

## EU News Digest

A selection of headlines in the areas of chemicals, environment, consumer products and occupational safety regulations over the past month.

### Highlights of the month

#### [JUDGMENT OF THE COURT OF 11.04.2013 IN CASE C636/11, KARL BERGER VS. FREISTAAT BAYERN](#)

In answer to a request for a preliminary ruling on a 2006 case initiated in Germany, the Court interpreted provisions of Regulation (EC) No 178/2002 on the general principles and requirements of food law and Regulation (EC) No 882/2004 on official controls in food and feed law regarding publication of information on market surveillance operations. In its ruling the Court interpreted the relevant provisions of these Regulations as allowing public authorities to publish the name of a food and the name or tradename of the food manufacturer, processor, or distributor not only in cases where food may present a risk for human health but also when it is unfit for consumption.

#### [DRAFT TOY SAFETY DIRECTIVE AMENDMENT REDUCES BARIUM MIGRATION LIMITS IN TOYS](#)

The Commission proposal published on 19 April would divide by 3 current migration limits for barium under Annex III of Directive 2009/48/EC on the safety of toys, based on the conclusions of a March 2012 opinion of the Scientific Committee on Health and Environmental Risks (SCHER) which recommended a similar reduction of the tolerable daily intake for barium from 0.6 to 0.2 mg/kg body weight/day taking into account US data published by the US Agency for Toxic Substances and Disease Registry. The proposal as written is set to enter into force on 20 July 2013.

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CHEMICALS/REACH/CLP

Date	Title
04.04.2013	Evaluation of Systemic Health Effects Following Dermal Exposure to Chemicals (See <a href="#">Ecetoc guidance</a> )
05.04.2013	JRC releases report on key scientific issues for the identification and characterisation of <a href="#">endocrine disrupting substances</a>
05.04.2013	The third enforcement project (REACH-EN-FORCE 3) has been launched in Finland (See the <a href="#">Statement</a> )
08.04.2013	ECHA has issued a draft of its <a href="#">revised guidance</a> for downstream users to the Partner Expert Group (PEG) for comments
08.04.2013	Austria will propose <a href="#">trixyl phosphat</a> as SVHC in August
10.04.2013	<a href="#">Action brought</a> on 17 December 2012 – Miejskie Przedsiębiorstwo Energetyki Ciepłej v European Chemicals Agency (SMEs, fees)
12.04.2013	ECHA publishes <a href="#">guide</a> to REACH and CLP academic courses
15.04.2013	<a href="#">Action brought</a> on 18 February 2013 – Calestep v ECHA (Case T-89/13) (SMEs, fees)
16.04.2013	The Danish EPA has published a strategy document for the <a href="#">management of phthalates</a>
16.04.2013	Draft – Council Decision on the submission, on behalf of the EU, of a proposal for the listing of an additional chemical ( <a href="#">dicofol</a> ) in Annex A to the Stockholm Convention on Persistent Organic Pollutants
16.04.2013	Draft – Council Decision on the position to be taken, on behalf of the EU, at the sixth meeting of the Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants ( <a href="#">hexabromocyclododecane</a> ) with regard to the proposal for an amendment to Annexes A and B
17.04.2013	Swedish Agency (Kemi) proposes amendment to textiles regulation (See the <a href="#">Kemi announcement</a> and the <a href="#">Report</a> )
18.04.2013	Commission Regulation (EU) No <a href="#">348/2013</a> of 17 April 2013 amending Annex XIV to Regulation (EC) No 1907/2006 (REACH)
24.04.2013	ECHA published a draft revised <a href="#">safety data sheet guidance</a> to PEG
25.04.2013	MEPs want to reduce harmful chemicals exposure (See <a href="#">Draft report and amendments</a> – EP Envi Committee 25.04.2013)
25.04.2013	ECHA proposes Read-across <a href="#">illustrative example</a>
25.04.2013	ECHA to check substance identity of <a href="#">REACH 2013</a> registrations
29.04.2013	OECD – <a href="#">Guidance document</a> for exposure assessment based on environmental monitoring - Series on Testing and Assessment
30.04.2013	The Board of Appeal annuls an <a href="#">ECHA decision</a> (testing) (See <a href="#">Buav</a> and <a href="#">PETA</a> reactions)
30.04.2013	ECHA - <a href="#">Public consultations</a> launched on CLH proposals for two borates and a pesticide
30.04.2013	ECHA - <a href="#">Clarification</a> on when to submit applications for authorisation
30.04.2013	Sweden will resubmit <a href="#">nonylphenol</a> restriction proposal

## COSMETICS

Date	Title
10.04.2013	SCCS - Request for a scientific opinion on <u>Preservative EcoG+</u> , Submission I
10.04.2013	SCCS - Request for a scientific opinion on <u>Cetylpyridinium chloride</u> (No P97) Submission II
11.04.2013	<u>Minutes</u> of Working Group Meeting on Cosmetic ingredients of 20 March 2013
11.04.2013	<u>Minutes</u> of Working Group Meeting on Hair Dyes of 19 March 2013
25.04.2013	Commission Regulation (EU) No <u>344 /2013</u> of 4 April 2013 amending Annexes II, III, V and VI to the Cosmetics Regulation
30.04.2013	SCCS - Minutes of Working Group Meeting on <u>Hair Dyes</u> of 23 April 2013
30.04.2013	SCCS - Minutes of Working Group Meeting on <u>Cosmetic ingredients</u> of 16 April 2013

## ENVIRONMENT

Date	Title
09.04.2013	Building the <u>Single Market for Green Products</u> Initiative
18.04.2013	The Council and the European Parliament reach <u>informal agreement</u> on priority substances in the field of water policy

## FOOD

Date	Title
03.04.2013	GMOs: Member States back Commission on reinforced requirements for GM food/feed applications (See more <u>information</u> ) <u>Midday Express 04.03.2013</u>
03.04.2013	EFSA - Opinion on production methods and microbiological hazards linked to food-borne disease - Food of plant origin with <u>high water</u> content - Food of plant origin with <u>low water</u> content
05.04.2013	EFSA - Re-evaluation of <u>microcrystalline wax</u> (E 905) as a food additive
06.04.2013	Commission Regulation (EU) No <u>294/2013</u> of 14 March 2013 amending Regulation (EU) No 142/2011 on animal by-products
08.04.2013	EFSA - Opinion on Flavouring Group Evaluation 208 (FGE.208): Consideration of genotoxicity data on representatives for <u>10 alicyclic aldehydes</u>
11.04.2013	Judgment of the Court of 11.04.2013 in Case <u>C636/11</u> , Karl Berger Vs. Freistaat Bayern, Re Regulation 178/2002- Placing on the market of food unfit for human consumption, but not constituting a health risk
12.04.2013	<u>Position of the Council</u> at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council on food intended for infants and young children, food for special medical purposes, and total diet replacement for weight control
15.04.2013	EFSA - Residues in live animals and animal products - <u>Results 2011</u>
15.04.2013	<u>Joint Statement</u> of EFSA and EMA on the presence of residues of phenylbutazone in horse meat
16.04.2013	Commission publishes <u>European test results</u> on horse DNA and Phenylbutazone: no food safety issues but tougher penalties to apply in the future to fraudulent labelling ( <u>IP/13/331</u> )

Date	Title
18.04.2013	Commission reviews measures on imports of food and feed from Japan <a href="#">Midday Express 18.04.2013</a>
18.04.2013	EFSA <a href="#">Guidance</a> on methodology to be taken into account when establishing Reference Points for Action for non-allowed pharmacologically active substances present in food of animal origin
18.04.2013	UK FSA - Fifth <a href="#">acrylamide and furan</a> survey published
19.04.2013	EP <a href="#">Question</a> Commission on the implementation of Regulation 1924/2006 on nutrition and health claims made on foods. See Commission <a href="#">written answer</a>
20.04.2013	EFSA - <a href="#">Opinion</a> on Flavouring Group: Consideration of aliphatic secondary alcohols, ketones and related esters evaluated by JECFA (59th and 69th meetings)
23.04.2013	EFSA <a href="#">Analysis</a> of needs in post-market monitoring of food additives and preparatory work for future projects in this field
24.04.2013	Food & Veterinary Office - <a href="#">Audit reports</a> on Bulgaria - Animal health - classical swine fever
29.04.2013	Member States back Commission control measures on unauthorised GM rice products from China (See more <a href="#">information</a> ) <a href="#">Midday Express 29.04.2013</a>
30.04.2013	Recommendation <a href="#">93/13/COL</a> of the EFTA Surveillance Authority of 21 February 2013 concerning a coordinated control plan of fraudulent practices in the marketing of certain foods
30.04.2013	Commission Implementing Regulation (EU) <a href="#">No 392/2013</a> of 29 April 2013 amending Regulation (EC) No 889/2008 as regards the control system for organic production
30.04.2013	Commission Implementing Regulation (EU) <a href="#">No 394/2013</a> of 29 April 2013 amending the Annex to Regulation (EU) No 37/2010 on pharmacologically active substances and their classification regarding maximum residue limits in foodstuffs of animal origin, as regards the substance monepantel

## FEED

Date	Title
05.04.2013	EFSA - <a href="#">Opinion</a> on straight-chain primary aliphatic alcohols/aldehydes/acids, acetals and esters with esters containing saturated alcohols and acetals containing saturated aldehydes (chemical group 1) used as flavourings
09.04.2013	EFSA - Opinion on a preparation of <a href="#">bentonite and sepiolite</a> (Toxfin® Dry) as feed additive for all species
26.04.2013	EFSA - Opinion on prolongation of prohibition of the placing on the market of <a href="#">genetically modified oilseed rape</a> events Ms8, Rf3 and Ms8 x Rf3 for import, processing and feed uses in Austria
26.04.2013	EFSA - Opinion on prolongation of prohibition of the placing on the market of <a href="#">genetically modified oilseed rape event GT73</a> for import, processing and feed uses in Austria
29.04.2013	<a href="#">Summary record</a> of the SCFCAH meeting on Animal Nutrition 17-18 January 2013

## FOOD CONTACT MATERIALS

Date	Title
09.04.2012	EFSA - <u>Opinion</u> on “CO.N.I.P.” process to recycle polypropylene and polyethylene crates
09.04.2012	EFSA - <u>Opinion</u> on active substance, acrylic acid, sodium salt, co-polymer with acrylic acid, methyl ester, methacrylic acid, 2 hydroxypropylester, and acrylic acid cross-linked for use in active food contact materials
09.04.2012	EFSA - <u>Opinion</u> on active substances, sodium carbonate peroxyhydrate coated with sodium carbonate and sodium silicate, bentonite, sodium chloride, sodium carbonate for use in active food contact materials
09.04.2012	EFSA - Opinion on active substances <u>citric acid (E330)</u> and <u>sodium hydrogen carbonate (E500ii)</u> , used as carbon dioxide generators, together with liquid absorbers cellulose and polyacrylic acid sodium salt crosslinked, in active food contact materials
09.04.2013	EFSA - Opinion on “ <u>Cumapol</u> ” process to recycle post-consumer PET
09.04.2013	<u>Bisphenol A</u> : ANSES demonstrates potential health risks and confirms the need to reduce exposure (see press release and report)
12.04.2013	EFSA - Opinion of the Scientific Committee / Scientific Panel on <u>based oxygen absorbers</u>
12.04.2013	EFSA - <u>Opinion</u> on active substances iron, sodium chloride, water, silica gel, activated carbon, monosodium glutamate, potassium acid tartrate, powdered cellulose, malic acid, chabazite, hydroxypropyl cellulose, potassium carbonate, sodium thiosulfate, propylene glycol, glycerin, polyethyleneglycol sorbitan monooleate, sodium propionate and clinoptilolite
16.04.2013	EFSA - Opinion on “ <u>Schoeller Arca Systems</u> ” process to recycle polypropylene and high-density polyethylene crates
30.04.2013	EFSA - Scientific Opinion on the toxicological evaluation of <u>phenol</u>

## GENERAL PRODUCT SAFETY

Date	Title
03.04.2013	French Safety Agency ANSES publishes new report on health effects of blood lead levels below 100 µg/L (see <u>press release and report</u> )
05.04.2013	Weekly overview report of RAPEX notifications - report <u>13/2013</u>
12.04.2013	Weekly overview report of RAPEX notifications - report <u>14/2013</u>
18.04.2013	Victims of breast implants scandal fight for compensation - Need for EU to better protect with Collective Redress (See <u>Beuc Statement – 17.04.2013</u> )
18.04.2013	Statistics of the reactions on RAPEX notifications ( <u>February 2013</u> )
19.04.2013	Weekly overview report of RAPEX notifications - report <u>15/2013</u>
19.04.2013	EP <u>Question</u> for written answer to the Commission - Research into the adverse health effects of blue/UV lighting and compact fluorescent lights
26.04.2013	Weekly overview report of RAPEX notifications - report <u>16/2013</u>

## NANOTECHNOLOGY

Date	Title
05.04.2013	UK HSE publishes guidance on <a href="#">nanomaterials at work</a>
11.04.2013	<a href="#">Minutes</a> of Working Group Meeting on Nanomaterials in Cosmetic Products of 21 March 2013
17.04.2013	JRC publishes <a href="#">reporting forms</a> for nanomaterials
30.04.2013	Dutch ministry publishes nano meeting report (See the <a href="#">Chairman's report</a> and <a href="#">Majority agreements</a> )

## PESTICIDES / BIOCIDES / PESTICIDE RESIDUES

Date	Title
02.04.2013	IUCLID now also ready for Biocidal Products Regulation (See ECHA <a href="#">Statement</a> )
03.04.2013	Plant Protection: New data requirements for plant protection products (See more <a href="#">information</a> ) <a href="#">Midday Express 03.04.2013</a>
05.04.2013	Commission Regulation (EU) No <a href="#">293/2013</a> of 20 March 2013 amending Annexes II and III to Regulation (EC) No 396/2005 as regards MRLs for emamectin benzoate, etofenprox, etoxazole, flutriafol, glyphosate, phosmet, pyraclostrobin, spinosad and spirotetramat in or on certain products
15.04.2013	EFSA - <a href="#">Investigation</a> of the state of the art on identification of appropriate reference points for the derivation of health-based guidance values (ADI, AOEL and AAOEL) for pesticides and on the derivation of uncertainty factors to be used in human risk assessment
16.04.2013	<a href="#">Opinion</a> on application (EFSA-GMO-UK-2008-53) for the placing on the market of herbicide tolerant genetically modified maize 98140 for food and feed uses, import and processing under Regulation (EC) No 1829/2003 from Pioneer Overseas Corporation
19.04.2013	Commission Implementing Regulation (EU) No <a href="#">354/2013</a> of 18 April 2013 on changes of biocidal products authorised in accordance with Regulation (EU) No 528/2012
19.04.2013	Commission Implementing Regulation (EU) No <a href="#">355/2013</a> of 18 April 2013 approving the active substance <a href="#">maltodextrin</a>
19.04.2013	Commission Implementing Regulation (EU) No <a href="#">356/2013</a> of 18 April 2013 approving the active substance <a href="#">halosulfuron-methyl</a>
22.04.2013	Cumulative residues of pesticides in food should be assessed on the basis of clear and simple criteria (See BfR <a href="#">Statement</a> )
23.04.2013	Commission Implementing Regulation (EU) No <a href="#">365/2013</a> of 22 April 2013 amending Implementing Regulation (EU) No <a href="#">540/2011</a> as regards the conditions of approval of the active substance <a href="#">glufosinate</a>
23.04.2013	Commission Implementing Regulation (EU) No <a href="#">366/2013</a> of 22 April 2013 approving the active substance <a href="#">Bacillus firmus I-1582</a>
23.04.2013	Commission Implementing Regulation (EU) No <a href="#">367/2013</a> of 22 April 2013 approving the active substance <a href="#">Spodoptera littoralis nucleopolyhedrovirus</a>

Date	Title
23.04.2013	Commission Implementing Regulation (EU) No 368/2013 of 22 April 2013 approving the active substance <u>Helicoverpa armigera nucleopolyhedrovirus</u>
23.04.2013	Commission Implementing Regulation (EU) No 369/2013 of 22 April 2013 approving the active substance <u>potassium phosphonates</u>
24.04.2013	Commission Implementing Regulation (EU) No 378/2013 of 24 April 2013 approving the active substance <u>Paecilomyces fumosoroseus strain FE 9901</u>
29.04.2013	Commission Decision of 25 April 2013 concerning the non-inclusion of formaldehyde for product-type 20 in Annex I, IA or IB to Directive 98/8/EC concerning the placing of biocidal products on the market
29.04.2013	EFSA - Opinion on the review of the existing MRLs for <u>propamocarb</u>
29.04.2013	Commission Implementing Decision of 25 April 2013 allowing Member States to extend provisional authorisations granted for the <u>new active substances</u> acequinocyl, aminopyralid, ascorbic acid, flubendiamide, gamma-cyhalothrin, ipconazole, metaflumizone, orthosulfamuron, Pseudomonas sp. strain DSMZ 13134, pyridalil, pyroxsulam, spiromesifen, thiencarbazone and topramezone
30.04.2013	<u>Bees &amp; Pesticides</u> : Commission to proceed with plan to better protect bees
30.04.2013	UK HSE has published its <u>current fees</u> for various work carried out on biocides

#### OCCUPATIONAL SAFETY

Date	Title
10.04.2013	Council and European Parliament reach agreement on rules on exposure of workers to <u>electromagnetic fields</u>
11.04.2013	European Agency for Safety and Health at Work (EU-OSHA) <u>report</u> on new and emerging risks to occupational safety and health associated with new technologies

#### ENERGY

Date	Title
16.04.2013	Biofuels - At What Cost? A review of costs and benefits of EU biofuel policies (See the <u>Statement</u> and <u>Study</u> )
22.04.2013	Indirect Land Use Change (ILUC)- <u>Draft Opinion</u> of the Committee on International Trade for the Committee on the Environment, Public Health and Food Safety on the proposal for a directive of the European Parliament and of the Council amending Directive 98/70/EC relating to the quality of petrol and diesel fuels and amending Directive 2009/28/EC on the promotion of the use of energy from renewable sources
24.04.2013	ILUC – AlejoVIDAL-QUADRAS MEP - <u>Amendment</u> to the fuel quality directive and the renewable energy directive

## TOYS

Date	Title
19.04.2013	<u>Draft Toy Safety Directive Amendment</u> reduces barium migration limits in toys

## MAYER BROWN PRODUCT REGULATORY NEWS & UPCOMING EVENTS

Date	Title
30.04.2013	Chambers Europe 2013 – Belgium/Europe-Wide Rankings – <u>Jean-Philippe Montfort</u> ranked Band 1 for Environment: Regulatory
15.05.2013	Presentation by Sebastien Louvion for Smithers PIRA Global Food Contact 2013 conference held in Barcelona, “ <u>Update on EU regulation of nanomaterials in food contact applications</u> ”
29.05.2013	Jean-Philippe Montfort to participate at the European Parliament’s Hearing on Consumer Product Safety and Market Surveillance
10.06.2013	Jean-Philippe Montfort and USCIB to host a Briefing on the draft EU Consumer Product Safety and Market Surveillance Regulations at Mayer Brown’s Washington DC office

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