

ASIAN CHEMICALS FORUM 2023

Building a Safer Chemical Future

EVENT REPORT

5-6 SEPTEMBER 2023
Hybrid Conference

India Habitat Centre, New Delhi, India



Confederation of Indian Industry



10:00 – 11:30 Inaugural Session

Opening Note: **Mr. Geert Dancet**, Chair, RRMA & Secretary General, HCF.

Keynote Speeches:

- **Ms. Kumi Kitamori**, Deputy Director, Environment Directorate (OECD)
- **Mr. Rupak Saraswat**, CEO, India Glycols Limited
- **Mr. Atul Bagai**, UNEP, Head of Country Office, India.

Vote of thanks: **Mr. Anil Jauhri**, Co-Chair RRMA, India.

12:00 – 13:30 Panel 1: What will the new UN Framework for Chemicals and Waste Management mean for Asia?

Moderator: United Nations Environment Program, UNEP.

Moderated by: **Ms. Jacqueline Alvarez Mourelle**, Chief, Chemicals & Health Branch, and Principal Coordinator, Economy Division, UNEP.

- NGO: **Mr. Ravi Agarwal**, Director, Toxics Link, India.
 - Academic: **Mr. Niko Urho**, independent consultant for universities and UNEP on issues relating to chemicals, plastics, and biodiversity.
 - Industry: **Dr. Kenkichi Fujii**, Director Regulatory Science and R&D Strategy, Kao Corporation, Japan.
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14:30 – 16:00 Panel 2: How to best tackle forever chemicals and endocrine disruptors? Worldwide views in response to EU´s classification proposals.

Moderator: European Commission.

Moderated by: **Mr. Roberto Rinaldi**, DG GROW, European Commission

Authority: **Dr. Shashank Joshi**, Consultant Endocrine and Metabolic Physician, Independent Member, Scientific Committee, FSSAI.

- Industry advisor: **Mr. Claudio Mereu**, Partner, Fieldfisher.
 - NGO: **Mr. Eike Peltzer**, Chairman, WFVD, German Industrial Fire Brigade Association.
 - Academic: **Dr. Vikas Dighe**, Indian Council of Medical Research (ICMR), National Institute for Research in Reproductive Health (NIRRH).
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16:30 – 18:15 Panel 3: What is the right management system for industrial and consumer chemicals in Asia?

Moderator: Organisation for Economic Co-operation and Development, OECD.

Moderated by: **Mr. Bob Diderich**, Head of Division, Environment Health and Safety, OECD and **Ms. Kumi Kitamori**, Deputy Director, Environment Directorate, OECD.

- Independent: **Mr. Shisher Kumra**, Executive Director, Global Product Compliance Group.
- Government: **Mr. Sung Hyun YIM**, Assistant Manager, The Korea Chemicals Management Association.
- Industry: **Mr. Fabien Henry**, Manager, Regulatory Affairs, South-East Asia, Nickel Institute – Singapore.
- NGO: **Ms. Penchom Saetang**, Director Ecological Alert and Recovery, (EARTH, IPEN) – Thailand

INAUGURAL SESSION



Rupak Saraswat – CEO, India Glycols Limited.

Mr. Saraswat shared his views on the opportunities for Indian chemical industry, the role of regulations, the need for setting up of new regulatory frameworks and challenges during the implementation. It is rightly highlighted that the mandatory requirement for the industry is Innovation, delivering of sustainable models to address the regulatory frameworks and related challenges.

His thoughts on the industry going through a radical change driven by two broad factors such as sustainability and huge change in technology landscape, destruction caused to life and environment around the world by the industry in making short term gains through some studies and examples clearly indicating that regulations have been lagging to control things were greatly agreed upon.

He concluded that the need for having regulations to create a safer chemical industry and to conserve the world as delays in doing so can be disruptive and painful.

Kumi Kitamori – Deputy Director, Environment Directorate, OECD.

Ms. Kitamori highlighted how regulatory action is necessary but insufficient to address chemical pollution and encouraged a more proactive approach in the business sector. This included sustainable chemical solutions throughout value chains. She believes that there must be harmonized technical tools to reduce the costs associated with implementing chemical management systems, with estimated annual savings of over 300 million euros.

Ms. Kitamori emphasized on the need for international cooperation in addressing the risks of industrial and consumer chemicals and expressed support for the proposal by the African region to develop an international code of conduct, with the OECD willing to participate in its development.

She described the role of the OECD in implementing the post-2020 framework for chemical management and offering legal instruments as models for countries and providing technical tools for risk assessment and management. Furthermore, Ms. Kitamori explained the OECD's readiness to promote sustainable chemistry and value chains, citing the publication of due diligence guidance for responsible supply chains and its relevance across various industrial sectors.

The Deputy Director noted India's active engagement with the OECD and its role in the mutual acceptance of data (MAD) system, which simplifies the implementation of the global system. We thank her for expressing confidence in the discussions at the event, signalling a productive future in addressing chemical management challenges.

Atul Bagai – Head of Country Office, UNEP.

Mr. Atul Bagai discussed the key issues related to chemical safety and environmental protection. He insisted on what we all need to do as a community to protect the environment. He went on to discuss the planetary crisis of climate change, nature and pollution. He mentioned that chemical industries not only lead to the crisis of pollution but also result in the crisis of climate change and nature.

He insisted on the importance of regulations and the need for implementation in India. He urged for collaborations between Industry and Government so there is a sense of trust built between the two when any regulation is brought into place. He mentioned that a platform like the Asian Chemicals Forum can play a vital role in bringing authorities and companies together.

Mr. Atul emphasized that Indian chemical industries should act as leaders in bringing global regulations. He forged a discussion that chemical safety is a big issue and industry leaders should look to prioritize it.

Lastly, Mr Atul suggested that the transfer of old and obsolete technology from developed to developing countries should be thoroughly checked by the authorities so that this transfer does not bring with it any harmful effects. Developing countries should also have the latest technology that causes less pollution and harm to the environment.

PANEL 1



Conclusions of Panel 1: What will the new UN Framework for Chemicals and Waste Management mean for Asia?

Jaqueline Alvarez Mourelle – Chief, Chemicals & Health Branch, and Principal Coordinator, Economy Division, UNEP.

SAICM began through the Dubai Declaration and adoption of the Overarching Policy Strategy in 2006 in Dubai, with the objective of achieving the sound management of chemicals throughout their life cycle by the year 2020.

The new global framework for chemicals is expected to:

- Cover chemicals and waste: the pillar of planetary crisis.
- Be a unique multi-stakeholder and multi-sectoral engagement.
- To bring in circular approaches, lifecycle thinking, and benefits valuable to other agendas such as biodiversity, climate, human rights, agriculture, and food.
- Create opportunities and incentives for enhanced action and engagement of key stakeholders in key economic industry sectors and value chains by stimulating action within and across sectors, in companies, groups of companies, and through associations.
- Mobilize adequate and innovative financing for greener, cleaner and more sustainable solutions.

Ravi Agarwal – Director, Toxics Link, India.

- There is a need for the adoption of safer alternatives.
- A need for investment in research and development.
- A growing demand in India to fill supply chain deficiencies.
- The Global regulatory frameworks (REACH) can prove to be potential barriers to exports and hence need to be seen as opportunities for upgrading compliance for health and safety.
- There is a growing consciousness of these issues in developing economies, including Africa.
- There is a need for robust regulatory frameworks and an enabling ecosystem critical for growth.
- India should avoid the production of obsolete chemicals.

Niko Urho – Independent consultant for universities and UNEP on issues relating to chemicals, plastics, and biodiversity.

- The UN Framework emphasizes private sector involvement, including through a clear articulation of responsibilities and internalization of costs of chemicals management.
- Cost recovery fees help to provide necessary services to the chemical sector, enabling to make enforcement of chemicals control autonomous.
- Assigning the main responsibilities for risk assessment and management to the industry is also a way to internalize costs.
- Other fiscal policies (e.g. EPR and taxes) provide opportunities to further internalize costs.

Kenkichi Fujii – Director Regulatory Science and R&D Strategy, Kao Corporation, Japan.

- The Industrial initiatives, Consumer collaborations and supported regulatory platform will help achieve this vision:
 - Chemical safety for all;
 - A safer sustainable society and planet - Advancing chemicals and waste safety for a healthy future;
 - Responsible Industrial innovation as a trigger for safer sustainable frameworks.
- This should include all the aspects of safety and sustainable management (environment, economy, social, health, etc) of Chemicals, consumer products and wastes.
- It will cover Sustainable development, resource circularity, environmental integrity, and human rights.
- All relevant sectors and stakeholders across the life cycle at the local, national, regional and global levels are concerned (including Governments, regional economic integration organizations, intergovernmental organizations, civil society, industries, businesses, the financial sector, development banks, academia, workers, retailers and individuals)



Conclusions of Panel 2: How to best tackle forever chemicals and endocrine disruptors? Worldwide views in response to EU 's classification proposals.

Roberto Rinaldi – DG GROW, European Commission

The Workstream of Endocrine Disruptors:

- Identification of any gaps regarding the possibility of adequately classifying and labelling under the GHS substances and mixtures that have ED properties for human health and/or for the environment.
- Start with knowledge of EATS endocrine (Oestrogen, Androgen and Thyroid) pathways and then consider other endocrine pathways.
- Consider also existing national or regional schemes for identifying endocrine disruptors.

The Workstream of Forever Chemicals:

- For persistence and mobility:
 - Definition of the scope of the work (aim, expected added value, etc.)
 - Definition of mobility in the GHS context
 - Any other issues related to persistence and mobility in the GHS context
- For persistence and bioaccumulation:
 - Analysis of if and how persistence and bioaccumulation are already identified and classified in the GHS;
 - Identify the best approach to incorporate persistence and bioaccumulation into the GHS;
 - Verify if conforming changes to other sections of the GHS are necessary.

Dr Shashank Joshi – Consultant Endocrine and Metabolic Physician, Independent Member, Scientific Committee, FSSAI.

Source of ED: soil, water, food chain through industrial emission, intense agriculture, and consumer of personal care products.

- Need of a modern chemical regulation,
- Need of monitoring and improve the vigilance capabilities for ED chemicals,
- Focus on water management capacity and infrastructure,
- Need for public/private partnerships as the government cannot do all,
- Need of public awareness and capacity building.

Claudio Mereu – Partner, Fieldfisher.

- There is a discrepancy between the GHS and CLP, the CLP Regulation is based on the UN's Global Harmonisation System (GHS) building blocks.
- Concerns over the lack of level playing field and global harmonisation of rules, leading to possible non-tariff barriers to trade.
- The Commission rejected the delay of the adoption of these classes based on the following reasons:
 - GHS 'building block' system leaves room for flexibility in implementation.
 - New hazard classes were a priority of the CSS.
 - The process at the UN level was too lengthy, and previous attempts by the EU to drive the introduction of the new hazard classes into GHS had been unsuccessful.
 - The EU initiatives have always been the drivers for higher global standards and will be the case again here.
 - Modelling from previous studies demonstrated that the impact on international trade was unlikely to be significant.
- Delegated (and fast-tracked) procedure should not have been used for adoption of the new hazard classes.
- Several MSs were concerned that COM should not have used a delegated act to introduce the new hazard classes as they considered that such amendments were 'essential elements'.

- The industry also was concerned that the addition of new hazards was a political decision, as they were not yet adopted at GHS level.
- COM considered that:
 - Adoption via delegated act was appropriate as the text was 'of technical and scientific nature, reflected detailed expert discussion, and mirrored procedure already followed for adoption of ED criteria in PPP and BPR.
 - The priority was to accelerate the increase in the protection of human health and environment.
 - Co-legislators are expected to support this objective.

Eike Peltzer – Chairman, WFVD, German Industrial Fire Brigade Association.

- Dispersive use but essential use of the firefighting foam which had to lead to exemptions.
- Difficulty in identifying which firefighting foam contains PFAS or not so it is confusing for the user.
- There is a need of a system that allows labelling or classification that also shows on the SDS that some products content PFAS or not.
- End user might not understand properly the persistent, mobile implication compare to toxic. Need to raise awareness.

Dr Vickas Dighe – Indian Council of Medical Research (ICMR), National Institute for Research in Reproductive Health (NIRRH).

- The ED don't follow the monotony curve, they follow the dumbbell curve, they are studied in depth with literature available so classification should be done accordingly.
- The window of susceptibility to EDs varies from individual to individual.
- Although it is documented that the ED follow the classical EAT pathway: Oestrogen, Androgen and Thyroid pathway, they also exert their effects through epigenetic regulations. The effects have been seen from one generation to another until 2nd to 3rd generation even though only the first generation was exposed. There is a need for an epigenetic class.
- Recent evidences show that forever chemical PFOs compromise the immune system, increase cholesterol, increase blood pressure and favours preeclampsia to pregnant women who will transmit birth defect to the next generation.
- The classifications need to be revisited with the consideration of their health defects caused in the long-terms.



Conclusions of Panel 3: What is the right management system for industrial and consumer chemicals in Asia?

Bob Diderich – Head of Division, Environment Health and Safety, OECD.

- OECD has updated a legal instrument on the protection of legal propriety rights and chemical safety.
- OECD is working on a follow-up on best practices for sharing data between companies.
- As part of a chemical safety legislation, authorities should at a minimum be able to:
 - Request information on which chemicals are on the market (e.g. via a national register),
 - Request information on the properties of chemicals (including the generation of new data e.g. for new chemicals),
 - Perform priority setting,
 - Perform a risk assessment (or use the risk assessment from another country),
 - Implement risk management measures (including marketing restrictions),
 - Monitor compliance and implement enforcement.

Shisher Kumra – Executive Director, Global Product Compliance Group.

- The chemical regulation is best to be regulated by the Environment, Health, Labor Department or ministries.
- A good transition period is from 3 to 5 years as per the Turkey Model for all tonnages.
- Lot of differences between regulations around the world for registration and notification requirements. As of now, depending on the regulations there are:
 - Notification of all the substances or only new substances,
 - Registration of all chemicals, new substances or only substances of concern.
- An ideal model would include the Notification of all substances which will lead to the creation of a national inventory with the possibility of Joint Submission of Classification.
- The Registration requirements can be decided by the regulator for the substances of concern, the substance subjects to disagreement, new substances and substance of Significant New Use Notice (SNUN).
- Evaluation should be of all the substances that have been registered with a one-substance-one evaluation model.
- The definition of SME are very different from one market to another so the Korean model could be taken as an example for other regulations.

Sung Hyun Yim – Assistant Manager, The Korea Chemicals Management Association.

- Potential updates of K REACH could involve harmonizing the registration criteria for new chemical substances with the 1 ton your standard.
- Improve the effectiveness of new chemical substances notification.
- Definition and management principles of a chemical substance without hazardous information.
- It is plan to:
 - Proceed K-REACH rectification - supplementation and revisions, to reflect stakeholders and Korea Legislation Research Institute opinion.
 - Discuss ARECs supplementary decree revision and prerequisites regards to substances without hazard information.
 - Prepare practical guidance for the implementation of the improved regulation (Non-phase-in substances notification, management of substances without hazard information, etc.).
 - Unify Phase-in substances and Non phase-in substances management.

Fabien Henry – Manager, Regulatory Affairs, South-East Asia, Nickel Institute – Singapore.

- South East Asia has limited resources for the implementation of regulations.
- A system like EU-REACH may not be the most suitable approach for ASEAN member states.
- There is a strong need of capacity building and regulatory cooperation.
- The main driver of regulation is to enhance protection of human life and the environment. It is not necessary to replicate the exact REACH regulation but instead it is necessary to identify the fundamental principles that can be adopted and turned to a chemical management system that:
 - Defines achievable objective,
 - Is a science-based approach,
 - Is a stepwise approach instead of doing all at once.
- There is a need of effective use of resources:
 - Leverage other regulatory systems and assessments,
 - Capacity building to strengthen chemical management.
- Increase the regulatory cooperation activities will:
 - Promote in-region dialogue among regulators and industry,
 - Enhance health and safety for the consumers, workplace and environment,
 - Increase resource efficiency and knowledge sharing,
 - Reduce technical barriers to trade.

Penchom Saetang – Director Ecological Alert and Recovery, (EARTH, IPEN) – Thailand.

- Thailand regulation should include the minister of labour because workers are often subject to chemical accidents due to misunderstanding the English labels.
- Increase efficiency on chemical management and inspection.
- Development of large database management.
- Risk assessment and designation of standard.
- Building awareness and change of production and consumption habit.
- Completely reduction of risk from chemical hazard.
- Research and development of chemical use replacement.

See you next time

at the RRMA Regulatory Conclave 2024!



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through the QR Code!*

The Asian Chemicals Forum (ACF) is an independent platform for global regulatory dialogue on best practices in safer chemicals management being organized by the Global Product Compliance (GPC) Group and the Regulatory Representatives and Managers Association (RRMA). ACF is Asia focused continuation of a forum on global regulatory developments and best practices, Helsinki Chemicals Forum (HCF), been organized since 2009. ACF brings HCF's thematic discussions to Asia, as we work towards achieving our global vision of a sustainable and safe chemical industry worldwide. The conference engages a few hundred participants from international authorities, industry leaders, governmental officials, NGOs, academics, media and specialists interested in chemicals safety issues from Asia and many different countries globally.

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