

## ETRMA comments on the document CA/61/2020 Essential Uses

Brussels, 6<sup>th</sup> January 2020

The European Tyre & Rubber Manufacturers' Association (ETRMA) and its members count around 4.300 companies in the EU, employing directly 360.000 people. ETRMA tyre company members represent 59% of the global tyre sales. We have strong presence in the EU and candidate countries with 93 tyre-producing plants and 17 R&D centres. The EU industry of General Rubber Goods, GRG, includes approximately 6000 companies, most of them SMEs. EU production is estimated in 5.1 million tons of tyres and 2.3 million tons of GRG.

Rubber is a versatile material flexible and resistant used for many applications. The industry using rubber in Europe is organised in two main blocks. The most visible and known is Tyres present in vehicles. The other is the General Rubber Goods (GRG) sector whose main application fields can be summarized as follows: the automotive and transport sector 63%, the industrial appliances sector 10% and house applications 10% sector. The majority of the GRG sector are small medium size companies, SMEs.

The use of chemicals in the tyre and rubber industry is of outmost importance, to mention there are more than 1600 substances registered under REACH for its use in the sector of rubber manufacturing, even if in the individual production processes, relatively few chemicals are used. The strong and robust chemical regulatory framework in Europe has placed the tyre and rubber industry at the foreground on chemical compliance, and strengthened its position worldwide.

The particularities of rubber, with strength, resistance to temperatures and flexibility have made rubber parts essential in many complex goods. For some applications, rubber goods are requested to perform in extreme and hard environments. For instance, rubber seals and O-rings inside motors, where rubber is in contact with oils at high temperature and extreme pressures. Other example are hoses used in oil and gas industry where working temperature could reach -50°C degrees in the case of Offshore LPG<sub>2</sub> transfer. The same complexity applies to Tyres, engineering products that have to comply with high technical requirements in terms of safety, resistance and efficiency.

The chemicals selected on tyres and general rubber goods are crucial to answer demanding technical specifications. The substances used have precise technical functions, carefully selected to secure performance without comprising the risk for professional users, consumers and the environment.

The development of the concept of **essential use** shall be a holistic approach that acknowledges the specificities of technical goods. ETRMA as AUTO4REACH concurs with several of the conclusion raised at the document CA/61/2020, and we would like to highlight the following points:

- The **essential use** concept shall be built taking into account all the regulatory options available in the European regulatory framework to protect the risk for users and the environment, which is much broader than the scope for which the Montreal Protocol was developed.
- **The hazard of the substance shall not be the only parameter relevant** when tailoring the application of the essential use concept. The benefits that the substance may pose when used shall also be considered.

- **Securing a level playing field** for both EU-based producers and importers is crucial. This is particularly relevant for process chemicals that do not remain in the final product, as the regulatory framework only applies to EU based producers and not elsewhere.
- **Better predictability.** A predictable and coherent regulatory framework of chemicals substances is essential to secure an ideal environment for EU investments. An essential use concept that fails to secure the use of crucial chemicals in products leads to insecurity and weakens the EU capacity to attract investment.
- **Assessment on the impacts of the essential use definition.** At this stage, it is not defined yet how the essential use concept will be used in policymaking and to which substances will apply, as the *most hazardous substance* concept is still open for interpretation. We therefore see the need to assess the socio-economic impacts of an inclusion of the concept in the REACH process, without dismissing the impacts for manufacturers and SMEs

Overall, we consider that a CARACAL expert group on its own cannot address the complexity of the question that the essential use concept poses. ETRMA calls for the introduction on the process of defining essential uses expertise and advice in trade, economy, innovation and industrial process.

European Tyre and Rubber Manufacturers' Association members ([www.etrma.org](http://www.etrma.org)).

ETRMA represent 93 tyre manufacturing plants spread across EU28, Turkey and other candidate countries employing some 200.000 direct jobs in the tyre sector. ETRMA, represents more than 6.000 companies in EU28, employing 360.000 individuals and supports another 800.000 jobs in related sectors. The product range of its members is extensive from tyres to pharmaceutical, baby care, construction and automotive rubber goods and many more applications. ETRMA members' turnover in 2016 is approximately € 73 billion, of which up to 5% continues to be invested in R&D, annually. ETRMA's membership include the following tyre manufacturers: APOLLO VREDESTEIN, BRIDGESTONE EUROPE, BRISA, COOPER TYRES, CONTINENTAL, GOODYEAR EUROPE, HANKOOK, MARANGONI, MICHELIN, NOKIAN TYRES, PIRELLI, PROMETEON, SUMITOMO RUBBER INDUSTRIES AND TRELLEBORG WHEEL SYSTEMS. Furthermore, members include Associations in the following countries: Belgium, Finland, France, Germany, Hungary, Italy, the Netherlands, Poland, Spain and the UK.