A.I.S.E. FEEDBACK

To the reality check workshop on the possible simplification of Chemicals Legislation – CLP

Background

The **European association representing detergents, disinfectants and maintenance products (A.I.S.E.)** welcomes the opportunity to contribute to the ongoing discussions on the simplification of EU chemicals legislation. We appreciate the European Commission's efforts to engage stakeholders in assessing the **impact of Regulation (EU) 2024/2865** of the European Parliament and of the Council of 23 October 2024 amending Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures) (hereafter revised CLP regulation), to which we will be referring throughout this document.

Our industry is committed to ensuring the safe use of chemicals while supporting the EU's goals for sustainability, innovation and competitiveness. In this context, we wish to highlight key concerns about the **revised CLP Regulation** and propose practical, proportionate solutions that align with the objectives of the Chemicals Legislation simplification package.

We also note that A.I.S.E. member companies have already begun implementing the new requirements to ensure compliance in time for the application deadlines. To avoid unnecessary resource allocation to potentially obsolete processes, we respectfully suggest considering a temporary "stop-the-clock" mechanism for the application deadlines in the Regulation and its associated guidance until any new, simplified text would be adopted.

A.I.S.E.'s asks

1. Mandatory formatting requirements, including minimum font sizes and line spacing for the labelling of hazardous chemicals

We share the Commission's objective to improve label readability. However, the newly introduced mandatory formatting provisions – such as minimum font sizes, line spacing and font/background colours – pose significant challenges for our sector, particularly for small and medium-sized enterprises (SMEs).

The previous regulation already mandated legible labels and existing guidance has long recommended best practices in formatting. Making these requirements legally binding introduces rigidity without significantly enhancing safety, while creating major operational and financial challenges, especially for SMEs.

Redesigning thousands of labels, updating printing templates and investing in new equipment are just part of the burden. Many companies will need to implement the use of fold-out labels, which

reduce package recyclability and may increase Extended Producer Responsibility (EPR) fees under the Packaging and Packaging Waste Regulation (PPWR). These labels can also hinder ecolabel certification, alter packaging dimensions and disrupt logistics.

Multi-language labels are currently the most practical type of label, as they enable market clustering and, in some cases, are required by national rules (e.g. Belgium and Finland). This type of labelling is particularly affected by the new rules: increasing the font size and line spacing may prevent many companies (especially SMEs) from including several languages on a single label. To meet the required formatting requirements, companies may need to reduce language coverage or create additional Stock Keeping Units (SKUs), thereby increasing complexity, storage needs and waste.

Moreover, increasing the size of a package to accommodate all the required text would not comply with the packaging minimisation obligations under the PPWR.

A.I.S.E. estimated that the cost impact of the new requirements varies widely depending on company size, reaching up to tens of millions of euros per company. Folding labels alone account for three to five times more than single-layer labels.

We urge the Commission to reconsider the inclusion of detailed formatting rules in Annex I of the revised CLP. Instead, we propose maintaining these elements in guidance documents, where flexibility can be preserved without compromising safety. This approach supports legibility, sustainability and the competitiveness of the European chemical industry.

2. Rules on advertisement

We are concerned that the new advertising requirements under Article 48 of the revised CLP Regulation impose disproportionate obligations on suppliers of chemical products, especially compared to other regulated industries such as pharmaceuticals. The regulation lacks a clear definition of “advertisement” and applies broadly, creating uncertainty for companies and making compliance more challenging.

In particular, requiring detailed hazard information in all advertisements is impractical for many modern formats, such as social media posts (often viewed on small mobile devices), radio and podcasts, where space or time is limited. This could lead to information overload, confuse consumers and reduce their attention to actual product labels and discourage the promotion of more sustainable products that may carry hazard classifications due to concentration.

We welcome the inclusion of the statement *“Always follow the information on the product label”* for general public advertisements. We propose that this be the sole requirement for such ads, aligning CLP with other EU legislation (e.g. pharmaceutical, BPR, PPPR) and avoiding unnecessary complexity.

Similarly, the new rules for distance sales should not apply to professional and industrial uses, as existing channels such as Safety Data Sheets are sufficient to communicate hazard information.

We therefore urge the Commission to simplify Article 48 by:

- Limiting general public advertisements to a single safety statement;
- Exempting formats where full compliance is not feasible;

- Removing the obligation to include detailed CLP information in advertisements not directly linked to a sale.

This would ensure clarity, reduce unnecessary costs and maintain consumer protection.

3. Other areas for simplification

UFI format

The Unique Formula Identifier (UFI), linked to information for emergency health response in accordance with Article 45 and Annex VIII to CLP, is now subject to the same formatting rules as other information on the label, including the requirement for black text on a white background.

However, this requirement is incompatible with the nature of the UFI, which is added at the point of filling and is permitted by CLP to be printed or affixed directly onto the packaging. The (laser) technology used by many companies often produces light text on a dark background, which still provides sufficient contrast. Mandating black text on a white background imposes significant additional burdens and investment on companies and may be seen as regulatory overreach.

The solution suggested by A.I.S.E. is to review the rule on black text on a white background (if retained – see point 1) and to allow flexibility for the UFI printing, as long as the text has sufficient contrast.

Expert Judgment in Mixture Classification under Article 9(4)

The recent revision of Article 9(4) of the CLP Regulation significantly restricts the use of expert judgment in the classification of chemical mixtures, limiting it solely to the selection of reference mixtures for bridging principles. While this may streamline enforcement, it imposes disproportionate costs and operational burdens on industry, particularly in sectors like detergents where formulations change frequently.

This restriction undermines established tools such as the Detergent Industry Network for CLP Classification, DetNet, developed by A.I.S.E. and launched in 2013. DetNet is a collaborative industry initiative designed to support the appropriate classification of detergent mixtures under the CLP Regulation[1], specifically for skin and eye effects for which classification by calculation based on the ingredients has been shown to be a poor predictor of effects in humans[2].

In fact, over-reliance on algorithmic methods often leads to over-classification - for example, labelling mixtures as Serious Eye Damage Category 1 when expert toxicological assessment would support Eye Irritation Category 2. Such misclassifications have led to unnecessary medical interventions, as reported by Poison Centres.

DetNet features a secure, web-based IT platform providing access to a database of more than 240 tested reference mixtures, enhanced with robust *in vitro* data and expert-reviewed classification records. It supports standardized classification processes using bridging principles, expert judgment and weight-of-evidence approaches. DetNet brings together more than 250

[1] T. Petry et al, 2024. https://doi.org/10.1515/tsd-2024-2605
[2] R. Scazzola et al, 2019. https://doi.org/10.1016/j.yrtph.2019.04.004

experts, selected based on strict eligibility criteria. The platform is fully aligned with the CLP Regulation, particularly Annex I, paragraph 1.1.0, which encourages supplier collaboration and mandates transparent, well-documented classification decisions. By 2025, DetNet has facilitated the completion of more than 1,700 classification records, contributing to the classification of an estimated 3,400 detergent mixtures, - 71 of which were classified in the past 365 days alone.

The inability to apply expert judgment and use of algorithmic methods will force companies to resort to *in vitro* testing, increasing costs and straining laboratory capacity already under pressure from REACH and CLP obligations. A.I.S.E. members estimate a manifold increase in the number of tests required (e.g. 5-6x the current number per year), with costs of up to 10 000 € per test. In the case of eye irritation, there is no single validated test method, meaning that two tests are typically required per formula to arrive at an objective and robust classification. Overall, this leads to additional external costs of several hundred thousand euros per company per year, without considering internal costs and delays due to increased lead times for testing.

Importantly, restoring the previous regulatory flexibility would not compromise consumer safety. On the contrary, it would enhance it by ensuring accurate hazard communication and maintaining public trust in labelling. Over-classification risks desensitizing consumers to warnings, potentially increasing the likelihood of accidents involving more hazardous corrosive mixtures.

We respectfully urge the Commission to reconsider the current wording of Article 9(4) and reinstate the ability to apply expert judgment in mixture classification. This would ensure a balanced approach that supports enforcement, scientific integrity, innovation and consumer protection.

In conclusion, A.I.S.E. calls for the simplification of the revised CLP regulation and the inclusion of these provisions within a Simplification Omnibus. As the transition periods for CLP are already in progress, and ECHA continues to advance guidance on CLP and companies begin to organize, it is important for the industry to receive a definitive indication from the European Commission that this matter will be addressed under the simplification agenda.