

# Nanomaterials Policy Conference

## Choices for Safety

**The Hague, The Netherlands**  
**8-9 March 2012**

Nanomaterials and nanotechnology present many options for innovation as well as benefits to economy and society. At the same time, the environmental and health safety aspects of nanomaterials deserve proper attention. This element of safety as well as the consumer's and workers' right to know where nanomaterials are used were discussed in the conference "Choices for Safety". This Nanomaterials Policy Conference "Choices for Safety" took place on 8-9 March 2012 in The Hague, The Netherlands. The fifty participants included delegates from 14 EU Member States and various stakeholders (from EU-Industry, European ngo's, European Parliament and European Commission). In an open setting participants discussed the several options to regulate nanomaterials where needed and appropriate. The participants spoke freely as experts on the topic and did not necessarily represent their Member States' or organisations official point of view. Therefore, there is no formal record of the meeting but the Chairs' Conclusions address the main topics of discussion and give an indication of the support these items received.

In lively discussions there was a broad support to take urgent action on European level to be initiated by the European Commission. The Chairs' Conclusions include to start developing both amendment of guidance and annexes of REACH and stand-alone legislation in parallel and referring to REACH ("nanopatch").

These conclusions will be used as input to prepare a document to be discussed at the Environmental Council of June 2012.

Below, the Chairs' Conclusions of the Conference are summarised.

### **Chairs' Conclusions**

1. There was a broad support at the Conference 'Choices for Safety' that the European Commission should take urgent action on regulating the production and use of manufactured nanomaterials and products containing nanomaterials now. The European Commission is the only institution that has the right to (and is thus obliged to) take the initiative for EU legislation.
2. Time is overdue and postponing the further development of concrete regulatory policies may compromise the safety for consumers, workers and the environment. In addition it is also an impediment for innovation. We do not want to make the same mistakes as with GMO's where lack of transparency created a bad image or with asbestos where earlier action based on precautionary principle could have saved many lives. European policy makers need to act.

3. Two things should be aimed for in parallel:
  - 1) A better knowledge of what is on the market (e.g. which nanomaterials, which products, which uses, which benefits, etc.), which will contribute to respond to the right to know of consumers and workers and which will improve public acceptance and help to provide traceability of nanomaterials.
  - 2) A better risk assessment allowing risk management where needed
4. Current legislation, such as REACH, is at the moment not 'nanoproof'. As risk assessment methodology and methods for hazard identification in general is considered applicable for nanomaterials, the Conference identified two complementary ways forward (supported by many participants):
  - a. amending the relevant annexes and guidance documents of REACH, recognizing that this cannot solve issues like appropriateness of tonnage limit values and exposure assessment.
  - b. considering a stand-alone legislation for registration of nanosubstances, parallel and linked to REACH and coherent with other specific relevant legislation (during the conference referred to as 'nanopatch')
5. The the European Commission is urged to amend the relevant annexes and guidance of REACH in 2012 and to take the initiative for other legislative gaps to be closed before 2014, for example by a nanopatch.
6. Recognizing that up to now actions at EU level on regulating nanomaterials are not satisfactory, and that it is unlikely that new EU legislation will enter into effect before 2020, many participants were not unsympathetic for governments to develop national initiatives such as the French one.
7. It was generally agreed that whatever measure the authorities take it should be balanced (risk and societal, environmental and economical benefits) and proportionate, as not to hamper innovation.
8. Voluntary initiatives of industry are welcome, and might help to improve levels of safety for workers, consumers and environment but cannot replace legally bound measures. Only legally bound measures can ensure level playing field.

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