### DRAFT

### UKCPI Advocacy, Regulatory & Communications Committee

Minutes of meeting held on Wednesday 26 January 2022

By Video Conference

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

Ms Marjan Alli - Reckitt

Ms C Berto - Henkel

Ms M Bishop - NicePak International

Mr A Brack - PZ Cussons

Ms E Burgess-Allen - Proctor & Gamble

Mrs H Fenwick - Unilever UK

Mr A Hill - Robert McBride

Mr T James - ACDOPRO

Ms N Katsouli - Procter & Gamble

Mr K Kostanopoulus - Diversey

Ms C Mammah - S C Johnson

Mr S McKay - Greyland Limited

Ms F Nortje - Unilever UK

Mr Y Parulekar - Kuraray

Mr D Plepys - Clorox

Mr J Pickup - Consultant

Secretariat: Mr P Malpass - UKCPI

Ms C Salter - UKCPI

Mr S Stewart - UKCPI

Apologies: Mr R Furse - Reckitt

Mr M Henry - Mirius

**Actions**

03/22 – **Committee Members** to propose internal experts for media enquiries

04/22 – **Committee Members** to feedback on proposals for Poison Act

04/22 – **Committee Members** to propose experts on risk assessment for Defra

04/22 – **Committee Members** to feedback on proposed alternative approach for REACH

05/22 – **Committee Members** to feedback on Water UK guidance

05/22 – **Committee Members** to proposed internal experts on occupational exposure

06/22 – **Ms Bishop** to circulate packaging presentation

01/22 **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 Chair will close the meeting”.

Mr Woodhead welcomed Ms Alli and Burgess-Allen to the meeting.

O2/22 **Minutes of Meeting 20 October 2021**

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

03/22 **Matters Arising**

The action for companies to check labelling for flame resistant fabrics was seen as an internal check. Ms Salter reiterated the request for Members to offer up experts that could be called upon regarding media enquiries. Similarly, Mr Pickup repeated the request for Member feedback on the Water UK advice and for experts in occupational asthma/allergies.

**Action: Committee Members**

04/22 **Advocacy**

Wet Wipes

Mr Malpass updated the committee on the Defra call for evidence for a proposed ban in plastic in wipes. UKCPI will respond by the 12 February deadline and will comment on exemptions, labelling and flushability. It was noted that the focus is solely on the wipe manufacturers, with no reference to consumer behaviour or water treatment industry and this would be included in the response. The position had been shared with CTPA and EDANA.

Mr Malpass reported that the Scottish Marine Litter Strategy Paper includes wipes and is open until the middle of March. As this is a devolved issue it may lead to divergence. Mr James asked if this means that GB and Northern Ireland might have different approaches but Mr Malpass was not aware of this being an issue. Ms Bishop added that she was aware that for cosmetics NI would follow the EU regulations.

Ms Berto joined the meeting.

Poison Act Consultation

Mr Stewart reported that the Home Office consultation on proposed changes to the Poison Act. Mr Stewart noted that the proposals included that Hydrochloric Acid (>10%) is moved to a regulated explosive precursor and sodium hypochlorite added as a reportable poison but no associated concentration limit. The HO has scheduled a workshop on 2 February that Mr Stewart would attend and the main questions being asked were: biggest impact on your business, what would implementation look like; and what support would you need. The Consultation closes on 10 March.

Mr James felt that it would be unenforceable if there was no concentration limit for sodium hypochlorite and asked what was the reason for there being no de minimus, with Mr Pickup adding that it was present in tap water. Mr Hill asked why it was being included as a poison rather than a precursor and Mr Pickup added that there would be lots of information on that aspect if needed. It was agreed Members would provide feedback to Mr Stewart prior to the workshop.

**Action: Committee Members**

EPR Recycling Scheme Administrator

Mr Malpass reported that under the proposed extended producer responsibly regulations a Scheme Administrator needs to be established and would likely to be responsible for a budget of around £2.7B and working with some 3,500 businesses. Incpen, BRC and FDF are drafting a proposal for this and UKCPI is in the loop during the process. Incpen’s Paul Vanston will join the next Council meeting. Ms Berto asked if there had been a government response from the consultation and Mr Malpass replied that he had not seen any feedback.

Mr Plepys and Mrs Fenwick joined the meeting.

EU Exit Update

NI Protocol

Mr Malpass reported that a thought starter had been circulated and the responses had been summarised from the feedback. Mr Malpass felt that from the responses all Members had taken an internal position on how they would address the issue.

Mr Stewart added that from the responses:

All agreed that the CLP duty lay with the NI supplier.

All disagree with the HSE/ECHA views on “dual” labelling.

Most supply directly to NI and are using “dual” addresses.

Most supply to GB that then go to NI using “dual” addresses.

Mixed positions if products go further.

All no to two separate labels.

Yes to changing supply routes in theory but cost and complexity are significant and act as a deterrent.

Mr Malpass stated that moving forward would be challenging as it would require changes to legislation and raising it highlights the current situation. Mr Malpass added that there was also uncertainty over the future NI approach and suggested that the Committee may wish to maintain the status quo. Mr James and Mr Woodhead both felt that it would be best not to raise it at this point but there may be opportunities in the future to do so.

REACH UK

Mr Malpass had circulated the Defra presentation and shared it on screen. It proposed to look for an alternative approach but, in the meantime, moving the implementation deadlines from 2023 to 2025. From the most recent Industry meeting with Defra Mr Malpass had picked up that the deadlines will change but this requires a change in the legislation which in turn needs a consultation. Mr Malpass added that there was no guarantee that a new approach would definitely happen. The next step was for Defra to have dialogues with the experts in risk assessment and Mr Malpass asked for Members to nominate any experts from their companies to him and he would put then in contact with Defra.

**Action: Committee Members**

Mr Malpass reported that the CEEG had been disbanded but expected a new stakeholder overview body would be set up in the future and asked for the Members’ views on the proposed alternative approach in the next few weeks. Ms Mammah asked if the CEEG group was the committee where CIA and BCF were representing Industry and Mr Malpass confirmed that it was.

**Action: Committee Members**

05/22 **External Affairs**

Technical Experts for Media Enquiries

Ms Salter stated this had been covered in Matters Arising.

Publications

Ms Salter reported that the 2021 annual review had been published only in a digital format with some improvements to the document navigation and was available from the [UKCPI website](https://www.ukcpi.org/about-us-documents/) for companies to use and share.

Issues Update

Mr Pickup had reviewed a paper form Iran that was attempting to see if disinfection practices due to Covid were raising markers of ocular distress but unfortunately the paper was not linked to the activities people were conducting e.g., fogging.

Mr Malpass asked if Mr Pickup would recirculate the guidance document on Sewage Treatment Plants from Water UK which he agreed to and asked for any feedback.

**Action: Committee Members**

Mr Pickup returned to the Rook & Bloomfield theory that cleaning products could encourage allergic and auto-immune diseases through a Th2 adjuvant response. Mr Pickup felt that it was particularly important for UKCPI to have a position on it and again asked for assistance in identifying experts in occupational exposure. A retired ex-Unilever expert has been identified.

**Action: Committee Members**

06/22 **Regulatory Issues**

Detergents Regulations

Mr Stewart reported on developments at the EU level including:

Comments to the COM DWG by 28 February on proposals for preservative labelling.

COM Staff Working Document on the combination effects of chemicals for discussion.

Question from Spanish CA on dishwasher residues.

Risk of a ban of Phosphates in professional and Industrial products.

Guidance about to be complete on labelling and refill sales.

Task Force set up to look at microbial cleaning products.

Ongoing discussions on the labelling of fragrance allergens.

Ms Mammah asked on how these possible EU changes would function in Northern Ireland and Mr Malpass replied that the was no official UKCPI position but that we would stay in the appropriate AISE discussions but were not in direct contact with officials at an EU level.

Biocidal Products

Ms Alli reported that for GB BPR, HSE was communicating developments via e-bulletins but there had been nothing of note or relevance in the recent issues. It was notable that there was no visible progress on dossiers of on HSE Work Plans. Mr Woodhead asked if it was the same officials as UK REACH to which Mr Malpass clarified that it was not as Defra was REACH and HSE BPR.

Ms Alli stated that the harmonised classification for ethanol had now been delinked from the active substance dossier and this will now be published in 2024. Mr Woodhead asked if the possible CMR classification would still go ahead and Ms Alli was unsure at this point. Ms Katsouli added that it was not only Greece that was looking at the more severe classification but had been back by Germany and that AISE is continuing to lobby in this issue.

CLP

Mr Stewart reported on AISE activities including:

Finalising guidance on bulk and refill sale of consumer products.

Meeting with RPA consultants on the COM impact assessment as part of the CLP review.

Public consultation on “Simplification & Digitalisation of Labelling Requirements”.

Det-Net to be reorganised.

Mr Stewart noted that a new HSE web page was available on the GB process for revising or adding to the GB Mandatory Classification List. Ms Mammah asked how future ATPs would be included if it was not automatically being adopted and Mr Woodhead asked about the 15th ATP. Mr Stewart replied that the 15th would be adopted as it was retained legislation but in future changes would be through the new GB process.

UN GHS & TDG

Mr Stewart reported that:

The report of the 41st GHS subcommittee was available on the unece.org website.

Ongoing work on practical classification and labelling issues.

Next meeting on 6-8 July

Mr Stewart had nothing to report on TDG

Professional Cleaning & Hygiene Sector

Mr Woodhead reported on the recent activities of the AISE PCHS Work Group including:

Possible P ban in Industrial and Professional sector

Impact of extending REACH Article 68.2 to PCH products and assessing the impact.

Mr Woodhead added that initially the P ban was not seen as priority but was now being worked very intensely with members being surveyed and there is also a position from Norway that is being assessed. Mr James asked what ingredients were in scope and Mr Malpass replied that it referred to phosphorous based compounds. Mr Pickup noted that these restrictions make almost no impact on the output from sewage treatment works.

Plastic Packaging Tax

Mr Stewart noted that the Plastic Packaging Tax would come in to force on 1 April and would cover placing on the market >10T plastic with less than 30% recycled material and charged at £200/T. Mr James reported that he had difficulties when importing finished products in plastic packaging and the definition of “recycled”. Ms Bishop had seen a definition in a presentation and would share the slides.

**Action: Ms Bishop**

07/22 **Any Other Business**

Regional Meeting

Mr Stewart asked for Members’ views on whether there should be a physical regional meeting or if there was a need for a virtual one given there is currently little to report on in GB regulations, beyond what is already being discussed at the ARC Committee. Members felt that it would be better to hold off on Regional Meetings until things were back to normal regarding covid and traveling to/attending meetings in general.

08/22 **Date/Location of Next Meeting**

The next meeting will be held virtually on 27 April 2022 commencing at 10:30 am.

Format of future meetings would be discussed at the end of the proceeding meeting.