### DRAFT

### UKCPI Advocacy, Regulatory & Communications Committee

Minutes of meeting held on Wednesday 28 October 2020

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

Mr M Cooper - PZ Cussons

Ms R Eckley - Unilever UK

Mr R Furse - RB

Mr J Gourbeault - RB

Mr A Hill - Robert McBride

Mr T James - ACDOPRO

Ms K Josefacka - Coventry Chemicals

Ms N Katsouli - Procter & Gamble

Mr K Kostanopoulus - Diversey

Mr R Maharaj - Ecolab

Mr S McKay - Greyland Limited

Mr Y Parulekar - Kuraray

Mr J Pickup - Consultant

Ms A Romanow - S C Johnson

Secretariat: Mr P Malpass - UKCPI

Ms C Salter - UKCPI

Mr S Stewart - UKCPI

Apologies: Ms G Bilska-Pietrasiak - Star Brands

Mrs H Fenwick - Unilever UK

Mr M Wood - Coventry Chemicals

28/20 **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”.

29/20 **Minutes of Meeting 15 July 2020**

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

All actions were complete or covered in the agenda.

30/20 **Matters Arising**

There were no matters arising.

31/20 **COVID-19**

Mr Malpass noted that HSE had updated their guidance and support on Covid-19. The association had also turned down an application for Membership of a company that was not seen to be aware of their legal obligations and were just seeking the perceived endorsement of the Industry Association. Mr Malpass also felt there had been a reduction in the number of exaggerated claims. Mr McKay noted that there was still a high demand for fogging equipment and when he had raised concerns with HSE/HSA he had been referred to Trading Standards.

32/20 **Advocacy**

Indoor Air Quality

Mr Malpass reported that an internal WG had met to map out the Industry position to the Clean Air Strategy. The definition of VOC, possible banding levels, the scope of products included and the on-line declaration. Mr Malpass added that in his assessment “down the drain” products would be <1% of total VOCs and all cleaning products would be <2%. Mr Malpass would be meeting with Ricardo and Defra on 30 October for an update. Mr Furse asked if the <2% figure included aerosols which Mr Malpass replied that it did using UKCPI emission factors, which were not the same as currently used by Ricardo, although it did not change significantly between the two.

33/20 **External Affairs**

ClearCast Guidance

Mr Malpass reported that the WG had met once and a second meeting was still to be scheduled as he was awaiting further feedback.

34/20 **Regulatory Issues**

Biocidal Products

Mr Furse highlighted the following issues:

* An opinion had been issued for some quaternary ammonium compounds for PT3&4 but PT2 was still awaited.
* The proposed harmonised classification for ethanol was expected before the end of the year.
* The Phase 2 Step 2 test of EN16777 was now being used as part of the efficacy requirements (Mr Gourbeault confirmed that EU MS were enforcing this as a requirement).

Mr Woodhead asked if, on the last point, if the claim matrix in the BPR Guidance was going to be updated and Mr Furse replied that he did not expect it to be.

Mr Stewart reported that due to Covid pandemic he was receiving lots of questions around the borderline between medical product claims and biocidal product claims. Mr Stewart noted the difference between a claim against a specific virus/organism versus a general claim and if that was a common understanding of the different regulations.

Mr McKay felt that a topical application with a specific Covid claim would be a medicine but a hard surface product with the same claim would be borderline.

Mr Woodhead agreed that there was an increase in the number of borderline claims.

Mr Furse added that if something was for use against a disease, or was a treatment, then it would fall under MHRA and that to make a specific claim against Covid-19 then it should be specifically tested against it. Mr Gourbeault noted that only a very limited number of laboratories could carry out the testing.

Ms Katsouli noted the most recent MHRA guidance seemed to be much more specific in the use of graphics e.g. green crosses on products.

Mr Gourbeault also added that many MS had their own interpretation on the borderline and Mr Furse suggested that companies could talk directly with MHRA if they had concerns.

CLP

Mr Stewart had circulated a pre-read paper including the following points:

* RAC opinion on lactic acid
* Guidance on naming Interchangeable Component Groups
* Guidance on bulk and refill sale of consumer products
* Guidance on Annex VIII

UN GHS & TDG

Mr Stewart reported that some meetings of the UN sub committees will be held virtual in December and that papers can be found on the UNECE website.

Detergent Regulations

Mr Stewart reported that the AISE WG is focused on the review of the Detergents Regulations including digitalisation, labelling of preservatives, dosing and the interaction with Cosmetics and Biocides Regulations.

Professional Cleaning & Hygiene Sector

Mr Woodhead reported that the PCHS WG was also working on Indoor Air Quality, including occupational asthma, and on the proposed ethanol classification.

Mr Malpass asked if there was an increase in research on the (over) use of cleaning products as a result of Covid but Mr Pickup did not think we were seeing that, but papers were seemingly being published quickly.

Explosive Precursors

Mr Stewart had circulated a pre-read paper on the Home Office developments on their Product ID Database. Mr Stewart was asked if this was for all products and he replied that this was their “Gold Standard”, but he had stressed to them the huge amount of work that would involve.

35/20 **Any Other Business**

Mr Furse asked if any Members were aware of a Memorandum of Understanding between UK HSE and RoI PCS regarding the labelling of CoPR products, as he was aware of it from a previous role but no longer had it. Unfortunately, no Committee Members were aware of it and Ms Eckley noted that PCRD were making changes to how they approach regulations.

36/20 **EU Exit**

Mr Malpass noted the format for the Virtual Regional Meeting that was following this meeting. 3 Government officials (Ryan Diggory BEIS, Simon Johnson DEFRA and Nicola Gregg HSE) would be joining, giving 20 minutes presentations and a Q&A session.

Mr Stewart noted the meeting protocols that had been circulated with the Zoom invites and that regrettably CLP would not be covered in the presentations.

Mr Woodhead had joined a webinar by the Irish authorities the previous week where it had been stated that Northern Ireland would follow EU law. Mr Stewart agreed with that but noted that the details of how it would all work were still to be announced.

Ms Katsouli noted that several new SIs were being published and felt that a matrix of the changes being brought in by them would be useful. Ms Katsouli also noted that the RoI are asking for an annual declaration on the biocides placed on the market.

Ms Katsouli also noted the new UKCA mark that would be required on aerosols. Mr Stewart had not circulated information on this to Members yet as he was seeking clarification if this would go ahead regardless of an FTA or not. Mr Furse added that this was the BAMA and CTPA position. Mr James asked if it was allowable to use both symbols and Ms Eckley said it was an area where clarity was being sought.

37/20 **Date/Location of Next Meeting**

The next meeting will be held on 27 January 2021 commencing at 10:30 am by video conference.

Further meeting dates for 2021 are:

28 April by video conference

14 July format to be confirmed

27 October format to be confirmed