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New proposed rules for the chemical industry on classification, labelling and packaging of substances and mixtures

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Background

The [revision](#) of the Regulation (EC) No 1272/2008 on the classification, labelling and packaging of substances and mixtures ('CLP Regulation'), which was adopted in its first reading by the European Parliament on 23 April 2024, introduces new rules for businesses in the chemical industry. The proposal is based on the EU's commitment to sustainability and to protecting consumers, businesses and authorities from the risks posed by hazardous chemicals.

Key Provisions

Some of the key features of the revised CLP Regulation include:

- Harmonized classification of chemical hazards for the proper functioning of the internal market;
- Improved hazard communication by making labelling more consumer-friendly, less burdensome for suppliers and easier to enforce;
- Mandatory formatting rules;
- Stricter labelling requirements;
- Digital labelling to complement physical labels;
- Distance selling provisions;
- Poison control center notification requirements for public health emergencies and

- Improved data sharing

Aim of the New Provision's Enhanced Protection

The goal of the proposed changes is to have a significant and positive impact on the:

- Protection of human health and the environment by recognizing and regulating new hazard classes;
- Informed decision-making by consumers and workers, reducing the risk of accidents and health problems related to chemical exposure;
- Promotion of innovation by encouraging the development of safer chemicals and alternatives to harmful substances;
- Effective communication of chemical hazards to consumers and workers;
- Consistency and clarity in the classification and labelling of substances and mixtures across the EU;
- Contribution to the EU's sustainability goals by promoting the use of less hazardous chemicals.

Impact on Businesses

As the regulation evolves and new amendments come into force, companies will face several challenges in compliance, operational adjustments, and strategic planning. The

proposed framework will inevitably have an impact on businesses in the chemical industry. In particular:

1. Businesses will have to **re-evaluate and possibly reclassify** their chemical products according to the updated criteria. This could lead to significant costs for testing, analysis and updating of labels and safety data sheets.
2. Businesses in the sector will also need to **train their employees** on the new regulations and update their documentation to ensure compliance with safe handling practices.
3. As certain chemicals are newly classified as hazardous, businesses may need to **reformulate their products** to use safer alternatives, which could involve significant research and development costs. In some cases, products may even be withdrawn from the market if they don't meet the new safety standards.
4. Businesses will have to **manage their inventory** of chemicals and products to ensure that all items are compliant with the updated CLP requirements. This can involve significant logistical efforts, especially for large inventories.
5. Effective **communication and coordination with suppliers** to ensure their compliance with the new regulation will also be crucial. This includes setting clear expectations and regularly auditing supplier practices.
6. Increased **regulatory scrutiny** could result in more frequent inspections and the potential for penalties if businesses fail to comply with the new requirements.
7. Finally, increased **reporting obligations** may require additional administrative resources to ensure timely and accurate submissions to regulatory agencies.

Concluding Remarks

The revision of the CLP Regulation represents both a challenge and an opportunity for businesses in the industry. While it entails significant compliance costs and operational adjustments, it also promotes safer chemical management practices and can drive innovation and competitiveness.

Without question, businesses that adopt a strategic approach that includes monitoring, supplier engagement, training, and financial planning will be better positioned to navigate the evolving regulatory landscape, protect their reputation and capitalize on new market opportunities, thereby potentially gaining a competitive advantage.

For expert legal advice and assistance on regulatory/compliance matters related to the chemical industry, consider contacting the dedicated team of KG LAW FIRM.

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