### UKCPI Advocacy, Regulatory & Communications Committee

Minutes of meeting held on Wednesday 28 April 2021

By Video Conference

Present: Mr P Woodhead - Selden Research (in the Chair)

Mr B Anderson - NicePak International

Ms A Barker - S C Johnson

Ms C Berto - Henkel

Ms G Bilska-Pietrasiak - Star Brands

Mr A Brack - PZ Cussons

Mr R Furse - Reckitt

Dr R Hastings - Mirius

Mr A Hill - Robert McBride

Mr T James - ACDOPRO

Ms N Katsouli - Procter & Gamble

Mr K Kostanopoulus - Diversey

Mr S McKay - Greyland Limited

Ms F Nortje - Unilever UK

Mr D Plepys - Clorox

Mr J Pickup - Consultant

Ms A Romanowska - S C Johnson

Ms L Silva - Ecolab

Secretariat: Mr P Malpass - UKCPI

Ms C Salter - UKCPI

Mr S Stewart - UKCPI

Apologies: Mrs H Fenwick - Unilever UK

Mr R Maharaj - Ecolab

Mr Y Parulekar - Kuraray

**Actions**

13/21 – **Mr Malpass** to raise CLP ATPs at ACA

13/21 – **Committee Members** feedback on 16th and 17th ATP to CLP

13/21 – **Ms Nortje** to check on CTPA position on amendments to regulations

13/21 – **Committee Members** feedback fragrance allergen and preservative labelling

14/21 – **Committee Members** feedback on EPR consultation

15/21 – **Ms Salter** to check if AISE have a position on fabric conditioner/flammability

10/21 **Competition Policy Statement**

Prior to the meeting commencing, Mr Woodhead read the Competition Policy Statement:

“UKCPI and UKCPI members shall adhere to UKCPI’s competition law policy and shall not share, directly or indirectly, commercially sensitive information including but not limited to pricing, terms and conditions of supply, business planning or marketing plans. Should the meeting discuss matters that fall outside of UKCPI's legal remit or contravene that policy; the Chairman will close the meeting”.

Mr Woodhead welcomed Ms Silva, Mr Brack and Dr Hastings.

11/21 **Minutes of Meeting 27 January 2021**

The minutes of the meeting were agreed to be an accurate record.

All actions were complete or covered in the agenda.

12/21 **Matters Arising**

There were no matters arising.

13/21 **Future UK Regulatory Changes**

Regulatory Changes List

Mr Malpass introduced the document prepared by the Secretariat to list possible changes in regulations as a result of the UK having left the EU i.e. changes that are upcoming in the EU and will not be automatically adopted into UK regulations. The purpose of the document was for Members to identify the UKCPI position for advocacy purposes in the future. Mr Malpass added that this would inform the UKCPI lobbying position and if that should default to the AISE position on the EU regulations or if a more tailored UK position would be preferable.

Mr Furse felt that the positions should be developed on a topic-by-topic basis depending on whether it was advantageous to follow the EU regulatory changes. Mr Furse added that HSE had already indicated that as some point they would recast the UK regulations and that we should watch out for changes being introduced then.

Ms Katsouli suggested that we should follow the EU/AISE position as the EU was the larger market and Mr Furse agreed but would still need Members to review the AISE position. Mr Malpass suggested that we would need to “dress it up”, as simply adopting all EU regulations may not be politically acceptable to UK Government. Mr James agreed that we should have a position in principle to harmonise the regulations and that it also afforded the opportunity to introduce Industry thinking/positions to the UK authorities while it is still being discussed within the EU. Ms Barker added that there would be many difficulties if we did not align.

Mr Pickup asked if there would be a different approach for legislation impacting on different areas e.g. legislation on product versus legislation on production facilities. Mr Malpass stated that in general UKCPI focuses on product legislation.

Mr Hill noted that beyond specific adaptations to the current regulations there are currently wide-ranging talks in the EU e.g. Endocrine Disruptors in CLP and the Chemical Sustainability Strategy. Ms Barker added that CSS is a very big issue. Mr James added that UKCPI should be looking at both the EU and UK and should be part of discussions with the wider chemical sector through vehicles such as the Alliance of Chemical Associations. Mr Malpass suggested that if we were to take issues like this on then we would need to first develop a UKCPI position first.

Ms Barker also raised the issue of explosive precursors and whether the UK would bring in the new EU regulation. Mr Malpass asked when the regulation was made to know if it had been adopted in the UK before we left the EU and Ms Barker replied that it only came in to effect in 2021. Ms Katsouli agreed that this regulation should go on the list and then in the future it would be reviewed on a case-by-case basis.

Mr Woodhead asked if there had been any progress on the Industry position on REACH and Mr Malpass replied that it had been stonewalled to an extent and, although a sub-committee had been set up and had met, there was little progress. Mr Woodhead added that there could be divergence if there were future UK changes that did not apply in the EU.

Mr Woodhead raised the issue of the 16th and 17th ATPS to CLP and if UKCPI should be lobbying for their adoption in the UK and suggested it could be a topic for Mr Malpass to raise at the ACA. He added that we should stay with the EU decisions unless there is good reason not to. Mr Malpass agreed that he could do that and then look with the rest of the Industry to develop a lobbying strategy and timeline so they came in at the same time as in the EU.

**Action: Mr Malpass**

Mr Stewart asked if there would be a process or mechanism to gather Members views on the ATPs to see if they should be adopted. Mr Malpass replied that Members would review the ATPS and provide comment that would allow a mutual position to be agreed that would be the basis of lobbying. Mr Woodhead added that divergence of issues such as substance classifications as companies relied on software that would most likely be based on EU classifications. Mr Malpass suggested that we should make a start on the process with these ATPS and asked Members for their views on these documents. Mr Stewart added that Ms Dodgson had sent out an email the previous week with links to both documents. Mr Hill felt that we would be unable to cherry pick classification and we would need to either accept or decline the whole ATP.

**Action: Committee Members**

Detergents Regulations

Prior to the meeting, Mr Stewart had circulated a pre reading document on the topics of fragrance allergy labelling and carry over preservatives labelling.

On fragrance allergen labelling, the EU regulations are tied in to changes in the EU cosmetic regulation while the GB ones are not, and Mr Stewart asked for companies’ views on whether we should lobby for the GB regulations to be changed. Mr Woodhead suggested that you could over label, although Ms Nortje did not think this was desirable and Mr Hill raised concerns about the space available on a label. Mr James suggested we should lobby for changes to the GB regulations and Mr Furse agreed. Ms Nortje agreed to check if it was on the CTPA agenda to have the GB cosmetic regulations to align with future EU regulations.

**Action: Ms Nortje**

Similarly, Mr Stewart reported that there were on-going discussions in the EU regarding the labelling of preservatives where it was possible that much stricter requirements could be brought in while AISE were lobbying for a middle ground. Mr Furse supported the idea of a threshold level for labelling and noted that it is often difficult to get information like this from suppliers. Mr James agreed and noted that different suppliers might use different preservatives for the same substance but suggested waiting for the outcome of the discussion before deciding on a course of action. Mr James added that this could be an opportunity to brief competent authorities in advance of UKCPI/AISE positions and Mr Malpass agreed that this was a good idea and could use these two issues and the ATPs as a place to start.

Members were asked to feedback on these issues.

**Action: Committee Members**

14/21 **Extended Producer Responsibility Consultation**

Prior to the meeting Mr Stewart had circulated a summary of the proposals in the EPR consultation developed by Incpen for their Trade Association Group of which UKCPI is a Member. Ms Nortje asked if UKCPI had a position. Mr Malpass replied that we would normally follow the Incpen position as a well-recognised expert body, but they do represent the entire packaging supply chain so might not be our best voice on this topic as the burden would fall on finished product brand owners only. Mr James asked if we were aware of the CTPA view on the proposals and Ms Nortje replied that they are currently carrying out a similar Members consultation. Mr Malpass added that the British Brand Group were also looking at this. Mr James asked if UKCPI had a position paper on the change to the previous spilt of responsibilities and Mr Malpass replied that we would default to the public position from our response to the previous consultations.

Members were asked to feedback comments on the consultation.

**Action: Committee Members**

15/21 **External Affairs**

Flammability/Fabric Conditioners

Ms Salter reported that there had been recent media coverage with articles recommending not to use fabric conditioners on flame resistant clothing as the properties could be adversely affected. Mr Malpass added that we had asked for feedback from manufacturers but more would be welcomed. Ms Nortje asked if this would only be a reactive position and it was agreed that it would be. Ms Katsouli asked if there was an AISE position and Ms Salter agreed to check.

**Action: Ms Salter**

IFH/AISE Hygiene Report

Ms Salter noted that the joint IFH/AISE Hygiene Report had been published on the 7 April and it had been promoted locally on UKCPI social media and website with more to follow next week on Hand Hygiene Day.

16/21 **Regulatory Issues**

Biocidal Products

Mr Furse reported that there were no significant updates but continued frustration that when asking about NI then ECHA would tell you to contact HSE and vice versa. Ms Katsouli asked for clarification of the NI and Mr Furse replied that there was currently no process to get a product approved for placing on the market in NI and both HSE and ECHA were very unhelpful. Mr Woodhead noted that quaternary ammonium substances were now on the EU work programme for PT2 biocides and Mr Furse added that there was no current corresponding GB work programme.

CLP

Mr Stewart reported that many of the issues had been covered in the earlier discussions on regulatory change – CSS, ED, ATPs and on-going discussions on ethanol reclassification. Mr Woodhead asked if there was clarity on the likely outcome for the ethanol proposals and Mr Stewart replied that there was not.

UN GHS & TDG

Mr Stewart reported that the report from the December meetings was now on the UNECE website and that there were ongoing activities on practical classification issues and improvements to annexes 1 to 3 that were of interest to UKCPI.

Detergent Regulations

Mr Stewart felt that the issues had been discussed earlier and with other topics on the regulatory change list.

Professional Cleaning & Hygiene Sector

Mr Woodhead reported that the PCHS WG was also discussing issues such as Detergents Regulations but were also looking at medical devices and cleaning them and proposals for positive and negative lists of products for cleaning organic food exported from the UK to EU. Mr Stewart was not aware of changes in the legislation around medical devices as it was not legislation UKCPI tracked.

Explosive Precursors

Mr Stewart reported that he had no update on future UK legislation.

17/21 **Any Other Business**

UK Ecolabel

Mr Hill asked if anyone was aware of the UK adopting a scheme similar to the EU Ecolabel. Mr Furse replied with the EU scheme no longer applicable in the UK that it was likely that the UK would develop its own scheme in the future. Mr Malpass asked if this was something that UKCPI should be actively lobbying for, but it was felt that it could be with informal discussions with officials at present.

18/21 **Date/Location of Next Meeting**

The next meeting will be held on 14 July 2021 commencing at 10:30 am by video conference.

Further meeting dates for 2021 are:

27 October by video conference