks or artists' colours where the product characteristics can influence differently the recyclability of the packaging.

CEPE has understood that aspects of EPR will be embedded in ESPR through performance requirements and embarked on a proactive approach in 2023, where the VVVF, the Dutch national association conducted a series of workshop in Belgium, France and the Netherlands to gather best practices when it comes to paints EPR. The workshop included paint producers, chemical recyclers and producer responsibility organisation (PROs). As a result, in 2024, a EPR blueprint was published for CEPE members in close collaboration with the VVVF. CEPE organised a webinar in Q1 2024 to brief its members on the blueprint content to garner further engagement on this topic.

«CEPE with the support of the VVVF published an EPR blueprint »

Source: shutterstock.com - Tatiana Gordievskaia

Green Claims

In 2023, the EC published a proposal for a Green Claims Directive, which seeks to protect consumers from false or misleading claims relating to the environmental impact of products.

One of the positive aspects of the directive is the flexibility in the methods for substantiating environmental footprint claims. The directive allows different Life-Cycle Assessments (LCA) methods and Environmental Products Declarations (EPD) to be used to substantiate environmental footprint claims. It also allows the use of the Product Environmental Footprint (PEF) tool, but this possibility removes the aspect of a harmonised LCA method and the level playing field. Finally, the directive allows the communication of such green claims via a digital medium such as a QR code or weblink.

One long-term concern is the possibility for the EC, when evaluating the transposition of the directive after 5 years, to "consider introducing the prohibition of environmental claims for products containing hazardous substances except where their use is considered essential for the society".

What can we do and how?

The issue of the Green Claims falls under the remits of the new sustainability working group. In 2024, the EC progressed on the topic aimed at combating greenwashing and ensuring the credibility of environmental claims made by economic operators. This includes the adoption of directive 2024/825 as regards empowering consumers for the green transition through better protection against unfair practices. While this directive focuses on prohibiting certain greenwashing practices, the green claims directive addresses how companies should substantiate and verify environmental claims in the EU.

In 2024, CEPE mostly monitored the political discussions regarding the green claims directive. CEPE still finds the ban on claims made by an economic operator due to the presence of substance of concern (SoC) in consumer products unacceptable.

What are the remaining steps?

The discussions on the green claims directive should be finalised in 2025. Since, the green claims is a directive, member states have 18 months to transpose it into national law <.

Source: shutterstock.com - Petrmalinak

The Chemical Strategy for Sustainability

The Chemical Strategy for Sustainability (CSS) is one of the highlights of the first mandate of Ursula von der Leyen. It represents a major revolution for the chemical industry as it shifts the regulatory approach from a risk-based approach to a more hazard-based approach.

The CSS stems from the overarching Green Deal approach and follows a decade of push for a non-toxic environment. In line with the objectives of the EU Green Deal, a sustainable chemical future will be a future free of chemicals of highest concern.

Of all the initiatives of the EU Green Deal, the CSS is the one that will have the greatest impact on the chemical industry, and which deserves special attention. Several key chemical regulations have been (e.g. CLP) or will be (e.g. REACH) amended, and new regulations implemented (e.g. Eco-design for a Sustainable Product Regulation (ESPR)) in order to provide decision-makers with the necessary tools to achieve the Green Deal objectives.

The EU political environment

Chemicals are considered essential to society and REACH the most comprehensive chemical regulation in the world, albeit the Regulatory Fitness and Performance (REFIT) test carried out several years ago which pointed to the need for some improvements, notably for a quicker elimination of the most harmful chemicals. Under the previous political mandate, the European Parliament (EP) and the Council called on the European Commission (EC) to address this, with the Environment Directorate of the EC (DG ENV) in the lead. The REACH revision was put on hold due to the EP elections and appointment of the new Commission. However, during this period, the question remained what would be the fate of REACH? At the time of writing these lines, a revision of REACH has been announced for the end of 2025. It is said that it will be "simplified". However, this "simplification" does not mean de-regulation. The difference expected compared to the past is that the EC will be more attentive to industry. Therefore, derogations should be granted to chemicals that provide essential benefits to society.

What does it mean in practical terms?

In 2023, the CLP underwent significant changes: new hazard classes were introduced (endocrine disruption, substances that are Persistent (P), Bioaccumulative (B) and Toxic (T) and substances that are P, Mobile in water/soil and T. Under the CSS these hazard classes are considered of very high concern. Therefore, one can expect regulatory pressure on more chemical substances in the future (e.g. melamine is a PMT and has been identified a Substance of Very High Concern under REACH pending a conclusion on prioritisation for inclusion in the authorisation list).

What are chemicals of highest concern? In addition to known undesired hazard that already lead to regulatory action under REACH (CMR vat 1, PBT and vPvB) the EC intends to hit hard on many other hazards. As stated above, the EC started by adding new classes under CLP for endocrine disruptors (EDs) and for both categories: cat 1 and cat 2 (suspected), PBT, vPvB, PMT, vPvM and it will then test the possibility of adding immunotoxicants, neurotoxicants, hazardous to terrestrial organisms via the UN. In addition, the EC also intends to tackle respiratory sensitisers and STOT RE Cat 1 (Specific Target Organ Toxicity). Also, we are seeing an increasing trend to address skin sensitisers but these are expected to be addressed by means of the classical restriction routes.

Over the past four years, a proposal to revise the REACH Regulation was discussed at length in an unsurpassed number of activities triggered by

the EC and was expected to be published by the end of 2023. However, it was delayed due to the European elections in June 2024. One of the main threats of the upcoming proposal is to make greater use of the Generic Risk Management Approach (GRA), which is in fact a hazard approach. The GRA is not a new concept. It exists under REACH (see Annex XVII, entries 28-30): it consists in a simple ban for consumers for CMR cat 1 for substances and mixtures above a generic threshold. The EC intended to have a wider mandate and to apply this GRA for many more hazard classes, for both consumers and professionals, and for articles also. Given the new political environment, it is likely that the GRA will not be extended to professional users, which is good news, but will remain for consumer products and some hazard classes.

The approach is therefore to ban in a first instance and to then consider possibilities for derogations. However, derogations might only be possible for essential uses. The essential use concept (EUC) was first put on the table at the end of 2020 and triggered a lot of reactions, including from CEPE. Some NGOs would like an interpretation whereby, anything related to cosmetics, decoration, leisure or toys are by default non- essential to society. Concretely, this would imply that no derogation for a substance would be possible, should this interpretation be applied in such a simplistic way. The EUC is a difficult issue and, if implemented, raises the question of who should be held accountable to judge what is essential and what is not? Who would assess if a given pigment used in artists' colour paints is non-essential and therefore automatically banned? Who would assess if preventing human creativity is acceptable or not? The EC published some guiding criteria and principles on EUC in 2024 with the statement that it aims at including it in different pieces of legislations, including REACH. One should note that we see elements of essentiality already being used from time to time.

The CSS also wants to address uncertainties linked to possible unintentional exposure to chemicals. It is true that under the current REACH rules, safety assessments are done on an individual substance basis. It is hard to predict if and how people or the environment could be exposed to different chemicals having the same mode of action at the same time. CEPE is of the opinion that the current rules already contain sufficient safety margins to cover reasonable worst-case exposures. However, these safety margins are not deemed sufficient anymore by some Member States who want to add a MAF (Mixture Assessment Factor). It still appears that a MAF (probably of 5) remains on the agenda and would have to be applied to all high-volume chemicals in addition to existing safety factors, which would mean that the unintentional exposure to combined chemicals could pose a risk 5 times higher than estimated today, which is unreasonable for most chemicals. It is a simplistic approach to cover a complex situation. In order to address the uncertainties, CEPE called on decision-makers to focus on what matters most, i.e. on those chemicals that are most likely present in our environment for possible co-exposures. The MAF is expected to be inserted into REACH during the REACH revision process, despite the possibility of a faster legal process. In practice this means that the REACH Registrants (the raw material suppliers) will have to revise all their risk assessments and pass on safe use information down the value chain (such as our industry). One should note that, when no more safe use can be demonstrated, some uses will be no longer acceptable, which will force innovation and re-formulation.

What can we do and how?

Concretely, the difficult concepts such as GRA, EUC or MAF remain possible threats in the framework of a REACH revision. Therefore, CEPE drafted a position paper calling for a revision of the CSS. The role of CEPE and its members is to "control damage"', by analysing and communicating the impact on our industry to decision-makers to prevent simplistic approaches to these concepts. To be successful, we need to offer innovative and reasonable solutions that deviate from former positions such as "it is safe for use and should therefore not be challenged".

What have we achieved?

The EC hired external contractors to address the many identified actions. For each of the actions, inception impact assessments followed by impact assessments, public consultations, targeted consultations and workshops were organised. Discussions also took place at CARACAL level and in sub-Caracal groups as well as within many industry associations. Calls were organised, documents and position papers circulated. Given the limited resources available it was impossible to follow all the developments in detail and we had to prioritise and focus on the most important impactors, amongst which, those identified above.

CEPE created a dedicated CSS group under the CEPE Green Deal TF. This group also ensured that the CEPE Board, the National Association Directors and the CEPE SHEAB group have the possibility to comment. It started to meet once per month early 2021, before increasing to every second week to try to keep up with the pace of actions. At the end of 2021 a subgroup of the CSS group was also set up to be even more reactive and to support the CEPE staff liaising with the EC.

CEPE called for the EC to not rush into a blanket GRA and to, in a first instance, gather information on uses, exposures and alternatives, before deciding which regulatory route to choose (under REACH and/or under other legislation). Only an informed decision-making process can

Source: shutterstock.com - petrmalinak

«The Reach revision is a priority for CEPE and it must take into account the need of the EU's competitive industry »

prevent unexpected consequences. Considering the limited resources available and the need for legal certainty CEPE also called for a prioritisation roadmap. We have been successful in bringing to the highest level of both DUCC and CEFIC the need to discuss an early analysis of alternatives (eAoA). Our proposal was to involve ECHA and to establish a sub-group per use for the substance that must be substituted. The sub-group would be made up of experts participating on a voluntary basis. The system would be trustworthy and transparent and would use a set of agreed criteria. The outcome of the work done by the different working groups would be used by the decision-makers to decide if time limited derogations are needed to give time to innovation. This proposal is still valid when it comes to a possible future requirement for Industry to provide authorities with more granular information on use, exposure and alternatives to help the regulatory decision making process and prioritisation.

The CEPE CSS group has developed a decision tree for this, which postpones to the last stage a possible essential use concept. The next step will be to discuss how to put in place a robust system. The group is also developing additional solutions based on core analysis of what works well and what could be improved in REACH from the perspective of a downstream user of chemicals.

The ongoing discussions and developments highlight that industry as a whole, including the supply chains, will have to provide more information than it currently does.

What are the remaining steps?

Short term: Get involved!

The avalanche of inception impact assessments, public consultations, targeted consultations and workshops for each of the important CSS topics is over: the EC finalised its work at the end 2023 and is revising part of their previous proposal based on the new political directions with a view to the publication of a proposal by the end of 2025. The proposal will then be discussed with the EP and the Council. Meanwhile, it is relevant for CEPE to continue its activities. The delay in the REACH revision will provide us more time to refine our position and put forward our proposals.

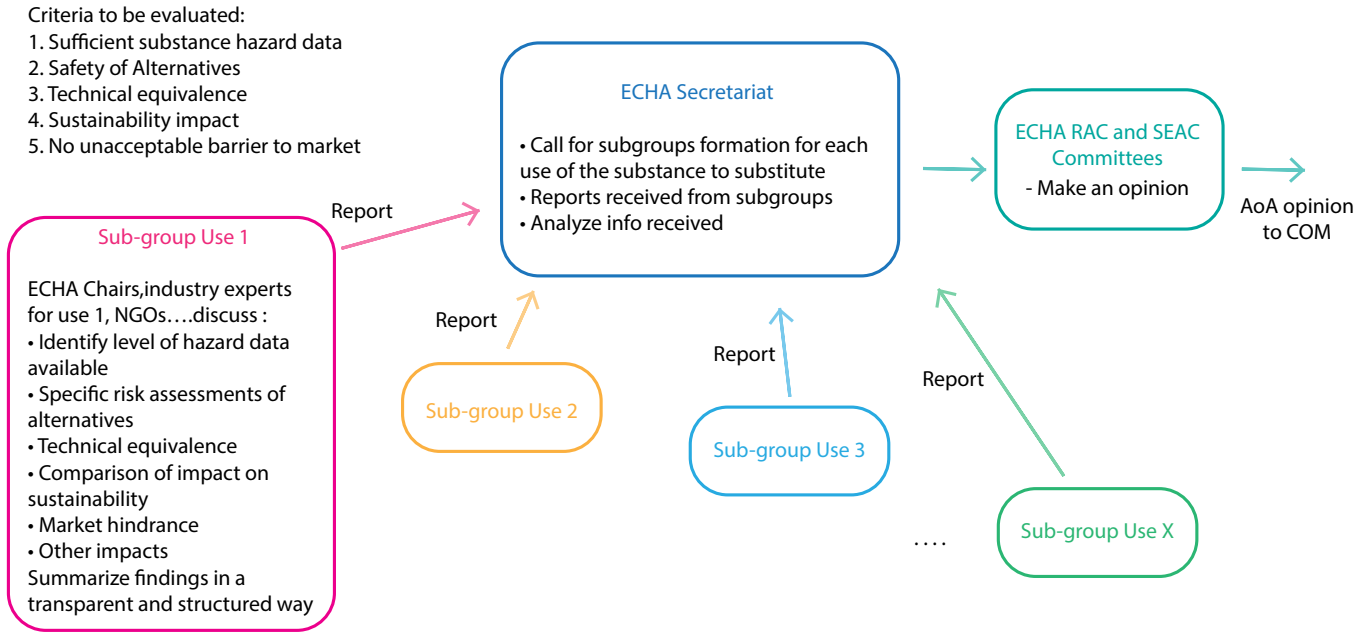
Long term: Data!

Already with the existing REACH, we are confronted to a tsunami of initiatives from Member States affecting our products' future. With the amended CLP and upcoming REACH revision, the subsequent three decades will be marked by even more pressure on many substances: many of which are critical and used in our industry. Therefore, our industry needs to:

- Be prepared to innovate by substituting the most harmful chemicals, where possible
- and if more time is needed, provide solid quantitative data to support derogations.

Therefore, as a sector our priority should be to focus on obtaining quantitative data, as qualitative data is insufficient for decision-makers. CEPE has hired a Trustee to gather confidential data and anonymise it for CEPE's advocacy. It targets only some specific substances for which active defence is needed and only requests substance volume information per sector of use. So far, 31 member companies have signed the non-disclosure agreement with the Trustee. The more companies involved the more robust the information. If you are not yet participating, it is not too late to do so. <

CEPE PROPOSAL FOR AN ANALYSIS OF ALTERNATIVES



Sustainability Tools

With the changing regulatory landscape and growing demand for tools and database, it is of the utmost importance for CEPE to support its members, mainly SMEs with its industry-developed Life Cycle Assessment (LCA), and Life Cyle Inventory (LCI) tools. This helps not only to achieve a level-playing field, but also facilitates member companies to meet with requirements in regulations such as Eco-design for a Sustainable Product Regulation, Green Claims and also use it for Environmental Product Declarations (EPD).

CEPE has been a precursor when it comes to sustainability. In 2012, CEPE published its first Sustainability Charter to encourage its members to look at the full life cycle of their products while keeping in mind the three pillars of sustainability: People, Planet and Profit.

CEPE Life Cycle Inventory (LCI) database project

In order to carry out a Life Cycle Analysis (LCA), expertise is required. It also has a cost. One of the major costs is the database to use information behind each life cycle stage of the paint product. In 2011, CEPE embarked on the CEPE LCI (Life Cycle Inventory) project to provide members from all CEPE sectors with a harmonised (LCI) database for the most commonly used raw materials. The CEPE LCI database is available in the following formats of SimaPro, GaBi and Excel.

In 2024, CEPE released an updated version of the CEPE LCI datasets in order to complete a technology update (where available) for all datasets previously included within the CEPE database using best available industry data and Ecoinvent. The update was aimed to incorporate any new relevant datasets and update the documentation of each dataset.

As a result, CEPE successfully managed to update the following:

- 318 datasets were re-modelled with the most up-to-date data available, including Titanium Dioxide, China Clay, and Alkyd resin, 50% in water.
- 53 new raw materials added, including additional variations for precipitated and ground calcium carbonate, and ethanol from several different sources (e.g. sugar beet molasses).
- Incorporation of updated industry data from 6 upstream industry associations.
- Average reduction in dataset carbon footprint by 10%.
- A new Data Quality Rating was calculated for each material. This was based on EN15804+A2 and E.F 3.1 methodology.

In 2024, CEPE conducted a webinar to explain the LCI updates to its membership.

Product Environmental Footprint (PEF) tool

PEF is part of the Single Market for Green Products Initiative launched by the European Commission (EC). Its goal is to make it easier for companies to put green products on the European market and for consumers to identify them. The PEF methodology is a LCA (Life Cycle Assessment) method designed to be a standardised way of measuring the environmental performance of a product. The CEPE PEF tool allows the user to follow a three-step data insertion process that leads to results for a single product.

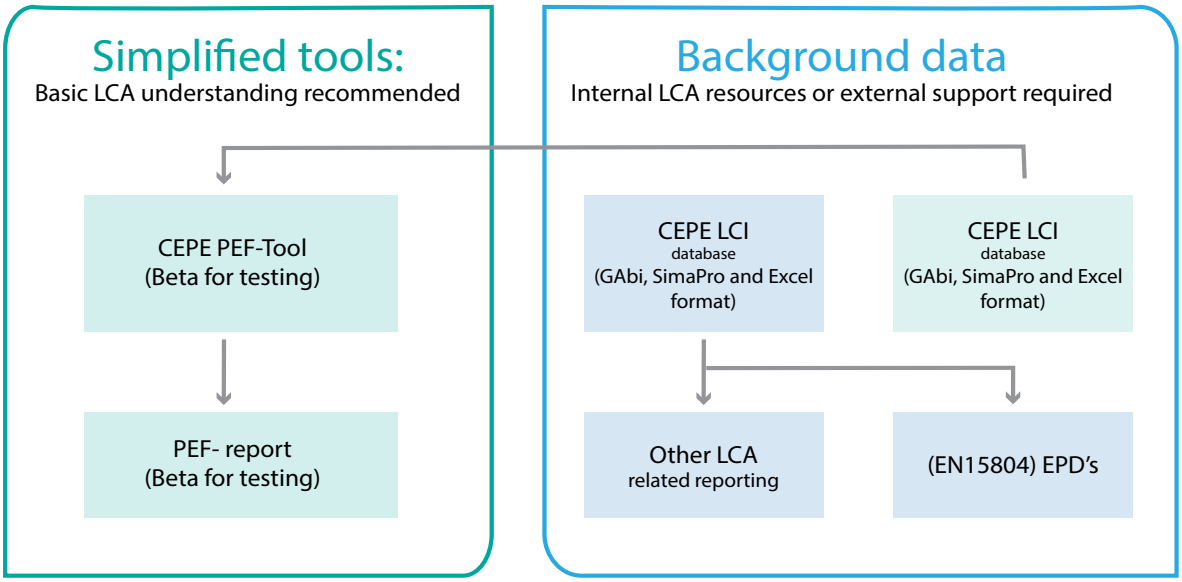
Once the paint producer inserts primary data for his product like;

- Bill of materials,
- VOC content,
- Results from PEF durability tests and,
- Site specific data for the manufacturing of this product,

the tool produces the results in terms of PEF score and its 16 impact categories. The user can also set a portfolio analysis for up to 50 different products. This enables him/her to compare different products in terms of PEF score and CO_2 emissions.

It is also required under the Recommendation on the use of Environmental Footprint methods for the PEF users to get their PEF studies 3rd party certified. A new version of the PEF tool with EF 3.1 datasets will be rolled out in 2024, but to make any official PEF study the PEF Category Rules for decorative paints needs to be up to date and validated by the EC<.

What does CEPE offer you?



Source: shutterstock.com - Anggalih Prasetya

CLP and Hazard Communication

Description of the topic

The Classification, Labelling and Packaging (CLP) Regulation (EC) No 1272/2008 is a key pillar of the EU chemicals legislation (the other being the REACH Regulation). This regulation aims both to determine whether a product is hazardous and to ensure a harmonised hazard communication. Once a product is classified hazard based, the hazard information is communicated to all the actors in the supply chain. In this way, the user of a product is informed about the type of product expected to be bought and handled and the need to manage the associated risks. In addition, it directly influences other chemical legislation which refer to it to identify the hazards of substances that require further regulatory action.

The EU political environment

The adoption of the European Commission Chemicals Strategy for Sustainability (CSS) in 2020 brought the need to review key regulations. Considering that the CLP regulation is the basis for many legislative provisions on the management of chemicals, its review became an inevitable action as part of the European Commission (EC) work programme for 2022. The revision ended with a delegated act introducing new hazard classifications in April 2023, and a new legislative text in December 2024.

The new hazard classifications cover the following "hazards": Endocrine Disruptors (ED) for Human Health and for the Environment (Category 1 and Category 2); Persistent, Bioaccumulative and Toxic (PBT) and Very Persistent, very Bioaccumulative (vPvB); Persistent, Mobile and Toxic (PMT) and Very Persistent, very Mobile (vPvM). On ED, CEPE has always stated that it is not a hazard on its own, but a mode of action to trigger a hazard, which is normally already captured by other existing hazard classes of CLP. Nevertheless, the EU adopted this new class, thereby diverging from the Global Harmonized System (CLP is the EU implementation of this global framework). Discussions at UN level have been initiated but the outcome is still uncertain. In the meantime, the new hazard classes in the EU will start kicking in.

The legislative text update implies – amongst others – changes to hazard communication (for instance through mandatory formatting rules, such as minimum font size and colour); the classification methodology (for example, the new considerations on bridging and weight of evidence principles); new provisions on online sales and poison centre notifications; and an acceleration on the procedure for harmonisation of classification and labelling.

All these changes require guidance which is in development. ECHA Guidance subject to update are the following:

«The new CLP implies changes in the font size on labels»

- Introductory Guidance on the CLP Regulation,
- Guidance on Labelling and Packaging,
- Practical guidance on read across and grouping,
- Guidance on Harmonised Information Relating to Health Emergency Response,
- Guidance on the preparation of dossiers for harmonised classification and labelling and
- Guidance on the Application of CLP Criteria.

What are our activities?

CEPE has been active since the start of the regulatory process regarding the CLP revision both at political and technical level. Several position papers and information notes were developed, as well as multiple meetings with representatives from the European institutions, when possible, together with other industry associations in the framework of an alliance. It proved challenging on agreeing the technical arguments as well as choosing the optimal political strategy, so that the arguments could be presented at the right time to the appropriate people during the Ordinary Legislative Procedure (OLP) process.

CLP has now been amended twice with the latest revised text published in 2024. We are now entering a compliance phase which requires amending existing guidance on the CLP. CEPE will continue providing a platform for members to discuss CLP-related issues, and to see if a common approach can be agreed for some of the more important challenges.

What are the remaining steps?

The advocacy work of CEPE during the CLP revision legislative process allowed us to be recognised as an active and credible contributor to the debate. The scientific work generated to support CEPE position also strengthened our relationships with sister associations with similar interests, by conveying common concerns in a more efficient way. However, the final outcome has been disappointing, largely due to the political environment of the years 2019-2024. It has now been acknowledged that the EC did not properly evaluate the impact of some measures, such as the increase in font size, but it is now too late for a change as companies are now in the process of implementing new labelling strategies and equipment, and hence investing hundreds of millions, for limited benefits on EU citizens.

What are the next steps?

CEPE will continue its work on CLP in 2025 which will focus on updating the existing Guidance and implies direct participation in the Partner Expert Group of ECHA. Several CLP Workshops are planned to identify key topics and get a common approach on the interpretation of the new requirements.<

Source: shutterstock.com - Pixel-Shot

REACH

The most ambitious piece of European legislation published almost 20 years ago has been the subject of intensive discussions during the last four years under the EU Green Deal and Chemical Strategy for Sustainability (CSS). The REACH 2.0 proposal was scheduled for publication at the end of 2023 but was put on hold due to the European elections of June 2024. A proposal has now been announced for the end of 2025. In the meantime, the existing legislation continues to have major impacts on our sectors' activities.

Description of the topic

REACH stands for: Registration, Evaluation, Authorisation of Chemicals. Although the title does not incorporate it, the Restriction on placing on the market and use of chemical substances also falls under REACH's remit. Several current and upcoming restrictions are already having or are going to have an impact on the use of chemical substances in paints, coatings and printing inks.

The EU political environment

REACH is now widely recognised as the most successful and comprehensive chemicals legislation worldwide, with many non-EU countries using the basic framework for their own purposes, such as K-REACH (South Korea), UK REACH and KKDIK ('TURKREACH'). Also, many countries have adopted and inserted the different REACH elements into their own existing chemicals legislation. However, the task of registering, evaluating and then taking appropriate regulatory action on over 22.000 substances (on 30 November 2024 the European Chemicals Agency (ECHA) database holds 108 401 registrations for 22 873 substances) is understandably a very time and resource-consuming process, and there is now considerable pressure on the authorities to accelerate the procedures. One of the key objectives of the CSS is to adapt the REACH legislation accordingly. However, it remains of course essential that decisions taken are based on sound scientific principles, data and information, and not rushed through to satisfy the political agenda. At the same time, our knowledge of chemical substances, and their hazards, has advanced tremendously in recent years, resulting in an ever-increasing list of chemicals requiring action, due to concerns over their impact on human health and / or the environment. Considering this context the authorities are working on revising the REACH legislation to make it fit for purpose for the next 20 years. In the meantime, there is already a sense of urgency from the authorities and from ECHA to complete the existing evaluations, identifying substances of possible concern, and taking the subsequent decisions on regulatory action, where warranted. A "Restrictions Roadmap" document has been introduced to cover the Restriction activities until the revised REACH legislation takes effect. Unfortunately this does not prevent Member States initiating additional regulatory action at any time, making it unpredictable for industry. We are now

seeing an increasing tendency by the authorities to propose Restrictions for groups of substances, and for REACH actions to be proceeding in parallel with Classification, Labelling and Packaging (CLP) harmonised classification proposals, rather than the more traditional and logical approach of following in sequence. Both of these activities are already causing considerable disruption and confusion on the market. In order to have an idea on which substances are under regulatory activity, we refer our members to the Quarterly Regulatory update of CEPE and the table listing the changes that occur every three months. In addition, the overall tendency for the authorities to take a "hazard-based" and ultra-precautionary approach to decision-making regarding chemicals legislation, rather than remain within the existing "risk-based" framework, is of very great concern. These approaches are gaining momentum and are being introduced in the European Commission (EC) and ECHA guidance documents, as the EU strives to reach its ultimate objective of a "toxic-free" and "safe and sustainable" chemicals environment. Following the 2024 European elections, it appears that the concerns of Industry should be better acknowledged in the future, whereas the announced "simplification of REACH" does not mean de-regulation.

What are our activities?

The core activity for CEPE is the continuous close monitoring of any activities on chemical substances that may have an impact on members' products. This includes tracking the path of key substances through the REACH process, providing information on volumes and use scenarios, and raising concerns when it appears that regulatory action could have a significant impact on one or more of the paint, coatings, printing inks and artists' colours sectors. So, there is both an information aspect to our work as well as an advocacy aspect (defending the use of key substances where possible) and raising the awareness of substance use to encourage a pragmatic approach to regulating them.

Most of this effort is focused on current and proposed Restrictions that emerge from the evaluation procedure, as Restrictions on certain key substances used by our sectors are already in place. In several cases a dedicated Task Force has been set up for the CEPE community to share information, to discuss and to agree on a CEPE position and approach to a Restriction. This is the case for di-isocyanates (used in 2-Component PU coatings), formaldehyde (affecting curing agents and biocides), bisphenol A (epoxy coatings), melamine (MF resins in industrial coatings or straight melamine in intumescent coatings), microplastics (see separate article on 25) and more recently talc. All of these have seen developments over the course of 2023-2024 (see separate article on substances on page 26).

In addition to restriction activities on substances, the Candidate List of Substances of Very High Concern (SVHCs) continues to grow (there are currently 242 substances on the list). These "most harmful" substances are intended for possible Authorisation, requiring users to apply for permission if they want to continue to use the substance, which are limited in time to force substitution. Additions to the candidate list are usually made twice a year by the authorities, after extensive discussions and decisions taken within the appropriate REACH-related committees.

Although the future of the Authorisation procedure remains uncertain in the new revision of REACH, the listing of a substance as an SVHC effectively puts considerable pressure on our sector to substitute the substance where possible, or if not possible to prepare a comprehensive set of information to demonstrate why we need to continue using the substance.

Other REACH topics that require our attention include the discussions relating to the future registration and evaluation of polymers / groups of polymers, and the need for our members to comply with the requirements relating to supply chain communication, proving safe use, information sharing and reporting to the authorities. The REF-series (REACH-EN-FORCE) of planned enforcement activities are also monitored closely, as these can sometimes impact member activities. The ECHA Assessment of Regulatory Needs (ARN) activities continued in 2024, adding many chemicals to future scrutiny. These are technical documents reporting on different groups of substances and indicating possible regulatory actions based on chemical structures and limited studies on hazards. These are needed in order to support the general move towards classifying and legislating substances in groups rather than individually. However the ARN approach does raise a number of concerns - although

Source: shutterstock.com - Andrey_Popov

not legally-binding, it will influence the authorities in their discussions and decision-making, and there is no official process designed to allow industry to provide comments to ECHA on the content of their ARNs.

What have we achieved?

For an overview on specific substances please see separate article on substances on page 26. Please also see the article on the microplastics restriction on the next page.

The basis for proving safe use of substances is the CEPE Use Maps, specifically the SWED-SUMI approach that was developed several years ago. The supporting documentation is still requiring some considerable maintenance in light of recent discussions, as well as requests from ECHA and CEFIC contacts. At the same time CEPE members have provided considerable support to the Supply Chain Communications Task Force set-up by the Downstream Users of Chemicals Co-ordination group (DUCC) which is engaging both up and down the supply chain on the topics of digital transfer of information and minimum information requirements.

What are the next steps?

Activities surrounding key substances will continue in 2025 with new ones likely to appear. The issue of secondary microplastic i.e. the release to the environment during the service life of a paint is expected to be addressed under the new EU Regulation, the Eco-design for a Sustainable Product Regulation (ESPR - see separate article on page 13). The proposed Restriction on Polyfluoroalkyl Substances (PFAS) is of particular concern, as this is likely to include PTFE waxes (used by multiple CEPE sectors) and fluoropolymers (a highly durable technology used in outdoor protective coatings). In addition, classifying melamine as a SVHC will have considerable ramifications for several CEPE sectors, including the intumescent coatings and those sectors relying on melamine-formaldehyde curing resins for stoving systems (e.g. can, coil, wood coatings). Other SVHC classifications are in the pipeline and will also undoubtedly have an impact. The further development of the requirements for registering polymers under REACH is going to need careful monitoring and good engagement with the polymer suppliers, to ensure that the information provided is correct and manageable. In addition, the proposals to introduce a new Mixture Allocation Factor' (MAF) will have a very profound effect on the approaches that can be taken to prove safe use of mixtures. This will probably result in less possibilities to rely on upstream supplier information and recommendations, and a greater need to run higher tier (Tier 2) risk assessments on substances using very specific data on the concentration of certain substances in mixtures and the use and exposure times and conditions.

The REACH legislation is recognised as a comprehensive and successful framework for legislating chemicals. However, our fear is that the challenges resulting from the revision of this core regulatory pillar could lead to extremely complex issues, bans on key substances and unworkable scenarios, ultimately impacting on the availability of substances and mixtures "in the toolbox" for our members to use to formulate their products. CEPE advocates that with the current REACH we already suffer from too many regulatory activities. More predictability and legal certainty are needed and in case of a re-opening of REACH this should be addressed to help ensure that our EU chemical industry remains competitive.<

Source: shutterstock.com - Isaravut

Source: shutterstock.com - Almost Green Studio

Microplastics

The EU political environment

The presence of microplastics in different environments and their impact on the eco-systems, biodiversity, and human health form part of the concerns of the European Commission (EC) in the context of a global strategy to tackle plastic pollution and marine litter.

The most recent actions on microplastics by the European Authorities at regulatory level are two regulatory initiatives that aim to decrease the presence of microplastics in the environment. The first one is the REACH restriction on microplastics intentionally added to products which was adopted in October 2023 and which has brought new obligations to some CEPE members. The second one is a proposal for a Regulation on preventing plastic pellet losses to the environment. In principle, CEPE members should not be in scope of the plastic pellets regulation proposal. However, this cannot be completely confirmed due to the on-going discussions on the definition of plastic pellets which could include powder and flakes used to manufacture plastic products.

In addition, there is increasing concern concerning the unintentional release of microparticles through the wear and tear during service life, which we call secondary microplastics. The reason is that some publications identify paints as one of the main sources of microplastics in the environment. It is expected that the EU will use the new legislation on Ecodesign for Sustainable Product Regulation (ESPR) to tackle this issue (see article on page 13).

What are our activities?

The topic is handled both at general and at sector level. The main discussions take place in the CEPE Microplastics Task Force where, for instance, the CEPE Guidance on the REACH Restriction is developed. Then, each CEPE sector may contribute with specific sector information to the microplastics topics. For example, the Deco and Marine Groups were the main sectors providing inputs for the Microplastics Research during 2024. The Powders Coatings and Decorative sectors proactively developed sector specific contributions to the Microplastics Guidance in terms of release factors. In addition, a specific group of the Deco TC of CEPE pro-actively developed a proposal to focus on performance criteria for outdoor façade paints, in order to prepare for the future work on ESPR.

What have we achieved?

The first achievement has been to avoid that water-based paints be banned from being placed on the market due to the possible content of microparticles in the raw material dispersions. Due to the fact that paints are not entirely out of scope of the REACH restriction, CEPE is helping members with the understanding of the Microplastics Restriction through a Guidance document (now v 2.0). This document will evolve based on new developments such as the European Commission/ECHA guideline which is still not available at the time of writing. Separate discussions also take place under the umbrella of the CEFIC microplastic network of experts with recent active discussions on the generic identity of the polymers to be used for the future reporting obligation

On secondary microplastics, CEPE has launched a Research Programme to understand the possible formation of microplastics, their quantity and their fate in the environment. As this is a basic research, the first step was to develop a methodology to identify and quantify these particles. The research provided some initial useful information but further work will be launched in 2025. This is a difficult and costly exercise, yet necessary in order to address the claims that paints are one of the biggest microplastic polluter. We believe that the figures used by the EC to justify regulatory actions on paint are biased and robust scientific evidence to counter this is therefore necessary. We hope to demonstrate in an additional study that when a typical paint degrades, it only releases a small proportion of particles, far from the published allegations.

What are the remaining steps?

CEPE will continue monitoring and informing members on activities around microplastics. On the restriction of the intentionally added microplastics, further work will be required especially when the EC Guidance will be made available in 2025. Alignment with other trade associations will also be pursued. Concerning secondary microplastics, the CEPE research programme will continue in 2025.

Finally, we will continue our discussions relating to ESPR as the microplastic emission reduction is expected to be a major criteria to ensure that the best performing paints only can be placed on the EU market. <

Substances advocacy

Source: shutterstock.com - Afotostock

CEPEsupports several key substances which are under regulatory pressure. Even though the REACH revision has been postponed, regulatory activities continue under the existing legislations.

The EU regulatory and political environment

The CLP Regulation (Classification, Labelling and Packaging of substances and mixtures Regulation (EC) N° 1272/2008) takes care of classifying chemical substances in Europe. The classification of a substance is based solely on its hazard. There is no space for arguments linked to exposure, risk in use or socio-economic impact. The CLP process is quite unpredictable, and experience shows that, most substances come out of the classification process with a worse classification. CLP is increasingly affecting chemicals, substances and mixtures, in particular due to the new hazard classes that were added in 2023, as it has direct consequences on all chemical legislations.

The REACH Regulation is the main Regulation addressing the safety of chemicals. There are many more specific legislations affecting chemicals (such as safety at work, Seveso, Industrial emissions, Construction Products, Biocides, Food Contact) but most of the regulatory activities causing difficulties for the continuous placing on the market of our products take place under REACH. REACH integrates a risk-based approach (a risk is the combination of the hazard and the exposure – when the risk is acceptable for a specific use there should be no need to regulate the substance further). It also includes some hazard-based considerations such as the Substance of Very High Concern (SvHC) or the Generic Hazard Approach. The future REACH Regulation is expected to integrate many more hazard-based decisions, following the new hazard classes identified in CLP.

Titanium Dioxide (TiO_2)

Description of the topic

This dossier was a CLP dossier. In 2016 the French authorities proposed a classification for carcinogen by inhalation category 1 (the worst), for all forms of TiO_2.

It must be noted that the full review of the TiO_2 REACH dossier under REACH is still ongoing and new toxicological studies have been carried out including on genotoxicity.

What can we do and how?

In the past, CEPE created several dedicated groups and put the necessary resources to address this issue. These groups are now dormant since the CLP discussion is over. However, we remain vigilant about possible new developments and the remaining consequences for downstream legislation. We are also still monitoring in the ongoing court case.

A Particle Platform was set up in CEFIC and two of our members' toxicologists are directly involved and report to the CEPE ESRAG group.

What have we achieved?

In the past, CEPE put in a lot of efforts on this essential and No1 pigment as the classification was not deserved (it is a dust lung overload effect not intrinsic to TiO_2). For three years, TiO_2 was the number one dossier for CEPE. CEPE also supported the Court Case filed by the manufacturers against the classification. After years of discussions, the classification of TiO_2 was brought down to a Category 2 with a derogation for mixture. These efforts resulted in a positive outcome for liquid mixtures.

The European Court of Justice (ECJ) published its judgment in November 2022 (Press Release 190/22 of 23 November 2022) and concluded that the EC had made a mistake and hence annulled the classification of TiO_2, which should oblige the EC to modify the 14th ATP to CLP. The ECJ ruling is based on two facts (extract from the Press Release) "First, the Commission made a manifest error in its assessment of the reliability and acceptability of the study on which the classification was based and, second, it infringed the criterion according to which that classification can relate only to a substance that has the intrinsic property to cause cancer". The second fact is very important for other Poorly Soluble particles of low Solubility (PSLTs), such as carbon black or iron oxide. Indeed, with this the ECJ clarified the intention of CLP for "intrinsic toxicity", hence a "dust effect" is not deemed to be intrinsic.

What are the next steps?

The EC, supported by France, appealed and at the time of writing we are still waiting for the outcome expected in June 2025. In the meantime, the classification remains valid.

CEPE will continue to support the legal action and monitor possible future developments..

Bisphenol A (BPA) and related bisphenols

Description of the topic

BPA has been under heavy pressure for many years due to its hazards, including endocrine properties. Currently, most BPA based technologies used in our industry (epoxy coatings) have not been restricted due to the low residual content in resins. They are largely used in applications such as construction, automotive, including powder coatings. The identification of a substance as endocrine disruptor (Category 1) triggers a lot of regulatory activities and a push towards its ultimate elimination in Europe. There are still currently 2 main regulatory activities:

1. In 2023 the German Authorities withdrew their proposal restricting the use of BPA and related bisphenols (the B, F, S and AF are directly concerned). This restriction was based on concern for the environment (endocrine effects on environment without a threshold). For other bisphenols that will demonstrate similar concerns a direct link between their classification and a restriction was envisaged. This follows the comments received during the public consultation. We do not know how they will modify their proposal but we have been informed that they should re-submit it in 2025.
2. The final European Food and Safety Agency (EFSA) opinion was published in Spring 2023 concluding to the reduction of the tolerable intake (exposure) by a factor of 20.000. The European Commission (EC) published at the end of 2024 a measure to ban all food contact applications for BPA and related bisphenols.

For can coatings, the phase-out period for both internals and externals should be workable for the supply chain. For heavy duty coatings, an exemption for repeated uses tanks and containers above 1000L has been granted under certain conditions of proof of no migration and a requirement to regularly update the EC with regard to the development of alternative technologies.

In the EC restriction roadmap, bisphenols are still high on the agenda for possible additional measures but for the time being it is difficult to predict what these could be.

What can we do and how?

A dedicated BPA group exists within CEPE which supports the CEFIC Epoxy Resin Committee where necessary.

What have we achieved?

Estimates of release and samples of coating systems have been provided in the past for leaching testing purposes. The analysis of the previous proposed restriction by the CEPE BPA TF was that it should be manageable for mixtures and articles. The TF had therefore decided not to provide comments under the previous consultation.

On the BPA food contact material ban, the discussions that CEPE had with the authorities has led to a workable outcome for both can coatings and heavy duty coatings.

What are the remaining steps?

The BPA TF will be active whenever necessary and especially when the new restriction proposal is published in 2024.

Talc

Description of the topic

The RAC opinion from September 2024 proposed a harmonised classification as Carcinogen Category 1, which would be extremely detrimental for our industry.

Talc is a natural and inert substance used in paints and inks. Talc is an essential mineral for the paint & coatings industry due to its unique physicochemical properties. Talc acts as a brightener, softener, extender and filler of paints. Talc's brightness, softness, and lamellar structure make it a valuable paint additive, enhancing colour, application, coverage, and durability while reducing costs. Talc contributes to the performance of paint products. It is used in thousands of formulations and is therefore a very important raw material.

What can we do and how?

We have to try to avoid that the EC accepts the RAC proposal, first through questioning the science used and secondly to understand the huge impact that it would cause on our industry without providing any significant benefit to citizens and society.

A dedicated talc Task Force was established in CEPE and will meet for the first time in 2025. The aim of the Task Force is to support the development of quantitative data and advocacy material to avoid the huge potential negative impact that the proposed classification would have on our industry.

What have we achieved?

Besides creating a dedicated task force within CEPE, contacts have been made with the manufacturers' association. We also supported their initiative to run a preliminary impact assessment.

What are the next steps?

Quantitative data will further need to be provided, as well as an analysis of alternatives for the relevant uses at stake in coatings and inks. This should support a broad advocacy campaign against the need to classify a substance that has been widely used in paints and inks for decades without any problem.

Melamine

Description of the topic

Melamine is used in melamine-formaldehyde resins in several industrial coatings such as wood or automotive and is also used as such in intumescent coatings as blowing agent.

The issue is linked to the observation that this substance is present in the environment (surface waters) at relevant levels and this can only be due to human activities, as melamine is not present in nature. The difficulty is to identify the relevant sources of contamination. As for BPA, it could be due to the release during service life, hence the German Authorities have not only requested data but are also putting pressure through regulatory action.

At the end of 2022 melamine was classified by the Member State Com-

Other substances

Substance	Description of the topic
Formaldehyde	Its classification as a carcinogen by inhalation category 1 has led over the years to regulatory actions such as a REACH Restriction and a revised occupational exposure level. A couple of years ago, Formacare informed us of the opinion adopted by the French Agency stating that formaldehyde causes myeloid leukemia in humans. More recently we saw that the Netherlands intended to propose it as a SVHC (intention now withdrawn)..
Silicones	Silicones are polymers based on the building blocks called D4, D5 or D6, which have some PBT properties (Persistent Bio-accumulable and Toxic). A REACH Restriction is ongoing which should be workable for our industry. The new development is the possible addition of silicones to the Stockholm POP Convention. Indeed, the EC intends to 'export' their EU regulatory decisions to the rest of the world by using international tools such as GHS for CLP and POP for some REACH decisions. That Convention was not designed for that purpose. In addition we saw more recently some additional activities on linear silicones.
Di-isocyanates	Di-isocyanates are the basic substance needed for the polyurethane chemistry. They are classified as respiratory sensitisers which triggered a REACH Restriction. The restriction is in force, and we have fulfilled our legal duty by generating training material (available online through a central platform) for the mandatory training of professional and industrial users. New binding occupational exposure levels have been adopted and will be revised in 2029. Also, under REACH, ECHA has conducted an Assessment of Regulatory Needs (ARN) concluding that it may be necessary to extend the above-mentioned REACH restriction to other related substances (dimers, trimers, oligomers), and perhaps extend the old restriction that exists for MDI for consumers.
PFAS	This is a very big group of substances (10 000+) that have some persistent properties as they are often called the "forever chemicals". The unsurpassed stability and service life of that chemistry also means that it will persist in the environment if released. Our industry has some, but limited, uses such as PTFE waxes or PVDF and FEVE based binders. A REACH Restriction of an unprecedented extent (and impact) was published by several Member States. Thousands of comments were submitted during the public consultation in 2023 due to the importance of that chemistry and the huge diversity of uses that exist in our society. Discussions on specific uses started within ECHA.
Ethanol	Ethanol is an important solvent for many industries including ours. There are ongoing activities on its future harmonised classification with the risk that it becomes a CMR Category 1, which would have major consequences.
Rosin and its derivatives	Some of these substances have been proposed for classification as reprotoxic Category 1. These substances are important for several of our sectors, including marine anti-fouling.
Other	Many more substances are under regulatory scrutiny. Updates are provided during the CEPE Regulatory Quarterly Updates and a database is available for members.

mittee of ECHA as a Substance of Very High Concern (SVHC) due to its PMT properties (Persistent, Mobile and Toxic). This should be the first PMT substance to be classified as such under the revised CLP Regulation (see separate article on page 20) and this identification signals more regulatory pressure to come. At the end of 2023 ECHA and Member States identified melamine as a priority substance to be included in the REACH Authorisation list, which ultimately is a de facto ban in Europe. Industry commented against the selection criteria and also argued that the authorisation route would not be the right regulatory route as 95% of the tonnage of the substance (used for polymers) would not be affected. Also, should melamine be in the authorisation list, it would oblige many individual companies (intumescent coating companies in our industry) to apply for authorisation, hence adding to the already existing burden that this is causing the authorities. Several discussions took place during 2024 and at the time of writing these lines we are waiting to see how the revised prioritisation criteria will affect melamine. It is still unclear if derogations will be granted but it is sending a clear signal to industry.

What can we do and how?

A dedicated melamine group has been established within CEPE which supports the CEFIC EMPA (European Melamine Producer Association) where necessary. Leaching testing and advocacy information (qualitative and quantitative arguments) have been developed and are still ongoing to prepare for a strong regulatory action towards the authorities.

What have we achieved?

The CEPE melamine group was successfully established and discussed data generation to understand possible estimates of release to the environment. The main activity is led by the intumescent coatings group which is working on a work programme that includes a leaching study, an impact assessment and an analysis of alternatives. CEPE also held several meetings with EMPA and other downstream user associations. A successful submission was made during the public consultations in May 2024.

« Talc is one of the latest substance under scrutiny »

What can we do and how?	What have we achieved?	What are the remaining steps?
CEPE has a dedicated task force for formaldehyde. CEPE also supports the work of the CEFIC Formacare group.	Ongoing support to Formacare.	CEPE will continue monitoring the fate of formaldehyde and provide support to Formacare when needed.
CEPE has supported the manufacturers, through their Silicone Europe CEFIC group. They are fighting this potential POP addition as it is not proportionate.	We supported the CEFIC group by co-signing documents and participating in surveys.	CEPE will continue supporting the manufacturers when needed.
CEPE has a dedicated Task Force on di-isocyanates. Also, we participate in the exchange panel together with the manufacturer and other downstream users associations. Active contribution is required.	Active contribution including the development of training material.	CEPE will continue monitoring the fate of that group of substances and provide support to the manufacturers when needed.
Not all CEPE members are interested in that chemistry generally used in specific niche applications. CEPE is not directly involved. Some of CEPE members have contributed to the public consultation on an individual basis.	This issue is not handled within CEPE	CEPE will monitor the fate of the restriction.
Monitor and report on developments and attend the webinars organised by the manufacturers.	This issue is not handled within CEPE	CEPE will continue to actively monitor developments.
Monitor and report on developments and participate in meetings organised by the manufacturers.	This issue is not handled within CEPE	CEPE will continue to actively monitor developments.
Monitor the regulatory developments regarding the +/-800 substances in the CEPE database and inform members.	Actively informed the relevant CEPE groups on substances of interest; maintained the CEPE database up-to-date.	Continue the same service to members.

What are the next steps?

Since the current focus is on the use in intumescent coatings and not on the melamine-formaldehyde resin applications, the intumescent group has to pursue its efforts. Therefore CEPE will continue to monitor future regulatory actions.

Chlorinated Organic Pigments & trace contaminants

The issue

Chlorinated organic pigments all contain very low (< 50ppm) trace levels of contaminants known as polychlorinated biphenyls (PCBs). These are present due to three possibilities – PCB contamination in the raw material, cross reactions when using chlorinated solvents in solvent process production of pigments, and other unwanted reactions due to the need to use specific reactants. PCBs are identified as Persistent Organic Pollutants (POPs) under the (EU) Regulation 2019/1021, which reflects the global POPs regulation linked to the Stockholm Convention.

What can we do and how?

The EU authorities wanted to set a legal limit for the PCB content in all chemical substances and raw materials used in the EU. This is referred to as an Unintentional Trace Contaminant (UTC) Limit. There is a specific POPs Experts Committee, made up of the EC and Member State Competent authorities experts, that proposes and decides on such matters. Their first proposal (November 2022) was to set a UTC for PCBs of 10ppm, which was decreased later by a factor of 100 to 0.01 ppm. This would have meant that several key pigments used in paints, coatings, printing inks and artists colours would have been banned due to too high PCB levels – it is not technically possible currently for all organic pigments to reach such a low limit.

A new EuPIA WG was set up to discuss this topic which now also includes some paint companies and which has been leading the dossier for Industry since mid-2023

What have we achieved?

CEPE intervened in several meetings of this POPs Experts Committee, as well as directly with the EC. We also set up an industry coalition and published a comprehensive information paper which led to the withdrawal of their proposal. During the meeting of March 2024 when we led a coalition of downstream users, the EC understood the huge impact that their proposal would have on the EU economy (without improving the health and the environment due to the import of articles from outside Europe) and revised their proposal, which is now workable for industry. The discussion and scrutiny periods are now over and at the time of writing these lines we are expecting the publication of the decision in the official journal.

What are the next steps?

This dossier should close shortly. it is undoubtedly a success. It especially demonstrates that a close collaboration between authorities and industry allows solutions can be found which are satisfactory to all parties and ultimately benefit to citizens and society. <

Source: shutterstock.com - Corona Borealis Studio

Biocides

Description of the topic

Biocides are used in small amounts as additives to increase paint and ink durability. For example, without preservatives one in four buckets of paint spoils, generating an important amount of unnecessary waste. Biocide preservatives are part of the solution of sustainable development. However, the current challenging regulatory framework is causing concern amongst the paint and ink industry regarding the future availability of preservatives.

Since the EU Biocidal Product Regulation (BPR) entered into force, a very complex system has developed with as consequence that, manufacturers of preservatives rarely bring new preservatives to the market. At the same time, there is a safety review mechanism that is reducing the number of existing preservatives that can be used.

The EU political environment

Before 1998 biocides were very poorly regulated in Europe: only some of the products were regulated in a few Member States. The preservatives were almost non-regulated (except wood preservatives). The Biocide Product Directive was adopted that year, then replaced by the BPR in 2012 (because the former did not work properly). By May 2000 the industry was requested to identify all the existing active substances and their uses (called Product Types) present on the market (around 1000 substances), and by 2003 the industry was asked to submit information to support the most important substances (estimated to be approximately 350). From 2004 to 2008, the industry was asked to submit full data packages for these substances. The in-can preservative dossiers were submitted in 2007 and the dry-film preservative dossiers in 2008. The review of existing substances then started. Member States were allocated substances to review. At the end of 2024, most of the in-can and dry-film preservatives still have to be reviewed. Concretely, many files have been on the table of the competent national ministries for 15 years with no progress.

The review was supposed to end in May 2010, but was postponed twice. A third extension was granted in 2023, which now postpones the end of the review programme to the end of 2030, hence 30 years after the start of the review programme. By now, more than half of the active substance/product type combinations are still not finalised. It is unlikely that an additional 5 years will allow all the remaining tasks of the review programme to be finalised when it took 15-20 years for the first part. Furthermore, in addition to the first review of active substance/ product type, the system now has to handle the renewal of the first approvals, both for active substances and for biocidal products, adding to the overall burden.

In addition to the above-described challenging regulatory framework, there is also the difficulties encountered to obtain information on alternatives when a biocide active substance meets the exclusion or the substitution criteria (Art. 5 and 10 to the BPR). This is especially true due to the diversity of uses and the technical requirements for downstream products, in particular treated articles.

Downstream users (DUs) should play a key role in the analysis of alternatives as they best know their product specific requirements (technical function) for their application (such as paints and inks). A change in biocide protection always requires significant testing and formulation adaptation and that expertise lies with the manufacturers of downstream products. Also, DUs like CEPE members do not have any vested interest in specific substances as long as they have sufficient tools to protect their products.

What are our activities?

CEPE has been deeply engaged for many years with the biocide regulators (at EU and national level) to explain the essential need of preservatives and the possible upcoming crisis due to the unavailability of efficient products. We have developed advocacy documents used by our national associations as well as during official Biocide Competent Authority meetings in Brussels. We have continuously been in contact with other downstream users' associations, as well as with the biocide suppliers, to jointly address our common problem.

What have we achieved?

A couple of years ago, and after almost 9 years of advocacy work, we have obtained that water-borne paints, classified as skin sensitising due to the presence of biocide active substances classified as skin sensitisers, can still be sold on the condition that gloves are provided as risk mitigation measure, hence preventing the ban of sales of these paints. Since, we have the confirmation of the effective implementation of that decision through the approval of key active substances like BIT and MIT, which was recommended by the ECHA to the European Commission in 2024.

What are the next steps?

The issue is not over as the review programme continues and as the review of previous approvals is also processed, which now includes the requirement to look at possible endocrine properties, amongst other new requirements. We also started discussing the revision of the legislation with B4EU (Biocides for Europe, a CEFIC group). We are calling for a comprehensive rehaul of the legislation as it has created such a negative regulatory environment that no more investors can justify investing in new biocide products. CEPE, together with the help of national associations and a network of other industry associations, will continue to engage with authorities in the coming months and years. CEPE is also producing a series of documents aimed at raising awareness amongst decision-makers and stakeholders on the importance of biocides.<

«CEPE is calling for a comprehensive rehaul of the biocides regulation»

The European Food and Drinking Water contact legislation

Materials in direct contact with food are designed to be safe and rigorously tested. They fall under the scope of the EU Framework Regulation 1935/2004 on materials and articles intended to come into contact with food. Materials in contact with drinking water are now regulated by the Directive 2020/2184 which came into force on 12 January 2021 following a review of the original Drinking Water Directive of 1998.

There is growing demand of the EU population to ensure protection of human health. This protection is best achieved in a harmonised way and hence, the EU has established in the past both the Food Contact Material (FCM) Regulation and the drinking water contact (DWC) Directive. FCM and DWC legislations are undergoing significant changes and this is of high interest to some of our sectors, mainly the Can coating, Printing Inks and Heavy Duty coatings.

The relevant sectors of CEPE are navigating through a mix of national and EU initiatives with an overall growing concern about chemicals. The Food Contact Material Regulation is announced to undergo a significant change in 2027, while the new Drinking Water Contact Directive is in its implementation phase with a full review of the positive listing of authorised chemicals under the umbrella of ECHA.
Further information can be found in the articles on Can Coating, Printing Inks and Protective Coatings. <

Source: shutterstock.com - Caterina Trimarchi

Transport

More than 50% of all transported paints, coatings and inks are classified as dangerous goods. There are numerous international transport regulations which need to be closely monitored to ensure member compliance and engagement when a major impact is foreseen.

The EU regulatory and political environment

The main regulations concerned are the overarching UN Model Regulations on the Transport of Dangerous Goods (MRTDG), the International Maritime Dangerous Goods (IMDG) Code for sea, the International Civil Aviation Organisation (ICAO) Technical Instructions for air and, in Europe and beyond, the International Carriage of Dangerous Goods (ADR), the International Carriage of Dangerous Goods by Rail (RID) and ADN for road, rail and inland waterways respectively.

The transport regulations have their own rules for classifying dangerous goods, however the CLP classifying chemical substances has a direct impact on it. There have been several specific key issues to address in recent years. The issue of the small packaging (5 - 30 litres) for UN 3082 class 9 environmentally hazardous goods was triggered by the CLP classification of three biocide active substances which led to low thresholds for the environment. The obligation to use UN-approved packaging for these mixtures when packed above 5 litres cannot be met by the current commercially available plastic packaging – only UN-approved metal cans are available. Many products need to be packaged in plastic for technical reasons, and for environmental reasons (footprinting and weight of plastic vs. metal). Plastic packaging for decorative paints is of particular importance due to the need to seal / re-seal the packaging at point of sale after tinting to the required shade requested by a customer.

An additional concern is the current direction of the discussions relating to regulating the transportation of plastic pellets on the sea. After considerable industry efforts over the course of the last two years to prepare and propose a consensus position that would be workable, the authorities of certain countries have entered the discussions with new more stringent proposals that will cause additional unnecessary administrative and cost burdens, specifying packaging and even potentially introducing specific classification criteria and packaging requirements for these materials. This issue will have an impact on solid polymer raw materials supplied into our industries, as well as powder coatings.

Another topic of interest to the Technical Committee Transport (TCT) is the importance of having common digital platforms for transport regulation communication and documentation. There appear to be multiple initiatives underway to introduce digitalisation into transportation activities, however these do not appear to be aligned, and could result in a greater demand on resources rather than supporting and helping reduce the administrative burden relating to e.g. transferring data from Safety Data Sheets to transport documentation

What can we do and how?

CEPE's TCT focuses on the activities of the different international bodies responsible for regulating the transportation of goods by road, rail, air and on the sea. Much of the effort is concentrated on reviewing new proposals that are brought to the relevant committees, especially those involving potential changes to existing regulations on how to package and label different goods, and the modes of transport permitted to be used. The Committee also makes its own proposals to resolve current challenges faced by the paints, coatings, inks or artists colours' sectors. The TCT's work is carried out in conjunction with the World Coatings Council (WCC), and in close cooperation with the American Coatings Association (ACA), to ensure comprehensive monitoring and that proposed changes are globally acceptable. The group also benefits from one key member who has extensive expertise in Chinese transport legislation, and the new changes that are being introduced, as well as the local requirements for shipping materials into Chinese ports.

The group has been active in first trying to obtain derogations, and second long-term solutions. New working documents were drafted and submitted to both the committee responsible for ADR matters and the main UN Sub-Committee of Experts for the Transportation for Dangerous Goods (UN SCETDG).

What have we achieved?

A first derogation for the continued use of the 5-30 L plastic non-UN approved packaging was obtained until June 2025 and this is now postponed to June 2027.

During the November 2024 meeting, 65th Session of the UN SCE TDG: the following new special packing provision (PP99) to packing instruction P001 in Chapter 4.1 of the UN Model Regulations was secured:

"PP99 For mixtures assigned to UN 3082 containing less than 1% of substances of highly toxic ingredients with an M factor of 10, 100, or 1000 (as described in 2.9.3.4.6.4), plastics drums with removable heads containing quantities of more than 5 litres and not more than 20 litres per packaging are not subject to the performance tests in chapter 6.1 for a transitional period until 31 December 2034, provided the packaging has successfully passed the stacking test in 6.1.5.6 for plastics drums intended for liquids and meets the general provisions of 4.1.1, except for 4.1.1.3, and 4.1.3"

What are the next steps?

To date, some key successes have been achieved but the above mentioned transport issues still require careful follow-up in the coming months and years.<

Artists' Colours

The members of this sector have very similar interests as other CEPE members. However, due to the nature of the raw materials they use, there are several topics that are of particular interest to the Artists' Colours' groups such as the Toys Safety Directive.

The EU political environment

The revision of the CLP regulation brings new important challenges to the sector. In addition to the consequences related to the introduction of new hazard classes and the short transition period that has been set, our EuACA members are directly impacted by the new labelling requirements related to the minimum font size. Due to the nature of the label of Artists' Colours products, this latest measure will considerably impact the sector. The new proposal for a Regulation on safety of toys which was adopted in July 2023 suggests, among other elements, new criteria of selection for substances and mixtures to be used in toys. Another regulatory measure impacting the sector is the Microplastics Restriction adopted in October 2023. EuACA members will also need to follow closely the developments of the Chemical Strategy for Sustainability (CSS) as part of the Green Deal activities, especially in terms of the essential-use concept (see separate article on page 16).

What are our activities ?

CEPE is closely monitoring regulatory changes that may have an impact on the EuACA sector. The creation of working groups to find solutions on specific topics is key when addressing member concerns.

What have we achieved?

CEPE has coordinated the creation of a Best Practice Guidance intended to be used as a key reference for manufacturers and testing laboratories when testing artists' colours or writing instruments products to the harmonised standard EN 71-3:2019 + A1:2021, in order to confirm compliance with the EU's Toy Safety Directive. This Guidance, published in February 2024, has been developed jointly by EuACA and the European Writing Instruments Manufacturers Association (EWIMA), with the support and assistance of Toy Industries of Europe (TiE), and Deutscher Verband der Spielwarenindustrie e.V. (DVSI), as well as the participation of accredited testing laboratory partners, who run such testing for these sectors.

What are the remaining steps?

The introduction of new elements through the revision of CLP will be of key interest to the sector. We encourage the members of this sector to join the CEPE CLP working group. We will closely follow up the developments on the essential-use concept under the REACH revision. CEPE will continue providing support in the implementation on existing and new regulatory measures.<

Source: shutterstock.com - Shebeko

Can Coatings

Source: shutterstock.com - Tom Eversley

Can Coatings in direct contact with food are designed to be safe and rigorously tested. They fall under the scope of the EU Framework Regulation 1935/2004 on materials and articles intended to come into contact with food.

Description of the topic

There is growing concern amongst the EU population about all aspects relating to human-made chemistry and a lack of trust that industry is placing on the market safe products. This is also true for can coatings which are in direct contact with food. The European Parliament (EP) has heard the concern and has put pressure on the European Commission (EC) to act. The latter commissioned a study to understand if the current regulatory framework is fit for purpose. The final report was made available in July 2020 and concludes that "the overall performance of the legislative framework is not completely satisfactory due to insufficient availability of resources and important gaps in implementation and enforcement ".

The EU regulatory and political environment

Coatings for rigid metal packaging is essential to preserve food and beverages in healthy conditions for long periods. The coating prevents food contact with the metal and thereby ensures the quality of nutrition. Food contact materials are regulated under the Regulation (EC) No 1935/2004 on materials and articles intended to come into contact with food. This regulation requires that materials and articles in contact with food be made according to Good Manufacturing Practices so that, under normal and foreseeable conditions of use, they do not transfer their constituents to food in quantities that could endanger human health. The EC may adopt specific measures such as a list of authorised substances, which it did for plastic materials, through the European Food Safety Agency (EFSA).

The establishment of such lists requires significant resources which explains why they do not specifically exist for other materials such as coatings, glass, paper, ceramic, cutlery, rubber, adhesives, cork. At the time, CEPE developed a Code of Practice to guide coating manufacturers and their customers to comply with the Regulation (EC) No 1935/2004. One of the sections of the guide identifies the substances that may be used and those that should not be used. Specific reference is made to the EU positive list for plastics but also to other acceptable lists established by various bodies.

The regulation also requires that traceability is ensured at all the stages of the production process in order to facilitate control. Procedures and documents are in place throughout the supply chain. However, due to its complexity it is difficult for the outside world to understand and trust what is in place.

The safety of materials in contact with food mostly lies with industry, which makes it open to criticism. The EP and EC are also calling for more scrutiny. For instance, EFSA, who is responsible to assess pesticides, was put under significant pressure and its neutrality and independence challenged following the examination of glyphosate. More recently, EFSA was requested by the EC to review the state of the science for bisphenol A (BPA) and concluded, in 2023, that the safe level identified in 2015 had to be lowered by a factor of 20.000. Such a low level represents a de facto ban for the use of BPA and related bisphenols. In 2024, the EC proposed a measure to enact that ban for can coatings and other food contact materials.

Increasingly, science is subject to controversy and several dossiers are treated on the basis of a political agenda.

What can we do and how?

The CEPE Can Coatings group is made up of a limited number of companies but which represent the bulk of the market. The experts participating in this group have, for the most part, been working in this area for many years. A close working relationship is also established with Metal Packaging Europe, who represents our members' customers, CEFIC, who represents our members' suppliers and Food Drinks Europe (FDE) who represents the end-users. Good communication along the supply chain is essential and has been in place for many years.

A cross-sector group was also set up for sectors, who produce or use materials which come in contact with food (such as paper and board, kitchen appliances, glass), in order to adopt uniform principles to ensure compliance with legislation on food contact materials.

Today, risk assessment and risk management principles have been agreed. Each sector has to identify exactly how safety is ensured throughout its supply chains. Trust and transparency will be improved by the development of tools designed to help enforcement authorities.

This work aims at helping the outside world have more insight in what the industry is doing and thereby reduce concern about leaving safety issues in the hands of the industry.

What have we achieved?

The agreement by many industrial sectors of uniform principles for risk management and risk assessment is a success. Within our joint industry (the rigid metal packaging supply chain) a dedicated group (TSC-35) was established and has developed, over three years, guidance to demonstrate safety in food contact material, templates for the Document of Compliance (DoC) and are discussing the concept of a database to facilitate the work of enforcement authorities (digital traceability). This work is essential to be able to demonstrate to, ultimately, the outside world that the industry is acting responsibly and thereby avoid unnecessary new legislation.

Source: shutterstock.com - Bigc Studio

Another group (TSC-32) has been working, for the last 4 years, on a dedicated toxicological project on a specific substance (a Non-Intentionally Added Substance aka NIAS) and has progressed as planned despite the Covid pandemic. The €700,000 project, financed by three associations and six member companies of CEPE, has come to an end. A scientific publication showing the clean toxicological profile of that impurity was foreseen in 2022 but was delayed to 2025. Meanwhile, a public presentation was given in December 2022 summarising the outcome of the study and highlighting that industry had acted responsibly, while stressing that a similar approach for all NIAS is not possible. CEPE has taken the Technical and Financial Secretariat of the project.

The draft EFSA opinion on BPA (bisphenol-A) published at the end of 2021 suggesting a reduction of the Tolerable Daily Intake (TDI) by a factor of 100.000 led to many discussions in our supply chain. Rebuttals were submitted during the public consultation, especially about the new scientific approach and based on a non-conventional study. As explained above, authorities concluded that the safe level set previously had to be reduced by a factor of 20.000. The group engaged with the EC to ensure that a smooth transition to new technologies would be possible. The EC Regulation was published in the Official Journal on 31 December 2024 and provides adequate transition periods for the supply chain for both internal and external coatings. Some clarification on the interpretation of the text will be made available in 2025.

With regard to the revision of the legislation on food contact legislation, the EC issued at the end of 2020 an Inception Impact Assessment, which we commented on together with our customers of the metal packaging industry.

During 2021, our industry was invited to present its views in several workshops/conferences. DG Sante of the EC has also regularly explained its current thinking i.e. to focus on what consumers can be exposed to rather than establishing positive lists of acceptable substances and their migration limits for all non-harmonised materials, and how to best amend the food contact material legislation to also take into account the Chemical Strategy for Sustainability (CSS) push for a more hazard-based approach. The CSS topic is discussed in a dedicated TSC-36 group involving our supply chain. Over the years our interactions with the EC revealed that there were some delays due to the fact that the subject is sensitive and difficult, but that a revision is still expected along the lines described above and is now announced for 2027. Undoubtedly, this will require significant engagement from CEPE and its members.

What are the remaining steps?

As stated above the priority is to ensure a high level of safety and to prevent disproportionate legislation. There is still much to come. The EC has announced in its Farm to Fork Strategy that it will present a proposal for a revision of the EU legislation on Food Contact Materials now foreseen for 2027.

Given the current EU political environment and the increasing concerns as regards endocrine disruptors, NIAS developments are likely. CEPE will continue to support the necessary work of the Can Coatings group.<

Decorative Coatings

Source: shutterstock.com - SharonPhoto

In terms of volume, the Decorative Coatings segment is the largest within the entire paints and coatings industry.

What are our activities? In 2024 the priorities of the deco sector are similar to those of previous years, many of which are addressed in other parts of the report, such as microplastics, extended producer responsibility and the eco-design for a sustainable product regulation (ESPR).

Description of the topic

The Decorative Coatings' priorities are similar to those of previous years.

- The Chemicals Strategy for Sustainability (CSS)

The developments proposed in the Chemicals Strategy for Sustainability (CSS) (see separate article on CSS on page 16) could result in generic bans of substances in consumer and professional product.

- Sell through period for re-labelling and font sizes

One of the consequences of a reclassification of a substance is the issue of sell-through period. Indeed, once a substance is officially reclassified, the normal period available for re-labelling is 18 months. Yet, 18 months is too short for slow moving products in the supply chain such as paint and artists' colours products, if the interpretation is that all products, at any stage of the supply chain, have to be re-labelled (not only the first placing on the market). The revised CLP regulation requires the use of larger font sizes than previously, which makes it now often impossible to squeeze on one label the different languages together. The result is the need to increase the number of SKUs and/or use fold-out labels..

- Biocides

Biocide in-can preservatives classified skin sensitisers may not be allowed in waterborne consumer paints in the future, hence threatening the selling of well-preserved paints to this category of user. Biocide dry film preservatives are needed for exterior coatings (and indoor in humid rooms like bathrooms) and are also under threat.

- EU Ecolabel and PEF

Never ending substance classification is always an issue for the EU Ecolabel leading to more derogation requests from CEPE to authorities in order to help its members obtain licenses. Such classifications can lead to potential bans of essential substances like the biocides which provides long shelf-lives and durability of paint products. Making a good quality paint can be challenging under the EU Ecolabel scheme due to an increased threat on biocides which are already available in limited options for a paint manufacturer under the current regulation scenario. The future of the EU Eco-label system is at risk. However, the current regulation landscape should allow EU Ecolabel license holders in terms of presumption of conformity in regulations like the Eco-design for a Sustainable Product Regulation and the green claims directive.

In parallel, the Deco Sector Group has invested a lot of time in the design of a Product Environmental Foot¬print (PEF) system that eliminates such qualitative criteria as in the EU Ecolabel and, instead, considers the whole life cycle of the paint product, thereby offering a more holistic approach than other initiatives.

The Product Environmental Footprint (PEF) takes into account the entire cradle to grave approach for assessing the life cycle impact of a product. CEPE has already developed a PEF Category Rules (PEFCR) for decora¬tive paints. The importance of PEF cannot be underestimated conside¬ring the increasing inclusion of the PEF tool in various policy initiatives such as the ESPR, the Safe and Sustainable by Design concept, Green Claims. Currently, the PEF project is limited due to the validity period of the datasets used, which means that the PEFCR will be valid for a shorter time making the revision process more frequent. In 2024, CEPE did not make any substantial changes to the existing PEFCR or EF dataset updates.

What are our activities?

- The CSS

The Deco Sector Group needs to continue engaging in the CEPE Green Deal CSS ad-hoc group.

- Sell-through period for re-labelling.

CEPE is of the opinion that the definition of "placing on the market" under the CLP should be aligned with the definition used in other regulations (biocide, detergent, cosmetic, construction) where the "placing on the market" means "the first making available". CEPE also took the opportunity of the CLP amendment to ask for alignment. The CLP discussions took place in a dedicated group of CEPE but the deco sector group was invited to contribute with examples and figures on the potential impact of the proposed revised legislation.

- Biocides

For the overview on biocide in-can preservatives and consumer paints, see separate article on biocides on page 30.

It should be noted that the important ongoing advocacy activities for in-can preservatives should benefit also the dry-film preservatives. The latter are in an even more difficult situation due to the fact that there are very few remaining algaecides and fungicides available to protect for many years the applied film.

CEPE participates in public consultations to support these substances and more importantly, has a seat on the EU Competent Authority meetings (chaired by the European Commission (EC) with the participation of all Member States Competent Authorities on biocides). The deco group helped with the discussion on providing gloves as risk mitigation measure.

Also, CEPE carried out, some years ago, a study on the leaching behaviour of dry-film preservative substances in different outdoor coating categories. The objective was not to generate leaching figures to be used in risk assessment dossiers, but to identify the outdoor coatings where substances leach the most in order to identify worst case coatings and to facilitate the future authorisation of the biocidal products by the suppliers, hence helping our industry to have sufficient products to offer in the long term.

- Eu Ecolabel and PEF

The current criteria for the EU Ecolabel for paints are valid until the end of 2025. The Joint Research Centre (JRC), on behalf of the EU Ecolabel¬ling Board (EUEB), started working on the revision of the criteria for paints in 2023 and CEPE is actively engaging with the JRC to provide feedback on the stakeholder consultation. There were two ad-hoc working group meetings conducted by JRC in 2024. CEPE participated in these meetings to raise the concerns of the deco members as some new requirements were introduced as part of the criteria proposal. This included the requirement to provide environmental footprint data, requirements on microplastic emission and many others. During Q4 2024, the JRC recommended to remove these requirements due to limited data and feasibility. However, we still need to wait until 2025 as the criteria is still under revision.

With regards to the PEF, CEPE always maintained its stance for the PEF Team of the EC for a longer validity of the datasets and legal certainty about the PEF tool in order to remove potential hurdles for taking up the revision of the PEF-Category rules (CR). The EC is still in discussion with the background datasets providers (Sphera, Ecoinvent, etc.) as regards extending the validity of the datasets to a later date. The outcome of this is uncertain for now.

What have we achieved?

- The CSS

The Chairman of the Deco Technical Committee is very active in the CEPE EU Green Deal CSS ad hoc group given the threat that the CSS poses to consumer and professional products (see separate article on page 16).

- Sell-through period for re-labelling and font sizes

The Deco group issued a guidance early 2020. This topic was also addressed during the public consultation on the amendment of CLP un¬der the CSS (see separate article on page 16). However, the issue was not taken up by the EC. Furthermore, this would have required robust quantitative information concerning possible consequences which we were not able to provide. Regarding font sizes, no impact assessment was carried out because decision-makers were keen to finalise the revision before the European elections.

- Biocides in-can preservatives

Source: shutterstock.com - RAYphotographer

As explained in the separate article on biocides (see separate article on page 31) for biocide in-can preservatives a solution was found. Indeed, the authorities have accepted that consumer paint classified as skin sensitisers continue to be placed on the market, provided gloves are supplied with the paint.

The draft regulation for the EU approval of the key in-can preservative BIT has now been published and shows that our efforts have been successful. .

Building on the success of biocide in-can preservatives, CEPE has also increased the awareness of authorities on our forthcoming issue.

The laboratory testing of the leaching project and the report of the semi-field leaching part are now finalised. We presented the latter to the ECHA Biocide Product Committee Working Group Environment early 2021 that welcomed this initiative of CEPE. This was followed by some constructive feedback and further questions to which CEPE responded, together with the biocide suppliers. The future of dry-film preservation remains quite uncertain due to the ongoing reclassification of the remaining substances. Further work is expected when derogations under the Biocides Product Regulation exclusion criteria will be needed.

- Eu Ecolabel and PEF

In 2024, CEPE was mostly engaged with JRC to provide feedback for two consultations on the revision of the criteria for the EU Ecolabel. There are two more feedback consultations before the final criteria is adopted.

For the PEF, CEPE was mostly maintaining the PEF project without any further development

What are the remaining steps?

- The CSS

This is a critical area where the Deco group will continue to actively support the CSS group.

- Sell-through period for re-labelling and font sizes

The discussions are now over and the revised regulation has been published in the Official Journal. CEPE will raise its disappointment in its discussions with decision-makers and stress that this measure is not in line with the EC's commitment towards competitiveness and simplification.

- Biocides in-can preservatives

Biocides in-can preservatives is a critical dossier that is in the hands of the CEPE Biocide User TF and to which Deco members actively contribute.

Regarding biocide dry-film preservatives, further follow-up is planned on the outcome of the project with relevant authorities at the ECHA BPC WG Environment.

- EU Ecolabel and PEF

There will be a series of stakeholder consultations in 2025: the JRC will publish two working documents, and a 3rd working document is scheduled for 2025. CEPE will follow-up closely on the technical requirements proposed in the different working documents. The final vote on the criteria document is set tentatively for Q2 2025.

- CEPE LCA Packaging Study

At the end of 2024, the Deco sector group proposed to develop an Excel tool to enable its members to evaluate the environmental footprint of different packaging formats for decorative paints. The tool is intended to support members so that they can evaluate, in a fact-based way, the sustainability criteria of the various packaging options for packaging materials of wall paints, trim paints, wood care and niche specialties, that are sold via retailers and wholesalers. The aspects covered in the toll development will include a.) Evaluation of the relevant input materials, b.) Identification of relevant pack combination, c.) End-of-life scenarios for a number of EU countries. The expectation is to include about 60 different combinations of pack sizes, materials, recycled content and handle types in the study.

In addition, the models will be predominantly based on the latest information from Ecoinvent. There is an additional proposal to create an add-on to the CEPE LCI database containing the relevant packaging datasets. This way they can also be used for example in the creation of EPDs according to EN15804 +A2. The tool is planned to be made available by the end of 2025. <

EuPIA-Pinting Inks

What is EuPIA?

EuPIA, the European Printing Ink Association, working under the umbrella of CEPE, represents the interests of the European printing ink business and promotes the image of the industry to the public. EuPIA provides a forum for discussion and decision-making regarding issues of specific interest to the printing ink industry. We proactively develop industry positions, give best practice advice, maintain the Exclusion Policy, and engage in research projects.

In 2024 we have revised our mission and vison statement to better express our goals.

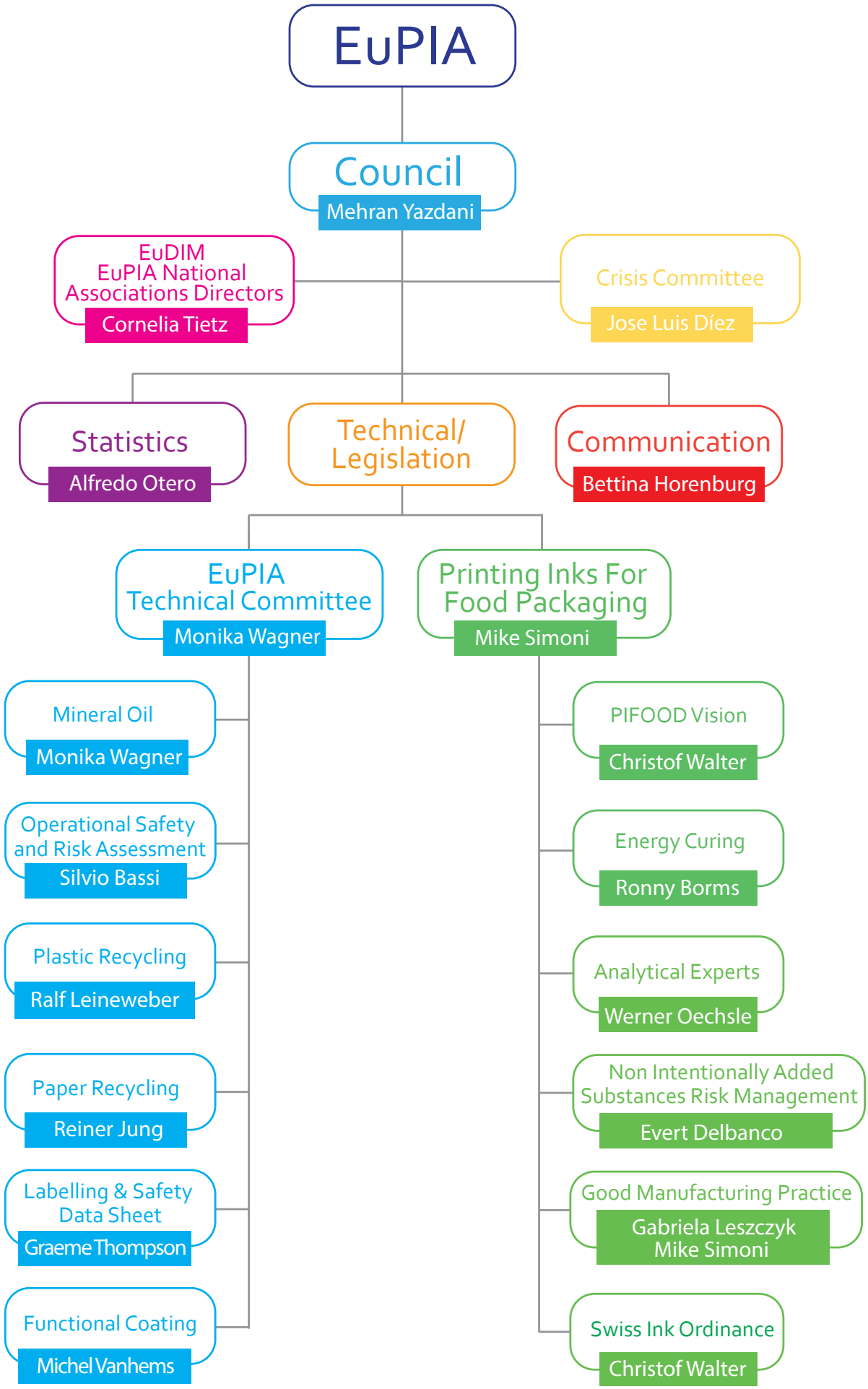
In our more than 15 working groups and taskforces, chaired by EuPIA member company representatives, we address technical, regulatory, but also administrative and communication issues that relate to the printing ink industry.

What have we achieved?

Early in 2024, EuPIA signed the Antwerp declaration that calls for a European Industrial Deal to complement the EU Green Deal and safeguard quality jobs in Europe - which is even more needed at a time when the industry in Europe is facing an economic downturn, whilst investments are needed to achieve Europe's transition to climate neutrality. EuPIA's communication team has taken from the 10 points of the declaration those with the utmost relevance to our sector and formulated our own key asks.

Source: shutterstock.com - Olenaponomar

Organigramme



Simplification of the regulatory framework

linked to raw material supply and innovation potential

Our asks

A streamlined and coherent regulatory environment is critical.

- Current regulations often impede innovation and create competitive imbalances across Europe.
- Simplified compliance and reduced administrative burden are necessary to support the Green Deal and foster industrial growth.

How could this be achieved?

1. Reducing bureaucracy by avoiding unnecessary new regulatory requirements and by reviewing existing regulatory requirements to determine whether they are sensible and necessary, including considering the viability of new concepts (e.g., scientific necessity and effects of the "Mixture Allocation Factor").
2. Timely collaboration between authorities and affected stakeholders (manufacturers, downstream users, end users, and their associations) to discuss and reflect on concerns and potentials prior to the initiating and adopting of new regulations.

Circular economy/Sustainable products

Our asks

Circular economy is looking at the entire product life cycle, and therefore it needs to be ensured that all stakeholders play their parts. This applies to the design phase, but also to the optimisation of recycling processes and efficient collection and sorting. In particular, the interaction between printing and the recycling process must be considered holistically.

How could this be achieved?

1. EU incentives should encourage the use of circular and sustainable products, such as bio-based and recyclable inks. This will support the industry's sustainability goals and align with market demands for greener products.
2. Recognise and establish deinking as an important part of the recycling process in the field of plastics recycling.
3. Define Design-4-Recycling criteria that are practical, realistic, and adaptable to technological advancements in order to further promote circular economy. They should be grounded in scientifically sound findings and developed together with the industry.
4. Ensure the expansion and development of comprehensive, cross-border recycling infrastructures in Europe for a functioning European secondary raw materials market.

Occupational Health and Safety

Exclusion Policy

For more than 25 years, the EuPIA Exclusion Policy (EP) has been THE product stewardship initiative of the ink industry in Europe, and as such, it is well-respected across the value chain, meaning not only by EuPIA members, but also by printers, converters, brand owners and retailers. It ensures the safety of inks across Europe.

To keep track of new hazard classes and the changing regulatory scope, the EP has been updated twice over the last months.

Guidance & Safety Alerts

The Occupational Safety and Risk Assessment (OSRA) Task Force, is a platform to share knowledge, expertise and experiences relating to occupational safety and accidents in a confidential manner.

Internal Safety Alerts for all members provide specific details of incidents where lessons can be learned.

Four new guidance documents were published throughout the last year: work permits, safe use of IBCs and laboratory safety, as well as storage and handling of solvent-borne aluminum-based inks.

Sustainablity/Circular Economy

Recycling

For paper processes the recycling rate is above 75%, which demonstrates that paper is already part of a very well-functioning circular economy. EuPIA engages in the European Paper Recycling Council (EPRC), an industry initiative that monitors the progress towards meeting the paper recycling targets. EuPIA's Paper Recycling Task Force is also involved in activities related to the different eco-labelling schemes like EU Ecolabel or the Blue Angel.

With respect to plastic recycling, it is above all the revised Packaging and Packaging Waste Regulation (PPWR) that sets new challenges. It needs to be ensured that recyclates are of good quality and can be used for the purposes outlined in the PPWR.

The Plastic Recycling Task Force issued a position paper on the deinking of plastic packaging waste. Design for Recyclability (D4R) guidelines and standards on deinking still need to be established, but their development is in full swing. Therefore, EuPIA or its member companies are active in a number of initiatives, and the task force is their platform to exchange and prepare inputs together.

One project is together with the Worldwide Nitrocellulose Producers Association (WONIPA) to determine the maximum recyclable threshold

of nitrocellulose (NC) dry binder (wt%) related to the total packaging weight of packaging films printed with NC based printing inks.

EuPIA recently signed up to financially support ColourCycle, a CORNET-project to increase the safety of polyolefin and polystyrene (PS) packaging with decorative and coloured components in recycling – this is a follow-up of two previous projects: SafeCycle and PolyCycle.

Special national issue: Mineral Oils in packaging and prints

In France, the intentional use of mineral oils in packaging and prints for the general public is banned as of 1st January 2025. Limit values should ensure that any ink formulations containing intentionally added mineral oils can be considered to not meet the French law thresholds and should therefore not be used.

However, the limits in the French order are so low that unintentionally added trace mineral oils could result in findings above the limit values. Also, they are hardly enforceable due to the lack of analytical methods.

EuPIA has published an information note highlighting that in the absence of a harmonised and reliable analytical method for the accurate quantification of MOSH/MOAH, general declarations of "mineral oil-free" inks down to ppm levels should be considered with caution.

EuPIA strongly recommends that for the time being compliance work should rely only on a best practice approach: open discussion with printing ink manufacturers, regulatory statements based on known composition data and statements of composition for food packaging applications. EuPIA also supports its French National Association AFEI in any step that could lead to tabling amendments to achieve a realistic approach and remove the complete ban via the parliamentary agenda.

Environmental Footprint

To allow all its members to improve their environmental and sustainability performances, EuPIA has developed a guidance and a tool to calculate their Product Environmental Footprint.

The EuPIA Environmental Footprint of Printing Inks (EFPI) Working Group strongly encourages the gathering of effective data for each single raw material, as raw materials may differ from one supplier to the other.

One important conclusion drawn from the information exchange completed during its activity is the confirmation of former qualitative assessments: the weight of printing inks in final finished printed products on the market is minor.

Food Contact Materials

Situation in the EU

Also in the last year, the European Commission (EC) undertook no major step towards a unionwide regulation for printed food contact materials (FCM) and only a few actions with respect to the framework regulation as such. Instead, further delays have been communicated, with now only 2027 as a date for a legislative proposal.

On several occasions, the EC only confirmed its intention of a paradigm change into the framework by shifting the focus from intermediate materials (such as inks, coatings or plastics) to the final article. The risk management of substances is still planned to be based on a tiered approach.

The EC engaged with stakeholders at only one point last year: to discuss the policy options from a study concerning information exchange,

Source: shutterstock.com - AKLion

compliance and enforcement, and collected views on supporting and hosting an IT structure for this information exchange and verification of compliance. A EuPIA delegation took part in the event and provided the viewpoint of the industry.

In addition, the EC worked on amending the existing regulations, such as the plastics regulation (regulation (EU) 10/2011). The so-called 18th amendment provided some significant changes to the purity requirements. Comments from EuPIA and other industry associations were issued during the public consultation and partly taken into account by the EC.

EuPIA's PIFOOD working group continues to engage by analysing even the tiniest developments and their consequences. Also, via the Packaging Ink Joint Industry Task Force (PIJITF), we have continued the work in the value chain. Supported and led by EuPIA, the revision of the PIJITF position on the EC's plans and ideas is still ongoing in a PIJITF subgroup. Since the information flow in the supply chain will, according to the EC's plans, become even more important in the future, the PIJITF Guidance on Supply Chain Communication, which provides the understanding of the value chain and what kind of information needs to be transferred along the chain, was sent to the EC with a request for a meeting.

The Council of Europe published a guideline on the documentation supporting compliance in the supply chain which shows a good alignment with the PIJITF guidance.

Apart from the PIJITF, EuPIA also engaged bilaterally with several associations upstream and downstream of the FCM supply chain, such as Flexible Packaging Europe, the European Carton Makers Association and Cefic's Sector group for Food Contact Additives.

EuPIA presented its concepts and ideas regarding the FCM revision at different conferences.

German Printing Ink Ordinance and success for the acknowledgment of a toxicological approach

With the EC not moving, the so-called German Ink Ordinance is most likely to become fully effective on 1st January 2026. The raw material suppliers are continuing to work on completing the list and are supported by our industry in this task. The progress is slow, and it is hence becoming apparent that the ink industry will have to work with an incomplete positive list from 2026 on.

In order to provide clarity on the requirements of the German authorities and hence to help the suppliers in still getting substances on the list, the German National Association (VdL) has been heavily engaged in a "regulatory sandbox" project organized by the ministry in charge (Federal Ministry of Food and Agriculture, BMEL) in conjunction with the German BfR (Federal Institute for Risk Assessment) in which concepts of cost and data sharing, which are missing in the legal text, are discussed. The aim was to lower the barrier for raw material suppliers to submit dossiers and to increase the predictability of the involved costs. After ten meetings, the project is now completed, and the final report was issued in January.

One of the main obstacles for the dossier submission is the question of how impurities or breakdown products should be assessed, since the corresponding guidance is not very specific on this point and the number of necessary assessments or tests has a high impact on the costs. Thus, the predictability of the involved costs is low, and it is hence difficult for suppliers to calculate a business case. Here, an important breakthrough could be achieved. The experts of the BfR and the EuPIA toxicologists agreed on an approach to deal with certain false-positive alerts in the in silico assessment of these impurities or byproducts. What may seem a very specific detail has in fact a high impact on the dossiers. This approach is also described in the final report from the BMEL.

Swiss Ink Ordinance

The revision, which removed the so-called part B and introduced a mandatory declaration of conformity, was published in February 2024 with a two-year transition period. The process has been closely followed by EuPIA's Swiss National Association, VSLF. Accompanying FAQs, to which a small VSLF/EuPIA expert group contributed, were published on 29 October. Meanwhile, a Joint Industry Group was set up together with the packaging industry to work on the declaration of conformity, again, VSLF and EuPIA support this Swiss initiative financially and with experts.

Source: shutterstock.com - BangkokThai

Analytical & research work

For several years, EuPIA has been working on migration tests with simulants and real foods for selected printing ink surrogates. The internal summary of a study conducted at Fraunhofer IVV was published.

It provides evidence that the accelerated migration tests' conditions foreseen in the plastics regulation can lead to severe overestimations.

To support this first study, internal follow-up "swelling studies" using permanent markers were undertaken to demonstrate a physical change of plastic films. A scientific paper containing some of the results related to the swelling of the film is about to be published on the EuPIA web page. A second paper, covering additional experiments, will follow. A poster at ILSI (8th International Symposium on Food Packaging) is planned to illustrate those results.

Good Manufacturing Practice

Since 2009, the EuPIA Good Manufacturing Practice (GMP) assists in controlling food safety hazards in the design and manufacture of inks, varnishes and coatings designed to be printed onto Food Contact Materials (FCM inks). This document has been broadly updated to reflect the current state of the art and was aligned to ISO 9001. It is undergoing a last approval round and is expected to enter into force in 2025, after a six-month transition period.

What are the next steps and projects?

Several big projects are awaiting the EUPIA members in 2025

Paper on Inks & Recycling

Strangely enough, we see more and more references to the Exclusion Policy contained into recyclability criteria throughout the value chains but also at regulatory levels. The EP is focusing on human health and, above all, occupational health and safety. It is hence not per se suitable to declare recyclability of inks, nor does it list any inks but refers to raw materials.

Our experts will provide a proper explanation on how to address the recyclability criteria of inks.

Improved Exclusion Policy

In a workshop, we will investigate the fitness for purpose of the EP. With more and more substances crucial for our industry being reclassified, we will strive to make the EP sustainable and maintainable.

Photoinitator Suitability List

A new PI proposed by a supplier is currently being checked for eligibility to be included in the List. This is the first time EuPIA is testing such an approach.

Functional Coatings

Company delegates will discuss if and how functional coatings that are part of some companies' portfolios can be better represented within EuPIA.

Communication

EuPIA will contribute twice per year to the regulatory section of the Coatings Journal. The first article will shed some light on the Mineral Oil law in France.

We will be present as co-exhibitor together with CEPE at the European Coatings Show.

We plan to update the EuPIA chair presentations with films of each chair introducing their group and its work for the interested public.

A completely new format - a digizine - but also a printed brochure will be developed to present the printing ink industry, its facts and figures and regulatory challenges. <

EuPIA Statistics

Last but not least, EuPIA continues to publish market statistics on an annual basis.

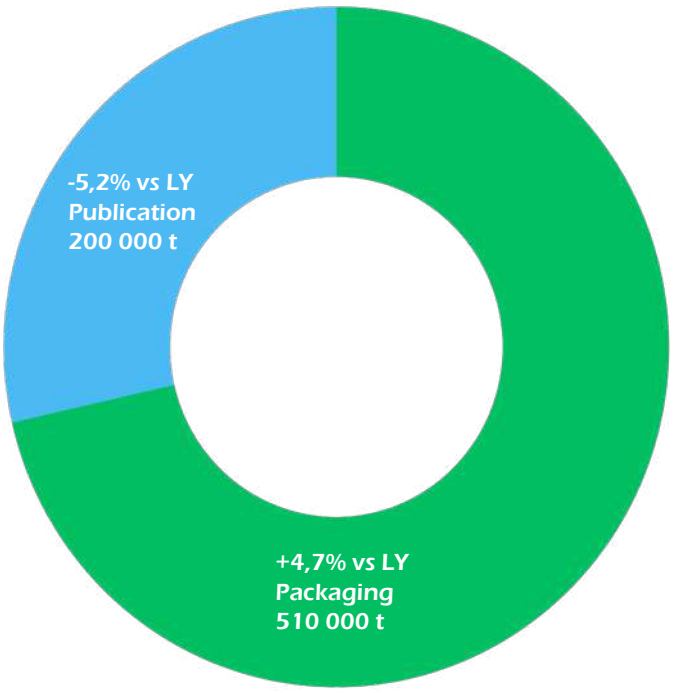
The following statistics show a summary of printing ink sales from EuPIA's more detailed Quarterly Market Sales Statistics. The findings are based on the consolidated results of data supplied by many EuPIA member companies, who have all submitted data on a standard basis to our independent trustee who compiles the data for EuPIA. It is estimated that the sample group accounts for about 90% of total industry sales in Europe. The results show sales volume in tonnes and value in €m for the latest year, 2024.

Key sectors shown

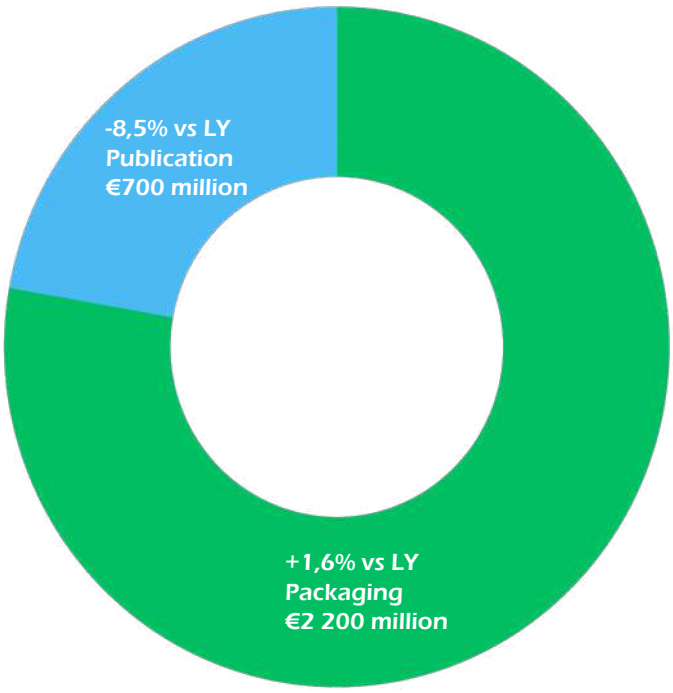
Publication Inks comprise web offset inks (coldset and heatset), sheet-fed offset inks, publication gravure inks and related overprint varnishes. Examples of publications are newspapers, magazines, books, and commercial prints such as brochures and flyers.

Packaging Inks comprise flexographic inks, specialty gravure inks, energy curing inks and related varnishes. Examples of packaging are flexible film packaging, rigid plastics, folding cartons and corrugated boxes (see figures below).

Sales volume for 2024

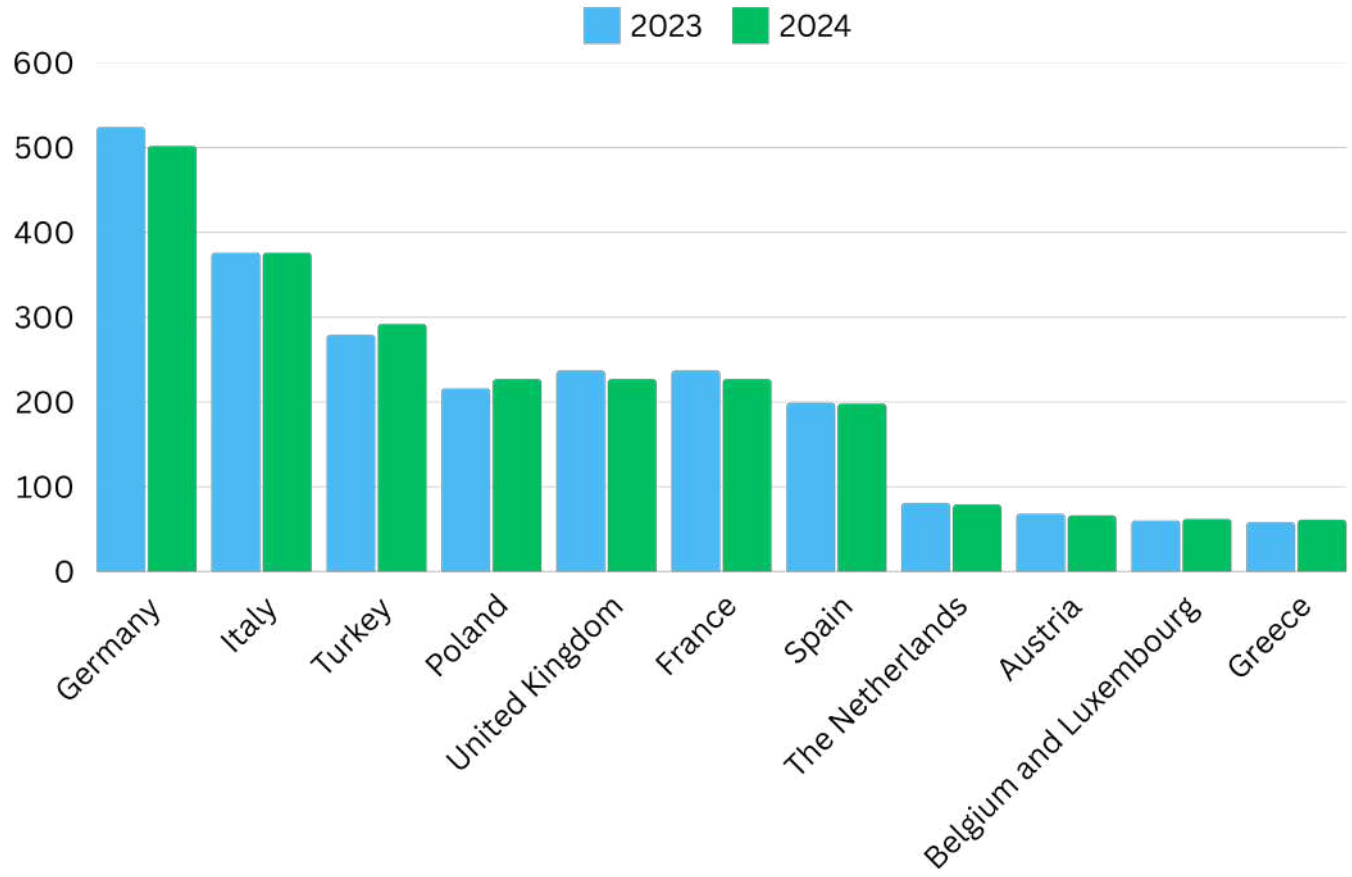


Sales value for 2024

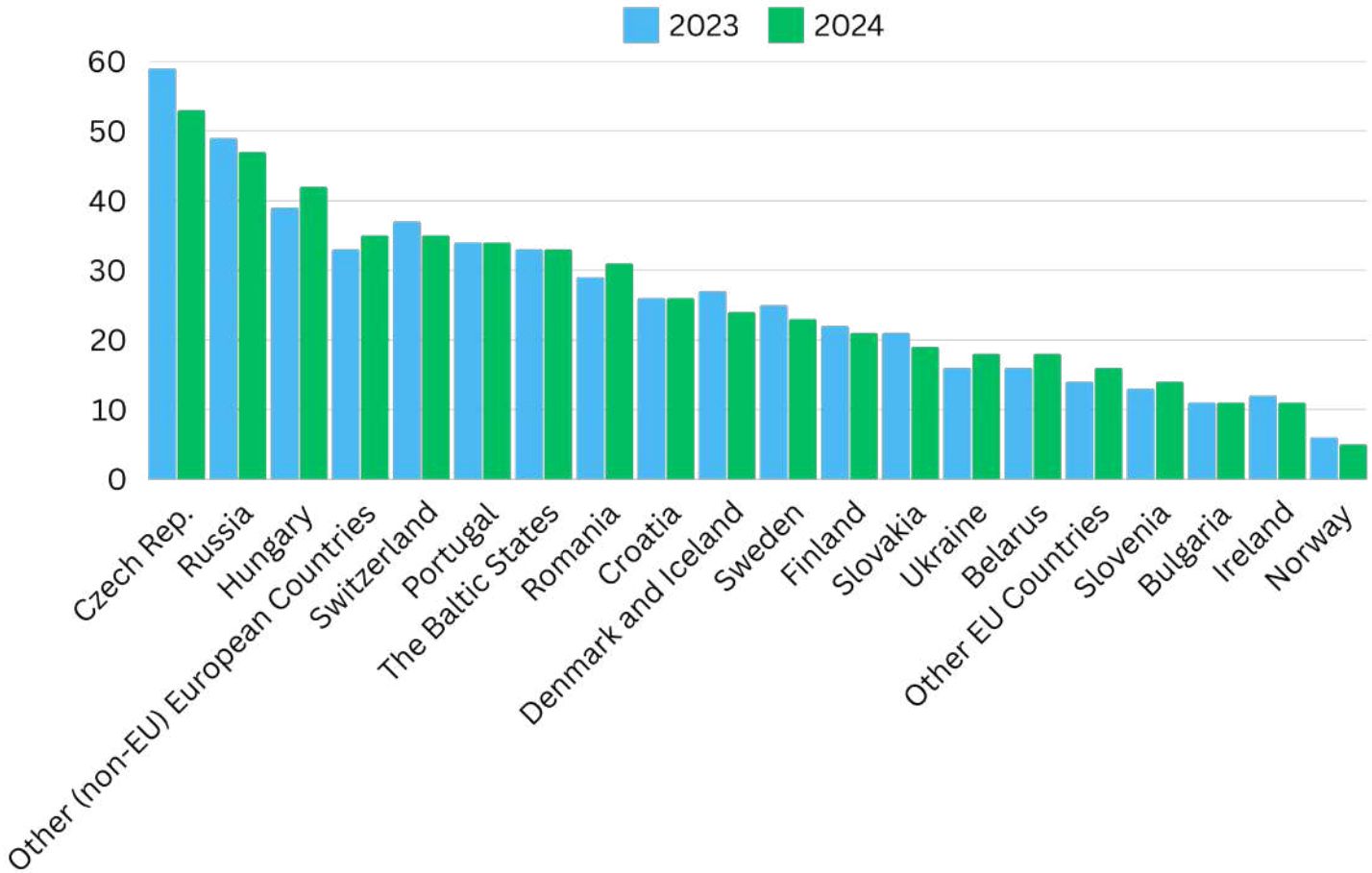


Source: shutterstock.com - Lyudmila Shabalovskaya

Sales value by country 2023 to 2024 in €M



Sales value by country 2023 to 2024 in €M



Marine Coatings

Source: shutterstock.com - Alex Stemmer

Description of the topic

The activities of CEPE in the field of Marine Coatings lie primarily in issues relating to biocidal antifouling coatings, REACH and microplastics.

Some national biocide authorities are very critical with the continued use of biocidal antifouling paints, especially on leisure crafts. Their agenda aligned with the general agenda on biocides (see separate article on page 31) - is to reduce the use of biocides as much as possible or to eliminate them from all non-essential uses. For commercial ships, a pragmatic decision has been taken: harbours are "naturally disturbed" by human activities and hence these do not need to be considered as Natura 2000 type of environment. In the case of leisure craft, the situation reached a point requiring dedicated actions.

The EU political environment

For the general regulatory and political environment, see separate article on biocides on page .

For several years now, members have applied to obtain authorisations for their biocidal antifouling paints under the EU Biocidal Product Regulation (BPR). After the approval at EU level of biocide active substances used in products, the formulations which contain them (the biocidal products) also have to be authorised in each relevant Member State, after they have been reviewed according to the approach set out in a guidance document issued by ECHA.

The long delays due to the EU-BPR are having a major effect on the innovation of more sustainable antifouling coatings. Dossiers submitted in 2017 are still under review in 2024. The main reasons for the delays are the disagreements between Member States on key dossier areas resulting in a lack of harmonisation across the EU.

Antifoulings face a very challenging political environment in the EU. While dossiers are under review (seven years later), the formulations cannot be modified, no new products can be added, classification changes affecting relevance of dossiers, conclusions cannot be reached due to changing goal posts etc... Innovation is hindered due to dossiers being held in limbo. In parallel, a set of new guidance are applying to dossiers under review for example: new environmental risk assessment model, new endocrine disruptor assessments, new CLP/ ATP changes resulting in reclassifications, new scenarios added for human health risk assessments.

The dossier cost and the fees required by Member States can easily amount to €500.000 for one paint.

The long timeline for EU-BPR is stifling innovation for antifouling manufacturers. Constant changes to the guidance, moving of goalposts and lack of harmonisation is stalling the development of more sustainable alternatives. Existing options do not offer a suitable replacement. Member States and manufacturers need to open lines of communication to progress EU-BPR dossiers, to enable the continued use of effective, sustainable antifoulings in the region.

On the microplastic front, some literature articles have pointed to ships as a source of environmental contamination of sea sediments (synthetic polymer particles found underneath commercial shipping routes).

What are our activities?

CEPE is following these discussions closely in the relevant EU committees and is intervening where possible to ensure guidance on how to evaluate biocidal antifouling products is driven by good science and to ensure changes in guidance are harmonised across Member States and do not result in legal uncertainty on the investment made to apply for

product registration

The members of the Anti-Fouling Working Group (AFWG) of CEPE are both paint manufacturers and biocide suppliers. The group has been active for a long time on BPR issues and has often engaged with ECHA/European Commission (EC) committees and Member States on developments in EU biocides legislation. It has helped decision-makers understand antifouling paints, refine risk assessments and has advocated on the benefits of these paints that come from keeping hulls free of fouling such as fuel savings, reductions in air pollution from ships and prevention of translocation of non-native species from one place to another where they may become invasive. The group is deeply involved in the Coordination Group of the EC and Member States dealing with product authorisation as well as the Biocide Competent Authority meeting dealing with active substances and any other issues linked to the implementation of the Regulation. Those groups are chaired by the EC and are made up of representatives of all Member States together with some accredited Stakeholder Organisations (ASOs) like CEPE.

On the microplastic topic, CEPE decided to start the generation of scientific data on antifouling paint dedicated to the understanding of the extent of this problem (see separate on microplastics on page 25).

What have we achieved?

The AFWG set up a "fast response group" to address issues as they pop up in the ECHA/EC committees and to facilitate discussions within the AFWG.

There has also been an agreement to continue supporting the MAMPEC model, the Marine Antifoulant Model which predicts Environmental Concentrations of biocide in the marine environment. Originally developed in a joint EC/CEPE project, MAMPEC is now used worldwide by regulators evaluating anti-fouling paints. MAMPEC is also being used for exposure assessment in freshwater systems and discharges of chemicals in ballast water. In 2024, CEPE continued intervening, when necessary, in EU meetings to confront the authorities with the reality of the current situation i.e. that authorities have not approved, to date, any product, and should the current approach of using unrefined environmental risk assessment models prevail, there will be no antifouling paints approved for leisure crafts. Following the decision of the authorities in 2014 to temporarily still authorise the active substances present in anti-fouling paints, they also agreed that there would be only one date for the renewal of these active substances i.e. 2025 to allow for comparative assessments. To meet the deadline of 2025, the applications for the renewal of the active substances had to start in 2023, but the products containing the active substances have not even been approved yet. This demonstrates, once again, that the implementation of the BPR is a failure adding to the burden linked to the legal obligation to finalise the review of existing active biocide substances by the end of 2024, some 20 years after the start of the review. The EC has realised that they will not be able to achieve this task within the legal deadline and will have to ask for another third postponement to the review programme, which is a recognition of the failure of the system. See separate articlie on biocides on page 31.

What are the remaining steps?

CEPE will continue to advocate for good science to be used as ECHA guidance is developed and when Member States evaluate biocidal anti-fouling paints. We will also emphasise the importance of having the right products to keep ship/boat hulls clean of biofouling to prevent translocation of invasive aquatic species, leading to disruption of biodiversity. <

« The long delays due to the Biocides Product Regulation are having a major effect on the innovation of sustainable antifouling coatings »

Powder Coatings

Source: shutterstock.com - Pressmaster

Description of the topic

Powder coating is a coating solution used in a wide variety of surfaces, from heavy machinery in the construction and automotive industries to everyday items like toys and kitchen appliances.

Powder coatings rely on a select number of key substances, so changes to harmonised classifications or new regulatory measures under REACH for these substances is a key part of the work of the Powder Coatings Sector Group (PCSG).

The EU political environment

REACH and CLP are the main regulations affecting this sector. Regarding REACH, both the Restriction on Microplastics and, on the use of Bisphenols are the current priorities for the sector. The withdrawal of the proposed REACH Restriction on the use of Bisphenols (including Bisphenol A (BPA)) by the German authorities was a key development in 2023. The impact of the ban on the use of BPA-based materials for Food Contact applications is still to be considered, as there may be some applications affected.

The REACH Restriction on Microplastics has led to many discussions - all powder coatings are considered as microplastics. The proposed revision of the Toy Safety legislation (including the conversion of this into a Regulation) is also of relevance for some powder coating members.

What are our activities?

Developing and establishing a common sectorial understanding and approach on key topics is a key activity for the PCSG.

The Powder Coatings is a very active sector, meeting regularly to discuss a broad range of topics mainly of regulatory concern.

What have we achieved?

There is a general concern amongst members that, authorities, especially the European Commission (EC), have very little knowledge, if any, about powder coatings which could lead to the introduction of new measures without considering the impact on powder technology, manufacturing and use. To address this issue, an "awareness-raising" campaign has been launched with the support of all the members of the PCSG. This campaign targets decision-makers and is designed to educate and inform them of what powder coatings are, how they are used, the benefits of using them and why they are important to industry and society.

The alignment and positioning of the powder coatings community regarding microplastics has also been a key discussion recently, both in terms of the existing REACH Restriction, but also to address the potential impacts on the business of the new initiative on plastic pellets (both via the IMO / transport regulatory bodies) and the new proposed Regulation from the EC. In this context, the sector has contributed to the CEPE

Microplastics Guidance by providing scientific based references related to release factors to be considered on the reporting of manufacturing of powder coatings.

What are the remaining steps?

CEPE will continue monitoring, informing and guiding members on the latest regulatory news for this sector.

The first part of the raising awareness campaign was to educate the target audience - inform them of the existence of powder coatings, what they are used for and why. The campaign is currently moving towards advocating certain positions and sharing specific messages on the impact of different legislative proposals on the powder coating industry <

« The awareness campaign targets decision-makers and is designed to educate and inform them »

Source: shutterstock.com - New Africa

Protective Coatings

Source: shutterstock.com - FooTToo

Description of the topic

The main activity of the protective sector is currently taking place in the Intumescent Coatings Technical Committee (ICTC). Intumescent paints are under a huge political pressure due to the identification of melamine as a substance of very high concern (SVHC).

Intumescent paints are used as passive fire protection and act as an insulating barrier to protect structural elements in buildings and industrial facilities in the event of a fire. Passive fire protection systems prevent structural elements from reaching critical temperatures where they would lose their structural integrity, thus providing crucial time for evacuation and firefighting efforts during a fire emergency. Melamine is an essential component of the intumescent reaction decomposing at a temperature over 250°C to produce a large volume of gas, acting as a blowing/expansion agent. Since January 2023, this substance has been identified as a SVHC, and in December 2023, the REACH Member State Committee recommended its inclusion in Annex XIV (Authorisation) of REACH.

The EU political environment

Melamine was identified as an SVHC in December 2022 and included in the REACH Candidate List in January 2023. In December 2023, melamine was listed to be included in ECHA's 12th draft recommendation for inclusion in Annex XIV to the REACH Regulation. Following the publication of ECHA's 12th draft recommendation, there was a three-month public consultation in February 2024 to which CEPE participated.

During the Members States Committee Meeting 87 (MSC -87) held on 10 October, it was acknowledged that the capacity to handle the subsequent high number of applications for authorisation is exceeded. The authorisation process needs to be reviewed, was one of the main conclusions from this topic. Following the MSC-87 the expectations are that the schedule for delivering the final 12th recommendation will be extended to the end of 2025 (versus April 2025) to allow for the application of new principles on the process.

What are our activities?

The ICTC meets regularly, at least once a month, to discuss and refine the strategy to defend melamine used in intumescent coatings.

What have we achieved?

The Intumescent Coating sector worked on an advocacy strategy to defend melamine used in intumescent coatings and established the CEPE Melamine Intumescent Coating Research Working Group (CEPE Melamine IC Research WG) to this end.

In response to melamine's recommended inclusion and a call for information by the European Commission in 2024, the CEPE Melamine Intumescent Coating Research Working Group generated a Socio-Economic Analysis, including a Risk Assessment during the life cycle of an intumescent paint, and an Analysis of Alternatives (AoA) to melamine and to Intumescent Coatings. The AoA consists of both the identification of possible alternatives and the assessment of their acceptability from an Intumescent Coatings manufactures views. To gauge the level of risk of melamine emissions, we are currently setting up leaching research to determine if any melamine could be expected to be released into the environment from their use within intumescent coatings.

What are the remaining steps?

CEPE will continue monitoring and informing concerned members on the latest developments regarding melamine at regulatory level. We expect to have the results of our melamine leaching study in 2025. <

Vehicle Refinish Coatings

Source: shutterstock.com - Virrage Images

Description of the topic

The Vehicle Refinish (VR) Sector Group has been holding regular (twice a year) well-supported meetings for many years, focusing on the key aspects relating to the refinish paints and coatings used within Europe. Apart from specific substance-related issues, the group monitors any potential activities connected with the VOC legislation and are always looking at ways to improve information and advice dissemination to customers to ensure safe use of all products used in the repairing of vehicles. There are some very specific challenges relating to the use of VR coatings that are not applicable to other sectors: the use of multiple layers of body fillers and then coatings often with repeated sanding between layers creating dust and waste; the application of coatings by professional bodyshop personnel in spray booths (including the controls needed relating to the regular use of 2-pack isocyanate-based technologies); and the differentiation between solvent based and waterborne technologies, and their use depending on location within the EU and local enforcement levels.

The EU Regulatory and Political Environment

The VR sector was the CEPE sector that was most affected by the REACH Restriction for di-Isocyanates. As the deadline for users of products based on this technology has now passed, there is less activity and discussion needed on this topic, however we wait to see whether the training approach ultimately meets the objective of reducing occupational asthma in the workplace due to the use of isocyanate chemistry. In addition, new workplace inhalation limits (Occupational Exposure Limit (OEL) and Short-Time Exposure Limit (STEL)) introduced in Autumn 2023 are concerning, especially as an agreed testing and monitoring protocol is lacking at present, in order to measure isocyanates in the workplace. At present, there does not appear to be sufficient pressure on the authorities to take further action on VOC content and limits that are currently applied to VR products through the Directive 2004/42/EC, the so-called 'Paints Directive'. The focus is much more on particulates in the atmosphere, ozone levels and the possible reason for why measurements (especially in the Summer) are not matching with predictions from current atmospheric modelling approaches. A third legislative issue of concern to the VR sector is the control of microplastics and their release into the environment. Primary release through failure to capture overspray or sanded material is one part to this, secondary microplastics loss due to weathering and wear & tear (e.g. when using automatic car washes) is also a topic for discussion. It is also unclear whether the future Delegate Act on paints (ESPR) will include consideration of VR coatings or not.

What can we do and how?

Continued focus on the sector-specific key topics is important for the VR business, to ensure that all members supplying VR coatings are prepared well in advance of any future legislation. The horizon-scanning for future legislation that can affect the substances used by VR members is a key part to this – not just the review of potential harmonised classification activities under CLP, but also the possibility of future Restrictions being introduced under REACH. Another important activity is to act as a forum for sharing knowledge on possible future impacts from national legislation that are specific to car repair. Connecting the VR Sector Group with the technical experts on isocyanate chemistry has also been an important step, to ensure that correct procedures are followed and guidance aligned with what is known by the suppliers of these substances.

What have we achieved?

The final completion of the di-isocyanate training modules was a very significant step some time ago, after so many delays in getting the information prepared and uploaded onto the training platform. Also, it was important for members to clearly understand their obligations under the REACH Restriction in terms of informing their customers about the training and ensuring that all products falling under the Restriction were labelled accordingly. In many cases, the Restriction has pushed the isocyanate supply base towards supplying products with free monomer content below 0.1%, thus not requiring the training, so the risks of contracting occupational asthma have been reduced through technical improvements to the products. It remains to be seen (when the authorities run a future study) whether the di-Isocyanate training approach has successfully resulted in safer workplaces for those industries using isocyanate chemistry, or whether further regulatory actions are going to be needed.

What are the next steps?

The next step regarding isocyanate chemistry is to get a better idea as to what the current exposure levels are for bodyshop personnel when applying 2-pack isocyanate-based coatings in a spray booth. First, a better understanding is needed as to how and what to measure, the costs involved, and the availability of service and contract laboratories to do such measurements. Once typical repeatable measurements have been established, these need to be compared with the OELs and STELs (both the current ones, and the lower limits that will be introduced in 2029). Regarding microplastics, the need to better understand and find a way to quantify unintentional releases from all VR activities (manufacture, application / use and wear & tear) will continue to be discussed. The VR sector group also intends to look further at the environmental footprinting of their products, and how the CEPE tools may be used to support members as new interest from customers and reporting obligations under different legislation become established <.

« Contracting occupational asthma has been reduced through technical improvements to products »

Source: shutterstock.com - Virrage Images

www.cepe.org
www.eupia.org
www.artists-colours.org

CEPE Secretariat

Boulevard du Triomphe 172 | 4th Floor
B-1160 Brussels | Belgium
+32 (0)2 897 20 20
www.cepe.org
secretariat@cepe.org

CEPE
The voice of paint, printing ink and artists' colours in Europe