

From: personal data (GROW)
Sent: 31 March 2016 15:54
To: personal data (SANTE); personal data (SANTE); personal data (SANTE)
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Subject: Comments on draft ED Impact Assessment

Follow Up Flag: Follow up
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Dear personal data

I spent some time this morning in the reading room and 'diagonally' read the draft IA (I'm afraid I don't have time to read all 300+ pages).

Overall, I'm impressed by what you (and the contractor) put together in such a short time, and I'm actually very happy with the outcome (as I expected less clear positions regarding option 4).

I would have the following (mostly editorial) comments - perso is on vacation this week and will read the draft IA only on Monday morning. So he might have more comments in the afternoon meeting (when I cannot attend).

Page 23: It might be useful to mention briefly (in the text or in a footnote) which cut-off value has been used for potency in Option 4. That is explained in the Annex – but not in the main text. A reference to the

relevant page in the Annex might also suffice.

I would suggest to add in Table 2 also the numbers of the substances that would fall in the other categories in Option 3 – these are in the respective Annex but I think it would be good to have them also in the

main text as otherwise it (wrongly) implies that Option 2 and 3 have the same results. By the way, there is a small mistake concerning the number of substances for biocides for Option 4: the table says '2',

but when you look in the Annex and count, the number is actually '3'. Likewise all numbers in the headline of Table 5 on page 99 are wrong. Please correct by re-counting the substances listed below.

Lastly, for the sake of completeness, as substances under REACH and Cosmetics were evaluated and this is mentioned in the Annex listing all the substances, it might be good to also include the results for

REACH and Cosmetics (possibly with a footnote saying that these were then not assessed any further in the IA).

Page 25: in the last paragraph, line 4, something seems to be missing after the words 'legal certainty'. For example 'increase'?

Page 26: there is a mistake in the last line of the 3rd paragraph, which reads '.... as it identifies less substances as E'. This is actually a totally wrong justification why Option 4 is more in line with international obligations.

The correct reason is explained in one Annex on page 168 and should be used here as well, i.e. '*... as it contains more elements of a risk assessment*', or something like that.

Page 32: 1st paragraph, last sentence, states that Option 1 has less impacts than any of the other options. This is difficult to understand as the numbers of substances identified as ED under Option 1 are the highest.

and the conclusion is very counter-intuitive. Therefore some reasons should be given (or at least a clear reference to the relevant part of the Annex included, where this is explained).

Page 38: Table 4 and Page 39: Table 5: In both cases it is very difficult to understand why in each scenario, Option 4 fares best (and the order of the options is always the same). One would rather expect that in scenarios

that put more emphasis on health and/or environment protection, other options would come out first (or at least the order be different). So, again, some explanation why this is so (or a reference to the relevant

part of the Annexes) would be helpful.

Page 43: Table 7. Again, some explanations for the rating of the options – or reference(s) to the relevant Annexes would be useful as it is sometimes difficult to understand why for a given aspect an option has been ranked

as good, bad, or neutral. For example, option 4A has been ranked as 'neutral' in relation to the criterion 'Compliance with International Obligations', which is very difficult to reconcile with the related statement on

page 41, in the 1st paragraph, which should actually lead to a 'bad' in Table 7.

That's it – hope it's all clear enough. Feel free to call me if you want to discuss.

Regards,

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