BOARD MEETING 01/2020

MINUTES

Meeting at A.I.S.E. (Brussels)

**Tuesday 13 February 2020, 10:30 – 16:00h (CET)**

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| **Participants**  Mr Giuseppe Abello, Assocasa  Ms Ana-Maria Couras, A.I.S.D.P.C.L.  Mr Jean-Paul Dechesne, Colgate-Palmolive  Ms Virginie d’Enfert, Afise  Mr Ismaël Djelassi, Spechim  Mr Ludger Grünwald, Ecolab  Mr Ad Jespers, Diversey  Mr Thomas Keiser, IKW  Ms Sari Karjomaa, TY  Mr Philip Malpass, UKCPI  Mr Stefan Müller, Dalli-Werke  Mr Lorenzo Potecchi, SC Johnson  Mr Thomas Rauch, IHO  Mr Hans Razenberg, NVZ  Mr Arndt Scheidgen, Henkel  *Guest :*  Ms Kirsi Ekroth-Mansilla, DG GROW EU Commission (partially) | *From A.I.S.E.:*  Mr Sascha Nissen  Ms Valérie Séjourné  Ms Susanne Zänker  *Apologies:*  Mr Charles-François Gaudefroy, Unilever  Mr Mohamed Temsamani  Ms Helle Fabiansen, KoBH  *By Webex:*  Ms Heather Barker, RB  Ms Mihaela Rabu, Rucodem  Ms Nadia Viva, P&G  Ms Anna Oborska, PACDI |

1. **WELCOME AND OPENING**

The Chairman of the Board opened the meeting by welcoming the participants. He reminded that from 12:00 till 13:00 Ms Kirsi Ekroth-Manssila will join as guest. She is Head of Unit “Chemicals and Plastics Industries”, DG Internal Market, Industry, Entrepreneurship and SMEs, European Commission.

The rules of the competition law were reminded, and all agreed to adhere.

1. **APPROVAL OF AGENDA**

The meeting ordered was slightly changed to accommodate requests from members, the order of the minutes was maintained as per pre-reading.

The following points were added:

7. Other items:

- 7.1. Biocides update

* In can Preservatives
* Outcome of the ECJ ruling on Probiotics

- 7.2. Plastic Tax

- 7.3. Brexit

- 7.4. A.I.S.E. Staff situation

- 7.5. Engagement with Retailers

1. **APPROVAL OF MINUTES & REVIEW OF ACTIONS OF LAST MEETING (26/11/2019)**

The minutes of the last meeting on 26 November 2019 were approved. The actions were reviewed and were either carried out or are covered through the agenda.

1. **A.I.S.E. GOVERNANCE** 
   1. **Membership**

* + 1. **Application Lubrizol**

The application from Lubrizol received on 9 January 2020 to become Associate Member of A.I.S.E. was approved by the Board, which allows the company to become observer in WGs and TFs until the official endorsement by the General Assembly in June 2020. From 9 June 2020 onwards their membership, if endorsed by the General Assembly, becomes official.

***ACTION:***

***- Inform Lubrizol about the Board approval about the membership and the next***

***steps (S. Zänker)***

* + 1. **Termination BODE**

Bode Chemie had informed A.I.S.E. end of November 2019 that they wish to stop their corresponding membership ending on 31.12.2020. The Board took note of the membership withdrawal, T. Rauch from IHA mentioned that he has a meeting scheduled with Bode Chemie in the near future and will take the opportunity to understand the rationale behind their decision.

***ACTIONS:***

***- Check informally with Bode Chemie the reason of their decision to terminate the membership with A.I.S.E. (T. Rauch)***

***- Notify the General Assembly about the termination of Bode Chemie (S. Zänker).***

* + 1. **Overview**

An overview of the recent membership applications for both Associate and Supporting Corporate Membership was presented, with a focus of their sectors, such as Enzymes, films for capsules, surfactants, biocides, fragrances, etc. The question was raised whether actively more members should be searched to also increase the income of A.I.S.E. Most of the membership applications were motivated to resolve issues for our sector involving also the relevant suppliers.

It was suggested, to potentially further reach out, opportunities are arising to further support the strategic agenda points of A.I.S.E., however, also due the current limited resources, this was not seen to become a priority of activities.

* 1. **Finances**
     1. **Estimated financial situation as at 31.12.19**
     2. **Estimated level of operational reserve as at 31.12.2019**

*For details, see pre-readings and also the excel sheet.*

The treasurer I. Djelassi gave an overview on the budget based on the shared documents ahead of the meeting. He stated that the budget had been managed in a diligent way, i.e. the estimated end of 2019 result show a balance between income and expense. The reserve will therefore remain stable. Some of the expenses, such as events could be run at significant lower costs, and in some areas due to delays, or lack of capacities within A.I.S.E., carry overs will be made to undertake the activities.

As next steps, the accounts 2019 will be audited in March, and for the April Board meeting those will be presented, with a revision of the 2020 budget and a forecast for 2021. The 3 years will then be presented for endorsement by the General Assembly in June. I. Djelassi thanked C. Baïer for the close and precise follow up of the accounts with the respective project manager and Director General.

***ACTION:***

***- Prepare the 2019 audited results, 2020 revision and 2021 forecast for the April meeting (I. Djelassi with Secretariat).***

* + 1. **Unpaid membership fee 2019 (LAKIFA, Latvia)**

The Board was made aware that the membership fees from the Latvian association, LAKIFA are still unpaid. The reason being is the unpaid membership fee from Unilever to LAKIVA, which prevents them to pay to A.I.S.E. Several mails had been sent to LAKIFA, Unilever and the cluster representative to resolve the situation. The Board asked for a last attempt and to raise the point again at the April Board meeting.

***ACTION:***

***- Follow up with Unilever the 2019 unpaid membership to LAKIFA for update at next Board meeting (S. Zänker/C.-F. Gaudefroy)***

* 1. **Changes of Statutes**

No additional points to the pre-reading were made, where it was explained that the Belgian Law has changed requiring modification in the Statutes of A.I.S.E. Those will be presented at the next Board meeting.

***ACTION:***

***- Table modified statutes for revision at the next Board meeting (S. Zänker)***

1. **KEY TOPICS FOR DISCUSSION/APPROVAL**

***REGULATORY ISSUES***

* 1. **Roadmap for digital transition and consumer information**

The revised Roadmap was presented, following preliminary discussions held in 2019 on the topic. It results from the discussions held with experts form the network in Jan 2020 and basically aims at providing a holistic and inclusive approach (regulatory and reputational driven) to address various topics (e.g. online declaration of ingredients, apps proliferation, transparency, etc).

***The overall objective of this Roadmap is to “Ensure confidence in our products by all stakeholders & Support their correct use by consumers”***

Its four pillars of activity namely:

1) Proactive and common INDUSTRY INGREDIENT messaging

2) Harmonised PRODUCT INFORMATION template

3) CONSUMER ACCESS

4) BETTER LABELS

… were all approved by the Board. Members confirmed that this Roadmap was the right approach, focusing on the “WHAT” is important to communicate to consumer first. One question on resources needed was raised and it was mentioned that the team preferred to progress this in a stepwise approach, with pilot projects, after Board’s approval. Adequate organization within the A.I.S.E. team and potential relevant groups in A.I.S.E. will be the next step. It was also suggested by one National Association representative that for the ingredients messaging, addressing the environmental aspects (in addition to human health) would be useful, and that overall, the engagement with retailers would be welcomed too for this Roadmap.

* 1. **CLP Annex VIII: Notification to Poison Centres (PCs)**

A quick reminder of the timelines for the notification to PCCs and UFI printing was given (see slides). The open issues, such as IT, and Mutually interchangeable components In Groups (ICG) was mentioned, that will be taken up with the Mrs. Ekroth-Manssila. Equally, it was raised that some national authorities’ systems would probably continue to exist as they are broader in terms of scope, or seen based on history more tailored to the needs of doctors in case of an acute incident with a product.

**Guest Speaker: Kirsi Ekroth-Manssila**

The President warmly welcomed K. Ekroth-Manssila from the European Commission and suggested a short Tour de Table. K. Ekroth-Manssila thanked for the invitation and expressed her appreciations to the constructive dialogue her with her unit are having with A.I.S.E. she is enjoying since she took over the position at the Commission. She focused during her presentation on 2 topics, namely the Chemical Strategy for Sustainability linked to the Green Deal and secondly CLP and the notification to the Poison Centres as covered by Annex VIII (see her presentation, sent on 13 February).

1) On the Green Deal, and the related documents the expected release of those documents has been postponed by a week, i.e. 11 March. Those will cover aspects such as the Chemical Strategy, Single Market, circular economy, support to SMEs, etc. She sees the objectives as better protection of the future for more sustainability and to drive innovation. When looking to the current legislation, broad parts are fit, but aspects such as digitalisation should be built in.

After the presentation, some questions were raised. One was about the survey announced by the Commission on label and digitalisation of information to consumer, she explained that the 1st call for tender did not bring the expected results, and that a new call for tender will be launched in summer, with the aim to start the survey towards the end of 2020. A.I.S.E. expressed its wish to contribute as early as possible, i.e. from the conception of the questions and referred to its own on-going consumer habit survey which covers also some aspects in this regard. The second question was related to the “one substance – one assessment” approach under the Chemical Strategy. It was suggested to make the process of review/ assessment more transparent also as to priorities, potentially via a family grouping approach, and to consider the socio-economic aspects. It was also questioned whether this could potentially open REACH, and lead to a pure hazard assessment rather than a risk assessment. On the question about how to ensure Single Market across the EU, K. Ekroth-Manssila agreed that at the enforcement level resources are lacking to properly implement in a harmonised way EU Regulations, hinting to the idea that digitalisation could potentially help there as well.

2) As to Annex VIII of CLP, K. Ekroth-Manssila reminded the dates of implementation and referred to the important work at the CARACAL meeting in April to sort out the outstanding issues, including IT, ICG (interchangeable component group) (of importance for DU), and on UVCBs (Substances of unknown or variable composition, complex reaction products or biological materials, collectively called UVCBs under REACH). In addition, ECHA should draft guidance documents for users, members states and PCs about the tools and the procedures.

On the questions was made about the access to the information related to UFIs, to which K. Ekroth-Manssila answered that in principles the access should be for the PCs only, but of course in some countries the structure of the official contacts could lead to a broader access.

She invited A.I.S.E. to send any questions or comment on the PC notification to the Commission, to further improve the practicalities of the system.

The President thanked her on behalf of the A.I.S.E. Board for her presentation and openness to the questions.

* 1. **Microplastics**

The Microplastics (MP) Task Force has been heavily working to prepare the A.I.S.E. contribution to the last RAC and SEAC meetings (first half of March) before the finalization of their opinions. This work is done in close cooperation with IFRA and with a transparent communication towards Cefic and Cosmetics Europe. The focus areas at RAC for A.I.S.E. are on the criteria for solubility and biodegradability. This is to ensure the restriction is based on a clear definition, proportionate and implementable without adding unjustified administrative burden on companies.

The MP Task Force met for its annual face-to-face on 4 February to prepare a timeline for the needs in 2020 on advocacy and communication, on top of technical ones, to ensure the membership is prepared.

A final combined SEAC and RAC opinion is expected in autumn 2020; since it will be sent to European Commission and publicly available to stakeholders, the Secretariat will ensure a series of key messages are made available to members for use at national level and within their organizations.

The MP Task Force recognized that in 2019 the FTEs invested in the work on this dossier were double then envisaged, but this was needed due to the high priority and complexity of this dossier; this comment will be raised with the MC/NAC during the discussion on the work programme in March.

It was stressed that work continues on the document for Solubility. The Board reiterated the importance to clearly distinguish between soluble and insoluble, as this has a major impact on the label and reporting requirements.

After the more scientific discussion in March, attention on the topic in the public domain will grow due to the papers from the Commission to go into the more public domain. This requires a shift within A.I.S.E. from the technical work to the communication and advocacy area, with also high resources. A joint meeting between the Microplastics Task Force and the Advocacy Task Force is planned soon to set a strategy and put tools in place in support of European and national level needs, in particular for the NAC. Co-ordination on the external outreach will continue with Cosmetics Europe and IFRA Europe**.**

***SUSTAINABILITY ISSUES***

* 1. **European Green Deal**

Based on an initial A.I.S.E. assessment of the European Commission Communication concerning the European Green Deal, the Board agreed that A.I.S.E. should make an in-depth assessment to provide strategic directions to future A.I.S.E. positions. The Commission policy for the next 5 years is very ambitious and will impact also the business of our sector significantly. For that purpose it was agreed to convene a special A.I.S.E. Consultation Panel to gather intelligence, and thoroughly assess and analyse the threats and opportunities associated with the Green Deal and its upcoming policy/regulatory initiatives (first proposals are expected to be published on 11 March).

It is proposed to organise 2 physical meetings of that Panel at the end of March and early May with the objective to deliver a proposal for a strategic decision at the June Board on 1) the A.I.S.E. positioning to the Commission’s Policy and 2) how to contribute to the different topics of the Green Deal as an industry sector. This would cover:

• Assessment of the various chapters of the Green Deal and identification of the priorities for A.I.S.E.;

• Opportunities/Gaps and risks for business (based on A.I.S.E. achievements/current contribution);

• Proposal on how can A.I.S.E. further contribute (via existing initiatives, potential new activities, etc.).

Considering that the Commission’s Policy approach is very horizontal, A.I.S.E. will need to look firstly at more political and business aspects and secondly to the more specific aspects in each relevant chapter. Indeed, the Commission approach under the Green Deal is very broad and key actions are going beyond sustainability policies to cover also areas such as Industrial and Chemical Policies, Innovation, Investments, etc. For that reason, this call for interest to the Consultation Panel will aim to bring together industry network experts on sustainability, advocacy/public affairs, and technical & regulatory affairs, incl. the A.I.S.E. Board sponsors and the A.I.S.E. Directors. In this context it was mentioned that it would be relevant to not only focus on the European level, but to have the national associations contributing to the assessment to identify those member states which may take the lead on specific topics as covered by the Green Deal.

***ACTIONS:***

***- Issue call for participation to the A.I.S.E. Strategic Direction Setting in view of the EU Green Deal via dedicated Consultation Panel and organise and prepare meetings of Consultation Panel in March and May (A.I.S.E. team)***

***- Update April Board on ongoing developments and first outcome of Consultation Panel discussions (A.I.S.E. team)***

* 1. **Charter 2020+** 
     1. **Overview on current membership and corresponding income**

The Board was informed that with 58 ordinary Charter members migrated so far, about 2/3 of the Charter budget for 2020 will already be secured through the corresponding income via membership fees; in addition, 17 retailers have signed the new commitment letter. It is estimated that about 100 manufacturing companies will be needed to reach the break-even as per the pre-defined business model, and the Board is in support of continuous efforts to promote the value of the Charter and the benefits to upgrade. Further progress will be closely monitored by the Sustainability Steering Group and the A.I.S.E. team, and the Board will be informed accordingly. Indeed, several meetings with A.I.S.E. participation have already been organised at local level all over Europe; further activities are planned for the coming months (see presentation for details).

***ACTION:***

***- Keep Board updated on Charter 2020+ membership status, also with view to take measures in case break-even may not be reached by deadline for migration, i.e. 30 June 2020 (SSG/A.I.S.E. team)***

* + 1. **Charter 2020+ Symposium (12 February 2020)**

The Board was informed that main objectives of this event were met, i.e.:

- promote Charter 2020+ to the industry network (as we are still in the phase to recruit companies to join Charter 2020+);

- inform external stakeholders including retailers with the purpose of reputation building and increasing 3rd party recognition;

- engage Charter members and offer them the opportunity to provide input, share good practice and exchange.

The target groups were well covered with about 80 delegates participating from the A.I.S.E. industry network, manufacturing Charter members and non-Charter members, retailers, value chain partners (ingredients, packaging, APPLiA and Ginetex), the European Commission, and other external stakeholders.

Board members who attended the event confirmed the very good quality of the programme and speakers as:

- well-tailored for the audience, very comprehensive, useful and exhaustive for attendees, also as introduction to the Charter;

- well balanced between topics as well as presentations vs. panel discussions;

- forward-looking concerning

* cooperation with the European Commission, also highlighted by Director-General DG Environment Daniel Calleja Crespo, who recognised A.I.S.E.’s pro-active initiatives, especially the Charter (see also A.I.S.E. press release, incl. a quote from him as follows: “[…] We welcome initiatives such as the A.I.S.E. Charter for Sustainable Cleaning, which contributes to the circular economy objectives covered by the Green Deal. Sector associations can be very influential in the transition needed and enable progress for the whole industry, facilitating also value chain collaboration”;
  + further improvements via collaboration within the industry sector (household and PC&H) and the value chain, with special focus on retailers;
  + increasement of awareness level by consumers, e.g. via better use of Charter product standard logo by Charter members and communications efforts.
    1. **Development of new Charter product standards for toilet blocks**

The Board approved to initiate the work on the development of new Charter product standards for toilet blocks.

Following the proposal from one Charter member company to develop such product criteria, a call for interest achieved a positive result with so far five companies, including three SMEs, volunteering to participate in a dedicated Task Force. A.I.S.E. team resources to manage the project are available.

**ACTION:**

**- SSG to kick-off work via dedicated TF.**

1. **FOR INFORMATION/QUESTIONS ONLY**

* 1. **Communication – What will A.I.S.E. deliver in 2020?**

This was endorsed; no specific addition versus pre reading.

* 1. **Detergent Regulation: update** (see preread)

* 1. **Cleanright.eu**

The launch of the portal on 6 February 2020 was welcomed. Development of the various language versions is now being organised and should be completed in the course of Q2 2020.

* 1. **Habits survey 2020**

No specific addition versus pre-reading. Results will be shared with members on 10 March by the agency and then, exploitation of those will be shared with the various relevant working groups and adequate guidance on use by the network will also be shared.

* 1. **Polymers Registration under REACH: update** (see prereading)

* 1. **LLDC update** (see prereading)

* 1. **CLP development at UN level** (see prereading)

* 1. **Biocides** (see below)

* 1. **Report of activities from Slovenian Association KPC (2019)** (see prereading)

* 1. **Report of activities from Lithuanian Association Likochema (H2 2019)** (see prereading)

1. **OTHER ITEMS**

**7.1. Biocides update** (in addition to agenda point 6.8)

**7.1.1. In-can Preservatives**

A short update on the latest discussion that took place at the Competent Authorities (CA) Meeting on 6 February was given. As a reminder, ECHA issued a paper for discussion and agreement in follow up of a a CEPE paper (“Qualitative and quantitative risk assessment of isothiazolinones used in paints”). This ECHA paper raised 3 questions about Quantitative Risk Assessment (QRA), paints classified as sensitizing and feasibility of Risk Mitigation Measures when handling such paints. During the CA meeting it was concluded that science aspect should be addressed first. Indeed, COM concluded that ECHA should discuss QRA methodology and asked for an active participation from Industry (reporting is expected by end of this year). IND raised also the ‘policy principle’ versus the ‘scientific aspect’, i.e. not to set strong restrictions at a.s. approval and allow QRA (or any other option mitigating the sensitization of Treated Articles like paints or detergents) to take place at Product Authorization level. COM concluded that this point will be looked at, but the science aspect should be addressed first. This means further action through A.I.S.E. will be undertaken on QRA in collaboration with in-can preservatives suppliers, CEPE, etc.

**7.1.2. Outcome of the ECJ ruling on Probiotics**

Last year a Dutch company put a probiotic cleaning product on the market, with apparently biocidal claims, however, without going through a biocidal product authorisation. The Dutch authorities went back to the company and said that the marketing of the product can’t be made, as not registered as a biocidal product. The company went to the Dutch Court, who referred the case to the European Court of Justice (ECJ). The ruling has been published end of 2019 stating that cleaners containing active substances to absorb or digest organic waste, i.e. the basis of microbiological substance are to be considered as biocidal active substances. The basis for the ECJ to define a biocide is very broad triggering therefore some confusion among members and member states where to draw the line between a cleaning product and a biocide.

The Board suggested the Biocides WG to review the case and to issue for the members a clarification paper, taking also into account the discussion in this regard that took place when shifting from the BPD to the BPR on substances such as hypochlorites, peroxydes etc. and the importance of claims.

**7.2. Plastic Tax**

Linked to the Green Deal some members raised their concerns about the growing discussion in Member States on Plastic, Plastic Waste and Taxes on those. In Italy from 1 July 2020 a plastic tax will be implemented, calling it a consumption tax (excise). The work packaging per se is not used, however it is clearly covering single use manufactured goods (packaging), closures etc. Multiple use packaging are exempted, also those for medical devices, packaging that is compostable or those plastics that are stemming from recycled plastics.  The tax is set at 0.45 €/kg of plastic. Other countries such as FR, ES, Pol will follow in 2021, and also in 2022 by potentially CZ, HUN and HR. It was suggested to closely monitor the situation and the developments. It was mentioned that taxes do follow under the governance of each country making it therefore difficult to take actions.

***ACTIONS:***

***- Collect knowledge about intended plastic fees and/or taxes in countries and on EU level (NA, AISE secretariat, companies)***

***- Prepare overview and propose next steps (AISE secretariat)***

**7.3. Brexit**

It was suggested that with the Brexit enacted on 31.1.2020, the discussion within A.I.S.E. should be restarted to define the relationship between A.I.S.E. and UKCPI. Ph. Malpass stated that with regards to the chemical legislation in 2020 the current EU legislation will apply. Nevertheless a full-fledged UK system with own an UK-“ECHA” office  is in process to become operational, to work in 2021 on their own legal framework which could lead to deviations from the EU legal framework. This sets the basis for discussing about the future relationship between A.I.S.E. and UKCPI.

***ACTION:***

* ***Prepare for the next Board meeting a discussion paper on the UKCPI membership situation in 2021 and beyond. (S. Zänker/ Ph. Malpass)***

**7.4. A.I.S.E. Staff situation**

A short update on the A.I.S.E. Staff situation with currently 35% reduced resources, was provided as following:

* Director of the Scientific & Regulatory Affairs Team: J. Robinson will start on 24 February 2020
* Project Manager for PC&H and DUCC: L. Danauskiene will start on 1st April 2020 with a 0.5 FTE for PC&H (and 0.5 FTE for DUCC).
* Project manager on Biocides: E. Cazelle is still under sickness leave until end of February and may potentially start on a half time basis; her work is currently covered by a consultant.
* Appointment of 2 Directors: Both S. Nissen and M. Temsamani will become Director from 1 April onwards for respectively Sustainability and External Affairs.
* Head and soon Director for Sustainability, S. Nissen decreased his work time to 80%.
* Project Manager for Sustainability, F. Angiulli will decrease her resources in the area of Microplastics. After the RAC meeting in March, the work will focus within A.I.S.E. on advocacy and communication matters. Hand-over on the scientific aspects will be made to J. Robinson.
* Director for legal affairs: The Board was informed about the termination of the employment contract of C. Boudet on 31 January 2020 and ratified the decision of A. Scheidgen and I. Djelassi on behalf and for the account of the Association to terminate the contract (termination letter was sent on 16 December 2019) and to enter into a settlement agreement with Ms C. Boudet in that respect which was signed on 31 January 2020.

A new person will be recruited with a different profile, namely a manager for legal and public affairs. Some of the administrative work will be covered by C. Baïer, some of the more legal support also outsourced, however co-ordinated by the new manager. And the other 50% of that person should provide support to M. Temsamani in his work. Please feel free to share the advert also among your contacts.

**7.5. Engagement with Retailers**

L. Potecchi suggested to strengthen the dialogue with retailers also beyond the Charter, as he sees emerging pressure coming from this side on products, ingredients, packaging, etc., also in the area of products for professional use. It was suggested to give further thoughts to the aspect to identify topics for engaging in a dialogue with retailers/retail organisations.

***ACTION:***

***- Provide input on issues or topics for discussion with retailers (Board)***

1. **CONFIRMATION OF NEXT BOARD MEETING**

**-** Wednesday, 29 April 2020, 10:30-16:00 (Brussels, A.I.S.E. offices)

Document name: 2020-02-13 BOARD MINUTES A.I.S.E., 3 MARCH 2020