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# Regulating the marketing and use of high-risk chemicals

Fields marked with * are mandatory.	
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#### Introduction

The EU is committed to taking measures to address the evolving chemical threat resulting from terrorist activity. In the 2017 Action Plan to enhance preparedness against chemical, biological, radiological and nuclear (CBRN) security risks, the Commission: (i) stressed that the capability of terrorists to carry out CBRN attacks depends on the accessibility of CBRN materials; and (ii) identified the need to better control access to high-risk CBRN materials. In May 2018, following the nerve-agent attack in Salisbury in the UK, the Commission published a Joint Communication on hybrid threats, in which it committed to work with Member States to develop a list of dangerous chemical substances in order to reduce their accessibility in the future. The Security Union Strategy and the Counter-terrorism Agenda confirmed the Commission's ongoing work to restrict access to certain dangerous chemicals that could be subject of misuse for malicious purposes. In 2020, the Commission launched a study on the feasibility of restricting access to dangerous chemicals, which confirmed the necessity of regulating access to a short list of nine chemical substances of most concern that could be used by terrorists and other malicious actors to conduct an attack. Such substances posing a particular threat (hereafter referred to as 'high-risk chemicals') fall under the following chemical classes: Cyanide Salts, Halogen Evolving Substances (Hypochlorites), Phosphide Salts, Metal Sulphide Salts.

The problem that the initiative aims to tackle is the risk of potential terrorists and criminal actors accessing and misusing high-risk chemicals to stage an attack in Europe. A great many chemicals are used every day in industrial processes, professional functions, and a diverse consumer sector. Most high-risk chemicals react upon intimate mixing with other readily available materials to produce highly toxic gases. If these highly toxic gases are produced in sufficiently high concentrations, they can kill and injure those in the immediate proximity. The risk of misuse of high-risk chemicals is high due to their easy accessibility in the market, as well as the low levels of technical skill needed to stage an attack. Since 1970, chemical terror attacks have killed 1 019 people and injured 14 027 worldwide. The threat of a chemical attack in Europe is further substantiated by the presence of actors possessing both the intent and capability to misuse chemicals for malicious purposes. According to the 2020 Europol TE-SAT report, the intention to carry out chemical terror attacks continues to appear on terrorist online fora and social media as well as in manuals on how to perform attacks. The Russian invasion of Ukraine highlights once again the threat of nonconventional weapons, including chemical weapons.

Current national measures aimed at restricting or controlling access to high-risk chemicals differ widely between Member States. There are no legislative measures to restrict access to high-risk chemicals for members of the general public in most European Economic Area (EEA) countries. This makes it easier for any potential terrorists and criminal actors to access these chemicals. Only a few EEA countries have measures addressed to businesses requiring them to: (i) keep records of transactions involving high-risk

chemicals; and (ii) report suspicious transactions, disappearances and thefts involving high-risk chemicals. The discrepancies in existing national laws make the enforcement of restrictions more difficult for law-enforcement agencies and public authorities, especially in cross-border law enforcement cooperation. Furthermore, high-risk chemicals can be sourced from online marketplaces and imported from non-EU countries. Due to resource constraints and the lack of specific EEA-wide provisions regulating access to these chemicals, it is particularly challenging for law enforcement agencies to enforce controls on online sales and for customs authorities to control goods upon import. Lastly, although some of the identified high-risk chemicals are commonly used household chemicals, the level of awareness about the risk of their misuse among businesses, particularly retailers and SMEs, remains low.

The new rules on the marketing and use of high-risk chemicals will be covered by this public consultation, providing citizens and stakeholders with an opportunity to voice their opinions on current problems in the field and on the impacts of potential policy options to address the problems identified.

#### About you

Bulgarian

\*Language of my contribution

Croatian
Czech
Danish
Dutch
English
Estonian
Finnish
French
German
© Greek
Hungarian
Irish
Italian
Latvian
Lithuanian
Maltese
Polish
Portuguese
Romanian
Slovak
Slovenian

Spanish	
Swedish	
* Long civing may contribution on	
*I am giving my contribution as	
Adademic/research institution	
Business association	
Company/business organisation	
Consumer organisation	
EU citizen	
Environmental organisation	
Non-EU citizen	
Non-governmental organisation (NGO)	
Public authority	
Trade union	
Other	
*First name	
i iist name	
*Surname	
Julianie	
*Email (this won't be published)	
Linaii (tiiis wort be published)	
*Scope	
International	
Local	
National	
Regional	
riogional	
*Level of governance	
Parliament	
Authority	
Agency	

*Organisation name			
255 character(s) maximum			
*Organisation size			
Micro (1 to 9 en	nployees)		
Small (10 to 49	employees)		
Medium (50 to 2	249 employees)		
Large (250 or m	nore)		
Transparency registe	er number		
255 character(s) maximum			
Check if your organisation is influence EU decision-making		<u>er</u> . It's a voluntary database	for organisations seeking to
*Country of origin			
Please add your country of o	origin, or that of your organi	sation.	
This list does not represent	the official position of the Ed	uropean institutions with reg	ard to the legal status or policy
of the entities mentioned. It is			
Afghanistan	Djibouti	Libya	Saint Martin
Aland Islands	Dominica	Liechtenstein	Saint Pierre and
Albania	Dominicon	Lithuania	Miquelon
Albania	<ul><li>Dominican</li><li>Republic</li></ul>	Lithuania	Saint Vincent and the
	nepublic		Grenadines
Algeria	Ecuador	Luxembourg	Samoa
American Samo		Macau	San Marino
Andorra	© El Salvador	Madagascar	São Tomé and
, and on a	El Galvado.	madagaddai	Príncipe
Angola	Equatorial Gui	nea <sup>©</sup> Malawi	© Saudi Arabia
Anguilla	© Eritrea	Malaysia	Senegal
Antarctica	Estonia	Maldives	Serbia
Antigua and	Eswatini	Mali	Seychelles
Barbuda			•
Argentina	Ethiopia	Malta	Sierra Leone

0	Armenia		Falkland Islands	0	Marshall Islands		Singapore
	Aruba		Faroe Islands		Martinique		Sint Maarten
	Australia		Fiji		Mauritania		Slovakia
	Austria		Finland	0	Mauritius		Slovenia
	Azerbaijan		France		Mayotte		Solomon Islands
	Bahamas		French Guiana		Mexico		Somalia
	Bahrain		French Polynesia	0	Micronesia		South Africa
	Bangladesh		French Southern	0	Moldova		South Georgia
			and Antarctic				and the South
			Lands				Sandwich
							Islands
0	Barbados	0	Gabon	0	Monaco	0	South Korea
0	Belarus	0	Georgia	0	Mongolia	0	South Sudan
	Belgium		Germany		Montenegro		Spain
	Belize		Ghana		Montserrat		Sri Lanka
	Benin		Gibraltar		Morocco		Sudan
	Bermuda		Greece		Mozambique		Suriname
	Bhutan		Greenland	0	Myanmar/Burma		Svalbard and
							Jan Mayen
	Bolivia		Grenada		Namibia		Sweden
	Bonaire Saint		Guadeloupe		Nauru		Switzerland
	Eustatius and						
	Saba						
0	Bosnia and	0	Guam		Nepal	0	Syria
	Herzegovina						
	Botswana	0	Guatemala	<b>(a)</b>	Netherlands	0	Taiwan
	Bouvet Island		Guernsey		New Caledonia		Tajikistan
0	Brazil	(iii)	Guinea	0	New Zealand	0	Tanzania
	British Indian	0	Guinea-Bissau		Nicaragua	0	Thailand
	Ocean Territory						
	British Virgin		Guyana		Niger		The Gambia
	Islands						
	Brunei		Haiti		Nigeria		Timor-Leste
	Bulgaria		Heard Island and		Niue		Togo
			McDonald Islands	3			

Burkina Faso	0	Honduras	Norfolk Island	0	Tokelau
Burundi		Hong Kong	Northern	0	Tonga
			Mariana Islands		
Cambodia		Hungary	North Korea	0	Trinidad and
					Tobago
Cameroon		Iceland	North Macedonia	0	Tunisia
Canada		India	Norway	0	Turkey
Cape Verde		Indonesia	Oman	0	Turkmenistan
Cayman Islands		Iran	Pakistan	0	Turks and
					Caicos Islands
Central African		Iraq	Palau	0	Tuvalu
Republic					
Chad		Ireland	Palestine	0	Uganda
Chile		Isle of Man	Panama	0	Ukraine
China		Israel	Papua New	0	United Arab
			Guinea		Emirates
Christmas Island		Italy	Paraguay	0	United Kingdom
Clipperton		Jamaica	Peru	0	United States
Cocos (Keeling)		Japan	Philippines	0	United States
Islands					Minor Outlying
					Islands
Colombia		Jersey	Pitcairn Islands	0	Uruguay
Comoros		Jordan	Poland	0	US Virgin Islands
Congo		Kazakhstan	Portugal	0	Uzbekistan
Cook Islands		Kenya	Puerto Rico	0	Vanuatu
Costa Rica		Kiribati	Qatar	0	Vatican City
Côte d'Ivoire		Kosovo	Réunion	0	Venezuela
Croatia		Kuwait	Romania	0	Vietnam
Cuba		Kyrgyzstan	Russia	0	Wallis and
					Futuna
Curaçao	0	Laos	Rwanda	0	Western Sahara
Cyprus	0	Latvia	Saint Barthélemy	0	Yemen
Czechia		Lebanon	Saint Helena	0	Zambia
			Ascension and		
			Tristan da Cunha	i	

	Democratic	Lesotho	Saint Kitts and	Zimbabwe
	Republic of the		Nevis	
	Congo			
0	Denmark	Liberia	Saint Lucia	

The Commission will publish all contributions to this public consultation. You can choose whether you would prefer to have your details published or to remain anonymous when your contribution is published. Fo r the purpose of transparency, the type of respondent (for example, 'business association, 'consumer association', 'EU citizen') country of origin, organisation name and size, and its transparency register number, are always published. Your e-mail address will never be published. Opt in to select the privacy option that best suits you. Privacy options default based on the type of respondent selected

#### \*Contribution publication privacy settings

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

#### Anonymous

Only organisation details are published: The type of respondent that you responded to this consultation as, the name of the organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published as received. Your name will not be published. Please do not include any personal data in the contribution itself if you want to remain anonymous.

#### Public

Organisation details and respondent details are published: The type of respondent that you responded to this consultation as, the name of the organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published. Your name will also be published.

I agree with the personal data protection provisions

#### Sector of Activity

- \*1. Please specify your sector of activity.
  - Automotive industry
  - Biotechnology
  - Chemicals
  - Construction sector

Cosmetics
Food and drink industry
Maritime industries
Mechanical engineering
Pressure equipment and gas appliances
Raw materials, metals, minerals and forest-based industries
Textiles, fashion and creative industries
Toys
Transportation and storage services
Wholesale and retail trade
Other
*If you selected "Other", please specify here
Counter-Terrorism organisation
*2. How would you classify your business?
Manufacturer/Producer
Distributor/wholesaler/importer not selling chemicals to the general public (B2B only)
Distributor/wholesaler/importer also selling chemicals to the general public
(B2B and possibly B2C)
Retailer
Professional user
Transportation and storage services
Online marketplace that operates only as an intermediary platform enabling
third-party sellers to sell their products ("pure" third-party marketplace)
Online marketplace that operates both as an intermediary platform enabling third-party sellers to sell their products and as an online retailer selling
products directly to end customers ("hybrid platform")
Other
*4. How are you involved with chemical substances?
at least 1 choice(s)
□ I produce them
☐ I sell them to other businesses
$^{\square}$ I sell them to members of the general public

I use them for my professional activities
☐ I use them for my non-professional activities (e.g., hobbies, household
maintenance, etc.)
☐ I store them
☐ I transport them
☑ I do not deal with chemical substances

## Problems and objectives

### 11. In your opinion, to what extent the issues listed below might be a source of security concerns in Europe today?

	Not at all	Low	Moderate extent	High extent	Completely	l don't know
* Improper storage of high-risk chemicals	0	0	•	0	0	0
* Improper shipment and transportation of high-risk chemicals	0	•	0	0	0	0
* Deliberate misuse of high-risk chemicals by professional users	0	•	0	0	0	0
* Deliberate misuse of high-risk chemicals by members of the general public	0	•	0	0	0	0
* Thefts and disappearances of high-risk chemicals	0	0	0	0	0	•
* Grant of a license/allow the purchase of high-risk chemicals to a person that previously had a denial or was reported for suspicious transaction in another Member State	0	0	0	0	0	•
* Unauthorized/uncontrolled internet sales of high-risk chemicals	0	0	•	0	0	0
* Gaps in the identification of security risks stemming from high-risk chemicals by economic operators along the supply chain	•	0	0	0	0	0
* The uncontrolled intra-EU cross-border movement of high-risk chemicals	0	•	0	0	0	0
* Import and circulation of high-risk chemicals labelled ambiguously or incorrectly (including deliberate mislabeling to avoid 'Dangerous Goods' classification for shipping)	0	•	0	0	0	0
* Lack of reporting of suspicious transactions involving high-risk	0	0	0	0	0	•
* Existence of different criteria to grant or refuse licenses to access to high-risk chemicals	•	0	0	0	0	0
* Low levels of awareness of security risks linked to high-risk chemicals along the supply chain	0	•	0	0	0	0
* Low levels of awareness of security risks linked to high-risk chemicals among relevant authorities such as law enforcement, first responders and customs	0	•	0	0	0	0

* 12. Do you believe there are any other security concerns linked to the marketing, acquisition, import, export, possession and use of high-risk chemicals that were not mentioned in the previous question?  O Yes O No O I don't know  13. If yes, could you please specify what are these concerns?
De verwachting hangt af van de gekozen beleidsoptie, bij een wet die onvoldoende riscico's afdekt zal een toename van incidenten te verwachten zijn. Een mogelijk wet die de WPE imiteert heeft de voorkeur.
14. In your view, how are the most serious security risks you indicated above going to evolve in the next five to ten years?
een incident dat andere actoren verleidt om de modus operandi te kopiëren.
15. To your knowledge, what are (if any) the main existing regulatory frameworks /legislative measures, either at international, EU or national levels, to reduce the risk of misuse of high-risk chemicals for malicious purposes that are currently implemented? Please provide reference to relevant legislation that applies to each chemical and explain how it reduces the risk of misuse.
REACH Verordening (EG) 1907/2006, CLP Verordening (EG) 1272/2008, Warenwet (NL) Artikel 18(a)
*16. To your knowledge, what are (if any) the main practical non-legislative measures/initiatives to reduce the risk of misuse of high-risk chemicals that are currently implemented?  **at least 1 choice(s)*  Awareness-raising initiatives
Training programs addressed at economic operators (including e-courses)
Circulation of leaflets and posters
Creation of private-public partnerships
Creation of community of practices
□ Voluntary codes of conduct
Exchange and adoption of good practices
Cross-border cooperation (e.g., among law enforcement and/or customs authorities)

	Other
	No measures implemented
	. If you selected "Other", can you please indicate the measures/initiatives opted?
18	. Can you mention examples of specific non-legislative measures/initiatives you
are	e aware of? Please specify the high-risk chemicals they cover, if any.
	Nee

## 19. To what extent do the existing regulatory frameworks/legislative measures that reduce the risk of misuse of high-risk chemicals you identified above entail the following costs?

	Not at all	Low extent	Moderate extent	High extent	Very high extent
* Costs entailed by the licensing/registration/authorization/notification regimes	•	0	0	0	0
* Costs incurred to circulate/get information on allowed concentration levels	•	0	0	0	0
* Costs related to delays faced for obtaining a license or an authorization	•	0	0	0	0
* Costs incurred to carry out monitoring, inspections and reporting activities	•	0	0	0	0
* Costs incurred to monitor actors' compliance	•	0	0	0	0
* Losses due to the unavailability of certain chemicals	•	0	0	0	0
* Raising awareness and training of personnel	•	0	0	0	0
* Obligations to communicate information down the supply chain	•	0	0	0	0
* Other	•	0	0	0	0

tasures that reduce the risk nativities in the trisk nativities to the following?	of misu	use of ni	gn-risk cher	nicais yo	u identified	above		
	No exte			High extent	Completely	l don't know		
* Increased security	0	0	•	0	0	0		
* Raised awareness in the supply chain about the risks related to the misuse of chemicals	0	0	•	0	0	0		
* Harmonised controls and penalties	•	0	0	0	0	0		
* Improved traceability of sales and transactions concerning chemicals	•	0	0	0	0	0		
22. To what extent existing legislative and non-legislative measures you identified above have a deterrent effect against the misuse of chemicals by criminal actors?								
	Not at all	Low extent	Moderate extent	High extent	Completely	l don't know		
* Regulatory frameworks /Legislative measures	0	0	•	0	0	0		

23. What are major areas of intervention to reduce security risks posed by the

potential misuse of high-risk chemicals for malicious purposes (if any)? Please

import from outside EU, trade (including via online channels).

Online marktplaatsen buiten de EU en daarmee verkoop aan particulieren

consider the following: manufacture, storage, processing, transport and distribution,

20. Can you please further elaborate on your previous answer, possibly by

providing a quantification of the costs (in EUR) or additional burden (in time) for

21. To what extent existing regulatory frameworks, legislative and/or non-legislative

If you selected "Other", please specify here

your business?

Niet van toepassing

\* Non-legislative/Practical

measures

## Need for EU action and possible policy options

Other

	what extent do you agree that the access to high-risk chemicals should be ed in EU?
© No	ot at all
© Lo	ow extent
M	oderate extent
© Hi	gh extent
© C	ompletely
◎ No	o answer
	you please explain your answer to the previous question? Where relevant, give details of the specific high-risk chemicals and/or types of users that you
think sh	nould/should not be regulated.
word zond	niden en phosfides hebben voor particulieren geen enkele use case en zouden gereguleerd kunnen en. Voor hypochlorieten en sulfiden is regulatie gezien de uiteenlopende toepassingen zeer lastig, er grote economische impact. Mbt sulfiden zijn alternatieven syntheses zeer eenvoudig te doen en mee is regulatie niet effectief.
-	ou think an EU intervention would be needed, what should its focus be?  1 choice(s)
	estrict access to high-risk chemicals by members of the general public (e.g., rough a ban or licensing regime)
	eporting obligations by economic operators and/or users in case of ispicious transactions, disappearances and thefts
	bligations for sellers to keep records of each transaction involving high-risk nemicals
pr	bligations for sellers to verify the proof of identity and the trade, business or ofession of the prospective customer, and the intended use of the high-risk nemicals for each transaction
	ne capacity of national customs authorities to effectively control high-risk nemicals upon import from outside EU
	onitoring and traceability of sales of high-risk chemicals through online nannels
	wareness of security risks among economic operators in the chemical supply

If you selected "Other", please specify here
27. In your opinion, what would be the main barriers related to the adoption of new
EU actions?
at least 1 choice(s)
The perception that the current chemical threat level in EU is low
Expected increase in administrative burden and implementation/enforcement
costs faced by public authorities
Expected increase in compliance costs, administrative burden and stifled competitiveness faced by businesses
Expected reduction in consumer choice
Risk of redundancy / overlap with existing chemical regulations
Other
If you selected "Other", please specify here

# 28. In your view, to what extent would the following measures contribute to mitigate the risk of misuse of high-risk chemicals in Europe?

De werkelijke chemische dreiging vanuit terroristische hoek is laag.

	Not at all	Low extent	Moderate extent	High extent	Completely	l don't know
* Ban access to and use of high-risk chemicals by members of the general public	0	0	0	0	•	0
* Restrict the access to and use of high-risk chemicals by members of the general public with a legitimate interest in acquiring, introducing, possessing or using certain chemicals (through a licensing regime)	•	•	•	•	©	•
* Require sellers to verify the proof of identity and the trade, business or profession of the prospective customer, and the intended use of the high-risk chemicals for each transaction	0	•	•	0	•	•

* Require sellers to keep records of each transaction involving high-risk chemicals	0	•	•	0	•	0
* Require economic operators and/or users to report any suspicious transactions, disappearances and thefts involving high-risk chemicals	0	0	•	0	•	0
* Require sellers to inform downstream recipients/users of high-risk chemicals along the supply chain that the substances are dangerous and regulated, e.g., by affixing an appropriate label to the packaging, by verifying that an appropriate label is affixed to the packaging, or by including that information in the safety data sheet	©	•	•	•		•
* Support the capacity of law enforcement agencies and customs authorities to recognize high-risk chemicals in the course of their duties and to react promptly to a suspicious activity, e.g., through funding or training activities	•	•	©	•	•	•
* Support the capacity of customs authorities to identify and eventually control high-risk chemicals upon import from third countries, e.g., through funding or training activities	0	0	•	•	•	0
* Support capacity-building and awareness-raising activities for law-enforcement agencies, customs authorities, and businesses and supply chain actors	0	•	0	0	•	0
* Establishment of a new EU expert group on high-risk chemicals to regularly discuss evolving chemical threats in classified meetings, in view of monitoring new threats and reacting to them in a coordinated way	0	•	©	•	•	•

establish a sin EEA to allow n swiftly require risk chemicals	•	•	•	•	•	•	•
	tent does legislatio			- ,	_	Seveso III	
Not at all	(18/EU) already add	iress s	security	concerns?			
Low exter	nt						
Moderate	extent						
High exte	nt						
Complete	ly						
I don't kno	ow						
30. Please exp	lain your answer to	the p	revious	question.			
31. If you have	additional options	to sug	gest, co	ould you ple	ease list	them here'	?
Niet van toepas	ssing						
Impact of a po	ossible EU interve	ention	1				
32. What would	d be the impact of a	comr	olete bai	n on acces	s to and	l use of hial	n-risk

32. What would be the impact of a complete ban on access to and use of high-risk chemicals for members of the general public?

	No impact	Low	Moderate impact	Strong impact	l don't know
* Increase the level of security in the Union against the misuse of high-risk chemicals for malicious purposes	0	0	0	•	0
* Improve information on and traceability of suspicions transactions, disappearances and thefts of high-risk chemicals	0	0	•	0	0
* Improve the harmonization of EU rules concerning the making available, introduction, possession and use of high-risk chemicals	0	0	•	0	0

* Improve the functioning of the internal market for high-risk chemicals	0	0	0	0	•
* Reduce the likelihood and scale of environmental risks (e.g., on the likelihood or prevention of fire, explosions, breakdowns, accidents and accidental emissions of chemicals)	0	0	•	0	0
* Improve the safety and health of workers and the general public	0	•	0	0	0
* Reduce the risk of business disruptions and subsequent economic losses'	•	0	0	0	0
* Increase the administrative burden/costs borne by suppliers of high-risk chemicals (manufacturers, distributors, retailers, online marketplaces)	•	0	0	0	0
* Increase the administrative burden/costs borne by professional users of high-risk chemicals	0	0	•	0	0
* Increase the administrative burden/costs borne by members of the general public	•	0	0	0	0
* Increase the compliance costs borne by suppliers of high-risk chemicals (manufacturers, distributors, retailers, online marketplaces)	0	0	•	0	0
* Increase the compliance costs borne by professional users of high-risk chemicals	0	0	•	0	0
* Increase the compliance costs borne by members of the general public	•	0	0	0	0
* Increase the implementation and enforcement costs borne by public authorities	0	0	•	0	0
* Reduce competitiveness of EU businesses, including SMEs (e.g., costs of inputs, capital and labor, market share in an international context and international competitiveness)	0	•	0	0	0
* Reduce consumers' choice	0	0	•	0	0
* Limit trade flows with third-countries (e.g., import /export of substances)	0	•	0	0	0

33. What would be the impact of restricting the access to and use of high-risk chemicals by members of the general public with a legitimate interest in acquiring, introducing, possessing or using certain chemicals (through a licensing regime)?

	No impact	Low impact	Moderate impact	Strong impact	l don't know
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* Increase the level of security in the Union against the misuse of high-risk chemicals for malicious purposes	0	0	•	0	0
* Improve information on and traceability of suspicions transactions, disappearances and thefts of high-risk chemicals	0	0	•	0	0
* Improve the harmonization of EU rules concerning the making available, introduction, possession and use of high-risk chemicals	0	0	•	0	0
* Improve the functioning of the internal market for high-risk chemicals	0	0	0	0	•
* Reduce the likelihood and scale of environmental risks (e.g., on the likelihood or prevention of fire, explosions, breakdowns, accidents and accidental emissions of chemicals)	0	•	0	0	0
* Improve the safety and health of workers and the general public	0	•	0	0	0
* Reduce the risk of business disruptions and subsequent economic losses'	0	•	0	0	0
* Increase the administrative burden/costs borne by suppliers of high-risk chemicals (manufacturers, distributors, retailers, online marketplaces)	©	0	•	0	0
* Increase the administrative burden/costs borne by professional users of high-risk chemicals	0	0	•	0	0
* Increase the administrative burden/costs borne by members of the general public	•	0	0	0	0
* Increase the compliance costs borne by suppliers of high-risk chemicals (manufacturers, distributors, retailers, online marketplaces)	0	0	•	0	0
* Increase the compliance costs borne by professional users of high-risk chemicals	0	0	•	0	0
* Increase the compliance costs borne by members of the general public	•	0	0	0	0
* Increase the implementation and enforcement costs borne by public authorities	0	0	•	0	0
* Reduce competitiveness of EU businesses, including SMEs (e.g., costs of inputs, capital and labor, market share in an international context and international competitiveness)	0	0	0	0	•
* Reduce consumers' choice	•	0	0	0	0

* Limit trade flows with third-countries (e.g., import	0	(0)	0	0	0
/export of substances)					

34. What would be the impact of requiring sellers to verify the proof of identity and the trade, business or profession of the prospective customer, and the intended use of the high-risk chemicals for each transaction?

	No impact	Low	Moderate impact	Strong impact	l don't know
* Increase the level of security in the Union against the misuse of high-risk chemicals for malicious purposes	0	•	0	0	0
* Improve information on and traceability of suspicions transactions, disappearances and thefts of high-risk chemicals	0	0	•	0	0
* Improve the harmonization of EU rules concerning the making available, introduction, possession and use of high-risk chemicals	0	0	•	0	0
* Improve the functioning of the internal market for high-risk chemicals	0	0	0	0	•
* Reduce the likelihood and scale of environmental risks (e.g., on the likelihood or prevention of fire, explosions, breakdowns, accidents and accidental emissions of chemicals)	0	•	0	0	0
* Improve the safety and health of workers and the general public	•	0	0	0	0
* Reduce the risk of business disruptions and subsequent economic losses'	0	•	0	0	0
<ul> <li>Increase the administrative burden/costs borne by suppliers of high-risk chemicals (manufacturers, distributors, retailers, online marketplaces)</li> </ul>	0	0	0	•	0
* Increase the administrative burden/costs borne by professional users of high-risk chemicals	0	0	0	•	0
* Increase the administrative burden/costs borne by members of the general public	0	0	•	0	0
* Increase the compliance costs borne by suppliers of high-risk chemicals (manufacturers, distributors, retailers, online marketplaces)	0	0	0	•	0
* Increase the compliance costs borne by professional users of high-risk chemicals	0	0	0	•	0

* Increase the compliance costs borne by members of the general public	0	0	•	0	0
* Increase the implementation and enforcement costs borne by public authorities	0	0	0	•	0
* Reduce competitiveness of EU businesses, including SMEs (e.g., costs of inputs, capital and labor, market share in an international context and international competitiveness)	0	0	0	0	•
* Reduce consumers' choice	•	0	0	0	0
* Limit trade flows with third-countries (e.g., import /export of substances)	0	•	0	0	0

## 35. What would be the impact of requiring sellers to keep records of each transaction involving high-risk chemicals?

	No impact	Low	Moderate impact	Strong impact	l don't know
* Increase the level of security in the Union against the misuse of high-risk chemicals for malicious purposes	0	•	0	0	0
* Improve information on and traceability of suspicions transactions, disappearances and thefts of high-risk chemicals	0	0	•	0	0
* Improve the harmonization of EU rules concerning the making available, introduction, possession and use of high-risk chemicals	0	•	0	0	0
* Improve the functioning of the internal market for high-risk chemicals	•	0	0	0	0
* Reduce the likelihood and scale of environmental risks (e.g., on the likelihood or prevention of fire, explosions, breakdowns, accidents and accidental emissions of chemicals)	•	0	0	0	0
* Improve the safety and health of workers and the general public	•	0	0	0	0
* Reduce the risk of business disruptions and subsequent economic losses'	0	•	0	0	0
* Increase the administrative burden/costs borne by suppliers of high-risk chemicals (manufacturers, distributors, retailers, online marketplaces)	0	0	•	0	0

* Increase the administrative burden/costs borne by professional users of high-risk chemicals	0	0	•	0	0
* Increase the administrative burden/costs borne by members of the general public	•	0	0	0	0
* Increase the compliance costs borne by suppliers of high-risk chemicals (manufacturers, distributors, retailers, online marketplaces)	0	0	•	0	0
* Increase the compliance costs borne by professional users of high-risk chemicals	0	0	•	0	0
* Increase the compliance costs borne by members of the general public	•	0	0	0	0
* Increase the implementation and enforcement costs borne by public authorities	0	0	•	0	0
* Reduce competitiveness of EU businesses, including SMEs (e.g., costs of inputs, capital and labor, market share in an international context and international competitiveness)	0	0	0	0	•
* Reduce consumers' choice	•	0	0	0	0
* Limit trade flows with third-countries (e.g., import /export of substances)	•	0	0	0	0

# 36. What would be the impact of requiring economic operators and/or users to report any suspicious transactions, disappearances and thefts involving high-risk chemicals?

	No impact	Low impact	Moderate impact	Strong impact	l don't know
* Increase the level of security in the Union against the misuse of high-risk chemicals for malicious purposes	0	0	0	•	0
* Improve information on and traceability of suspicions transactions, disappearances and thefts of high-risk chemicals	0	0	0	•	0
* Improve the harmonization of EU rules concerning the making available, introduction, possession and use of high-risk chemicals	0	0	•	0	0
* Improve the functioning of the internal market for high-risk chemicals	•	0	0	0	0

* Reduce the likelihood and scale of environmental risks (e.g., on the likelihood or prevention of fire, explosions, breakdowns, accidents and accidental emissions of chemicals)	•	0	0	0	0
* Improve the safety and health of workers and the general public	•	0	0	0	0
* Reduce the risk of business disruptions and subsequent economic losses'	•	0	0	0	0
* Increase the administrative burden/costs borne by suppliers of high-risk chemicals (manufacturers, distributors, retailers, online marketplaces)	0	0	•	0	0
* Increase the administrative burden/costs borne by professional users of high-risk chemicals	•	0	0	0	0
* Increase the administrative burden/costs borne by members of the general public	•	0	0	0	0
* Increase the compliance costs borne by suppliers of high-risk chemicals (manufacturers, distributors, retailers, online marketplaces)	0	•	0	0	0
* Increase the compliance costs borne by professional users of high-risk chemicals	0	•	0	0	0
* Increase the compliance costs borne by members of the general public	0	•	0	0	0
* Increase the implementation and enforcement costs borne by public authorities	0	0	•	0	0
* Reduce competitiveness of EU businesses, including SMEs (e.g., costs of inputs, capital and labor, market share in an international context and international competitiveness)	•	0	0	0	0
* Reduce consumers' choice	•	0	0	0	0
* Limit trade flows with third-countries (e.g., import /export of substances)	•	0	0	0	0

37. What would be the impact of requiring sellers to inform downstream recipients /users of high-risk chemicals along the supply chain that the substances are dangerous and regulated, e.g., by affixing an appropriate label to the packaging, by verifying that an appropriate label is affixed to the packaging, or by including that information in the safety data sheet?

	No impact	Low	Moderate impact	Strong impact	l don't know
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* Increase the level of security in the Union against the misuse of high-risk chemicals for malicious purposes	0	•	0	0	0
* Improve information on and traceability of suspicions transactions, disappearances and thefts of high-risk chemicals	0	•	0	0	0
* Improve the harmonization of EU rules concerning the making available, introduction, possession and use of high-risk chemicals	0	•	0	0	0
* Improve the functioning of the internal market for high-risk chemicals	0	0	0	0	•
* Reduce the likelihood and scale of environmental risks (e.g., on the likelihood or prevention of fire, explosions, breakdowns, accidents and accidental emissions of chemicals)	0	•	0	0	0
* Improve the safety and health of workers and the general public	0	•	0	0	0
* Reduce the risk of business disruptions and subsequent economic losses'	•	0	0	0	0
* Increase the administrative burden/costs borne by suppliers of high-risk chemicals (manufacturers, distributors, retailers, online marketplaces)	0	0	•	0	0
* Increase the administrative burden/costs borne by professional users of high-risk chemicals	0	0	•	0	0
* Increase the administrative burden/costs borne by members of the general public	•	0	0	0	0
* Increase the compliance costs borne by suppliers of high-risk chemicals (manufacturers, distributors, retailers, online marketplaces)	0	0	•	0	0
* Increase the compliance costs borne by professional users of high-risk chemicals	0	0	•	0	0
* Increase the compliance costs borne by members of the general public	•	0	0	0	0
* Increase the implementation and enforcement costs borne by public authorities	0	0	•	0	0
* Reduce competitiveness of EU businesses, including SMEs (e.g., costs of inputs, capital and labor, market share in an international context and international competitiveness)	0	0	0	0	•
* Reduce consumers' choice	•	0	0	0	0

* Limit trade flows with third-countries (e.g., import	•		0
/export of substances)			

38. What would be the impact of supporting the capacity of law enforcement agencies to recognize high-risk chemicals in the course of their duties and to react promptly to a suspicious activity, e.g., through funding, awareness-raising or training activities?

	No impact	Low	Moderate impact	Strong impact	l don't know
* Increase the level of security in the Union against the misuse of high-risk chemicals for malicious purposes	0	0	•	0	0
* Improve information on and traceability of suspicions transactions, disappearances and thefts of high-risk chemicals	•	0	0	0	0
* Improve the harmonization of EU rules concerning the making available, introduction, possession and use of high-risk chemicals	•	0	0	0	0
* Improve the functioning of the internal market for high-risk chemicals	•	0	0	0	0
* Reduce the likelihood and scale of environmental risks (e.g., on the likelihood or prevention of fire, explosions, breakdowns, accidents and accidental emissions of chemicals)	0	•	0	0	0
* Improve the safety and health of workers and the general public	0	•	0	0	0
* Reduce the risk of business disruptions and subsequent economic losses'	•	0	0	0	0
* Increase the administrative burden/costs borne by suppliers of high-risk chemicals (manufacturers, distributors, retailers, online marketplaces)	•	0	0	0	0
* Increase the administrative burden/costs borne by professional users of high-risk chemicals	•	0	0	0	0
* Increase the administrative burden/costs borne by members of the general public	•	0	0	0	0
* Increase the compliance costs borne by suppliers of high-risk chemicals (manufacturers, distributors, retailers, online marketplaces)	•	0	0	0	0

* Increase the compliance costs borne by professional users of high-risk chemicals	•	0	0	0	0
* Increase the compliance costs borne by members of the general public	•	0	0	0	0
* Increase the implementation and enforcement costs borne by public authorities	0	0	•	0	0
* Reduce competitiveness of EU businesses, including SMEs (e.g., costs of inputs, capital and labor, market share in an international context and international competitiveness)	•	•	0	•	•
* Reduce consumers' choice	•	0	0	0	0
* Limit trade flows with third-countries (e.g., import /export of substances)	•	0	0	0	0

39. What would be the impact of supporting the capacity of customs authorities to identify and eventually control high-risk chemicals upon import from third countries, e.g., through funding, awareness-raising or training activities?

	No impact	Low	Moderate impact	Strong impact	l don't know
* Increase the level of security in the Union against the misuse of high-risk chemicals for malicious purposes	0	0	0	•	0
* Improve information on and traceability of suspicions transactions, disappearances and thefts of high-risk chemicals	0	0	0	•	0
* Improve the harmonization of EU rules concerning the making available, introduction, possession and use of high-risk chemicals	0	0	0	0	•
* Improve the functioning of the internal market for high-risk chemicals	•	0	0	0	0
* Reduce the likelihood and scale of environmental risks (e.g., on the likelihood or prevention of fire, explosions, breakdowns, accidents and accidental emissions of chemicals)	0	0	•	0	0
* Improve the safety and health of workers and the general public	0	0	•	0	0
* Reduce the risk of business disruptions and subsequent economic losses'	•	0	0	0	0

* Increase the administrative burden/costs borne by suppliers of high-risk chemicals (manufacturers, distributors, retailers, online marketplaces)	•	0	0	0	0
* Increase the administrative burden/costs borne by professional users of high-risk chemicals	•	0	0	0	0
* Increase the administrative burden/costs borne by members of the general public	•	0	0	0	0
* Increase the compliance costs borne by suppliers of high-risk chemicals (manufacturers, distributors, retailers, online marketplaces)	•	0	0	0	0
* Increase the compliance costs borne by professional users of high-risk chemicals	•	0	0	0	0
* Increase the compliance costs borne by members of the general public	•	0	0	0	0
* Increase the implementation and enforcement costs borne by public authorities	0	0	•	0	0
* Reduce competitiveness of EU businesses, including SMEs (e.g., costs of inputs, capital and labor, market share in an international context and international competitiveness)	•	0	0	0	0
* Reduce consumers' choice	•	0	0	0	0
* Limit trade flows with third-countries (e.g., import /export of substances)	•	0	0	0	0

## 40. What would be the impact of supporting capacity-building and awareness-raising activities for businesses and supply chain actors?

	No impact	Low	Moderate impact	Strong impact	l don't know
* Increase the level of security in the Union against the misuse of high-risk chemicals for malicious purposes	0	•	0	0	0
* Improve information on and traceability of suspicions transactions, disappearances and thefts of high-risk chemicals	0	•	0	0	0
* Improve the harmonization of EU rules concerning the making available, introduction, possession and use of high-risk chemicals	0	•	0	0	0
* Improve the functioning of the internal market for high-risk chemicals	•	0	0	0	0

* Reduce the likelihood and scale of environmental risks (e.g., on the likelihood or prevention of fire, explosions, breakdowns, accidents and accidental emissions of chemicals)	0	•	0	0	0
* Improve the safety and health of workers and the general public	0	•	0	0	0
* Reduce the risk of business disruptions and subsequent economic losses'	•	0	0	0	0
* Increase the administrative burden/costs borne by suppliers of high-risk chemicals (manufacturers, distributors, retailers, online marketplaces)	•	0	0	0	0
* Increase the administrative burden/costs borne by professional users of high-risk chemicals	•	0	0	0	0
* Increase the administrative burden/costs borne by members of the general public	•	0	0	0	0
* Increase the compliance costs borne by suppliers of high-risk chemicals (manufacturers, distributors, retailers, online marketplaces)	•	0	0	0	0
* Increase the compliance costs borne by professional users of high-risk chemicals	•	0	0	0	0
* Increase the compliance costs borne by members of the general public	•	0	0	0	0
* Increase the implementation and enforcement costs borne by public authorities	•	0	0	0	0
* Reduce competitiveness of EU businesses, including SMEs (e.g., costs of inputs, capital and labor, market share in an international context and international competitiveness)	•	0	0	0	0
* Reduce consumers' choice	•	0	0	0	0
* Limit trade flows with third-countries (e.g., import /export of substances)	•	0	©	0	0

41. What would be the impact of establishing a new EU expert group on high-risk chemicals to regularly discuss evolving chemical threats in classified meetings, in view of monitoring new threats and reacting to them in a coordinated way?

	No impact	Low	Moderate impact	Strong impact	l don't know	
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* Increase the level of security in the Union against the misuse of high-risk chemicals for malicious purposes	0	•	0	0	0
* Improve information on and traceability of suspicions transactions, disappearances and thefts of high-risk chemicals	0	•	0	0	0
* Improve the harmonization of EU rules concerning the making available, introduction, possession and use of high-risk chemicals	•	0	0	0	0
* Improve the functioning of the internal market for high-risk chemicals	•	0	0	0	0
* Reduce the likelihood and scale of environmental risks (e.g., on the likelihood or prevention of fire, explosions, breakdowns, accidents and accidental emissions of chemicals)	•	0	0	0	0
* Improve the safety and health of workers and the general public	•	0	0	0	0
* Reduce the risk of business disruptions and subsequent economic losses'	•	0	0	0	0
* Increase the administrative burden/costs borne by suppliers of high-risk chemicals (manufacturers, distributors, retailers, online marketplaces)	•	0	0	•	0
* Increase the administrative burden/costs borne by professional users of high-risk chemicals	•	0	0	0	0
* Increase the administrative burden/costs borne by members of the general public	•	0	0	0	0
* Increase the compliance costs borne by suppliers of high-risk chemicals (manufacturers, distributors, retailers, online marketplaces)	•	0	0	0	0
* Increase the compliance costs borne by professional users of high-risk chemicals	•	0	0	0	0
* Increase the compliance costs borne by members of the general public	•	0	0	0	0
* Increase the implementation and enforcement costs borne by public authorities	0	0	•	0	0
* Reduce competitiveness of EU businesses, including SMEs (e.g., costs of inputs, capital and labor, market share in an international context and international competitiveness)	•	0	0	0	0
* Reduce consumers' choice	•	0	0	0	0

* Limit trade flows with third-countries (e.g., import /export of substances)	•	0	0	0	0
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42. What would be the impact of requiring online marketplaces to establish a single contact point in the EEA to allow national authorities to swiftly require the delisting of high-risk chemicals and exchange other relevant communications (e.g., send information requests during investigations)?

	No impact	Low	Moderate impact	Strong impact	l don't know
* Increase the level of security in the Union against the misuse of high-risk chemicals for malicious purposes	0	0	•	0	0
* Improve information on and traceability of suspicions transactions, disappearances and thefts of high-risk chemicals	0	0	•	0	0
* Improve the harmonization of EU rules concerning the making available, introduction, possession and use of high-risk chemicals	•	0	0	0	0
* Improve the functioning of the internal market for high-risk chemicals	0	0	•	0	0
* Reduce the likelihood and scale of environmental risks (e.g., on the likelihood or prevention of fire, explosions, breakdowns, accidents and accidental emissions of chemicals)	0	•	0	0	0
* Improve the safety and health of workers and the general public	0	•	0	0	0
* Reduce the risk of business disruptions and subsequent economic losses'	•	0	0	0	0
* Increase the administrative burden/costs borne by suppliers of high-risk chemicals (manufacturers, distributors, retailers, online marketplaces)	•	0	0	0	0
* Increase the administrative burden/costs borne by professional users of high-risk chemicals	•	0	0	0	0
* Increase the administrative burden/costs borne by members of the general public	•	0	0	0	0
* Increase the compliance costs borne by suppliers of high-risk chemicals (manufacturers, distributors, retailers, online marketplaces)	•	0	0	0	0

* Increase the compliance costs borne by professional users of high-risk chemicals	•	0	0	0	0
* Increase the compliance costs borne by members of the general public	•	0	0	0	0
* Increase the implementation and enforcement costs borne by public authorities	•	0	0	0	0
* Reduce competitiveness of EU businesses, including SMEs (e.g., costs of inputs, capital and labor, market share in an international context and international competitiveness)	•	•	0	0	•
* Reduce consumers' choice	•	0	0	0	0
* Limit trade flows with third-countries (e.g., import /export of substances)	•	0	0	0	0

43. What type of positive or negative effects might the options listed in the previous questions have on your daily activity?

Er is onvoldoende zicht op goederen, die al dan niet onder verkeerde etikettering, van buiten de EU de gemeenschappelijke markt opkomen. Zicht hebben op deze stroom kan opsporingsdiensten een voordeel geven.

- \*44. To what extent would you agree that an EU intervention to prevent the misuse of high-risk chemicals would be justified based on security concerns surrounding such chemicals, and that potential benefits would outweigh the economic costs?
  - Strongly disagree
  - Disagree
  - Neither agree nor disagree
  - Agree
  - Strongly agree
  - I don't know
- 45. Please explain your answer to the previous question.

Cyaniden en phosfides zouden via de REACH verordening gereguleerd kunnen worden en daarmee niet meer beschikbaar zijn voor het algemene publiek. Hypochlorieten en Sulfides hebben uiteenlopende use cases en voldoende alternatieve synthese routes. Reguleren van deze stoffen is ondoenlijk en heeft een significante economische impact.

- \*46. To what extent would additional security measures also improve the health and safety of workers and the general public or have other benefits?
  - No extent

Low extent
Moderate extent
High extent
Completely
I don't know
47. Please explain your answer to the previous question.
De meeste giftige worden al gereguleerd, met name vanuit milieu en volksgezondheid.
Concluding remarks  48. If you wish to add further information — within the scope of this consultation — please feel free to do so here.
48. If you wish to add further information — within the scope of this consultation —

Contact

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