

Cefic comments on CA/58/2019 draft revised CARACAL Rules of Procedure.

Cefic welcomes the draft on the revised CARACAL Rules of Procedure for its adaptation to the Lisbon Treaty, and the added benefits it will bring regarding transparency and agility in decision making.

Cefic would like to submit the following comment for further clarification.

Public consultations for CLH procedures

In the draft document, the Commission indicates that there would not be public consultations conducted for harmonized classification processes' further than the one conducted during the Risk Assessment Committee (RAC) from ECHA,

"... they will be subject to publication by the Commission under the public feedback mechanism (unless they concern harmonized classification and labelling, as the public consultation takes place at the level of ECHA."

In our view, the roles of RAC and the Commission regarding proposals for harmonizing Classification and Labelling (CLH) are different, evaluation of the available tox/ecotox data vs. policy making. In the same manner the purpose of a public consultation at different stages of the process has different objectives and contributes to transparency.

Moreover, the public consultation conducted during the RAC phase refers to a proposal, that can be considerably modified during the discussions and results in a RAC opinion. The RAC opinion can also differ from the final proposal by the Commission to be included in a delegated act. Conducting a public consultation of the delegated act brings added value to the process and helps taking informed decisions.

In view of the Interinstitutional Agreement of 13 April 2016 on better law-making, in which *"the Commission commits to gathering, prior to the adoption of delegated acts, all necessary expertise, including through the consultation of Member States experts and through public consultations."* We believe it is necessary to conduct public consultations of delegated acts for CLH. The opportunity for the general public to participate, is key for transparency in policy making and aids any well informed discussion of a delegated act.

Cefic thanks the Commission for its consideration of our concerns and remains available for any further clarification.

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About Cefic

Cefic, the European Chemical Industry Council, founded in 1972, is the voice of large, medium and small chemical companies across Europe, which provide 1.2 million jobs and account for 16% of world chemicals production.