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KEMI
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Outcomes from Technical Expert | Workshop on Criteria for Substances of International Concern Beyond 2020

This document aims to briefly present the outcomes from the informal workshop held 24-25 February 2020, Gothenburg, Sweden, arranged by UNITAR in collaboration with University of Gothenburg, Centre for Future Chemical Risk Assessment and Management Strategies (FRAM) and the Swedish Chemicals Agency (KemI). Please see the agenda for further details.

Ahead of the workshop a study, written by Prof. Thomas Backhaus and Dr. Åsa Arrhenius, University of Gothenburg, in collaboration with Prof. Martin Scheringer and Dr. Sandy Uhl-Kägi, Swiss Federal Institute of Technology in Zurich (ETH Zürich), was circulated to participants as a thought starter for the workshop. The title of the study is “Chemicals of global concern - A strategy and criteria for their identification”.

The Compilation document (SAICM. IP4./2), was sent out to the workshop participants before the workshop as a background document. It includes in Annex B arrangements for Issues of concern, as well as proposals for criteria that could be useful when identifying if a substance is of international concern or not.

The intention of the workshop was to provide input to the ongoing process to develop and adopt an efficient global Beyond-2020 framework for sound management of chemicals and wastes. The current draft Strategic Objective C on identifying, prioritizing and addressing issues of concern that warrant global action is part of delivering on a renewed vision. More specifically the input from this workshop aim to contribute to considerations related to identifying and addressing substances or group of substances that warrant concerted action, being a subset of issues of concern.

Several issues discussed during the workshop were related to other objectives in the framework that have been subject of formal discussions at SAICM meetings, e.g. need for information, long-term financing, lack of capacity, implementation of GHS, awareness raising, etc. Discussions also related to how to establish and implement a process for prioritization and deciding on actions to address a substance of concern. These issues are highly relevant for the Beyond 2020 process but were not the focus of the workshop and are therefore not further reflected in this report.

Present at the workshop were over fifty participants from different regions and stakeholder groups (governments, non-governmental organizations, inter-governmental organizations, industry and academia). The Chatham House rules applied to the discussions. Given the informal nature of the discussions, this summary does not seek to express a consensus view or negotiated agreements, or to

reflect who said what, but aims to capture the key points and suggestions made at the workshop.

Introduction

The first part of the workshop included a presentation from KemI to give the reasoning for the workshop on criteria for substances of global concern and its context. The renewed framework for chemicals and waste beyond 2020 provides an opportunity to develop modalities including criteria for identifying hazardous substances that do not meet the criteria of the existing conventions, but may still warrant global action. This was presented as a starting point for the discussions.

In his keynote speech Per Ångquist, Director General of the Swedish Chemicals Agency, highlighted that chemicals respect no borders, that the production volumes are increasing and that the number of chemicals on the market is very large. The growing e-commerce with products and related enforcement challenges were also mentioned.

Professor Thomas Backhaus, in his presentation clarified the scope of the study and that some of the criteria proposed are well-established types of criteria, while some are under discussion, e.g. those proposed for endocrine disruption and mobility in aqueous media. He mentioned that the study is accepted for a presentation at the SETAC¹ meeting in Dublin and is intended to be published in a scientific journal. Participants were invited to submit comments on the study.

Group discussions

The **first Group discussion** was about what makes a substance of concern an international concern and an issue for concerted action. Key points that came out of the discussion were:

- Proposed criteria for identifying substances of concern are to be seen as a subset of criteria for issues of concern, which is a broader concept.
- Substances for which regulation in a single country are not enough to reduce national exposure, could be considered of international concern.
- Substances could be identified in relation to specific uses that are of concern.
- Identifying a substance as of global concern provides supports priorities for action to be implemented at a national level by relevant stakeholders.
- Countries and other stakeholders could confirm their intention to act on identified and prioritized substances by making voluntary commitments.
- The proposed criteria could complement existing conventions in identifying and prioritizing hazardous substances that are not covered by those. This could support and guide countries and stakeholders to take (national) actions to reduce exposure and risks.

¹ SETAC Europe 30th Annual Meeting, 3-7 May, Dublin, Ireland

- Long range transport in environmental media, long range transport in product supply chains and/or wide spread production and use in different regions could all be factors to consider when identifying substances of international concern. However, no type of exposure should be excluded.
- Trade of products/articles has become even more important to consider as transboundary movement since consumers today can buy products directly from the global market. When implementing and applying national legislation international e-commerce by consumers is a special challenge and effective enforcement is very difficult.
- Movement of waste between countries also leads to transboundary movement of chemicals.
- In the light of circular economy, circulation of materials become increasingly important. Chemicals of concern need to be identified and taken out of the recycling of materials. Recycled materials are often transboundary moved or traded.
- Even though substances may have effects in single countries or in one region, such substances could be considered as an issue of international concern. Examples could be when exposure lead to loss of biodiversity, extinction of species, or epigenetic effects.
- Also when exposure to a substance takes place in one country or region and gives rise to a persistent effect that may spread across national boundaries, for instance when chemicals give rise to antimicrobial resistance, the substances could be considered as an international concern that warrant concerted action.

The **second Group discussion** was about views on completeness, relevance and usefulness of the set of hazard criteria proposed in the study that was provided as a thought starter. Such hazard criteria should be considered together with exposure criteria discussed in the first group discussion. Key points that came out of the discussion were:

- Most of the proposed hazard criteria were taken from existing regulatory frameworks and mainly from the regulations in the EU.
- The hazard criteria in the thought starter are relevant and could be useful for identifying substances, but the set is not complete.
- Some criteria in the thought starter cover well-established types of effects while other cover effects that have not been discussed so much yet.
- It was mentioned that it is not clear if the criteria proposed are cumulative or not.
- It should not be necessary to fulfill all the proposed criteria for a substance to be regarded as an issue of concern. Neither should they be seen as an exhaustive list.
- One suggestion was to add a text on other hazardous properties of equivalent level of concern as a safeguard clause.

- The proposed criteria should only be guiding in nature with the aim of supporting the identification of potential substances/groups of substances of concern on the global level.
- It may be very challenging to agree on cut-off values for many endpoints at the global level.
- There was a proposal to use the screening criteria of adverse effect in Annex D to the Stockholm Convention as a general criteria for substances of concern.
- Several suggested it to be useful to develop guidance for the interpretation of the proposed criteria.
- It was mentioned that the existing issue of concern on Highly Hazardous Pesticide might not be fully covered by the proposed criteria.
- While the criteria should be broad enough to pick up global concerns, prioritization at some stage is useful in order to focus on identifying the most relevant substances at the global level for stakeholders to act on. Therefore the criteria should not be too broad, as long as it is clear that they are only guiding.
- The word “criteria” was by some participants, perceived to be strict and not inviting nominations as wanted. Instead, information requirements was seen as sufficient by some.
- The proposed criteria need more discussions. More elaborations on the criteria and subsequent prioritization could e.g. take place in a working group with scientific input.
- The proposed criteria could be useful for groups of substances with similar effects.
- Combination effects are not covered by the proposed criteria. How to include assessment of mixtures and combined exposure effects could be an issue for further development.
- It was mentioned that the terminology need to be clear e.g. for products, chemicals, mixtures, materials and articles.
- Opinions were expressed that any system should not be designed such that lack of data on a substance could block a nomination.
- Quality assured data sharing is of critical importance as well as transparency regarding source of data.
- Inventories, monitoring and national/regional priority list proposed as starting points for screening substances in the scheme at page 16 in the study might be a barrier to proposals from developing countries. Other reasoning behind nominating a substance should therefore also be possible.
- Observations of human or environmental effects, sometimes without knowing the cause, could be of relevance at the global level and trigger further investigations.

Concluding and next steps

The workshop participants fully recognized the informal nature of the discussions. The workshop summary and the study were circulated to the participants for comments.

This summary report and the revised study will be posted on a workshop website developed by UNITAR and submitted as an input to the fourth meeting of the Intersessional Process for considering SAICM and the sound management of chemicals and waste beyond 2020, and made available to the regional SAICM meetings for information.