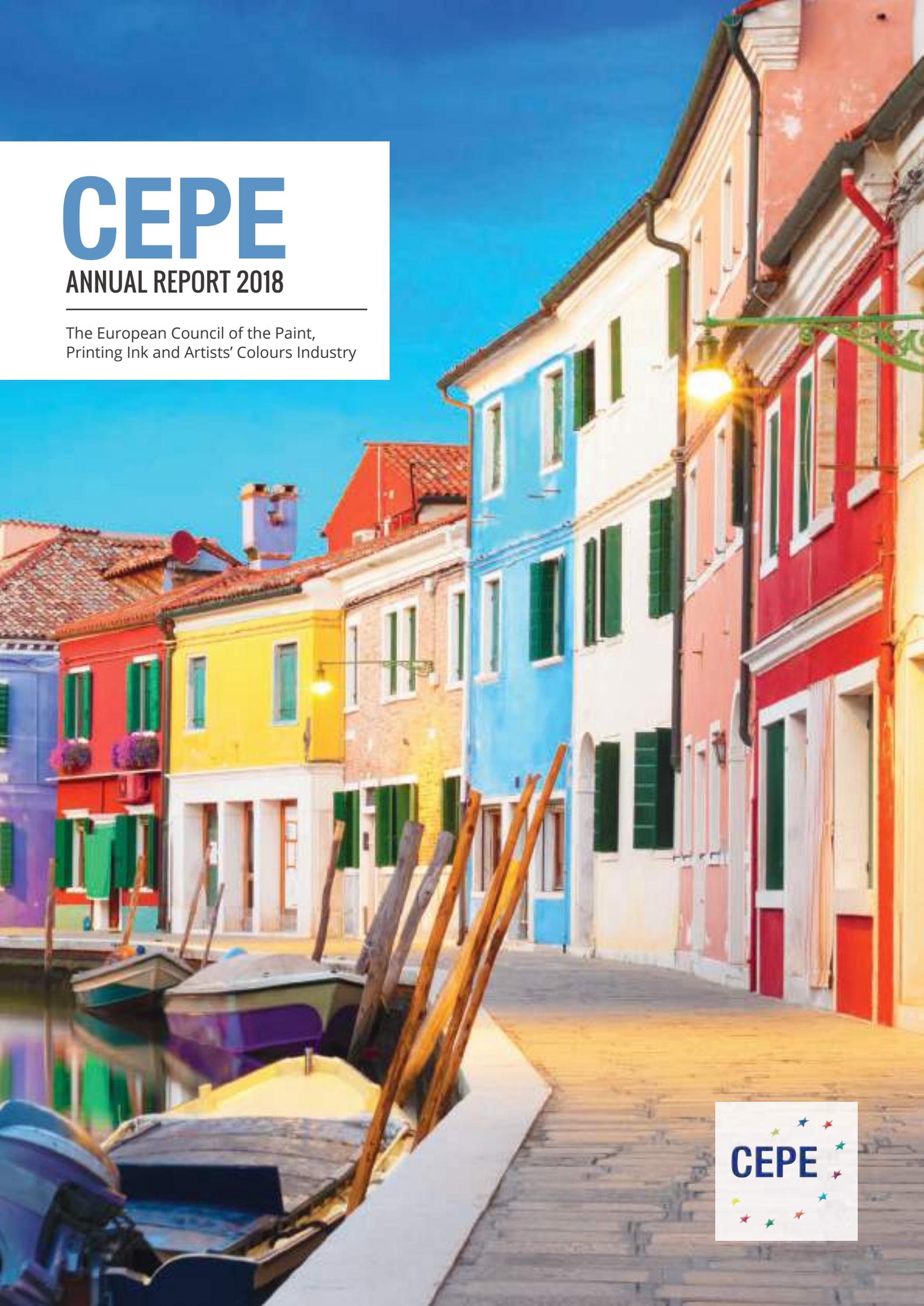


# CEPE

## ANNUAL REPORT 2018

The European Council of the Paint,  
Printing Ink and Artists' Colours Industry



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# DEAR READER,

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When in July the meetings season becomes slow for the CEPE staff it is time to write the articles for CEPE's annual report. Although working against a deadline gives some pressure it is at the same time for all of us who write their contribution an encouragement to see how much has been done in the past year. On average the CEPE staff organizes anywhere between 80 to 100 meetings per year and through the constructive involvement of the participants in those meetings we are able to report the progress as laid down in this annual report.

## **Having the network in operation for TiO<sub>2</sub>**

The proposal for a Carcinogen Class 2 classification remains in further discussion among the member states representatives. There was with most of them an acknowledgement that a good discussion on options was needed. So several solutions have been brought to the table. CEPE's staff and the network of National Association staffs have been monitoring and where possible discussing the pro and cons of such proposals with the authorities. Either visits in person or other forms of contacts have been pursued to follow the opinions in the member states. The views of the different member states can be grouped in those who believe that TiO<sub>2</sub> should be classified but with an exemption for mixtures and those who believe that it is more a particle toxicity issue and therefore needs a consideration if it needs to be dealt within CLP. It looks like this dossier may see its end by the end of the year.

## **Legislative impacts**

With several issues like Biocides and micro-plastics CEPE pleads that authorities consider **holistic solutions**. Addressing an adverse effect on health or environment from just one dimension is not the best solution. As industry representatives we must challenge the legislators and ask: *Have you considered the life cycle effects of your proposed 'solution'?*

Making them realize that their intended 'solution' may prove to have negative consequences for our planet. If sustainability is such an important dimension in many of EU's political objectives they should also allow to have sustainability arguments a place when making new rules.

## **Education**

'Attracting the next generation of paint or ink chemists' remains point of attention. The English Master Programme at ITECH, Lyon, delivered the first cohort of graduates. They all were happy to find employ in paint companies. The English curriculum continues to draw more students every year but it must be said that getting non-French students participating is not an easy thing.

## **Brexit**

Many of the CEPE members have companies or business in the UK. The BCF has mapped these interests in a clear way and presented these at both sides of the Channel. Whatever the political outcome of the still ongoing discussions, there is a shared belief that the members' interests are best served by BCF and CEPE staying close together.

Enjoy reading this year's report

A handwritten signature in black ink, appearing to read 'Jan van der Meulen'.

**Jan van der Meulen**  
Managing Director CEPE

# REASON TO ACT

## CEPE is an industry association that offers the legal platform for its members to meet and to discuss industry issues.

The typical issues that require a collective industry approach, often originate from areas such as:

» Upcoming or existing legislation on safety, health and the environment (chemicals, emissions, labelling, transport etc.)

Unsatisfactory situations in the industry concerning the position or the image of the whole sector.

Efforts that are undertaken can be reactive or pro-active to these issues.

The benefits from the collective efforts are meant for those that have joined the CEPE membership.

### THE INDUSTRY TO SPEAK UP

#### To deliver „One message“

CEPE or EUPIA represent the interests of its members at:

» the EU commission or parliament or the delegated EU institutes.

» the EU industry associations that are relevant for the supply chain.

» the UN (directly or via its membership in the International Paint and Printing Ink Council -IPPIC). 

## CEPE FUNCTIONS AND ASSIGNED WORKING GROUPS

### CEPE FUNCTION



- » Monitoring upcoming issues (radar for industry)
- » Advising for issue - treatment

### ADDRESSED PER CEPE WORKING GROUPS



- » SHE Advisory Board (SHEAB) SHE topics (approx. 25)
- » Substance Risk Assessment Group evaluating substances of concern

- » Preparation of proposals and positions
- » Consultation of members not participating in WG

- » Issue related Task Force in case of industry wide issues
- » EU Sector Group when sector specific action is required

- » Propagation and feed back on positions

- » Platforms of Directors or staff members of NAs + CEPE

# PRODUCT ENVIRONMENTAL FOOTPRINT: DECO PAINTS AND THEIR SUSTAINABILITY



Source: Romolo Tavani/StockAdobe.com

**The Product Environmental Footprint (PEF) pilot project was initiated by the EU COM in November 2013 with a main aim: to create a single market for green products. For this a Life Cycle Analysis (LCA) methodology would have to be created and endorsed by the European Commission and which would allow to evaluate under common product category rules various types of products. This was seen as a way to avoid a chaos of green claims and labels for products and their sustainability performance.**

After nearly four and a half years the project phase came to an official closure with a PEF conference. What follows next is a so-called transition phase. During this phase, the European Commission will discuss and evaluate the results of the pilot phase, monitor the creation of new PEFCRs for other product groups who were not in from the beginning and consider policy options for PEF (standalone or integrated in an already existing policy). Through participating in a cluster of finished pilots CEPE will link to these discussions.

CEPE's Technical Secretariat for PEF that co-ordinated the PEF project will continue as body, but will work now on items that will enable the Deco sector to bring PEF to the wider CEPE membership and prepare for market.

## EU'S PEF CONFERENCE FORMS THE CLOSURE OF THE PROJECT PHASE

CEPE participated in the PEF final Conference in Brussels between 23-25 April. During

the event many stakeholders from various sectors and organizations came together and discussed results and achievements of the pilot phase such as single set of rules valid for the EU market for several product groups, benchmarks, free secondary data etc. Many presentations and questions from the audience were about the communication of the environmental information and how PEF can contribute to that.

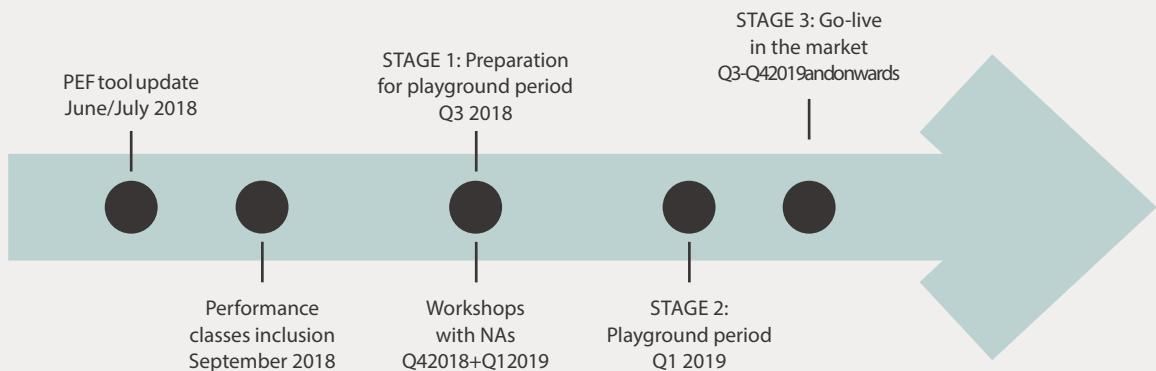
A big discussion was whether it should be used as mandatory policy for companies that make green claims, or keep it voluntary or be integrated in existing instruments. A great majority voted PEF to be mandatory for companies that make green claims. At the same time, they think that PEF could be part of the B2B communication on products.

In addition to this, there was a lot of discussion between PEF vs Ecolabel as the first one was more favourable by the audience and some of the speakers. It looked like PEF was

a winner in terms of environmental impact assessment of the products but was lacking the so called social – consumer effect which is something that the Ecolabel is claimed to be focused on. The European Commission highlighted that the quality of the product is something that is well promoted in PEF by giving the paints as an example with the de-

**A big discussion was whether it should be used as mandatory policy for companies that make green claims, or keep it voluntary or be integrated in existing instruments.**

**FIGURE 01: CEPE ENVISIONS THE INTRODUCTION OF PEF VIA 3 STAGES**



velopment of the durability schemes, which is something that the Ecolabel does not cover as such. See also the discussion under the Deco sector part in this annual report.

#### **Getting PEF closer to the CEPE members**

Already in November 2017 CEPE held a first forum for members on PEF. The workings of PEF were explained and input was given on

what to observe when PEF will be introduced via workshops with the National Associations. CEPE envisions the introduction of PEF via 3 stages (see figure 1):

*Stage 1: Preparation for the playground period*  
CEPE will create tools and informative workshops on PEF to educate the paint members and engage the SMEs.

#### *Stage 2: Playground period*

Once familiarized with the tools and the ideas, members will be able to run PEF studies on their product portfolios.

*Stage 3: Introduce PEF in the Deco paint market*  
A paint user campaign on education what PEF is and what the classes mean.

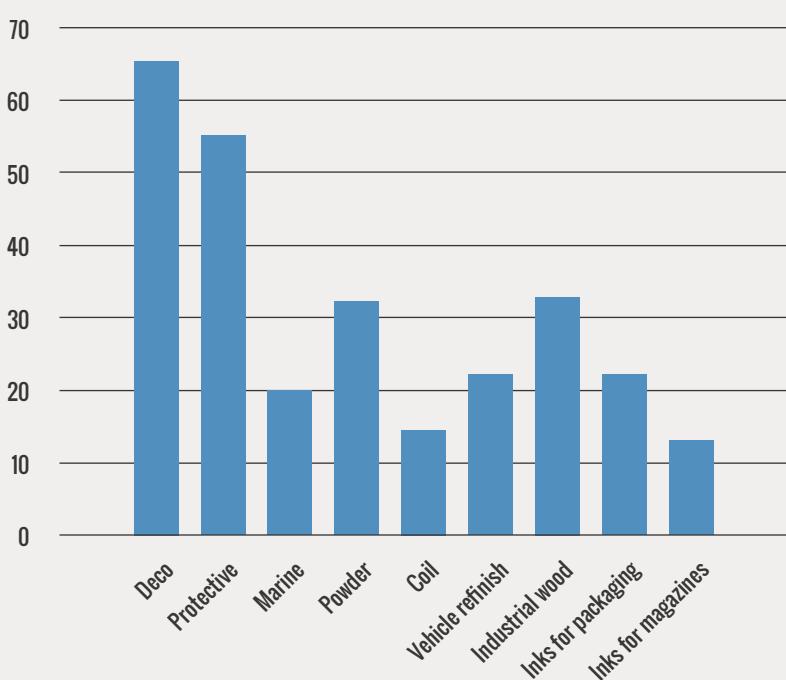
#### **State of affairs**

After scrutiny by the EU COM and Life Cycle consultants both the **harmonised rules to evaluate the environmental performance of the products (PEF category rules)** and the **LCI database of CEPE were approved by the EU COM**. So the main building blocks for PEF can now be worked with.

Included in the PEFCRs are also the **durability schemes** where we as industry found agreement on. The durability schemes bring new rules on the evaluation of the quality of a paint product with a series of European widely applicable tests for each paint ca-

**FIGURE 02:**

For which end markets does your company / association consider sustainability an important topic when placing products on the market?



**CEPE also maintains an LCI database so that the members can make their footprint calculations using either commercial LCA softwares or the CEPE Ecofootprint tool.**



tegory. These tests are based on EN or ISO standards are an obligatory requirement that paint producers shall follow to evaluate first the quality of their products before they proceed with the PEF calculation.

On the worklist of the **Technical Secretariat** is still:

- » The design of a PEF calculation tool;
- » A tool that would enable the CEPE members to run PEF calculations in an easy and user-friendly way. Avoiding using an outside supplier for it.
- » Rules on how external verification of company obtained PEF results should be performed.
- » Performance Classes; definition of boundaries for A till E.

With PEF getting closer to the market **CEPE's Deco Sector Group** will from here be involved and take responsibility for the aspects like 'building trust in PEF'; communication to consumers and materials for introducing

PEF and see how PEF could find its way into Norms (EN15804) and policies (GPP).

#### CEPE'S LCI DATABASE OUTSIDE OF PEF

CEPE also maintains an LCI database (with more raw materials than for PEF) so that the members can make their footprint calculations using either commercial LCA softwares (like SimaPro or GaBi) or the CEPE Ecofootprint tool.

After two series of updates, in 2013 and in 2014, at the end of 2016 the new versions of the CEPE LCI database and the Ecofootprint tool were released. In this new update, the Ecoinvent background database was updated to 3.1 version, 50 new raw materials were added in the database and each raw material was adapted to the user's requirements (CAS numbers, new datasets, generic datasets etc). Arriving at a total of 323 raw materials.

In the Ecofootprint tool, two downstream scenarios were added for Protective and Pow-

der coatings which enabled the users to run a full LCA analysis and offers the option to every user to see which raw material or process step is contributing the most to the product's impact assessment.

#### Users speak up on the LCI data and tool

In October 2017, CEPE ran a survey about the future of the CEPE LCI project. Some 54 responses were received.

The question asked: *For which end-markets does your company / association consider sustainability an important topic when placing products on the market showed the following (see figure 2).*

The most reported purpose for running an environmental calculation was to respond to customer questions regarding the product, but also to build the company's knowledge regarding the hotspots of paint and to contribute to the product improvement and development (see table on this site).

Based on the responses about the trends in existing markets that strengthen or broaden the interest for sustainability were the product disclosure and its transparency to the consumer. In addition to this, renewable resources, PEF, Circular Economy, Green Building, ecolabel etc. were some of the keywords that were added to this question.

Also responses were received on how the LCI database and tool could become more valuable and easier to use. These will be taken into account for the future updates of the CEPE LCI project. ↗

| REASONS FOR ENVIRONMENTAL IMPACT CALCULATIONS                 | RESPONSES |
|---|-----------|
| Respond to customer questions                                 | 70.73%    |
| Build our company's knowledge on the hotspots of our products | 51.22%    |
| Support research with new product development                 | 48.78%    |
| Other (please specify)  | 14.63%    |

# REGULATIONS

Source: Coloured-Pic - stock.adobe.com



## REACH

Twelve years after its adoption in 2006, a major milestone has been passed in the implementation of the REACH Regulation with the third and final registration deadline for phase-in substances on 31 May 2018. However, that is certainly not the end of the story; indeed, to paraphrase Winston Churchill, it is not even the beginning of the end, but just the end of the beginning. Now that all existing substances on the market have (in theory) been registered, we move into the 'permanent' regime applying to all new substance registrations and to the updating of existing ones.

Statistics from the European Chemicals Agency (ECHA) report almost 87,000 registrations for over 21,000 substances (about 45% more dossiers and 15% fewer substances than predicted). At the time of writing, a few weeks after the last registration deadline, it is too early to say whether there is any significant loss of substances from the market; a fuller picture should emerge over the coming months. As the deadline approached however, there were no indications from CEPE members about serious shortfalls: a small percentage of substances were planned to be withdrawn, but most suppliers were communicating their intentions to customers and it was possible for members to build up stocks.

### SECOND REVIEW OF REACH

REACH includes an obligation for the Commission to review progress in the achievement of its objectives every five years. The second REACH review in 2017 took the form of a REFIT evaluation, under the principles of Better Regulation, and examined the effectiveness, efficiency, proportionality, coherence, relevance and EU added value of the provisions. It was conducted in parallel with a REFIT evaluation of other chemicals legislation, the final report on which is expected by the end of 2018.

CEPE gave input to the 2017 REACH review both in its own right and as part of DUCC, the Downstream Users of Chemicals Coordination Group (which has been chaired by CEPE since 1 January 2016). The Commission's report on the evaluation was published in March 2018, and its main findings were broadly in line with our wishes:

- » Overall REACH is effective and addresses citizens' concerns about chemical safety;
- » The legal requirements and obligations are well tuned to the needs and objectives, and there is currently **no need to change their enacting terms**;

» Opportunities for further improvement, simplification and burden reduction have been identified.

A set of 16 actions was proposed to improve implementation, some of which are more relevant than others for us as downstream users. DUCC is developing its position and planned activities on these actions, but the main priority is to leverage existing tools and activities (some of which are described below) wherever possible to avoid unnecessary new initiatives or duplication.

The European Commission held a stakeholder conference on 11 June 2018 to present and discuss the findings of the review; DUCC registered its dissatisfaction that it was not invited to participate in any of the panels.

### SUPPLY CHAIN COMMUNICATION

CEPE (both individually and through DUCC) participates in ECHA's Exchange Network on Exposure Scenarios (ENES). DUCC was a co-founding party to the Chemical Safety Report/Exposure Scenario Roadmap 2013-2016. An ex-post evaluation of this programme led on to the ENES Work Programme to 2020, which was published at the beginning of May 2018 along with an implementation plan for 2018. The new programme contains (currently) 21 actions to improve information on safe use in the supply chains for chemicals. DUCC is a (co-)lead of or contributor to many of the actions, particularly those in area 4, 'Information processing by formulators'. Some further details follow on specific activities ongoing in CEPE.

#### Information from downstream users to registrants

A key part of the original CSR/ES Roadmap involved standardising the format of information provided to registrants by downstream user sector organisations regarding the typical uses of substances in their industries (as such or in mixtures). The 'use map package' comprises sector-specific



information on uses and exposure assessment determinants for workers (SWEDs), consumers (SCEDs) and the environment (SPERCs). Use maps are published both on sector associations' own websites and also in the use map library hosted on ECHA's website, for greater ease of access by registrants.

CEPE has published its own use map package, currently including 17 SWEDs (13 for paint, 4 for printing inks) and 10 SCEDs. The package includes electronic import files for ECHA's Chesar tool for Chemical Safety Assessments; the latter is compatible with the ESSCom standard for electronic transmission of exposure scenario data (although to date there is very little evidence of this being used in practice to communicate ES down the supply chain).

Additional SWEDs and/or SCEDs may be included in the CEPE use map package as required to cover certain uses or industry segments not adequately addressed by the (relatively generic) initial set. At the time of writing the CEPE SPERCs were also being reviewed and updated into a 'best practice' format, using quality criteria developed by an industry task force in 2018.

In 2018 and beyond DUCC will continue to promote the use of these tools through ENES, but also in the context of Action 1 in the REACH review report, 'Encourage updating of registration dossiers', and Action 3 'Improving the workability and quality of extended Safety Data Sheets'.

#### **Information processing by formulators and by end users**

REACH requires downstream users (formulators of mixtures) to pass on relevant information from exposure scenarios to the downstream users of their products via their safety data sheets. ECHA guidance offers some options for doing this, including appending or integrating consolidated ES information, but industry had to develop its own solutions to achieve this in practice.

CEPE is one of several DUCC sectors to implement a so-called 'bottom-up' approach to communicating safe use information for workers (now referred to in the ENES Work Programme as the "SUMI Selection Method"). For each of the 17 SWEDs mentioned above - i.e. standardised sets of Operating Conditions and Risk Management Measures, covering a majority of professional/industrial uses - CEPE has a corresponding **SUMI** (Safe

Use of Mixtures Information document), which provides clear, concise information to end users on the conditions of safe use for a mixture. The approach to selection, validation and communication of SUMIs is set out in a CEPE guideline document produced by the relevant task force, with tools to facilitate and automate the task.

Since its formal launch in April 2017, the CEPE SWED/SUMI methodology has been rolled out through a series of training workshops and webinars, organised by national associations and supported by CEPE staff or members of the task force. At the time of this report events had been held in ten countries, with more still planned before the end of 2018. Competent authorities (national ministries or their agencies) have been invited to participate in many of these workshops, which has helped to build official acceptance and recognition of the approach: very positive feedback has been received from the representatives who joined, leading in some cases to further invitations to present the approach.

As of summer 2018 further translations of the SUMI documents are being made available on the members' Workplace, and the low-resolution personal protection pictograms from EU legislation are being replaced by high-quality colour versions specially commissioned by DUCC for members' use. Work also continues on analysis of potential additional SUMIs and on further refinement of the guideline and validation tools. It is also being analysed how/whether a similar approach can be applied for safe use information relating to the environment.

Feedback from members on their experience of implementation is now key to deciding next steps in the evolution of this approach. It will also be shaped by activities in the ENES Work Programme, including piloting of the various approaches to safe use information for mixtures and research into the expectations and experiences of end users receiving

**CEPE has published its own use map package, currently including 17 SWEDs (13 for paint, 4 for printing inks and 10 SCEDs).**

and implementing the information. SUMIs will also be promoted as a positive contribution towards REACH review Action 12, 'Interface REACH and OSH legislation'.

## CORAP

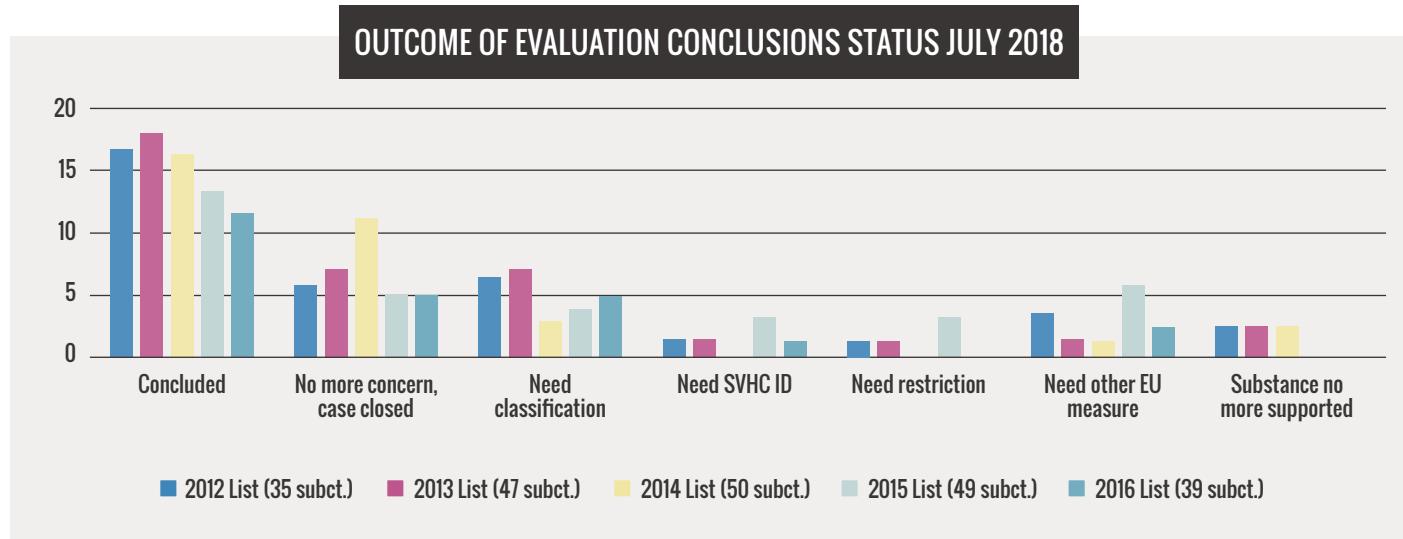
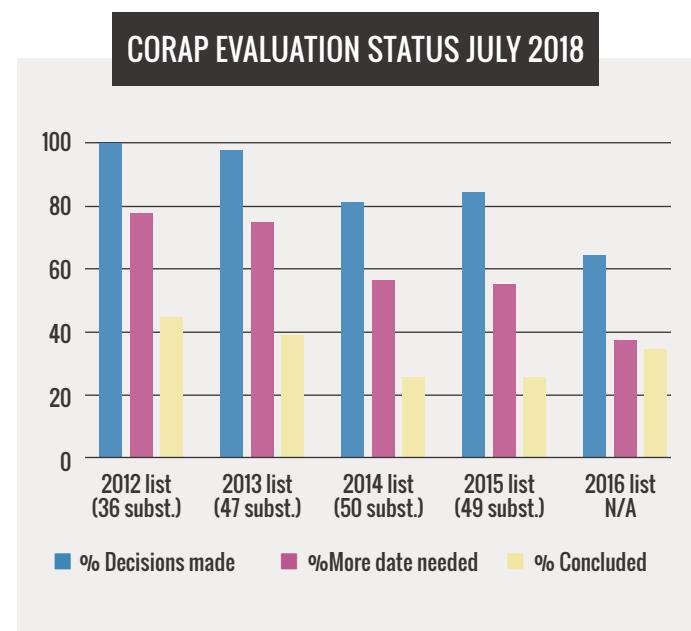
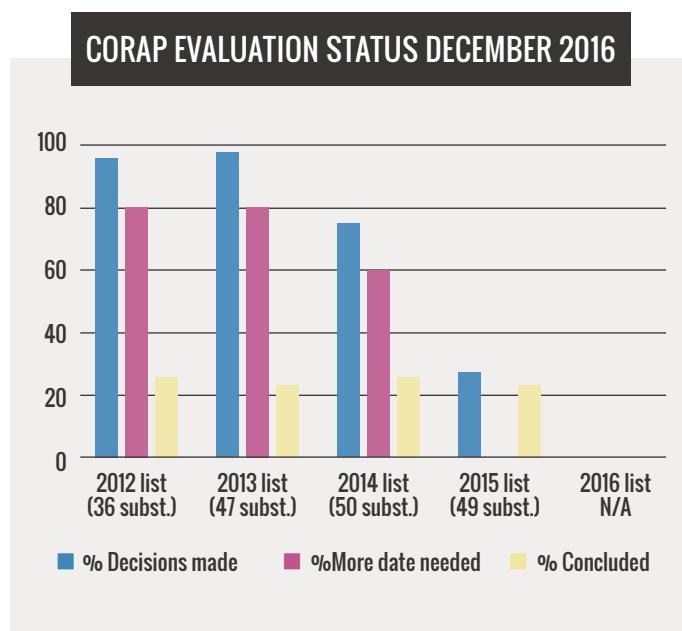
The Community Rolling Action plan (CoRAP) started with a first list of substances to evaluate in 2012. Member States propose substances to review because they have concerns and they open the registration dossiers submitted by Industry to ECHA. As stated in the substances articles in this CEPE Annual Report, half of the CoRAP substances under review (now 352 substances in CoRAP) are of interest to our industry, sometimes to single sectors, sometimes to many of our sectors because of their wide use. They can be used as substances on their own or be monomers used to make polymers.

As you can understand with >21000 substances registered, a possible review of 50 substances/year (and you will see below that this rate is not achieved) it would mean that if all substance dossiers have to be evaluated it could take > 400 years. If your grand-child asks you where he can secure a job for his future you know the answer: with some scientific education he could work for an Authority, or he could work for the industry (in a defensive mode though).

It is interesting to try understanding the dynamic of the review and its consequences. We have carried out an analysis of the progress made so far and compared the status in December 2016 and 18 months later in July 2018, as shown in the below graphs.

The evolution pattern between those two dates is similar. On the first list from 2012 containing 36 substances, a decision has now been made for all of them but less than ½ has been finalized (concluded) because more data are necessary and are either still being generated or are being evaluated. Decisions have not been made for all substances of the other lists, which means that some first evaluations by MS are still ongoing. Much data are requested after a first evaluation as shown with the red bars. The comparison between the blue bars with the red bars shows that in a majority of the decisions new data are needed, and this is true for all lists. Overall the rate of conclusions show an increase during recent years, i.e. conclusions can be reached quicker with the more recent listed substances. In total 77 conclusions have been reached since 2012. In comparison to the substance evaluation that took place before REACH on EINECS substances, this is much faster, albeit not fast enough for some parties.

The next interesting analysis is on the outcome of the evaluations (cases concluded, see large figure below):



This graph shows the outcome of the conclusions for the substances in lists 2012-2016. The good news is that the most common outcome is that the cases are closed as the concerns have been positively answered and there is therefore no need for further action. The concerns of the MS can have been answered by Industry through the generation of new studies, by refining exposure information and risk assessment, by withdrawing uses, by clarifying the intermediate status using strict control conditions, by self-classifying, by revising down DNELs or for other reasons. Industry has been put on the spot as having not done a good job on the quality of the substances dossiers, but obviously Industry provides the required additional information during their evaluation to satisfy MS concerns.

The second outcome is that a new EU harmonized classification is nee-

ded, and always with additional classifications, not fewer. In other instances the MS Authorities have concluded for the need to identify the substances as SVHC (triggering the start of further regulatory actions), or restriction, or additional EU wide regulatory measures. Some previously registered substances are no more supported in Europe and their evaluations stopped. Sometimes the conclusion indicates that a Risk Management Options Analysis (RMOA) is needed to identify the best regulatory measure needed to address the remaining concerns.

CEPE will continue to monitor the progress and outcome of CoRAP as it provides a useful understanding of the fate of substances and how MS concerns are addressed.

## SUBSTANCES

**TiO<sub>2</sub>, will it see a closure in 2018? The titanium dioxide case illustrates the difficulty of Authorities to derail from a purely hazard based EU harmonized classification procedure. We have been working hard during the past 12 months to tell them that they should handle this particular dossier carefully and take a step back from a pure administrative process to evaluate whether CLP is the right instrument. Hopefully an acceptable outcome will emerge for our industry in the coming months.**

### ATTRACTING ATTENTION

TiO<sub>2</sub> has attracted much attention recently, why is it so? Because we had no other choice than repeatedly contacting the competent Authorities in charge of classification and labelling both at EU and at national levels. Successfully we got the dossier discussed during several EU meetings that took place in Brussels (the blue boxes in the below graph).

Some may think that it is 'heavy lobbying' in a CLP process that is purely hazard based and where impacts do not need to be taken into account. But the particularity of this case should be analyzed with attention. The RAC opinion itself indicates that the effect is a 'particle effect', not a chemical effect of TiO<sub>2</sub>. By taking the time to look through the RAC opinion instead of simply reading the conclusion the attentive reader would understand that taking a position purely based on principle is inappropriate in this dossier.

What some Member States (MSs) do not understand is that using CLP would send a wrong message that would impact CLP itself, as it would fail protecting people. Indeed, if all paints get classified as suspected of causing cancer by inhalation with the exploding chest pictogram, users

will get 'label fatigue', i.e. after a while they will not care anymore. Hence, when buying really harmful products with the same pictogram they won't follow the necessary precautions which could cause incidents.

It has been proven and it is still difficult to get Member States' (MSs) representatives to the right level of understanding as the particle effect is not inherent to TiO<sub>2</sub>, and this is already recognized in MSs throughout the EU since national OELs have been developed to protect workers from dust (all dusts). Even today some key questions have not been answered adequately by some MS Authorities and by the EU Commission: 'if we classify what do we want to achieve? By the way, who do we want to protect? Is CLP the right instrument to address our concerns and what are these concerns actually?'

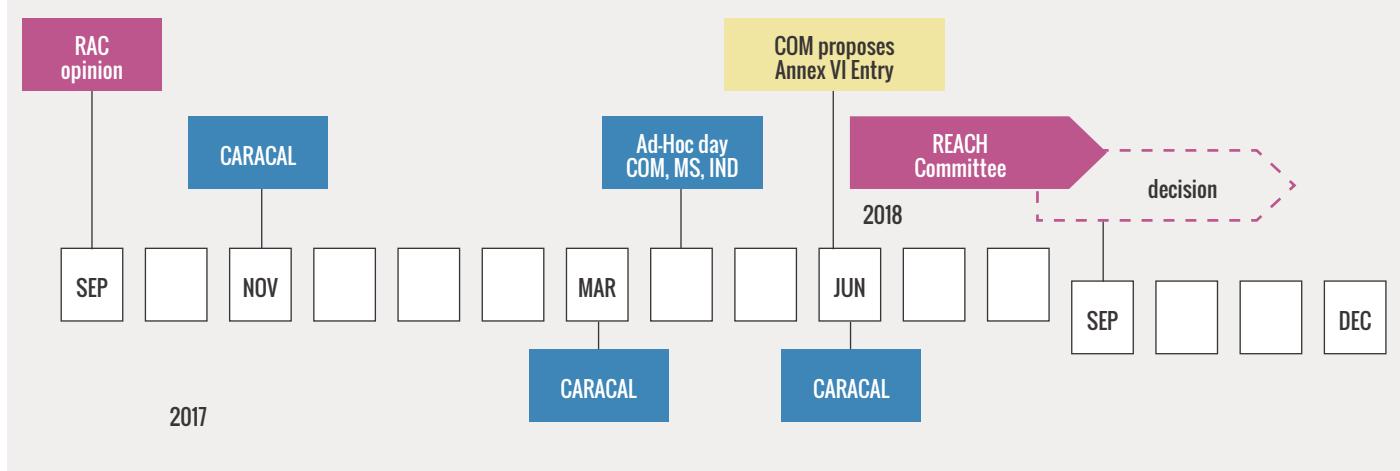
### Derail from a procedure?

Owing to our colleagues of national associations we had the chance to discuss directly with the ministries of some MS and it appeared that many civil servants are just sticking to the process: 'when a RAC opinion from ECHA is available we cannot deviate from it'. This isn't correct, COM has the flexibility to ask advice from MS and stakeholders and decide how to best carry a RAC opinion forward. But COM needs to hear from enough



» This would help no one!

## NEXT EXPECTED STEPS ACCORDING TO COM



MS that it should handle the case differently because a qualified majority of MS is needed to vote on an ATP to CLP. And despite all efforts done in a year COM still felt confident after the first REACH Committee discussion on June 13, 2018 that they can continue proposing a classification.

### So what is coming next?

As stated above COM intends to propose a classification with certain exemptions for mixtures like paints. Actually according to their proposal of June, only the powder mixtures should be classified. Such exemption is part of the solution but still not enough to avoid all unintended consequences including the waste issue, i.e. waste containing upwards from 1% of  $TiO_2$  would be considered hazardous waste. We have tried to develop sufficient wording for exemptions to avoid that impact as well and we have commented that COM's proposal wasn't yet sufficient. In fact we concluded that the simple fact that several exemptions would be needed is in itself a demonstration that such particle toxicity does not fit well in CLP.

### An interesting recent proposal

At the time of writing this text a new initiative (early July) lead by the UK and Slovenia came on the table of the REACH Committee whereby it is suggested to use Annex II of CLP instead of classifying under Annex VI. We support this as it elegantly solves the problem of all parties. In fact it would mean, if adopted, that  $TiO_2$  would not be classified, that the term cancer would disappear and that only a specific sentence should be added to warn the user that a product contains a respirable dust and that the safety instruction should be carefully followed. That is fine! It is already normal practice in our industry, as placed in Section 8 of the Safety Data Sheets even for paints that are not classified.

As you all know after all the CEPE Signals sent during the past year to keep you informed on the progress of this dossier, the problem is not specifically  $TiO_2$  but particles in general. This is what the RAC opinion states but RAC did not have the option to propose a regulatory measure to handle such effect differently, this is the responsibility of COM. With the proposal to handle the 'particle effect' in Annex II of CLP in the future RAC would have the possibility to use this instead of further proposing a Carc cat 2 classification by inhalation. Other so called PSLTs (Poorly Soluble Low Toxicity Particles) would then be listed after  $TiO_2$ .

### Don't miss a good crisis, learn from it

Our industry has never faced such a difficult situation before. The learning for Industry in general is that once a substance enters a regulatory

process such as a harmonized classification, then it is almost too late. Every effort should be endeavored prior to this. As soon as an Authority notifies its intention to submit a regulatory proposal Industry should sit at the table and engage into a collaborative mode. An interesting illustration of this is respiratory crystalline silica (RCS). In June 2018 we noticed that France – the same MS that proposed to classify  $TiO_2$  – after years of discussions withdrew its intention to propose a classification for RCS based on the fact that OEL protect workers and there is no significant concern for consumers. That is precisely also the case for  $TiO_2$  but unfortunately the 'train is already departed' and COM has a RAC opinion in their hands. Leaving us stuck in a process.

Because of this unfortunate situation we recognize that a win-win solution is needed and the recent proposal of using Annex II of CLP is probably the best. We will continue our efforts on this priority dossier in the most appropriate manner and let's now hope that common sense will prevail and that we can all close the dossier in the next months with a satisfactory outcome.

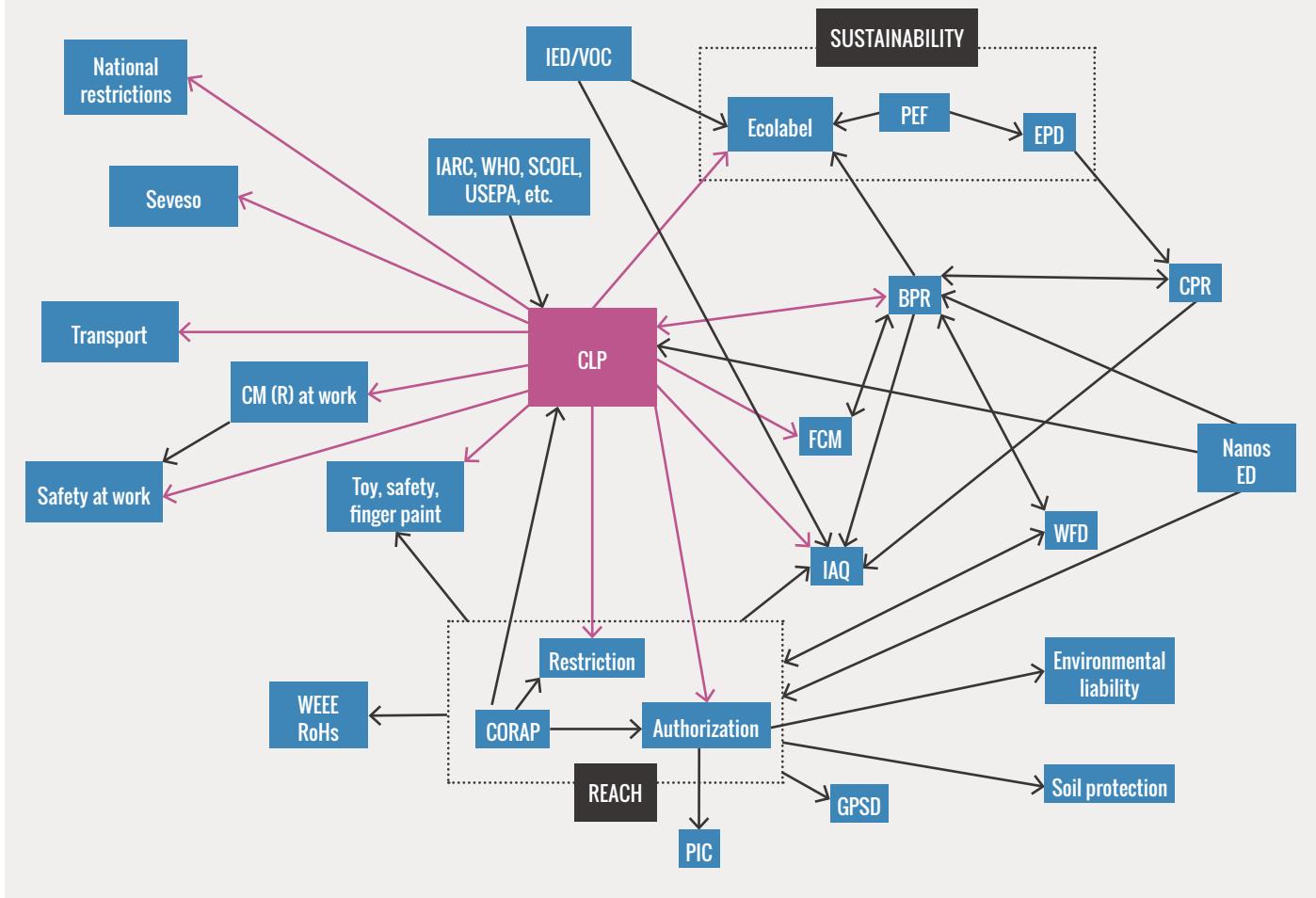
### DI-ISOCYANATES, MAKING A REACH RESTRICTION WORK.

Polyurethane coatings depend on di-isocyanates which are known to cause respiratory sensitization (asthma). A proposed EU wide restriction passed Risk Assessment Committee and the Socio Economic Analysis Committee and is now in the hands of the EU Commission at the stage of finalization. Industry supports it. It will force professional users to follow regular trainings on the safe handling of products containing di-isocyanates. Potentially millions of workers will be in scope due to the widespread use of that chemistry (coatings, construction, isolation, adhesives and sealants etc.) and this will require time for implementation. The duration of the phase-in period is still unknown but Industry is asking 6 years to allow all workers to be trained.

There are still many details that must be sorted out such as: who in each MS will be allowed to train (Institutes, Ministries, consultants, In-

**Our industry has never faced such a difficult situation before. The learning for Industry in general is that once a substance enters a regulatory process such as a harmonized classification, then it is almost too late.**

## Cascading effects: activities and legislations impacting the coating and printing ink industry and their inter-connections



dustry...)? Who will train the trainer? Will a training certificate be delivered for enforcement purpose? Will distributors have to ask a valid certificate to sell to professional users? How will the training take place (e-learning, classes...) and for what level of education? Will national Authorities want to check the content and language of the training material that will be delivered by Industry?

Indeed, under this Restriction Industry is liable to provide training material. This is led by the manufacturers (who are REACH Registrants) and downstream users like CEPE participate in providing training content because Registrants are not expected to understand all the details of all applications. A collaboration to develop the training material formally started this year under a Memorandum of Understanding and first discussions together with an independent consultant allowed sharing views among participants. Under the proposed Restriction it is foreseen that there will be several layers of training modules. A first module would be of general nature and common to all applications, while specific modules may be necessary for particular applications. For instance the CEPE Vehicle refinish group has identified that spraying in car repair booth is specific enough that it will contain dedicated training elements, such as bystander protection, ventilation time rest, behavior practices such as PPE fitting or time to open the mask to check the work done while aerosols of paints are still present in the air.

The making available of the training material may be done through a common web platform where the trainer will be able to access the relevant material for his/her class. That should be possible with as few barriers as possible.

The implementation of the EU wide Restriction is challenging but once it will be available it will set a nice precedent for all chemistries and applications. It will demonstrate that the entire supply chain of the Industry is responsible and has adopted best practices for the protection of professional workers.

### THE SILICON MONOMERS D4, D5 AND D6; NOW NOMINATED AS SVHC.

The polymers that are made of these monomers are used in a wide range of applications such as health care, construction aerospace, automotive etc. They bring properties not matched by other chemistries. Last year we reported on regulatory development for D4, i.e. that a proposed Persistent Organic Pollutant (POP) nomination under the Stockholm Convention did not go through. But now a decision to nominate it as SVHC, together with the D5 and D6, has been made at the Member State Committee of June 2018. During the past year the silicon industry has been very active to try avoiding a nomination as SVHC (Substance of Very High Concern under REACH). Arguing that the use in cosmetics was already regulated and the use for polymers is only a use as intermediate in production. Downstream users like CEPE joined in co-signing letters because the silicon chemistry is also very important to our business.

Unfortunately all these activities failed as the MSC (Member States Committee) in Helsinki decided unanimously in June 2018 to nominate these monomers as SVHC due to their PBT (Persistent, Bioaccumu-

lative and Toxic) or vPvB (very Persistent and very Bio-accumulative) properties.

A substance fulfilling the SVHC criteria does not need to be added automatically to the SVHC list, it should be done upon the initiative of an Authority. In this case it was Germany.

In principle a nomination is 'just a listing', but it has become a very negative black list. Originally SVHC was just a 'waiting list' of substances for which a decision should further be made as to take or not take further regulatory actions, such as recommendation in the Authorization Annex XIV of REACH. In principle a SVHC status leads to minor consequences of communication, but no restriction or no ban. But nowadays it is acknowledged that customers do not want SVHC substances in their product. The purely hazard based nature of a SVHC status is not discriminated against the safety in use. We are back to the problem that we also have similarly in CLP: a classification on its own is not the main problem, it is all the consequences on many chemical legislation that look at the simple presence of classified substances that cause many consequences as illustrated in the chart below.

In addition, the topic of Circular Economy is adding to the problem that a SVHC nomination is causing by specifically requiring that SVHC substances cannot be present in articles for recycling.

The impact for a substance of a purely hazard based status has now extended beyond what was originally foreseen by REACH (and CLP). The SVHC battle for these monomers is lost, but the silicon industry will now have to prepare for another potential POP nomination under the Stockholm Convention, and more scrutiny on the fate of the polymers in the environment.

#### **What else on substances, BPA, formaldehyde, melamine...?**

We would wish to be able to stop raising issues on substances but unfortunately we are in a century where the Chemical Authorities have several regulatory tools to implement their political agenda.

At the moment the CEPE database of substances of interest that require monitoring has 345 substances. There are probably >10 times more in use in our industry but members are slowly adding them to the list as regulatory activities emerge. Indeed, half of the 345 substances are of concern to at least one MS Authority who decided to evaluate their REACH dossier under CORAP.

**BPA (bisphenol-A)** has not only become SVHC due to its classification as Reprotoxic 1B, but more recently France added a layer by identifying it as endocrine disruptor (ED) for Human Health (unanimous agreement at MSC). And now we have Germany raising ED concerns for aquatic life. BPA is under such pressure that it is highest in the list of substance to recommend for Annex XIV. This means that the use of monomers will need authorization. This should not affect its use as intermediate to manufacture polycarbonates or epoxies, at least unless REACH is reviewed to change this status.

In the meantime manufacturers have to answer questions on the fate of polymers in the environment. The Epoxy Resin Committee (ERC) contacted CEPE to provide input on the detailed uses of our coatings and inks because the German Authorities continue to find BPA in the

environment at concerning levels. The task is to understand where BPA is coming from when 99% originates from sources different than manufacturing sites. Can epoxy polymers degrade (during use or in landfill) and form BPA back? The answer to this question will come from new ongoing scientific studies. In the meantime ERC is trying to identify possible sources of contamination and it may well be that articles imported in the EU, such as PVC windows, flame retardants or tires, contain free BPA that is no longer used for these applications by the EU Industry. This raises an interesting question: how will Europe deal in future with all these imported articles containing unknown substances? It is one of the sticking problem for circular economy.

On the food contact side, despite a measure from the EU Commission earlier this year that should stop the French national ban of epoxy coatings in metal cans since 1 January 2015 the CEPE Can Sector group is concerned that France will not withdraw their measure. Under the precautionary principle MS have the right to take national measures if they can justify them. And as long as new studies are published in the literature raising new uncertainties the EU Commission will ask EFSA (the EU Food Safety Authority) to review the science and postpone the confrontation with FR. This case illustrates well the mix between science and politic.

**Formaldehyde** has been under detailed scrutiny by FR and NL for many years. As classified as Carc Cat 1B it fulfills the SVHC criteria but no MS has yet proposed that status (unlike the silicon monomers, see above) because Industry (through Formacare) has done a tremendous job in collaborating with the concerned Authorities to answer their questions.

A Binding OEL at 0.3 ppm is expected, which should remove the concern for workers, but it takes the legislator very long to implement, hence Formacare signed a voluntary agreement with the Unions for an early implementation by Industry.

A REACH authorization should not take place for most uses (the intermediate status for 99% of the formaldehyde uses is confirmed) but FR is still concerned by the exposure of anatomo-pathologist as formaldehyde is used to preserve dead bodies.

On the restriction side the EU Commission asked ECHA to conduct an analysis on a possible restriction for mixtures and articles sold to consumer and containing at least 0.1% of formaldehyde.

On the classification side COM is expected to amend a sentence in CLP that allowed to conclude that the skin sensitization threshold for the EUH208 elicitation is 0.1% and not 0.02%.

**Melamine** is under discussion in Germany for possible classification as Carc Cat 1. Tumour formation is secondary to the presence of bladder stones that cause inflammation. But outside this secondary mechanism the concern also stems from past criminal use of melamine in baby milk in China that killed babies. The melamine manufacturers have engaged with the German Authorities. 

**We would wish to be able to stop raising issues on substances but unfortunately we are in a century where the Chemical Authorities have several regulatory tools to implement their political agenda.**

# EDUCATION

## The paint industry is facing an ever greater shortage of paint chemists with an academic degree.

### What is the issue?

CEPE's Working Group on Education has made assessments of the situation for the demand of paint chemists by the Industry and the numbers that graduate from the Universities. There is and will be for some years a shortage which will limit the industry's capacities in product development and innovation.

### What has CEPE done so far?

To mitigate some of the shortage CEPE has set up with the ITECH institute (Lyon, Fr) an English master course for paint chemists. It is expected that the English speaking graduates can be employed by paint companies across the EU.

In order to attract the next generation of chemistry students to this 3 year course CEPE has invited paint companies to consider the sponsoring of a student for this course. The sponsoring company funds the 3 year course and offers the student the opportunity to do his study assignments on the company's laboratory.

### Tools and materials. INVITE THE NEXT GENERATION TO THE WORLD OF COLOUR!

The paint industry is not very visible for the chemistry student. To change that CEPE has launched a video which illustrates that behind every paint there is a can full of chemistry. The

video is available on YouTube: <https://www.youtube.com/watch?v=lepxZl7LjT0>

To promote the ITECH 3 year course a poster (being a booklet at the same time) was designed and will be distributed across the relevant Universities where there are chemical faculties.

The national associations will in the coming years have to be establish more relations with students and chemistry faculties to attract students from every part of Europe and where possible link them with a local sponsor company. ☺

› The first cohort of students graduated in September 2017. All 8 students found a job in the paint industry.



### A FUTURE IN COLOUR

A 3-minute video gives a good understanding of the range of opportunities for chemistry students.

The video is available on youtube: [goo.gl/dkRmy5](https://www.youtube.com/watch?v=lepxZl7LjT0)

### FURTHER INFORMATION

A folder is distributed in the relevant European universities advertising for this unique course.

# MICROPLASTICS IN THE MARINE ENVIRONMENT

Source: Oleksandrurn - stock.adobe.com



## What is the issue?

When checking water quality, marine research institutes have found small plastic particles. Because of their size (smaller than 5 millimetre) and non-biodegradable character such microplastics could end up in fish and therewith eventually in the human food chain. This could lead to negative health impacts. Although there is some link with the issue of 'the plastic soup' (which refers to the plastic articles like bags, bottles etc. that have been found floating in the oceans) it should not be mistaken with it.

In The Netherlands, Denmark, Norway, Belgium, UK and Germany this topic gets political attention. The pollution of seas and waterways with microplastics is considered a major threat to sea life and humanity consuming fish or other sea creatures.

Institutes or consultants in these countries have written reports on sources and possible reduction measures. Some reports come with very rough and high estimates of volumes of polluting micro-particles.

Microplastics are defined from size being less than 5 mm in diameter. They are split in:

### *Primary microparticles*

intentionally added to products and emitted during use (e.g. leached)

The cosmetics industry adds small plastic beads to formulated products that are used for skin scrubbing. These beads can be emitted after rinsing under the tap.

### *Secondary microparticles*

irregular shaped particles that emit as a result from 'wear and tear' like:

- » Tyres: rubber particles from wear off from driving on the road.
- » Textiles: synthetic fibres that would loosen during a washing operation.
- » Dried paint layers: degradation particles resulting from sanding outdoor old paint layers (sanding dust).

## What is the current status regarding a potential restriction of intentionally added microplastics?

**The pollution of seas and waterways with microplastics is considered a major threat to sea life and humanity consuming fish or other sea creatures.**

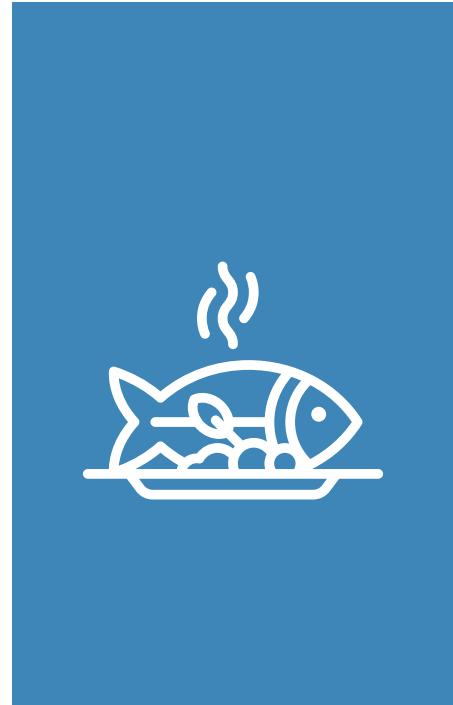
Last November the European Commission had requested the European Chemical Agency (ECHA) to look if a restriction is possible for what are called 'intentionally added microplastics'.

**Intentionally added** microplastic particles are known to be used in a range of products placed on the EU market, such as in certain cosmetics and personal care products, detergents and cleaning products, paints, products used in the oil and gas industry and as media for abrasive blasting.

Microplastic particles in these products can function as an abrasive (e.g. exfoliating and polishing agents in cosmetics known as microbeads) but can also have other functions, such as to control viscosity, appearance and stability.

Intentionally added microplastic particles can be released to the environment during the use of these products (typically via wastewater), potentially contributing to environmental litter and leading to a concern that their use may pose a risk to the environment and/or human health.

Prompted by these concerns, several EU Member States have meanwhile proposed national bans on the intentional use of microplastics in certain consumer products, principal-



ly uses of 'microbeads' in 'rinse-off' cosmetic products.

This potential restriction does not address the so called secondary microplastics which result from 'wear and tear' of the use of products (e.g. degradation and sanding of old paint layers)

#### **What has ECHA been doing sofar?**

ECHA ran an on-line 'Call for Evidence' (CfE) in which stakeholders were requested to supply information or comment on:

1. A working definition for intentionally added microplastics.
2. The specific uses of intentionally added microplastics in products.
3. The technical function provided by the microplastic particles in products.
4. Potential alternatives to the use of microplastic particles in products.

CEPE submitted a response on the use of intentionally added microplastics in paints by May 10, 2018.

Thereafter ECHA organized a Workshop in Helsinki on May 30/31, 2018 in which CEPE participated. This workshop mainly served the purpose of offering the responsible ECHA employees a platform to ask more questions on definition of microplastics and their intentional use in certain applications. Thereby taking positions of challenging concepts or respon-

ses from the online call for evidence. And in no way committing to answers received in the workshop.

#### **What is CEPE's opinion on the issue?**

In only a small portion of the portfolio of waterborne paints these microplastics (beads or fibres) are added to the paint formulation to obtain certain properties for the application of paint (ease of brushing or rolling) or for final properties in the paint film e.g. matt appearance; scratch resistance, bridging over cracks in walls.

The focus of this issue is on the use of intentionally added microplastics and their possible threat to the aquatic environment.

CEPE's opinion to the CfE of ECHA was therefore summarized as:

*Small use and hardly any emissions.*

Intentionally added micro-plastic particles emitting from a paint and creating a potential threat to the aquatic environment is a rarity. Firstly, only a small part (< 1 %) of the volume of Decorative waterborne paints contain microplastics as part of the formulation. Secondly, such micro-plastics make up <2% on weight of the product composition. Thirdly, the only minute potential for emitting any such micro-plastics would occur when after the completion of a paintjob the water-

borne paint, containing such micro-plastics, would find its way to the waste water. This may occur when a consumer habitually cleans his brush or roller with tap water - estimated emission 1.0% (Reference: CEPE's Specific Emission Release Categories).

By far most of the paint finds its way to the intended surface where it dries and so embeds the microplastic particle in a matrix.

*CEPE therefore believes that a restriction on the uses of intentionally added microplastics should not cover the use in waterborne paints.*

#### **What will be the next steps of CEPE's Task Force on Microplastics?**

ECHA is still in the phase of investigating and considering which uses should be in the scope of a restriction. Questions that arise from their side will be addressed by the Task Force.



# HAZARD COMMUNICATION

Source: Alexander Limbach - stock.adobe.com



## INFORMATION FOR POISON CENTRES

Commission Regulation (EU) 2017/542 added a new Annex VIII to the CLP Regulation (1272/2008) on 'harmonised information relating to emergency health response'. This standardises across the EU the information to be submitted to Member State 'appointed bodies' by formulators and importers of mixtures classified as hazardous (for health or physical effects), to enable appropriate treatment advice to be given in cases of poisoning and to identify additional risk management needs through relevant statistics. The first application deadline for the new harmonised requirements is 1 January 2020, for mixtures intended for consumer use (including 'mixtures in mixtures', i.e. raw materials), and the clock is ticking for all parties to complete the necessary preparations in time.

CEPE has been deeply involved in this 'Poison Centres' dossier since the beginning in 2010, and remains active in all of the current activities as listed below. Most aspects of implementation are in the responsibility of the European Chemicals Agency (ECHA), which set up a dedicated website in 2017: <https://poisoncentres.echa.europa.eu/>

CEPE members are consulted on all developments, and on many of these issues CEPE also works together with colleagues from other formulating sectors in a dedicated task force of DUCC, the Downstream Users of Chemicals Coordination Group. CEPE/DUCC foresee their own additional industry guidance if the official materials are not sufficient to meet the needs of members.

### Guidance

The requirements are complex and guidance will be needed to help companies and Appointed Bodies/Poison Centres (ABs/PCs) navigate through them. In 2017 a working group including Member States and industry stakeholders developed a draft ECHA guidance document of over 80 pages, which in 2018 has undergone formal consultation through a Partner Expert Group then Member State bodies. Publication is due by the end of 2018. This process highlighted some potential amendments to the legal provisions, which the Commission agreed to propose. These include the ability to print the UFI (Unique Formula Identifier) directly onto the packaging instead of the label, and to omit it from the safety data sheet if it is on the package/label (avoiding a sharp increase in the frequency of SDS updates). At the time of going to press, these were under discussion between the Commission and CARACAL (Competent Authorities for REACH and CLP) and the direction looks positive.

An official discussion is also ongoing about duty holders: distributors (including those who re-brand mixtures) have no obligations to notify under Annex VIII, and the Commission is seeking to clarify how this can be managed through contractual arrangements to ensure no information will be lost about mixtures placed on the market further down the supply chain.

### IT tools

The Poison Centres Notification (PCN) format and the UFI generator are already available, and a first version of the Central Notification Portal (CNP) is due to go live on the ECHA site at the beginning of 2019, although a more sophisticated version (including system-to-sys-

tem integration, and possibly searchable database capacity for MS use) is expected only in Q4 2019. Industry and ABs/PCs are participating in pilot testing of the tools.

It has been left to the discretion of Member States to decide whether to accept submissions from the CNP, and whether they will allow mixtures to be placed on the market without further national approval or manual checks. In a formal position paper DUCC has advocated strongly for both of these, and so far it appears that all MS will accept the CNP (alone, or in parallel to a national portal). The status regarding the second question is less certain however, and will be influenced by the next point below.

### Validation Rules

In summer 2018 ECHA has formed a new working group to agree automated rules for PCN submissions. These comprise simple technical checks (required fields filled) as well as business rules, i.e. 'quality' checks on the content of submissions. This group is working under very high time pressure, but the outcomes are crucial to avoid MS conducting their own checks or making large numbers of follow-up queries to companies.

### European Product Categorisation System (EuPCS)

The EuPCS will benefit industry as well as authorities by enabling like-for-like European statistics on poisoning incidents for the first time. CEPE proposed and defended an adequate but minimal set of categories for paints, printing inks, artists' colours and related materials; V1.0 of the EuPCS was published in April 2018, and an ECHA support manual followed in June. Additional CEPE guidance for mem-

bers on how to categorise products is anticipated, to ensure that statistics are as robust and useful as possible.

### Workability study

In July 2018 the European Commission finally launched its long-awaited study into major practical problems with some of the harmonised requirements. The study may result in further changes to the legal text of Annex VIII. Among the issues to be investigated is the case of colour mixing/tinting systems, where the current rules do not permit final mixes, which can number thousands or more, to be grouped into a single composition (or a small number), even using the generic identifier 'colouring agents' for pigments. With real-life input from members, CEPE will promote a solution already agreed in France – to communicate UFIIs for the base paint and tinters and not notify the final mixtures – but also consider other options as necessary.

CEPE has always supported the aims of the harmonisation, which will replace a complex patchwork of different national requirements, and is not lobbying for any postponement of the deadlines. The ability to achieve full compliance by 1 January 2020 will however depend on the outcomes of the activities above. Whilst industry is making its best efforts, the readiness of ABs/PCs could be the decisive factor: in a survey by ECHA, only 43% said they expect to be able to accept notifications in the new format by 1 January 2020.

### CLASSIFICATION, LABELLING & PACKAGING AND SAFETY DATA SHEETS

In 2018 also ECHA initiated a new revision of its Guidance on Labelling and Packaging in accordance with Regulation (EC) No 1272/2008 (v4.0, following v3.0 in 2017 which included the long-awaited interpretation on transport packages). This was done chiefly to take into account the new Annex VIII, but also to remove information on the DPD/CLP transition period, which ended in 2017, and to include new practical examples. CEPE again participated in the Partner Expert Group (PEG) and gave input to the revision, which is also due for publication by the end of 2018.

CEPE also maintains its own guideline for members on **CLP labelling and packaging**, managed by the Technical Committee Labelling and Safety Data Sheets (TC-LSDS). This builds on the ECHA guidance with additional

## CEPE has always supported the aims of the harmonisation, which will replace a complex patchwork of different national requirements.

sector-specific advice for members, including a selection tool for precautionary statements which has been updated again in 2018 to reflect both ECHA guidance and industry practice. Part 1 of this guideline is now undergoing extensive revision to align with ECHA's changes, and Part 2 is also being updated: the latter addresses other legislation influencing labelling, and includes a reference/link to CEPE's guidance note on 'Labelling of Treated Articles', which gives 'best practice' advice on combining the labelling requirements of CLP and the Biocidal Products Regulation.

CEPE also continues to maintain and update its **Guideline on Safety Data Sheets** and the associated Phrase Catalogue. In 2018 an affiliated member (compliance software provider) has taken over the task of administering the Phrase Catalogue, which it is hoped will facilitate easier content management and faster translations. A revision of Annex II to REACH, which sets the requirements for SDS, will be initiated by the European Commission in late 2018 to align with GHS changes and incorporate other aspects, such as CLP Annex VIII; CEPE has already given input via DUCC to the preliminary discussions in CARACAL, and will seek to influence the content further as necessary.

### FUTURE CLP: ATPS AND THE UN GHS

The CLP Regulation is the EU's implementation of the United Nations Globally Harmonised System of Classification and Labelling of Chemicals (GHS), and revisions to GHS are incorporated into CLP by periodic Adaptations to Technical Progress (ATPs). In theory these ATPs should be every two years, but currently the EU is implementing both the 6th and 7th revised editions of GHS (published in 2015 and 2017 respectively) through the so-called 12th ATP. CEPE/DUCC has participated in the review process and relevant CARACAL sub-group throughout, and a four-week pu-

blic consultation on the draft was opened in July 2018. A vote on the ATP is expected in late September, which would see it adopted around the end of 2018 and become applicable in mid-2020. This update includes, inter alia, a new hazard class for desensitized explosives (relevant for industrial nitrocellulose) and a number of improvements to precautionary statements.

Harmonised substance classifications in Annex VI to CLP are updated by separate ATPs on an annual basis, to become mandatory eighteen months later. The 13th ATP (RAC opinions from 2016) is due for publication in July 2018, and the 14th (2017 opinions) is anticipated by the end of the year. Both of these include contentious substances of high relevance for members, and CEPE has advocated as necessary; see also the Substances article in this report.

### Pre-emptive influence at UN level

Since CLP derives from GHS, it is necessary also to work at the UN level to ensure the criteria are correct and workable there first. Since many members operate globally it is also desirable to maximise international harmonisation. CEPE heads the IPPIC delegation in the UN Sub-Committee of Experts on the GHS and works to influence the criteria at their source.

As we approach the end of the 2017-2018 biennium, and hence finalisation of the content for the 8th revised edition of GHS in 2019, IPPIC is making or supporting proposals in the following areas, among others:

- » Aspiration hazard: establishing appropriate viscosity criteria for materials like paints or inks
- » Flammable liquids: possibility to de-classify for supply worldwide on the basis of a sustained combustibility test
- » Use of concentration ranges in section 3 of the SDS
- » Precautionary pictograms: two pictograms have already been adopted for P102 'Keep out of reach of children', and the focus is now on the flexibility to use these in place of a statement.

Looking to the work programme for the 2019-2020 biennium, CEPE plans to contribute significantly to discussions on examples of labelling arrangements, particularly concerning use of digital technology (e.g. QR codes) and very small consumer packages or articles (see also article on Artists' Colours). 

# NANO MATERIALS

**Nano size particles that are part of the tail of the size distribution of long time used pigments and fillers should stay out of a definition on nanomaterials that may be used for future legislation.**

## What is the issue?

The authorities in some EU Member States believe that not enough is known on the safety and health aspects of nanomaterials. And to be rather safe than sorry they want to regulate or at least monitor where such materials go in their country. Obliging companies to register their nanomaterials in these countries (see table below).

In Sweden at this moment a proposal is in the making which is aimed at getting into force by February 2019.

## EU Commission believes in REACH

The European Commission is not denying that nanomaterials may have some health or safety issues but thinks that with REACH these issues will be part of the manufacturer's registration. The draft REACH amendment was adopted by the REACH Committee on 26 April and undergoes now the scrutiny of Council and Parliament. It would become applicable by 1 January 2020. If nanoforms are covered by the registration of a substance, they must be addressed. The assessment and the conclusions must be documented and appropriate Risk Management Measures must be identified. For the definition on nano it still refers to the EC's working definition. The impact for

downstream users like the paint and ink producers will be on the communicating via the exposure scenarios.

## ... and in an EU Observatory

The Commission opted NOT to create an EU nano register, but agreed to host an EU Observatory for Nanomaterials (EUON). It is an informative platform on data on nanomaterials, their use and markets and their potential health and safety issues: <https://euon.echa.europa.eu/>

Launched in June 2017 it will see further releases of updates in 2018 / 19.

Under 'uses' at this webpage there are several photos that put paint forward as a recognizable example for using nano.

## It is mainly about the definition

Important in all the discussions is to know what one is talking about when it comes to nanomaterials. The EC launched a 'working definition' for nanomaterials in 2011. Which is about to be reviewed for its suitability.

With a definition that only deals with the dimensional aspects of nanomaterials the CEPE members may face:

A disproportionate administrative burden.

An unnecessarily increase in business

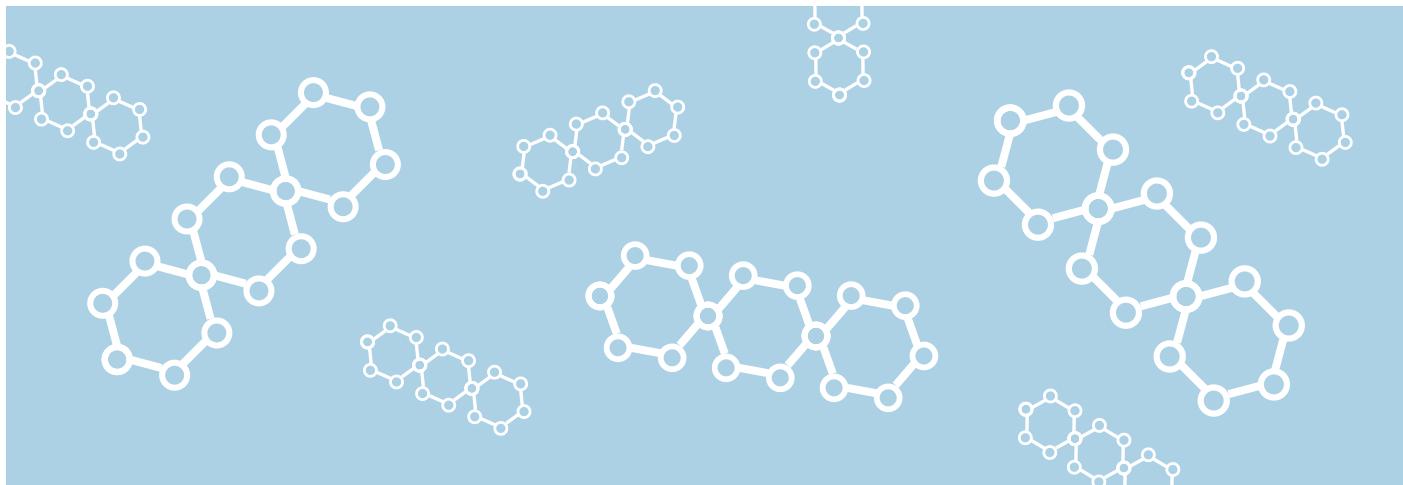
complexity (= costs) for the industry (testing and proving: the nanoscale, the nano-content, the toxicology aspects)

The overload of registrations, will not distinguish between the nanomaterials with 'real' hazard concerns and those who have been evaluated and in use since ages.

## What is CEPE's opinion?

In all of the discussions on nanomaterials it is important to focus on those nanomaterials for which reasons exist to address their potential or perceived hazard. Applying the EC definition on each and every powdery substance will categorize many of these substances as nanomaterials. While suppliers of such substances will have a certain limited number of nanomaterials in their portfolio, downstream users like the CEPE members will have thousands as they typically use at least one such substance in most of their formulations. If the decision is made to retain the current working definition, it will be the producers of mixtures who will be impacted the most by any forthcoming administrative obligations on 'contains nanomaterials' (which may result from legislations or registers). The users of these mixtures will get the wrong message that they either receive newly developed mixtures, or that the mixtures they always

|                | FRANCE   | BELGIUM  | DENMARK   |
|----------------|--|--|---|
| Since          | 1 <sup>st</sup> January 2013   | 1 <sup>st</sup> January 2016 for substances and will enter into force on 1 <sup>st</sup> January 2018 for mixtures | 13th of June 2014   |
| Declaration of | Substances at nanoscale:<br>» on its own<br>» contained in mixture without being linked to it<br>» material (intended to reject such substances under normal or reasonably foreseeable conditions of use | Substances at nanoscale:<br>» on its own<br>» contained in mixture<br>→ <b>Only professional network concerned</b> | Mixtures and articles<br>» that are intended for sale to the general public and<br>» which contain nanomaterials, where the nanomaterial itself is released under normal or reasonably foreseeable use or<br>» where the nanomaterial is not in itself released - but releases substances in soluble form which is classified as CMR substances or environmentally dangerous substances |
|                | → <b>Only professional network concerned</b>   |  | → <b>Only concerning products intended for consumers. B2B is exempted.</b>  |



received and used were more hazardous than they were previously informed.

CEPE also believes that the delivery form of nanomaterials that may pose a risk (the unbound or agglomerated nanoparticles) – that this risk disappears once the nanomaterial is incorporated into the matrix of ingredients of the mixture, which has been proven by several recent studies.

#### **Where does the issue of the definition stand at this moment?**

The Joint Research Committee wrote a report with options for improvements of the 'working

definition'. CEPE's Task Force has evaluated these options against its strategic objectives and waits until an official consultation will start on the 'preferred options' of the DG Envi and DG Grow. The publication of the 'preferred options' is heavily delayed.

#### **Advocacy via standard setting bodies**

CEPE is involved in the discussions on standards both at the CEN and at the ISO level. The Commission has mandated the CEN TC 352 to develop European standards, which could be later adopted in regulations applicable to nanomaterials. At ISO level, numerous standards

on terminology and HSE aspects are being developed. Since 2013, FIPEC ensures via the IP-PIC representation in these ISO meetings that the voice of the paint and ink industry is being heard.

#### **What will CEPE do as next steps?**

Continue to collect scientific studies on nano in matrices. Advocate in standardization bodies the industry's position. Comment during the EU consultation on the 'preferred options' for the nanomaterials definition. 



# BIOCIDES

**Biocides, another priority for CEPE.** Biocide preservatives are essential for water based products, both in-can preservatives (PT6) and dry-film preservatives (PT7).

The biocide issue is the second priority for CEPE, after titanium dioxide. Indeed, the review program of existing active substances continues to hit essential biocides without derailing from a blind process. We are concerned for many years that not enough preservatives will be available in the future. This is not new and it will not be solved before some additional years. Why?

For two reasons: the lack of political support and the very long time that MS need to review dossiers.

First, as you may know the EU biocide legislation is probably the most difficult legislation in the world because it has not been designed based on a proper understanding of why, where and how biocides are needed and are used. Back in 1998 the Biocide Product Directive (BPD, now replaced by the BPR (a Regulation) was just a copy & paste from the Plant Protection Directive at that time, which indicates the level of political concern biocides triggered (biocides = kill life). And therefore it was left in unbalanced hands, i.e. in those MS representatives who have on their agenda the maximum reduction of the use of biocides. Second, the legal deadline for the reviewing MS for in-can preservatives is end 2019, date by which they shall have sent to COM and ECHA their reviews of dossiers that were submitted



by Industry in July 2007. In many instances we do not expect most MS to meet their deadline. In a publicly available report, COM summarized the progress of the review program stating 'On the whole, 38% of the review programme has been achieved'. See the below graph from July 2018 (see figure on page 23).

Did you know that Industry started to prepare the dossiers back in the year 2000 and submitted the first by the deadline of 2004? Fourteen years later COM notes that only 38% has been reviewed. The BPR legally sets the dead-

line to finish this work by end 2024 (under the BPD it was foreseen to finalise it by May 2010, then May 2014). So 38% in 14 years, and 62% remains to be done in 6.5 years! Actually, to the normal work of reviewing the dossiers for the active biocide substances, much more workload has been generated by: product authorization, mutual recognition, renewal of the active substances, changes of guidance, Brexit (the UK assigned substances have been re-allocated to other MS this year), endocrine disruption (started this year as well), harmonized classification etc.

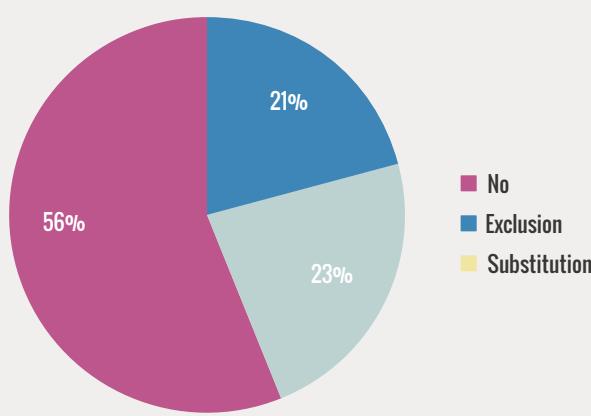
COM has evaluated the number of active substances that are up for renewal already, and from these to which ones would the exclusion criteria or the substitution criteria apply (see the chart on this page). This mostly concern substances for wood preservation, the rodenticides and the household insecticides since in-can and dry film preservatives are still mostly not even reviewed yet. It goes without saying that further reduction on the number of substances is expected as innovation in that area is close to zero.

## What has happened up to now with essential biocide active substances?

Four years ago we warned that Competent Authorities that without taking a holistic approach we would see several threats occurring. And we know now that the threats were real. Indeed, formaldehyde releasers are all being classified as formaldehyde, i.e. Carc Cat 1B.

## ACTIVE SUBSTANCES / PRODUCT TYPES

Number of AS/PT under exclusion/substitution to be submitted for renewal for the period 2018-2023

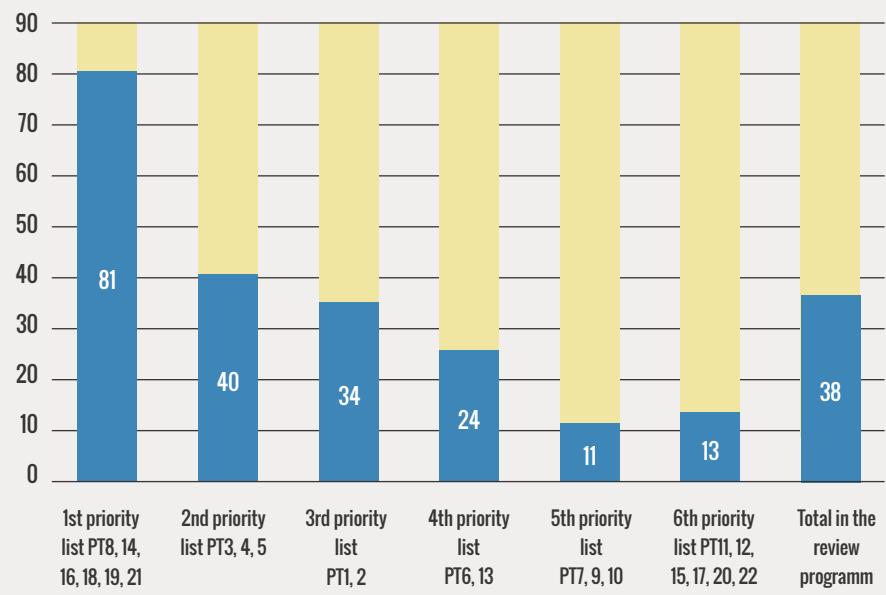




Source: LIGHTFIELD STUDIOS - stock.adobe.com

## PROGRESS ON REVIEW PROGRAMME

Overall progress on the review programme of existing AS per priority list (in percent)



This means that the BPR Art. 5 with the exclusion criteria will probably kick them out from Europe. And the isothiazolinones are all getting a lower threshold for their skin sensitization limit (approved or proposed): OIT (50 ppm), DCOIT (10 ppm), MIT (15 ppm), MBIT (15 ppm). The remaining one is BIT, currently at 500 ppm as OIT was...

A paint classification as skin sensitizer is not desirable, but if nothing else remains to protect products then our industry will have no choice. However, the real danger is that the Competent Authorities will not allow a paint to be sold to consumer if it is classified as skin sensitizer due to the presence of these biocides. When a chocolate bar may contain traces of peanuts the label mentions it but the bar is not banned for sale. Why would paint be? Is there nothing else left? Well, with the classification of MIT the use of some zinc pyrithione in combination with other was an option, but

this substance is now proposed to be classified as a Repro 1B (again triggering the exclusion criteria)...

We therefore have two battles to fight: the general availability of enough effective biocides, and the possibility to sell paint to consumer classified as skin sensitizer.

### Can a paint be produced without biocides?

In the German speaking countries the market opened for 'biocide free paint'. Using some technologies it is possible to sell paints containing a maximum of 2 ppm of each biocide (0.5 ppm of CMIT). This requires an excellent continuous Plant Hygiene control, dedicated lines of production and microbiological expertise on site. And currently it is limited to indoor white matt wall paint. Biocides are still needed in all the other paint categories.

Nevertheless this development is positive as it proves that our industry can innovate. And it also shows that it is difficult to find solutions for all products. Actually, the best demonstration probably comes from a research project in Denmark<sup>1</sup> with a report published this year. Under official funds the Danish Ministry worked together with one of our members to try developing solutions to eliminate or reduce the use of in-can preservatives. We invite you to read it. It should help us in our advocacy efforts.

### A new momentum?

Despite all efforts done and despite the difficulty of this dossier, we are not giving up. During the last 4 years we called to the Biocide Competent Authorities to take a holistic approach to the problem, i.e. that they should review all active ingredients of the same product type (PT) together and then assess whether there are still enough efficient tools. The BPR does not legally take into account the impact of the decisions made nor socio-economic arguments, but there is a time when it is essential to weight the benefits of preservatives.

One thing that we have successfully achieved in this difficult environment is to get the EU Commission to note in a recent official document on PT6 'For many years, downstream users of in-can preservatives have expressed concerns about the possible reduction of the availability of safe preservatives that might have a negative impact on their ability to adequately preserve their products and impact their businesses' (see the publicly available document CA-May18-Doc7.6). This sets a new momentum that we aim at using for further actions. We may want to organize or participate to a workshop on this specific issue in 2019 together with the detergent Industry. ↗

<sup>1</sup> Ministry of Environment and Food in Denmark, DEPA. Reducing Biocide Concentrations for preservation of water-based paints'. Environmental project 2004. May 2018

**We have two battles to fight: the general availability of enough effective biocides, and the possibility to sell paint to consumer classified as skin sensitizer.**

## Global dealings for industry issues with a global character.

CEPE normally operates within the EU scope. But for some issues it makes sense to co-operate on the global level where issues are originating from the UN or any international organisation or because the nature of the issue is not limited to the borders of the EU.

IPPIC (the International Paint and Printing Ink Council), which represents the interests of the industry on an international level and provides a forum for information exchange and cooperation on the major issues and priorities of the paint and printing ink industries worldwide. Other countries outside EU that actively participate in IPPIC are: the USA; Canada; China; South Africa; Mexico; Japan; Australia; Brazil. The 2018 annual meeting was hosted by the British Coatings Federation in Oxford, UK.

Topics currently being treated under IPPIC are:

» **Nano materials:** IPPIC participates in the relevant ISO bodies to convey the voice of the paint and ink industry during the development of tests and norms around nanomaterials and their analysis.

» **Responsible Mica Initiative (RMI):** The supply chain for mica and the production of mica-derived pigments is a global one, and Indian mines are an acknowledged source (of mica) for raw material producers serving the paint industry and its eventual end-users (car producers mainly). In some of these mines the mica is obtained via child labour. IPPIC is a member of the RMI and supports advocacy and efforts to affect a change in the practice of child labour.

» **Lead in paint:** IPPIC endorsed a continued participation in this UN effort, acknowledging that the use of lead in paints is regulated in the countries of the IPPIC members. The participation comprises data supply and substitution recommendations. The UN Environmental Programme and World Health Organisation's Lead Paint Alliance (UNEP/WHO LPA) maintains a dedicated website at: <http://unep.org/chemicalsandwaste/LeadandCadmium/LeadPaintAlliance/tabid/6176/Default.asp>

» **TiO<sub>2</sub>:** The ongoing EU discussion on the classification of TiO<sub>2</sub> is also discussed inside IPPIC. Where EU discusses this under the CLP regulation it may have global consequences for interpretation of GHS.

» **Biocides:** Although not treated in exactly the same way Biocides are under scrutiny at every region of the globe. IPPIC provides a general policy paper on the role and benefits of biocides in our society.

» **Microplastics:** Plastics and littering is a globally recognized issue. IPPIC also here provides a general policy paper on explaining the

issue so the national association may have a harmonized message to their authorities.

» **Marine Coatings:** With ships sailing over every sea and docking in any harbour they like it makes all sense to treat items with Marine Coatings from the global perspective. Anti-fouling paints and the treatment of Ballast Water Tanks (effects on the inside coatings) are important issues across the globe.

Since 2007, IPPIC has been granted the status of **official consultative NGO to the IMO** (International Maritime Organisation - London). IPPIC supports three IMO (sub) committees through technical input and meeting participation:

- » the Marine Environment Protection Committee,
- » the Maritime Safety Committee, and
- » the Sub-Committee on Carriage of Cargo and Containers (see also Transport article).

### *Transport of Dangerous Goods (TDG) and the Globally Harmonized System (GHS) of classification and labelling of chemicals*

IPPIC has consultative status as a non-governmental organisation at the United Nations' Economic Commission for Europe, and as such participates actively in the Sub-Committees of Experts on TDG and GHS which meet in Geneva twice a year, as well as many of their delegated correspondence groups. IPPIC delegations are led by CEPE's Director Product Regulations, with additional support from US staff and a consultant, but periodic web/telephone conferences enable coordination of positions and mandates across the global IPPIC community.

As the 2017-2018 biennium draws towards its close, and concludes the content for the next editions of the Model Regulations on TDG and the GHS in 2019, IPPIC remains as engaged and active as ever, with its own proposals ongoing for both Sub-Committees plus involvement in topics led by other national or industry delegations. For more details of activities see the sections on Transport and Hazard Communication in this annual report. ↗



# TRANSPORT



Source: jodly - stock.adobe.com

**Every member will recognise that smooth, timely and cost-effective transport of products is essential to our industry. Approximately half of the products in our sector are designated as dangerous goods for transport, typically because they are classified as flammable, corrosive and/or environmentally hazardous. They must therefore abide by the rules set by the United Nations in the Model Regulations on the Transport of Dangerous Goods (MRTDG) and implemented in the different transport modes through specific regulations:**

- » The IMDG Code for sea transport, administered by the International Maritime Organisation (IMO)
- » The ICAO Technical Instructions for the Safe Transport of Dangerous Goods by Air
- » For land transport in Europe, the UNECE agreements known as ADR (road), RID (rail) and ADN (inland waterways), which are adopted into EU legislation by Directive 2008/68/EC and its subsequent amendments.

As an industry our focus is mostly on packaged goods, rather than bulk transport as in the chemical industry. We also have a strong interest in achieving harmonisation of requirements both around the world and between the different transport modes: if rules change at borders or handling points, it not only creates additional administrative burden and cost, but can also lead to consignments being delayed or stopped.

On the international level CEPE is active through the global federation IPPIC (see dedicated article), which is formally recognised as a non-governmental organisation in consultative status with the UN and IMO. The CEPE Technical Committee Transport addresses the issues from a European perspective and often initiates proposals for the UN or modal bodies, in cooperation with colleagues in the American Coatings Association and other IPPIC member associations. The TCT meets twice a year, with intersessional work by correspondence. The

meetings are held in locations around Europe, enabling representatives of national transport authorities to be invited for an open and very helpful dialogue on the issues at hand; for example in 2018 TCT has already hosted the UK Department for Transport, and aims to meet with Finnish authorities for the first time in September. TCT members also engage with their authorities regularly on behalf of their national associations, and CEPE participates in the EU TDG Committee with the Commission (DG MOVE) and Member States.

With the move away from VOCs and beneficial provisions for viscous flammable liquids (VFL), paints, printing inks and related materials classified only as **hazardous to the environment** (and thus transported under UN 3077 or UN 3082) now represent a disproportionate part of the burden and cost in TDG. In recent years CEPE/IPPIC has had some modest success in lightening this load, including combining the special provision (375) exempting EHS up to 5L/5kg with the VFL provisions. A more substantial change is now sought to simplify the marking and documentation requirements (after we unsuccessfully proposed new UN entries for environmentally hazardous paints and inks in 2013).

At the 53rd session of the UN Sub-Committee of Experts on TDG in June 2018, IPPIC proposed deleting the requirement to add a technical name for the substance(s) in the transported

mixture responsible for the environmental hazard. This was not adopted, but the Sub-Committee indicated willingness to accept simpler technical names, even 'PAINT' (which we had in reserve as a fall-back option). A new paper is now being developed for the 54th session in December, and if successful this change would appear in the 21st revised edition of MRTDG to be published in 2019. IPPIC will also support/critique proposals from other industry delegations to raise the package size limit for special provision 375, and to enable wider use of reduced-size marks on packages (on which IPPIC made a proposal a few years ago).

The expertise and long experience of TCT members also helps to pick up issues and anomalies in modal regulations. Following problems with delayed or queried shipments by sea, a proposal has been submitted to IMO's Sub-Committee on Carriage of Cargoes and Containers (CCC 5 in September 2018) to amend the IMDG Code to clarify that the flashpoint applies only to flammable liquids of Class 3.

TCT also makes good use of the expertise in the group to develop guidance for other members. The group has developed posters on transport classification, and is working on guidance on postal carriage and internet sales (the latter being a key focus area for enforcement action in Europe recently). ☕

# SERVOWOOD PROJECT

From January 2014 until December 2016 a Consortium of Research Institutes and SMEs and their associations ran a project with the objective to improve the predicting of the life time of coatings on wood. From a total of 3800 panels of coated wood the responses were evaluated after these panels had been submitted to a variety of doses (amounts) of typical weather parameters (UV light; water and temperature). Both in real outdoor conditions as well as in accelerated weathering in the laboratory.

## Extending the weathering tests finds sponsors

By December 2016, the Servowood project had ended. Therewith also the financing from the EC was terminated. The scientists from this project would like to extend the weathering test of the panels that so far were only exposed for 18 to 24 months. Such short exposure does not yet reveal the limit state of most coatings and therefore more data on coatings degradation could be obtained when the weathering of these panels were to be extended. CEPE was able amongst its members and a couple of resin suppliers to find sponsors to continue with the outdoor weathering tests at three sites in Europe. Results of these extended weather tests would consolidate the factors in the service life prediction model and also improve the accuracy of the extended service life predictor.

## Identifying benefitting audiences / stakeholders

The results from this project are not directly about new or improved products. The scope of this project was restricted to better knowledge of how exterior wood coatings degrade. The outcomes will then enable new steps in product improvements.

The stakeholders were identified by assessing if they would be getting something new in fulfilling their job.

This led to the following stakeholders:

- » Wooden window frame manufacturer
- » Architect
- » Paint manufacturer
- » Maintenance decision maker / building owner

## FOR THE MANUFACTURER OF WINDOW FRAMES

The **individual manufacturer** may in his product proposition to the market:

- » revise and extend the service life (means lowering the maintenance frequencies) after consultation with his paint supplier.
- » offer a smart and scientific way of an early warning to start maintenance before visual coating damage occurs by embedding Moisture Indicator Sensors (MIS) in the final exterior wooden article.

## FOR THE ARCHITECT

The **individual architect** will:

- » have more reasons to look at wood for exterior use as a result of the greater clarity on maintenance needs.
- » have a greater confidence in prescribing a type of wood combined with a type of coating taking the local climate into consideration.

## FOR THE PAINT MANUFACTURER

The essence of this project was studying the degradation of coatings that results from the exposure to different doses of weather influences like water, temperature and sunlight. The resulting changes in physical characteristics were observed and linked to the coating's capability to protect the wood.

A host of data has been gathered for variables like wood surfaces and coating qualities.

From this the **individual paint manufacturer** will:

- » have a set of new tools by which he can, in a shorter timeframe, predict the service life of his paint.

The scientific know-how obtained through this project will be at the basis of justifying the use of the new tools. He can first use the toolbox to establish how his current portfolio of paints performs; From there he can embark upon using the new tools for further paint improvements.

- » Have data that form the basis for a better correlation between artificial and natural weathering.

- » Have a more reliable prediction on the estimated service life of the supplied paint through modelling via a factor method based on the established formula (see figure below).

This **paint industry as a whole** will:

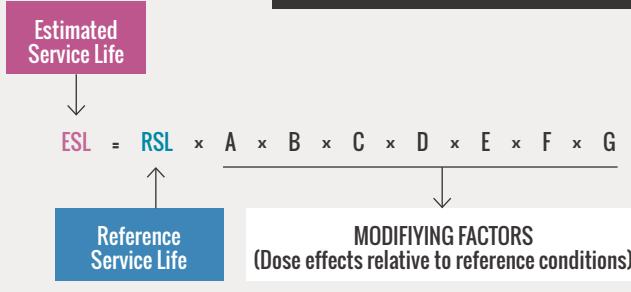
- » see a more robust European Norm for establishing exterior durability (input of precision statement into EN927-6).

## FOR THE MAINTENANCE DECISION MAKER / BUILDING OWNER

The **individual maintenance inspector** will:

- » be able to make better prediction of maintenance intervals; even more so if he can make use of the above introduced MIS.
- » lower his costs for inspections and the real maintenance (in which scaffolding is often the cost driver). ☺

## ISO 15686-8 FACTOR METHOD: CONCEPT



Estimate from practical experience or experimental data

| FACTOR | FACTOR CATEGORY            |
|--------|----------------------------|
| A      | Inherent performance level |
| B      | Design level               |
| C      | Work execution level       |
| D      | Indoors environment        |
| E      | Outdoor environment        |
| F      | Usage conditions           |
| G      | Maintenance level          |

Derived from experimental data (Outdoor and lab exposures)

# CIRCULAR ECONOMY



Source: Natalia Vysheva - stock.adobe.com

Since 2015 the EU has aimed at a circular economy which is restorative by design, and which aims at keeping products, components and materials at their highest utility and value, at all times.

As part of a shift towards a circular economy, the EU updated its waste legislation in 2018. This update introduces new waste-management targets regarding reuse, recycling and landfilling, strengthens provisions on waste prevention and extended producer responsibility, and streamlines definitions, reporting obligations and calculation methods for targets.

Most notably for our sector is that paints, varnishes and solvents are newly considered as

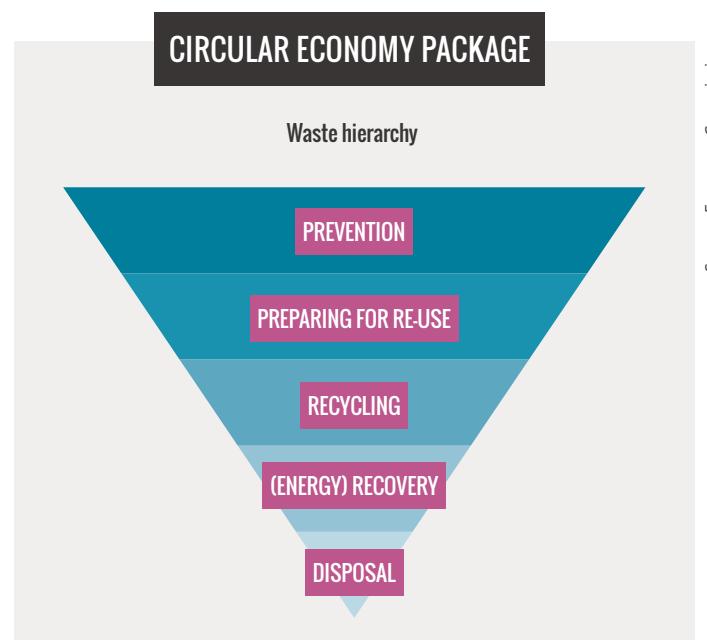
hazardous household waste for which Member States will have to set up separate collections by 1 January 2025.

In addition, the legislation will set minimum requirements for all extended producer responsibility schemes (EPRS) and makes them mandatory for all packaging by 2025. EPRS imply that producers take over the financial and/or organisational responsibility for collecting or taking back used goods, as well as sorting and treatment for their recycling. Although EPR is

in theory an individual obligation, in practice producers often exert this responsibility collectively through „producer responsibility organisations“.

The so-called „waste-package“ has been forwarded in the form of Directives. Hence, EU Member States have to transpose it into national law which may lead to differences. In order to anticipate national actions and to lay the ground for acceptable conditions, CEPE considers erecting a Task Force on EPRS. ☈

| TARGETS FOR THE REUSE AND RECYCLING | BY 2025 | BY 2030 | BY 2035 |
|-------------------------------------|---------|---------|---------|
| Municipal waste                     | 55%     | 60%     | 65%     |
| All packaging                       | 65%     | 70%     |         |
| Plastic                             | 50%     | 55%     |         |
| Wood                                | 25%     | 30%     |         |
| Ferrous metals                      | 70%     | 80%     |         |
| Aluminium                           | 50%     | 60%     |         |
| Glass                               | 70%     | 75%     |         |
| Paper and cardboard                 | 75%     | 85%     |         |



# EUPIA ANNUAL REPORT 2018



EuPIA, the European Printing Ink Association, working under the umbrella of CEPE, represents and protects the common interest 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. EuPIA members also participate in CEPE working groups dealing with issues of general interest to the wider CEPE membership.

## Market statistics 2017

EuPIA publishes market statistics on an annual basis. The data can be accessed via the EuPIA website at [eupia.org](http://eupia.org), section Publications - Statistics.

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 28 EuPIA member companies who have all submitted data on a standard basis to our independent trustee who compiles the data for EuPIA. The results show sales volume in tonnes and value in €m for the latest year, 2017.

It is estimated that the sample group accounts for about 90% of total industry sales in Europe.

### Key sectors shown

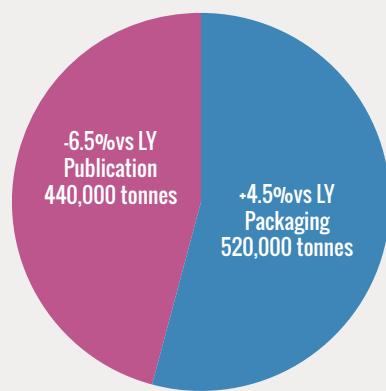
Publication Inks comprise web offset inks (coldset and heatset), sheet-fed offset inks, publication gravure inks and related overprint varnishes. Examples of publications are newspapers, magazines, books and commercial prints such as brochures and flyers.

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).



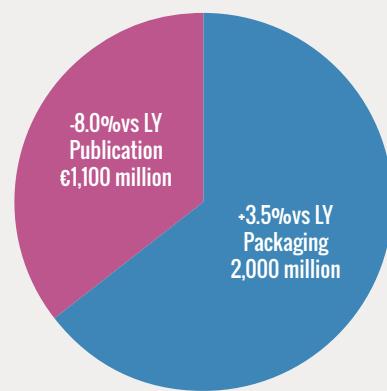
**MARTIN KANERT**  
Executive Manager EuPIA

## SALES VOLUME FOR 2017 IN 1,000 TONS



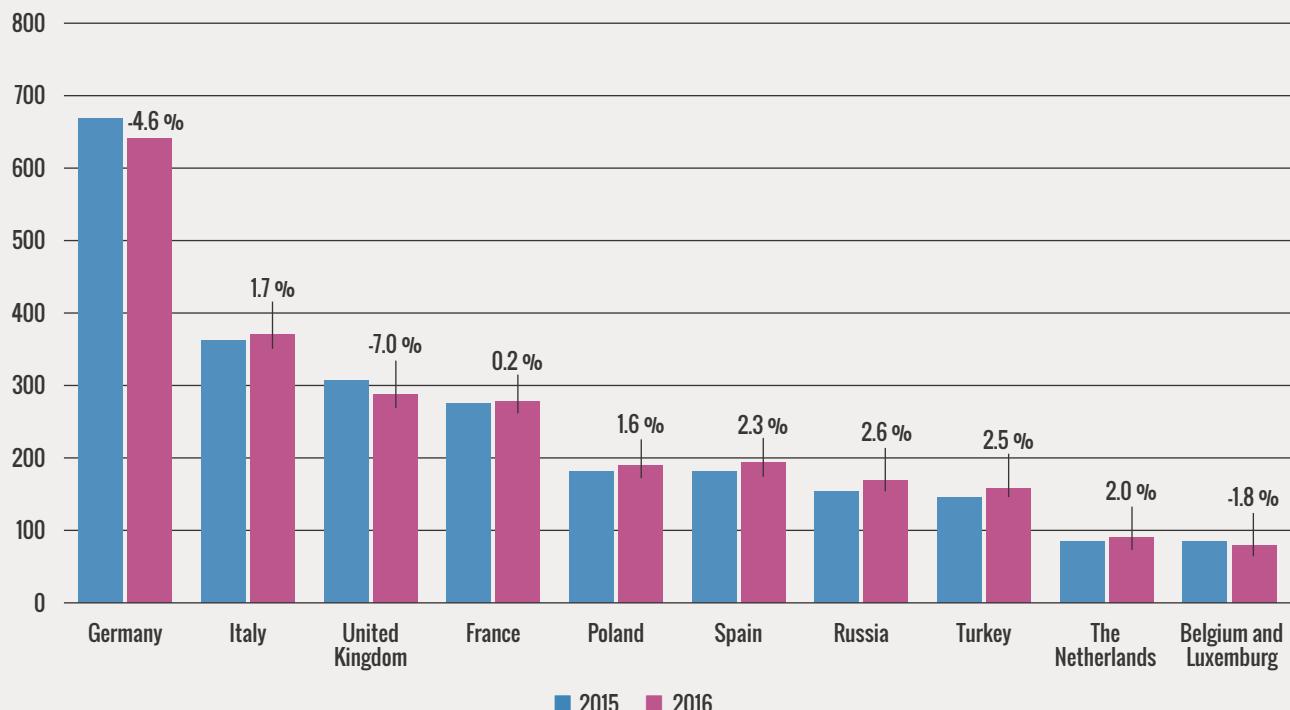
■ Publication ■ Packaging

## SALES VALUE FOR 2017 IN EUR MILLION

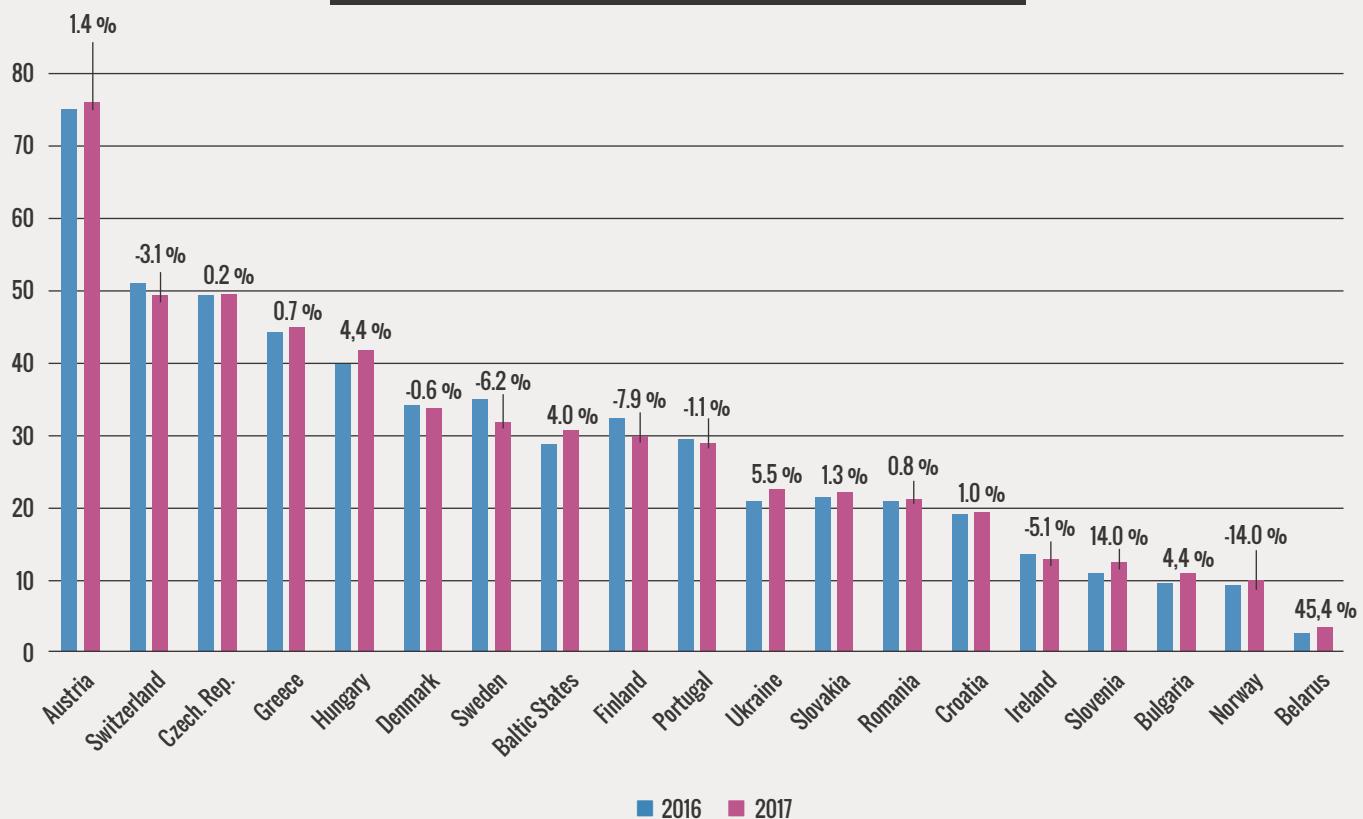


■ Publication ■ Packaging

### SALES VALUE BY COUNTRY 2016 TO 2017 IN EUR MILLION



### SALES VALUE BY COUNTRY 2016 TO 2017 IN EUR MILLION



**Event summary from Herbert Forker, EuPIA Past-Chairman**

The European printing ink industry met April 26 to 27, 2018 in Hamburg, Germany, to discuss the most critical issues of the sector and the latest trends in both industry and politics. Special emphasis was devoted to the digital transformation currently underway in business and the impact it has had on the printing ink industry. Participants were also pleased to learn the downward trend in sales has slowed compared to the previous year.

To set the stage, Herbert Forker kicked off the conference with a political overview. It has been a turbulent year in terms of elections, countries moving away from democratic principles and with Brexit planning to move the UK away from the EU. Nevertheless, the European industry is in a state of dynamic development and, in particular, flexible packaging is experiencing steady market growth. Although the current raw material market is volatile with rising costs, the volumes continue to remain robust.

Executive Manager EuPIA, Dr. Martin Kanert, informed the audience on matters that have kept our association busy in 2017. These were external developments such as the EU's Circular Economy, printing ink for cosmetics and food contact materials, operational safety and risk assessments, as well as hazardous mixtures and substances. The Photo-initiator "369" situation was discussed in the context of the EuPIA Exclusion Policy. In addition, EuPIA has worked on a lean, new logo which was presented in Hamburg. As a special service, EuPIA introduced a dedicated "conference app" to allow participants to stay connected throughout the conference and experience the theme of the event-digitalization.

Whereas we already use new digital tools to communicate, the question going forward is: How do we prepare our businesses for the digital transformation that increasingly disrupts industry? Our distinguished panel of guest speakers discussed upcoming trends, innovative solutions and possible new ways forward.

Matthias Giebel, Berndt+Partner, presented the global EuPIA survey on digitalization 2018. The survey identified packaging converters are still in



› **Herbert Forker, former EuPIA Chairman**

the starting stages of digitalization. While time and strategy are no longer issues, the lack of in-house expertise is the greatest problem facing us today. Risks aside, 40 percent of the 155 respondents understand digitalization as a big opportunity.

Jan De Roeck from ESKO challenged us to examine: How "digital" are our product go-to- market processes? To reduce project time and stay competitive in the digital age, full workflow automation and e-connectivity in workflows is of critical importance.

The latest developments from the new world were shared by Tracy Huang, Shanghai Flamesun, via livestream video from Shanghai. As the largest e-commerce market in the world, China is setting trends for global retailing with one third of the Chinese GDP already digitalized and more expected. Digitalization has opened a new era of consumption which in China is based on trust in digital payments, innovative social commerce models and a mobile-first consumer behaviour. As a result, digital printing will likely have a profound impact on our industry.

As the Wipak Group gears up for this new era of consumption, Stefan Gutheil reported that digitalization for converters translates into "Interactive Packaging – Smart Shopping" where QR codes on products create a link from advertisement directly to home delivery.

Digitalization is equally important for Bayer Consumer Health. Guido Schmitz explained that digitalization facilitates the information exchange with consumers which feeds into their approach of a holistic product design. In the future, packaging will likely contain digitally- adapted product information and advertisement.

We hope the EuPIA 2018 annual conference provided attendees with valuable insight into where the world and our business is moving. ☺

## NEXT EUPIA CONFERENCE

The next Annual Conference will  
be held on

**11<sup>th</sup> / 12<sup>th</sup> April 2019**

in London (UK).



## NEW EUPIA CHAIRMAN



### Heiner Klokkers (Hubergroup)

took over the EuPIA Chair from Herbert Forker (Siegwerk) for the coming two years. Doug Aldred (Flint Group) is EuPIA's new Vice-Chairman.



Source: Sergey Ryzhov - stock.adobe.com

## LAUNCH OF A NEW CONTEMPORARY LOGO

When EuPIA was founded in 2003 in order to create a distinct identity of the European Printing Ink Industry, the acronym EuPIA was not self-explaining, and so it was necessary to explain the acronym as part of the logo. Since then EuPIA became a strong brand, and is today well known to all stakeholders. Therefore, the logo has been simplified for better readability through removal of the explanatory addendum. Also, the shadow of Europe in the background of the logo was not always reproducible – so it is now deleted.

In response to popular demand, a “Member of EuPIA” logo was created which members are invited to use on their stationery, for their websites, or for sign boards on fair booths:



## PRINTING INKS AND VARNISHES FOR FOOD CONTACT MATERIALS

### The planned EU regulation on printed food contact materials

In 2016, Germany notified to the European Commission its draft “Printing Ink Ordinance” pursuant to Directive (EU) 2015/1535 (TRIS notification). The Packaging Ink Joint Industry Task Force (PIJITF), which represents the value chain from manufacturers of ink raw materials to food business operators, and of which EuPIA is a member, analyzed the draft ordinance and came to the conclusion that it would have a serious negative impact on the functioning of the Internal Market.

This position is shared by both the European Commission and a considerable number of Member States. As a result, the Commission announced its intention to adopt new Union legislation on printed Food Contact Materials (“pFCM measure”), already in 2018 and in line with the expiry date of the standstill period. Germany declared that it will suspend the adoption of its draft ordinance until further notice. However, the Commission has not yet presented a proposal for the regulation at the time of writing.

The Commission expressly invited the PIJITF to co-operate in the development of the pFCM measure. The PIJITF took this request of the Commission very seriously, and put forward a detailed proposal for a

harmonized approach which ensures high levels of consumer protection and which can be delivered within a relatively short time frame.

### The PIJITF position on the planned EU regulation on Printed Food Contact Materials

The proposal developed by the PIJITF is intended to ensure that substances in the ink layer of a printed Food Contact Material do not transfer to the food in quantities which could endanger human health. The objective is a high degree of consumer safety whilst being pragmatic and workable for industry.

The proposal envisages that official evaluations and listings will be used where available. However, if a Food Contact Material contains a material for which there is no such evaluation, it will be necessary for industry to conduct a risk assessment in order to demonstrate compliance with the relevant requirements of the Framework Regulation (EC) No 1935/2004.

*Thus the proposal has two elements:*

Part 1. A Database of Officially Evaluated Substances. This consists of those substances already evaluated by official bodies, such as EFSA, and will include any SMLs, TDIs or other restrictions already established. These substances are allowed to be used in the manufacture of inks for FCMs (subject to their restrictions).

Part 2. Industry risk-assessed Substances. Substances which are not listed in Part 1 may be used provided that they have been properly risk assessed “in accordance with internationally recognised scientific principles”, in line with the Article 19 approach laid down in the Plastics Regulation. The risk assessment process should be developed by the European Commission.

There should be a duty, outlined in a Guidance Document, to communicate the results of the industry risk assessments, including any self-derived SMLs, TDIs etc., to the next actor in the supply chain.

Worst case calculation, migration modelling and migration testing into simulants and into real foods may all be used to demonstrate compliance with any restrictions. General principles for testing could be included in the text with specific details in a Guidance Document.

In order to verify compliance in an efficient way, the focus should be on processes for risk assessment. These processes used for compliance work performed along the value chain should be defined and documented so

that they can be audited, either by the Control Authorities, or, if this is not possible, by accredited third parties delegated to by Control Authorities.

### **EuPIA Guidance on Migration Test Methods developed by its Analytical Experts Working Group**

In order to be able to provide data on migratable substances in inks for Food Contact Materials to the customer, it is often necessary to perform migration testing. However, while the current legislation provides clear guidance on how to perform migration testing for plastic materials intended to come into contact with food, this is not the case for most other (printed) FCMs. Hence, the conditions set out for plastics are also often applied to other pFCMs, which often leads to incorrect and misleading results. Consequently, EuPIA decided that specific guidance for printing inks for FCMs is needed and tasked the EuPIA Analytical Experts Working Group to develop the "EuPIA Guidance on Migration Test Methods for the Evaluation of Substances in Printing Inks and Varnishes for Food Contact Materials," which was published on the EuPIA website in August 2017. This guidance document is to be used in conjunction with food packaging regulations and provides detailed information on how to find appropriate testing methods for the evaluation of the migration of components of packaging inks applied to the non-food contact surface of food packaging materials.

### **Migration Modelling Workshop exclusively for EuPIA members**

Digitalisation is a business trend, which also impacts the way the risk assessment of substances is performed. Modern techniques such as in silico toxicology and migration modelling are becoming increasingly important. When dealing with migration of substances, a tiered approach is usually recommended: at first a worst-case calculation, then migration modelling can be done and finally analytical migration testing might be needed. Whenever the worst-case calculation predicts the migration to be higher than the specific migration limit for a certain substance, migration modelling can be a valuable tool, which saves time and money. However, so far the modelling experience in the industry is limited. Therefore a EuPIA migration modelling workshop was held in November 2017 in Frankfurt. More than 20 participants exchanged their experiences and discussed problems and expectations with modelling experts. Since the experience of the EuPIA members with migration modelling is expected to grow in the next few years, a follow-up workshop will be envisaged in one or two years.

### **EuPIA concepts are in demand in China**

The Chinese Food Safety Authority (CFSA) has announced a new regulation for printing inks for food packaging in 2018. This new regulation is planned to supersede the existing regulation GB 9685-2016, which, among other things, is insufficient with regard to the number of usable raw materials for the inks in scope of the standard.

Preparing for the new regulation, the CFSA invited EuPIA to a full day seminar in Beijing in July 2017. EuPIA Executive Manager Martin Kanert and Jörg-Peter Langhammer, Past-Chairman of the Technical Committee "Printing Inks for Food Packaging", presented and discussed the EuPIA regulatory concepts for ink regulations. In addition, both answered a multitude of questions which were asked by the Chinese government experts from Beijing, as well as questions from other experts who had travelled from as far as Shanghai and Guangzhou, just to attend the seminar. The seminar also provided an excellent insight into the Chinese regulatory landscape in general.

Kanert and Langhammer continued their visit by meeting representatives of the Chinese Printing Ink Association (CPIA) with an aim to forge a relationship between the two organisations for future collaborations. CPIA is currently undergoing a transition to becoming a more



› At the EuPIA migration modelling workshop in Frankfurt, more than 20 participants exchanged their experiences

western-style trade association, and is particularly interested in EuPIA's working group setup.

The journey concluded in Shanghai with a visit to the Shanghai Quality Testing Institute (SQL), a large control authority tasked to test food and food packaging and a key party involved in setting up the new ink standards.

### **EUPIA TECHNICAL COMMITTEE**

Technical issues and non-food applications of printing inks fall under the remit of the EuPIA Technical Committee (ETC) and its subsidiary working groups, Labelling & Safety Data Sheets (LSDS), Operational Safety & Risk Assessment (OSRA) and the Task Force Paper Recycling.

### **Product stewardship as a core commitment**

EuPIA's **Exclusion Policy for Printing Inks and Related Products** continues to be an important commitment by members and a key element of promoting a responsible image for the printing ink industry in Europe. An increased number of substance re-classifications in recent months – largely arising from REACH registration dossiers for the last deadline on 31 May 2018 – is posing a challenge as many substances become subject to substitution at the same time. However the exemption possibilities incorporated in the Policy allow for more consistent management of such changes and enable the EuPIA secretariat to monitor for any specific issues which might require further discussion by ETC.

Despite the increased pressure, to date the Policy is functioning as intended and members are seen to be making best efforts to maintain compliance. ETC published updates to the Explanatory Note on the Exclusion Policy for members in November 2017 and March 2018, to clarify and enhance the advice provided.

In the past twelve months ETC has published new or updated information notes on Substances of Very High Concern, classification of some offset inks and the hazards of certain types of pigments to augment the product stewardship advice provided to members and/or customers. Some issues in this area are delegated to the EuPIA LSDS working group, which besides issues of classification and labelling has also addressed safe use information for UV-curing inks, ink-specific phrase content and protective equipment recommendations for



›Jörg-Peter Langhammer and Martin Kanert are seated by Mrs. Lei Zhu from the CFSA, responsible for drafting the new ink regulation – the banner in the background reads: Seminar for Standards of Inks for Food Contact Materials

safety data sheets and the impact of Poison Centres reporting for ink makers.

Since 2014 EuPIA has been part of an industry task force developing a guideline for safety assessment of cosmetic packaging (given that many such packagings are printed, so inks are important intermediate materials). A large-scale trial on the final draft guideline, involving the full membership of Cosmetics Europe, was launched at the end of October 2017 for a period of some ten months. At the time of writing, feedback is pending on the results of this trial prior to formulating final recommendations for refinement of the guideline, which will be adopted by the Board of Cosmetics Europe in autumn 2018 and presented to the European Commission and Member States Committee. Linked to this initiative, ETC maintains a EuPIA recommendation to members on the use of FCM printing inks for cosmetic packaging (where specific product development is not carried out), with a related list of 'disclosable substances' permitted in FCM applications but of relevance for cosmetics.

Toys are an important non-food application for printing inks, and ETC monitors developments in the Toy Safety Directive 2009/48/EC accordingly. A recent reduction in limit concentrations for chromium (VI) (Commission Directive (EU) 2018/725, to apply from November 2019) will further complicate compliance monitoring due to issues with analytical tests, and an anticipated reduction in limit values for aluminium will be a challenge in light of the intrinsic Al content of some pigments used in printing inks. The impact and any necessary actions will be assessed in ETC.

ETC also monitors and provides input on biocides and other 'substances of interest' (see separate articles in this report) as far as these relate to uses in printing inks, and EuPIA representatives participate in the relevant CEPE task forces. In November 2017 ETC published a second revision of its guidance note on "Labelling of Treated Articles", as per Article 58(3) of the Biocidal Products Regulation, incorporating best practice on combining CLP and BPR labelling elements.

### Sustainability and printing inks

In 2017 ETC published internal and public communication leaflets on the environmental footprint of printing inks, based on a Life Cycle Analysis of a 'generic reference ink' proportionally representing the total inks market. ETC will consider a new analysis and revision of these

documents following the next update of the CEPE Ecofootprint tool and related database.

ETC also continues its cooperation with the graphic industry association Intergraf to address the environmental impacts of printing, including the inks used. For more on this theme see 'Printing Inks and Circular Economy' below.

### Safer workplaces for ink manufacturers and their customers

The OSRA working group continues its mission to support member companies and customers in operating at the highest possible level of plant and occupational safety. In the past year OSRA has produced new guidance documents on three-roll mills and on storage racking, and continued its programme of regular review and update of existing guidelines. It has also continued to publish its popular Safety Alerts and Safety Flashes on a varied range of topics, and given expert input from the occupational health and safety viewpoint to the CEPE efforts on key substances of interest.

For the first time OSRA has been collecting safety performance indicators (accident rates) directly from EuPIA members, in tandem with the employee numbers survey organised by the Statistics WG. The first set of data covers the years 2016 and 2017, with the plan to repeat the exercise each year, and OSRA is analysing how best to present and use these figures to inform and enrich its activities for the benefit of members.

### Printing Inks and Circular Economy

The Circular Economy Package is one of the most ambitious projects of the current Commission. According to the Commission's first Vice-president Frans Timmermans, "the circular economy is about reducing waste and protecting the environment, but it is also about a profound transformation of the way our entire economy works." The aim of the CE package is to stimulate the transition from a linear to a circular economy. This transformation will also affect the printing ink industry. The EuPIA Taskforce Paper Recycling is monitoring the developments and assessing its impact on the printing ink sector and the paper recycling chain. Within the Circular Economy Package two important legislative measures were passed this year, which amend the waste framework directive and the directive on packaging and packaging waste. The changes involve new recycling goals for different materials and requirements for hazardous substances. The directives are now to be implemented in national law.

Recently the European Commission published its new Plastics Strategy, which among other things sets high recycling goals for plastics packaging, puts regulatory pressure on single-use items made of plastics and demands the reduction of substances of concern. Furthermore a tax on plastic packaging is in discussion. A dedicated EuPIA Task Force will be created to monitor and contribute to the development of concepts for the recycling of plastic packaging.

The European Paper Recycling Council (EPRC), formerly European Recovered Paper Council (ERPC), is an industry self-initiative, which monitors the progress towards meeting the paper recycling targets. EuPIA is a supporter of the EPRC and is actively involved in many of its activities. The latest monitoring report states that the recycling rate in Europe increased to 72.5% in 2016.

In 2017 the criteria for the German Blue Angel Ecolabel for "Environmentally Friendly Printed Matters" (DE-UZ 195) have been revised. The EuPIA Task Force Paper Recycling has contributed to the revision process by providing its expertise during the expert hearing. ☕

# ARTISTS' COLOURS

**Under the banner of the European Artists' Colours Association EuACA ([www.artists-colours.org](http://www.artists-colours.org)), CEPE's Artists' Colours (AC) sector group works together on the important regulatory and commercial issues facing the industry and to enhance the image and credibility of the sector.**

## **GREATER COOPERATION IN THE FACE OF INCREASING CHALLENGES**

Some CEPE AC members produce pens and pencils, so in 2018 we were delighted to welcome the European Writing Instruments Manufacturers Association EWIMA as an affiliated member of CEPE and participant in the AC Technical Committee, formalising and strengthening an existing cooperation. This was perfect timing, as the European Commission has decided that writing instruments – as a combination of a mixture and article – are required to carry CLP labels where applicable in light of the hazards of the ink. EWIMA was invited to put forward a basis for a labelling exemption, but their proposal did not find any support among Member States so no derogation is currently foreseen. Together we must now decide on next steps, such as higher-level advocacy and/or other options, such as making use of labelling examples in GHS.

Many AC members have products subject to the Toy Safety Directive 2009/48/EC, and its developments are a key agenda item for the TC. Reductions in legal limit values for chromium (VI) and aluminium are likely to be challenging, because of analytical methodology issues and pigment metal content respectively. AC TC is also represented in the chemicals working group of the European standardisation committee on toy safety, CEN TC 52, and the TC gave important input this year concerning the list of allowed preservatives in EN 71 Part 7. In-can preservatives are also important for other artists' colours, and loss of active substances under BPR (see Biocides article) would put pressure on this sector. AC have some important differences compared to other paints (e.g. use and exposure patterns, cultural value), so AC TC agreed to strengthen its links with the CEPE Biocide Users TF to ensure that its specificities are taken into account in advocacy.



Source: Mikhaylovskiy - stock.adobe.com

In September 2017 the AC TC published its 'Best practice in the handling and disposal of waste Artists' Colours and their packaging', and is working on additional reference documents for the website aimed at artists, distributors and/or regulators. The goal is to produce advice carrying more credibility if it is seen to come from the collective industry body, rather than individual companies.

## **MARKET SURVEY TO BE RUN ON THE USE OF ARTIST COLOURS MATERIALS**

A majority of the EuACA members have expressed an interest to run a first time market study on the use of AC materials. The sister organisation in the US (NAMTA) has done this now for 9 years with a repeat every 3 years and found this very useful. The study that will be organized by a market consultancy will be held amongst two groups for which the questions will be tuned.

### **End-users survey**

One survey will be done towards end-users (hobbyist, students, professional artists, designers, architects etc. etc.) and this questionnaire will be sent out in October 2018 in Spain, Italy, France, Germany and the UK.

### **Re-sellers survey**

The second survey will be done towards re-sellers (retailers, wholesalers, distributors, institutions, buying organisations etc. etc.). This questionnaire will be sent out in January/February 2019 in the same countries. ☎

# CAN COATINGS

**Placing on the market products that are intentionally in direct contact with food, such as the coatings in metal cans, paper and cartons, ceramic, flexible packaging, glass or kitchen appliances, has the potential to attract the attention of the legislator.**

The bisphenol-A presence in epoxy coatings in metal cans (the most used technology for decades) has already turned to a political debate especially in France where BPA is a political substance for which the precautionary principle is used despite an EU Agency (EFSA) approval. The French ban has forced our industry to innovate to other technologies, which are now used in France. But this issue of BPA raised the attention that, apart from pla-

stics which are regulated with a positive list of acceptable substances, the other applications mentioned above are only regulated under a general framework, not specifically. Hence there are some doubts that industry is doing a proper job in risk assessing migrants (substances that can migrate into foodstuff).

Feeling the increasing attention on their products, it was felt necessary to gather the

different Industry associations involved throughout the supply chain to sit together and discuss how the existing work done by Industry could be best communicated to Authorities in charge. Several sub-groups have been established including trust and transparency, communication and risk assessment/risk management. The CEPE Can Coating group has been in the driving seat. It will probably only be possible to establish over-arching prin-

ples for risk assessment and risk management and it is for each sector/supply chain to demonstrate how they comply with them. However, this should be a good start to meet with concerning Authorities.

The CEPE Can Coating members are still awaiting the long expected revised Dutch Warenwet. A compliance with such national legislation would help trusting our industry and across the EU through mutual recognition. In the meantime it has developed and submitted guidance on migration testing and on the risk assessment of non-intentionally added substances, which are available on CEPE website. ☺



Source: Artem Shadrin - stock.adobe.com

## MARINE COATINGS

### Dossiers for anti-fouling paints submitted

Anti-fouling paints are biocidal products under the Biocidal Product Regulation (BPR). All biocidal products have to be authorized before placing them on the market. Due to the review program of existing active substances of the BPR, the existing biocidal products authorized under the national schemes could remain on the market until all the active substances present in them were reviewed. From that time on, a new dossier submission was then triggered under the BPR rules. And this is what happened for most anti-fouling paints by the end of last year when the copper compound deadline was triggered.

Hence our members worked very hard to meet the deadline and submitted their dossiers, but not for all existing anti-fouling paints as it is very expensive to develop and support a biocidal dossier under the BPR. The identification of which product would remain under the BPR wasn't an easy exercise for our members also due to many remaining uncertainties in the system.

The anti-fouling paints for pleasure crafts are probably going to be most scrutinized by Member States. Some of them would like that a marina is considered a natural reserve, when it is clearly a man-made disturbed area.

Marinas also have to be regularly maintained to remove the sediment to allow movements of boats. We will have to wait probably till the year 2020-2021 before we start hearing from the Competent Authorities who are evaluating the submitted dossiers. In the meantime a representative of the CEPE AF paint makers will attend the EU Biocide Coordination Group of MS and EU COM who are discussing several times per year in Brussels the issues arising with product authorization. There are issues of general interest that our members can learn from, for instance on the concept of product families. ☺



Source: formiktopus - stock.adobe.com

# DECORATIVE COATINGS

## Ownership for PEF to market

Remark: details on PEF and its progress can be found in the separate section 'PEF, Deco paints and their sustainability'.

With PEF moving out of the pilot phase the members of CEPE's Deco sector group have agreed to take ownership for the aspects that go with the PEF launch and introduction. For that reason 3 working groups will be started up to enable a proper introduction of PEF.

### Working Group 1: Build trust in PEF for Paint

The aim is to secure a broad acceptance and understanding of the PEF calculation rules and methods: how can a Deco paint company calculate a PEF score for its product formulations? The focus will be on educating the Deco-paint producers that have so far not been involved in the PEF details.

### Working Group 2: PEF market introduction & communication

The aim is to gather a communication team for establishing the best way forward to position and promote the PEF to consumers, professional painters and other stakeholders and influencers.

### Working Group 3: PEF into Norms (EN 15804) and policies (GPP).

The aim is to harmonize the EN15804 standard product category rules (used for calculating EPDs for BREEAM, LEED, HQE, etc.) with the PEF category rules (these ones are more accurate since written with the support from the Deco coating industry). Also thoughts will be made on how PEF might become part of GPP while it fits well with the Life Cycle Thinking which is a requirement in making choices for products and services that go into public works.

## PEF and Ecolabel; can they merge or is it either or?

Both PEF and Ecolabel fall under the responsibility of EU's Directorate of Environment. Inside of that Directorate a policy discussion

will take place on the use of PEF and its eventual incorporation in Ecolabel. See the article on PEF.

As PEF is quite different from the existing EU Ecolabel the CEPE Deco group has meanwhile started its own discussions on this topic and therewith also on the future of Ecolabel. Considering its objectives and methods:

**Ecolabel** is meant to award the 'frontrunner' producers who can demonstrate to meet criteria that go beyond complying with the ruling legislations on Chemicals (REACH); on VOCs (Paint Directive) and on Biocides (BPR). The producer does this by either not using certain substances or remaining below the limits that the criteria describe for the listed substances.

**PEF** stimulates the producer to improve the sustainability rating of the products he places on the market. (There is analogy with the rating in energy classes for refrigerators or washing machines.) As the rating includes both composition and performance the producer has parameters in both areas to achieve a better class (e.g. ingredients with lower footprint (e.g. bio-based) and/or a better durability of the formulated paint.

After discussing and comparing the details of both Ecolabel and PEF the Deco group participants concluded as follows:

*The current legislations (REACH; CLP and BPR) by themselves ensure a good framework to protect the user and the environment from health / environmental hazards. For paint formulations a system like Ecolabel had its merit when these legislations were not yet in place. But the Ecolabel system has now reached its limit and starts to get in conflict with what the sector considers as a 'good quality paint'.*

*In other words: evermore driving a substitution or lowering of hazardous substances beyond legislative requirements will compromise the paint quality.*

*The Product Environmental Footprint (PEF) of paint offers a more holistic approach and is con-*

*sidered as a better criterion for the consumer to make a 'choice for the planet'. The quality (durability) of paint is valued by the PEF system as well as the impact on environment over the full life cycle.*

## What does the Ecolabel license-holder think?

By the end of April CEPE ran a survey amongst companies that hold an Ecolabel license for in- and out-door paints and varnishes.

- » Ca. 50% of the respondents mentioned that they have doubts that they will continue with EU Ecolabel
- » Ca. 60% of the respondents judge that the effort of maintaining EU Ecolabel dossiers is not worth the benefit
- » Ca. 40 % of the respondents are of the opinion that quality of the paint might be compromised while making the paints according the criteria list of Ecolabel



Source: neirfy - stock.adobe.com

**The current legislations by themselves ensure a good framework to protect the user and the environment from health / environmental hazards.**

It will be discussed in the coming months if CEPE should continue spending time on Eco-label e.g. sitting in meetings on criteria discussions; being consulted on paint expertise questions by the EU?

#### **The line with DG Environment**

CEPE's thoughts and discussions on PEF and Ecolabel have been shared in a first meeting with DG Environment on May 2. Wanting to make progress with getting PEF into the market we will keep DG Environment update of our plans. A next meeting is scheduled for September.

#### **INDOOR AIR QUALITY**

##### **When you stay in a recently painted room; what comes off the wall?**

#### **Status of the issue**

Given the absence of EU direction there have been several Member States that initiated their own decrees on this topic. A fundamental difference between these decrees exists in which products can be placed on the market. Some accept different classes on IAQ, others allow only products that comply with staying below the maximum levels of the health adverse substances. As today there are decrees in force in DK, FI, DE, FR, BE and in preparation in Lithuania.

But there may be a chance of harmonization across EU as the Standing Committee on Construction-Advisory Group (SCC-AG) has a proposal for a draft delegated act for a harmonized classification of VOCs and Formaldehyde. CEPE has expressed its support to the SCC-AG for such harmonization and has suggested a com-

promise that might satisfy the Member States that have a decree on this. We continue to explain that with having an opinion on this that this cannot be interpreted as bringing paints under the Construction Products Regulation.

#### **CO-OPERATION**

##### **Cooperation with UNIEP, the professional painters**

Since several years now the DECO group co-operates with UNIEP.

This year a DECO Sector members spoke on the General Assembly of UNIEP in York. Highlighting the latest developments on PEF. UNIEP's focussing on recruiting and training of professional painters remains a topic of shared interest. ☺



# INTUMESCENT COATINGS

## How can we address the lack of progress within the European Regulatory system?

Twelve months ago, the biggest challenge for the European Intumescent Coatings sector was distortion of the market, due to the lack of sufficient controls regarding the products used, in terms of their certification, performance level, testing, and overall quality. As I write this, those challenges remain, and very little, if any progress has been made with the relevant authorities in resolving this. Any progress that has been made within the last 10 years to improve standards in the market has come as a result of voluntary industry initiatives carried out by the CEPE community.

## The market recognises the need for action

Fire safety in the built environment is a major concern, with increasing scrutiny within the market following the events at the Grenfell Tower in June 2017. Specifiers and Applicators are all now looking at fire protection with greater vigilance, and with a view to reducing their risks. Where manufacturers advice was once acceptable, specifiers now ask for third party opinion. Where an assessment was acceptable, specifiers now look for test evidence. However these represent the enlightened customers, who are trying to improve standards. There still remains no regulations in place to prevent bad practices within our market.

Indeed, there has been no forward progress in the pan European attempts to gain a harmonised standard for passive fire protection products, including reactive coatings that would result in mandatory CE marking for intumescent coatings.

## Mandatory CE Marking - our desired path

We still see mandatory CE marking as one of the key elements to help to drive standards up within our market. Adoption of CE marking will bring all manufactured products into line ensuring they are properly tested and assessed, and that quality is maintained.

Our members continue to exert pressure wherever possible to encourage progress within the European Commission, however we are still frustrated by the lack of activity. We recently came across a flow chart that shows the 12 stage process needed to complete a Standardisation request – the mandate to produce a harmonised EN standard, and ultimately make CE marking mandatory.



Source: ©Bertold Werkmann - stock.adobe.com

CEPE had been informed by the Commission at Xmas 2017 that the mandate was now at stage 6, and an important milestone had been passed successfully in November. This was a cause for optimism, and planning was laid to hope we could get to stage 8 soon (with the last 4 being administrative steps with no technical change). However, in May, we were informed that we were in fact back in stage 2, a step that actually puts us back several years.

We find this development frustrating, especially given that we as an industry have already prepared the draft texts for the necessary product standards. EN16623:2015 was our first voluntary standard, and we have now completed preparatory work revising this text into a multi part standard, covering a range of possible substrates including steel, aluminium, concrete and timber.

Meanwhile we continue to lobby the European Commission to put in place a work programme to deliver the Standardisation request. We are also awaiting feedback from them on the review of CPR that they started over 12 months ago, and developments from their new "Fire Information Exchange Platform", which started late last year, to assess if there were any pson -Grenfell lessons that could be learnt across Europe.

## Other certification Issues

Whilst we wait for a hEN and mandatory CE marking, we currently have voluntary CE markings. This uses a system run by EOTA. Since the adoption of Construction Products Regulation in July 2013, CE markings have been done through a system of European Technical Assessments (ETA), which have replaced European Technical Approvals. The newer ET Assessments have been produced using rules

of the old European Technical Assessment Guidelines (ETAG), until December 2017, when the new European Assessment Document for reactive coatings was published. Again, we were consulted on the process, but our opinions were not always listened to. In spite of assurances there would be no technical changes, and in spite of our lobbying, the EAD still contains a requirement to test our products for Indoor Air Quality, with an inappropriate test method, and no simple testing and labelling regime.

There are also concerns about the quality of some of the Technical Assessment Bodies issuing ETAs and CE markings. We see questionable assessments being carried out by some TABs, and an ever increasing challenge at our meeting is the list of assessments and certificates that we have worries over. Most of these are sadly owned by companies who are not CEPE members, although we have tried to contact these organisations and bring them into the fold. More worryingly, the market surveillance and enforcement authorities seem unwilling or unable to do anything about these unsafe assessments. In many cases the technical arguments are well beyond their capabilities.

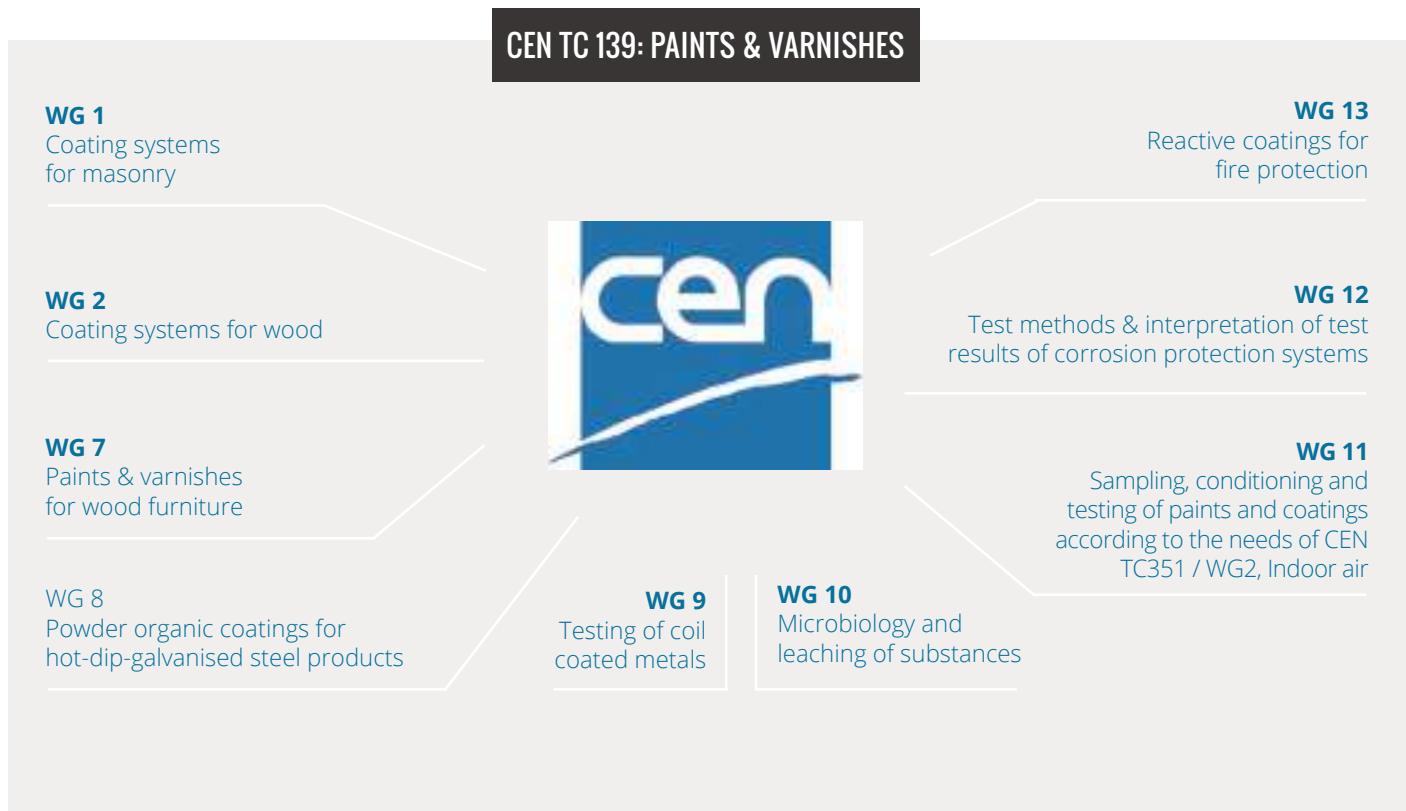
## In conclusion.....

It has been a frustrating 12 months for CEPEs Intumescent Coatings group. We have seen no progress on our Key policy – mandatory CE marking. We do not even have a clear idea of how this project will progress. However, all our members are keen to see standards in the market improve, as we look to drive up standards and safety of these critical products. ↗

A Taylor, Chair CEPE ICTC.

# ACTIVE STANDARDIZATION BODIES FOR PAINTS

Diagram of the sector and working groups for the respective technical committees CEN TC 139 and ISO TC 35.



# CEPE BOARD MEMBERS

The European Council of the Paint, Printing Ink and Artists' Colours Industry strengthens the position of the paint, printing ink and artists' colours industries in Europe. It is run by a Board of 15 company representatives.



## CEPE CHAIRMAN: HARALD BORGHOLTE BASF COATINGS

April 1991: joined BASF

Vice President, Strategic Marketing & Product Development BASF. Member of the Global Senior Steering Committee BASF Coatings GmbH. 23 years in the Coatings Industry in various fields.

Vice President Strategic Planning Coatings.

Vice President Global Business Management Automotive Refinish. Director Technology Management Automotive Refinish.



## CARLO JUNGHANNS J. COLORS SPA & ARSONISI SPA

Holds a degree in Political Science and Marketing. Representing the third generation in a family of entrepreneurs, Carlo Junghanns joined the family company in the early 1970's. During more than 40 years, he has concentrated on promoting the firm's expansion through a series of acquisitions and developments aimed at strengthening positions in both the decorative paints and colorants business and the industrial coatings sector. He has been an active participant in the Italian coatings trade-association AVISA and since 2010 has been involved in the industry association Assovernici of which he was a founding member.



## TILL IVERSEN IMPARAT FARBWERK

1987 - 1992 Master of Business Administration (Dipl. Kaufmann) at the University of Hamburg. During his years of study he spent one semester in Berkley California. Afterwards he obtained some working experience at the company Schwarzkopf in Los Angeles. In 1993 he started at Imparat Farbwerk and became one of the two managing directors one year after. Since 2002 he runs the company as the sole CEO. He is serving as Vice-Chairman in the northern division of the German Paint Association (Deutscher Lackverband) for the last 6 years. Imparat Farbwerk was established in 1905 and is still a family owned paint company. The company has a turnover of 30 Million € with 180 employees. Decorative paints, polymer emulsions and industrial paints are produced in the two plants. In decorative paints the focus is mainly on the German professional painters. The polymer emulsions are sold, Europe wide, mainly to paint companies. The industrial paints have their focus on general industrial paints and marine paints.



## MICHAEL JÖRGENSEN BECK & JÖRGENSEN

Beck & Jörgensen (est. 1892) is a family owned company that employs approximately 80 people. It is mainly active in the decorative and wood working sectors.

Michael Jörgensen is CEO of Beck & Jörgensen since 1984. He is an active member of the Danish Coatings and Adhesives Association where he acts as chairman since 2010.



## GEOFF MACKRILL TEAL & MACKRILL LTD

Teal & Mackrill was established in 1908. The business operates in the specialist coatings sector and the marine paints sector. The manufacturing site is in Hull.

Geoff Mackrill is the Managing Director and is currently Board member of the British Coatings Association.



## HERBERT FORKER SIEGWERK DRUCKFARBEN

Since august 2002, CEO of Siegwerk Druckfarben AG & Co. KGaA. Prior to his assignment at Siegwerk, he was President and CEO of Tesa Tape Inc, Charlotte, NC, USA. He served also in several management positions with Beiersdorf. Since 2004: Member of the Eupia Council, former member of the German Paint and Ink Association (VdL), Former member of the CEPE Board (2006-2012).



## HEINER KLOKKERS HUBERGROUP

Company activities: The huberGroup is one of the leading printing ink manufacturers in the world. It is more than 250 years old and still family owned. Main products are printing inks for publication, printing inks for packaging, varnishes and other chemical products for the printing industry. The company is active on a global basis with more than 40 subsidiaries.

Current function: Heiner Klokkers is Member of the Board and responsible for the European Business. From January 1st 2018 he will become Chairman of the Board, being responsible for the Global Development and Strategy of the group.

Past functions: Heiner Klokkers started his career in the BASF in 1990. He worked in various positions in Germany, UK and the US before he joined the huberGroup in 2004. There he started as Sales Director for the Central Eastern Region in Europe. From his Sales role he moved into a Key Account function before he took over the responsibility for the European Business Unit in 2012.

Heiner Klokkers has been member of the German Paint and Ink Association (VDL) and he is part of the EuPiA Council since 2014.



## DANIEL LLINAS INDUSTRIAS TITAN

Company main activities: Manufacturing and distribution of liquid coatings for decoration and industry as well as powder coatings.

Past functions: CEO URSA INSULATION, Managing Director Zanini Group, Managing Director Southern Europe Riverwood International, Sales Manager Tetra Pak.

Currently CEO of Industrias Titan, he has been also Board member of EURIMA, European Insulation Manufacturers Association (Belgium) for 6 years.



## MICHEL KRANZ BICCS COATINGS AND COLORANTS BV

Owner and CEO of company. Was during 3 years Chairman of the VVVF and member of the VVVF Board.

Currently Vice-Chairman of the VVVF & Member of the VNCI Board

# BOARD MEMBERS FOR RE-ELECTION



## ANDRÉ VIEIRA DE CASTRO ARGACOL

Current function/responsibilities: Chairman/CEO since 2007 of a 4 mio € company with no more than 35 co-workers. 2 sites, water based in Leiria (120km south of Lisbon), solvent based in Famaílao (30km south of Oporto), main responsibilities in Strategy and New Business Developments, team motivation, leadership, recruitment, institutional representation, community lobbying...



## RUUD JOOSTEN AKZONOBEL

Member of the Executive Committee responsible for decorative paints AkzoNobel.

Past functions:

Jan. 2011 - May 2013: Managing Director Pulp and Performance Chemicals AkzoNobel/President EKA Chemicals AB

Jan. 2008 - Jan. 2011: Managing Director Decorative Paints North East Europe AkzoNobel

Jan. 2006 - Jan. 2008: Managing Director Decorative Paints Europe North AkzoNobel

Jan. 2001 - Jan. 2006: General Manager Trade Decorative Paints AkzoNobel, the Netherlands, Belgium, Spain and Italy

May 1996 - Jan 2011: Marketing Director Decorative Paints AkzoNobel

May 1988 - May 1996: Various Sales and Marketing Jobs in Sigma Coatings (PPG)

# NEW BOARD MEMBERS AT GENERAL ASSEMBLY 2018



## PAULA SALASTIE TEKNOS GROUP OY

Paula Salastie is Owner, Board Member and CEO of Teknos Group Oy. Since 2007, she has been working for Teknos Group as Chairman of the Board of Directors, Segment Director in Architectural Coatings and to prepare the transfer of Teknos Group to the next generation 2007-2008. Between 2005 and 2009, she was working at Pyramid Invest as Managing Director and Investor

Paula is serving as Board member in Datacenter Finland Oy, Tulikivi Plc and Association of Finnish Chemical Industry (Kemiateollisuus Ry), Chairman of the Board of Association of Finnish Paint Industry and Supervisory Board Member of Elo Mutual Pension Insurance Company and Finnish Family Business Association.



## ROALD JOHANNSEN PPG, AUTOMOTIVE COATINGS, EMEA

Roald began his career in the coatings industry as a graduate trainee in South Africa in 1992, and came to PPG as part of the acquisition of PRC-Desoto International (Courtaulds Aerospace) in 1999. He has held a variety of operational, technical, commercial and business leadership roles of increasing responsibility across several coatings businesses (architectural, industrial, aerospace, packaging, automotive) and has been based in several countries (South Africa, UK, France, US, Switzerland).

Presently, he is PPG's vice president, automotive coatings, EMEA, as well as the executive responsible for PPG Turkey and Russia.

He holds a bachelor degree in political science, economics and economic history, and an honors degree in political science, both from the University of Cape Town, South Africa, as well as several accreditations in coatings technology from the South African Paint Manufacturers Association.



## BERTRAND LESEUTE V33 GROUP

Since 2015 he is CEO & Managing Director of V33 group. He has started in the company in 2006 as Managing Director

V33 Group is one of the leading European companies in the paint and wood products sector (220 M€)

He is serving French National Association, Fipac as administrator since 2016



## NEW BOARD MEMBERS



# EU SECTOR GROUP CHAIARMEN



## CAN COATINGS

Neil Finley  
Grace Darex  
Germany



## COIL COATINGS

Pasi Niemisto  
The Valspar Corporation  
Finland



## DECORATIVE COATINGS

Thierry Desruhaut  
Associate Director  
Technical Marketing & Innovation  
PPG Architectural Coatings  
The Netherlands



## MARINE COATINGS

Bjorn Tveitan  
Sales Director Marine  
Scandinavia Jotun Coatings  
Norway



## POWDER COATINGS

Bjorn Karlsen  
Jotun Powder Coatings (N) AS  
Norway



## ARTISTS COLOURS

Ronald Benning  
CEO Royal Talens  
The Netherlands  
[www.artists-colours.org](http://www.artists-colours.org)



## PROTECTIVE COATINGS

Gerard de Vries  
AkzoNobel  
The Netherlands



## VEHICLE REFINISH

Peter Maassen van den Brink  
Valspar  
The Netherlands



## PRINTING INKS

Heiner Klokkers  
Hubergroup  
Germany





# THANK YOU!

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