

INFORMATION BULLETIN

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INTERNAL MARKET

Construction Products Regulation (CPR)

The European Commission continues its preparatory work on the revision of the Construction Products Regulation. The main outcomes of the public consultation on the [5 policy scenarios](#) will be used as a basis for the impact assessment study (see results [here](#)). Most stakeholders prefer maintaining the current Regulation, while a revision is mainly supported by public authorities. The study report is expected in the next weeks.

In parallel, the European Commission has launched a revision of the [CPR technical acquis](#): harmonised standards, other technical specifications and EC delegated and implementing acts. This work is performed according to a priority list of product families established with Member States (see priorities [here](#)), such as precast concrete, structural metallic and reinforcing steel products, doors and windows. A dedicated meeting took place on 28 April 2021, notably to invite stakeholders to contribute to this process, by either participating in sub-groups (one per product family) or providing written contributions.

These sub-groups will have to develop the structure of harmonised technical specifications, including assessment methods, essential characteristics, expression of test/assessment results, classes of performance and/or threshold levels, product requirements, and product information. About future product standards, the Commission wants to focus on the end user (e.g. architect and construction company); manufacturers should not be the unique target anymore.



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Pressure Equipment Directive (PED)

A follow-up joint Machinery Expert Group and Working Group meeting took place on 20 April to continue the discussions on the PED Guideline C-13. As a reminder, this Guideline relates to a question of whether a final machine that includes items of

pressure equipment, some of which are excluded from the PED by Article 1 (2), should be considered or not as an assembly covered by the PED. In particular, note 1 refers to a hydraulic system of an item of machinery which can meet the definition of assemblies in PED Article 2(6). However, as it is not intended to be put into service as such, it is not covered by Article 4 (2b).

The PED ADCO Chair and the conformity assessment bodies' representative recommended the deletion of this note 1 and considering a global conformity assessment involving a notified body for the PED assembly. Industry representatives fully disagreed with this view, providing technical argumentation and data to show that this change would severely impact several machinery sectors as it would result in all equipment integrating items of pressure equipment being considered as PED assemblies, without any safety benefit. Given the divergent opinions on this matter, the Commission requested further detailed feedback from interested parties by the end of May. In particular, manufacturers are asked for more information on the technical characteristics of the equipment that would be affected by deleting note 1 and potentially note 2 in the PED Guideline C-13. Based on the feedback received, the Commission will then decide on the next steps, and whether another meeting is required.



Author :

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Issues of General Interest

Industrial Policy

On 6 May, the European Commission presented a [Communication](#) updating its Industrial Policy Strategy tabled in March 2020, with the title: "*Updating the 2020 New Industrial Strategy: Building a stronger Single Market for Europe's recovery*". The document is accompanied by three annexes (Staff Working Documents):

- The first edition of the [Annual Single Market Report](#), analysing the impact of the COVID-19 crisis on the Single Market, reporting on progress made to dismantle barriers hampering it and in delivering on actions identified in the 2020 Industrial Package; the Report also includes an analysis for each of the

fourteen industrial ecosystems¹ picked up in 2020, and presents a set of KPIs describes the ecosystems in more details;

- An initial analysis of the [EU's strategic dependencies and capacities](#), with an in-depth review of six technological and industrial strategic areas²;
- An illustrative analysis of the [steel industry](#) and the EU policy toolbox available to support it towards the twin digital and sustainable transition.

Drawing the lessons of the COVID-19 crisis, the Commission proposes to work on three areas:

- **Uphold the Internal Market**, notably with the establishment of a *Single Market Emergency Instrument* to structurally ensure the availability and free movement of goods and services in case of future crises. This instrument should guarantee more information sharing, coordination, and solidarity when Member States adopt crisis-related measures. It should also build a mechanism through which Europe can address critical product shortages by speeding up product availability (e.g., standard setting and sharing, fast-track conformity assessment) and reinforcing public procurement cooperation. The Directive on services should be fully enforced; for key *business services* in particular, the Commission will explore the benefits of a legislative proposal for regulating them, supported by harmonised standards. In terms of market surveillance, the Commission will support and encourage national market surveillance authorities to accelerate the digitalisation of product inspections and data collection as well as and state-of-the-art technologies to trace non-compliant and dangerous products.
- **Analyse and address strategic dependencies, both technological and industrial**, with focus on a review of six strategic areas as a start and more sectors to be analysed through the new Commission Observatory of Critical Technologies. The Commission proposes to use currently existing instruments such as *industrial alliances* and *Important projects of Common European Interest (IPCEIs)*, presents at the same time as the Communication a [Regulation proposal](#) to address the potentially distortive effects of foreign subsidies in the Internal Market, and announces a particular attention to SMEs who will be supported in the dual transition via several tools at their disposal (e.g. Enterprise Europe Network's Sustainability Advisors, Digital Innovation Hubs, grants provided by the European Innovation Council and equity funds targeted

¹ Aerospace and Defence. Agri-Food, Construction, Cultural and Creative Industries. Digital Electronics. Energy-Intensive Industries. Energy/Renewables. Health. Mobility/Transport/Automotive, Proximity/Social Economy and Civil Security, Retail, Textile and Tourism.

² Raw materials, Active pharmaceutical ingredients, Batteries, Hydrogen, Semiconductors, and Cloud and Edge Computing.

to SMEs). On standardisation, the review highlights the success of European standards that “*delivered great benefits for companies and consumers, raising quality and safety, improving transparency, reducing costs and opening up markets for businesses*” and announces a future *Standardisation Strategy* to be published later in 2021, that will address the international dimension of the matter.

- **Promote the twin green and digital transition**, building on the EU and the national Recovery and Resilience Plans and multi-country projects presented by Member States in this framework, a review of the competition and state aid rules, notably on energy and environment, a renewed Sustainable Finance Strategy and a legislative initiative on sustainable corporate governance, and a Data Act to support data sharing. In particular, to support the business case for the twin green and digital transitions, the Commission proposes to set up, in partnership with industry, public authorities, social partners and other stakeholders, of transition pathways for ecosystems, where needed. Such pathways are set to offer a better bottom-up understanding of the scale, cost, long-term benefits, and conditions of the required action to accompany the twin transition for the most relevant ecosystems, leading to an actionable plan.

While this Communication does not have any legislative content, the EU Council and the European Parliament will provide their input to the document. The Council (Competitiveness) will discuss some of its elements at its meeting on 27 May.



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Digital Policy

Digital Services Act

On 12 May, the Presidency and the General Secretariat of the Council issued a [note](#) on the Commission proposal for a Digital Services Act. The note takes stock of progress in the discussions that have occurred since December 2020 at the level of the Council’s Working Party on Competitiveness and Growth, focusing on enforcement and enforceability, content moderation and scope and objective. The Portuguese Presidency indicates that the file will have to be further discussed in the second half of 2021.



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Machinery Directive (MD)

The proposal for a Machinery Regulation including the annex and the impact assessment report were [released](#) on 21 April, together with the Package on a European Approach for Artificial Intelligence. The proposed Machinery Regulation intends to address six issues identified during the evaluation of the current legislation, covering the following:

- Alignment with the New Legislative Framework (NLF) to ensure consistency with other EU product harmonisation legislation
- Conversion into a Regulation to address divergences in Member States' interpretations and ensure a uniform implementation in the EU
- New definitions proposed for further legal clarity (e.g. substantial modification, inclusion of software in the definition of safety components, AI systems – same definition as in the proposal for an AI Regulation)
- Exemptions extended to include all means of transport on road and electrical and electronic products integrating a wi-fi function (e.g. washing machine)
- New requirements to address risks stemming from new technologies (human-robot collaboration, connected machinery, software updates affecting the behaviour of the machine after placing on the market)
- Adaptation of the list of high-risk machines (Annex I – former Annex IV) to remove some of the existing machines that are no longer regarded as high-risk and include new ones (e.g. machines embedding AI to ensure safety functions). A critical change is the removal of self-assessment/internal checks for high-risk machines.
- Move to a digital format of instructions to address administrative burdens and high economic and environmental costs due to extensive paper documentation, while ensuring that end-users and consumers can have access to a printed version free of charge, if they request it.
- Some specific changes to the essential health and safety requirements (Annex III – former Annex I) related to traditional machinery (e.g. installation of lifting appliances, slow speed lifts, seating, protection against hazardous substances, overhead power lines and vibration from portable handheld and hand guided machinery).

Following the publication of the proposal the Commission launched a [stakeholder consultation](#), which will close on 22 June, to received feedback on its proposal. In the meantime, the discussions in the Council of the EU and the European Parliament will

soon kick off. On the Parliament side, the committee responsible for the file will be IMCO, and the rapporteur who has been recently nominated is Ivan Štefanec, (EPP, Slovakia). More information on the IMCO calendar of meetings will be available after the IMCO coordinators' meeting on 27 May. On the Council side, a preliminary exchange of views on the Commission proposal took place in two informal meetings (26 April and 11 May) of the Council Working Party for Technical Harmonisation.



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Outdoor Noise Directive (OND)

The OND Working Group of the European Commission met on 17 March. Members of this group discussed the policy options for the revision of the Outdoor Noise Directive (OND). As a main result, participants agreed on a two-stage approach. First, the Commission will update the measurement methods, meaning revising OND Annex III through a delegated act. This will then be followed by a full revision of the directive.

Regarding the envisaged timeline, the delegated act amending measurement methods would be adopted in the second half of 2022. The work to develop a proposal for the full revision would start immediately afterwards. The European Commission proposal for the full revision would be ready by the end of 2023.

One should note that the plan and envisaged timeline are still subject to internal validation in the European Commission. Confirmation is expected after the summer. The next meeting of the OND Working Group – to become an Expert Group – will take place in the autumn.



Author :

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MARKET ACCESS

OS
on 10
November

meeting

Issues of General Interest

Foreign Subsidies

On 5th May, the European Commission issued a [proposal for a Regulation on foreign subsidies distorting the internal market](#). The proposal follows on last year's White Paper on Foreign Subsidies which explored solutions to address the distortive effects of foreign state ownership and state financing undermining the level playing field in the single market.

The proposal empowers the Commission to investigate financial contributions granted by non-EU authorities to companies active in the EU. To this end, the Regulation introduces three tools: two notification-based procedures for concentrations and public procurements above certain thresholds, and a general market investigation power for other types of market situations, such as greenfield investments or concentrations and procurements below the thresholds.

If the Commission identifies distortive foreign subsidies, it may remedy their distortive effects, as relevant.

The proposal will now go through the decision-making process. Comments may be sent to the European Commission by 5th July 2021.



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Free Trade Agreements – overview

Country	Current Status	Next steps
Singapore	Trade and investment agreements were adopted in October 2018. On 21 November 2019 the Free Trade Agreement entered into force.	Investment Protection Agreement to be ratified by all the Member States before entering into force. Here more information
Vietnam	The FTA entered into force on 1 st August 2020. The Commission has updated its Guidance on the Rules of Origin	Here more information
Mercosur	Ongoing negotiations for a free trade agreement. In June 2019, EU and Mercosur reached a political agreement .	The Commission has published the final Sustainability Impact Assessment and Position Paper
China	Ongoing negotiations for an Investment Agreement. Agreement in principle reached on 30 th December 2020	The text of the agreement is being finalised and will need to be legally reviewed before submission for approval to the EU Council and the European Parliament.
Australia	Ongoing negotiations for a free trade agreement. 9th round of negotiations took place on 30 November – 11 December.	The date for the next round of negotiations is scheduled March 2021. Here more information
New Zealand	Ongoing negotiations for a free trade agreement. 10th round of negotiation took place on 22-30 March. On trade in goods, all articles, except those related to origin marking and customs fees, are in principle agreed	The date for the next round of negotiations is not scheduled yet. Here more information
Indonesia	Ongoing negotiations for a free trade agreement. The latest round of negotiations took place on 15-26 June 2020. The European Commission has published conclusions of the sustainability impact assessment	The date for the next round of negotiations is not scheduled yet. Here more information

Tunisia	Ongoing negotiations for a free trade agreement. 4 th round of negotiations took place in 28-30 April/1-2 May 2019 in Tunis.	Negotiations are at a standstill due to change of government in Tunisia and civil society protest. Here more information
Chile	Ongoing negotiations to revise and modernise the free trade agreement. The 9th round of negotiations took place in January 2021.	The 10 th round of negotiations is scheduled 19-30 April 2021. Here more information
ESA (Eastern and Southern Africa countries: Comoros, Madagascar, Mauritius, Seychelles and Zimbabwe)	Ongoing negotiations to deepen the existing Economic Partnership Agreement (EPA). 4th round of negotiations took place on 13-16 April.	The next round of negotiations will take place in July. Here more information
India	On 5 February 2021, the EU-India High-Level Dialogue on Trade Investment held its first meeting. The possibility of resuming negotiations on a trade and investment agreement was discussed. These have been suspended for 7 years.	



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ENVIRONMENT

RoHS2 Directive

- **Renewal of exemptions**

Further to the series of renewal requests submitted by the industry in January 2020, the Commission has contracted external consultants, namely Oeko-Institut together with Fraunhofer IZM, to perform the technical assessment. The assessment of sixteen requests for nine RoHS exemptions started in December: it is named [RoHS project \('Pack 22'\)](#). The study will cover lead related exemptions 6(a)/6(a)-I, 6(b)/6(b)-I, 6(b)-II, 6(c), 7(a), 7(c)-I and 7(c)-II (Annex III). The [stakeholder consultation](#) ran until 3 March 2021 and the final technical study report is expected in September 2021. For more details, please see the [Technical specifications](#) and the [Project Description](#).

Moreover, the [stakeholder consultation](#) for the pack 24 (which includes exemptions 5(b), 18(b), 18(b)-I, 24, 29, 32 and 34 of Annex III and exemption 34 of Annex IV) is now open until 8 June 2021. The consultation is targeted at the following groups: EEE industry, EEE industry federations, Consultancies, Research institutions & universities, NGOs and Public administrations. The final technical study report is expected in October or November 2021. The consultants are [Ramboll/Oeko-Institut](#). For more information, please refer to the [Project Description](#).

Furthermore, the [stakeholder consultation](#) for the pack 23 (which includes exemptions 4(f), 8(b)/8(b)-I, 13(a), 13(b)/13(b)-I/13(b)-II/13(b)-III, 15/15(a) & 9(a)-II - 9(a)-II) is now open until 27 May 2021.

Finally, the [delegated act](#) regarding the RoHS exemption for mercury in electric rotating connectors in intravascular ultrasound imaging systems was adopted in March 2021.

- **RoHS General Review**

The European Commission published in April the [RoHS General Review Final Ecorys Report](#). This study supports the evaluation of the RoHS Directive. Building on desk research and an extensive consultation strategy, the study provides an assessment of the Directive's effectiveness, efficiency, relevance, coherence, and its EU added

value. The study finds that the Directive reached the objective to reduce hazardous substances in EEE in the EU. This has contributed to the protection of human and environmental health. By setting clear standards and providing a level playing field for manufacturers, the Directive has also contributed to the harmonisation and functioning of the internal market. While the exemption process is deemed relevant and important to maintain, industry representatives highlighted delays in assessing and approving exemptions. The renewed commitment of the EU to the transition to a circular economy and a specific focus on electronic equipment as a “key product value chain” may lead to a reassessment of some of the central mechanisms of RoHS.

The next steps of the RoHS Review:

- Impact assessment (around April 2021)
 - The study will be launched around April 2021 and will run for 10 months
 - It will evaluate different policy options, including the nature of RoHS (should it be a regulation or a directive?)
- Open stakeholder consultation (around July 2021)
 - will be organised as part of the impact assessment
 - a stakeholder workshop (before the summer) and stakeholder conference are foreseen
- Commission’s legislative proposal (expected for Q1 2022)



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Circular Economy Policy

Sustainable Products Initiative

On 17 March, the European Commission launched a [public consultation](#) on the Sustainable Products Initiative.

As a reminder, the main points of interest include broadening the scope of the Ecodesign Directive beyond energy related products, mandatory requirements for recycled content, information and labelling, and digital product passports.

Priority products under the legislative initiative are electronics, ICTs, textiles, furniture, and high-impact intermediary products such as steel, cement, and chemicals. Further product groups will be identified based on their environmental impact and circularity potential.

The consultation is open until 9 June 2021.

Additionally, the Commission, together with the hired consortium of consultants led by Trinomics, are hosting a series of targeted consultation workshops between 15 April and will run until 27 May on the specific aspects of the legislative initiative.

The Commission is expected to adopt its final proposal by the 1st quarter of 2021.



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Waste Framework Directive

SCIP Database (previously ECHA Waste Database)

Despite a lengthy debate, the European Chemicals Agency (ECHA) eventually launched the SCIP database on 28 October 2020, and suppliers must submit SCIP notifications since 5 January 2021. As a reminder, 'SCIP' is the database for information on Substances of Concern In articles as such or in complex objects (products) established under the Waste Framework Directive.

In addition, ECHA has published [tools](#) to update information on the SCIP database, [tips](#) for submissions of dossiers with more than 1 000 components and new [questions and answers](#), which give practical advice on SCIP obligations.

Since the entry into force of the SCIP obligations in January 2021, the number of SCIP notifications has been growing, with more than 7.5 million notifications from around 3 600 companies received by mid-March.



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Eco-Management and Audit Scheme

Member States' representatives are being consulted until 31 May 2021 under the comitology procedure on two European Commission draft implementing acts related to the EMAS Regulation on best environmental management practices for the [fabricated metal products manufacturing sector](#) and [for telecommunications and information and communication technologies \(ICT\) services sector](#).

The “manufacturing of fabricated metal products” covers all the manufacture of pure metal products (such as parts, containers and structures), usually with a static, immovable function.

The draft acts are available upon request to the Commission. The content is based on reports provided in 2020 by the Joint Research Centre:

- JRC Report: [Best Environmental Management Practice in the Fabricated Metal Product Manufacturing sector](#)
- JRC Report [Best Environmental Management Practice in the Telecommunications and ICT Services sector](#).



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Issues of General Interest

Chemicals Policy

DG ENV, in association with all relevant Commission DGs (EMPL, JRC, DG JUST, GROW, SANTE, RTD and SG) has set up the Expert Group High-Level Roundtable on the implementation of the Chemicals Strategy for Sustainability. As a reminder, the strategy adopted by the European Commission on 14 October lists a series of measures to achieve the EU's zero pollution ambition for a toxic-free environment and is a key component of the European Green Deal.

The group's main tasks will be to support the Commission to realise the objectives of the strategy in dialogue with the stakeholders concerned, to monitor progress of the Strategy's implementation and to support the transition to safe and sustainable chemicals and to a toxic-free environment. Discussions are expected to focus in

particular on how to make the chemicals legislation work more efficiently and effectively, and how to boost the development and uptake of innovative safe and sustainable chemicals across sectors. Discussions in the group will not replace formal consultations on the specific initiatives announced in the Strategy, including the upcoming legal proposals.

The first meeting of the High-Level Roundtable took place on 5 May. Both Virginijus Sinkevičius, European Commissioner for Environment, and Thierry Breton, European Commissioner for Internal Market, chaired the meeting. Further to the meeting, a Joint Statement was published and signed by several industry organisations: A.I.S.E. (International Association for Soaps, Detergents and maintenance Products); the European Chemical Industry Council (Cefic); Covestro; Solvay; Henkel; Eurometaux; Cosmetics Europe; and SMEUnited.

Moreover, the European Commission published in April the mapping study for the development of sustainable-by-design criteria. The aim of this study is to map existing initiatives and R&I activities related to sustainability that are relevant for the development of sustainable-by-design criteria for chemicals, materials and products. It includes three main parts, 1) Identification of existing policies and initiatives that implement sustainability criteria, 2) Analysis of a sample of criteria under the relevant policies and initiatives with a focus on materials and chemicals, and 3) Analysis of the progress in R&I.



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REACH

- **Review**

As a reminder, the [chemicals strategy for sustainability](#) adopted by the European Commission on 14 October 2020 lists a series of measures to achieve the EU's zero pollution ambition for a toxic-free environment and is a key component of the European Green Deal. The Strategy recognises the need for a targeted revision of the REACH legislation to achieve its objectives.

On 4 May, the European Commission published the [roadmap](#) regarding the revision of the REACH Regulation. The document is open for feedback for 4 weeks, until 1 June 2021. Feedback will be taken into account for further development and fine tuning of the initiative.

The roadmap identifies the problems to tackle: communication in the supply chains is inefficient, the evaluation of registration dossiers and substances is too complex and insufficient, the authorisation procedure is too heavy and inflexible, the current restriction process is too slow to sufficiently protect consumers and professional users against risks from the most hazardous substances, and the control and enforcement is not equally effective in all Member States.

Moreover, the document indicates some objectives and policy options: simplifying communication in the supply chains and improving safety data sheets, reforming the authorisation and restriction processes, revision of the registration requirements, introduction of a Mixtures Assessment Factor (MAF), revision of the provisions for dossier and substance evaluation and revision of provisions for control and enforcement.

The next steps of the revision process are:

- Q1 2021 to Q1 2022: targeted stakeholder consultations as part of supporting studies and workshops
- Autumn 2021 to early autumn 2022: impact assessment
- 2022: drafting proposal for revision of REACH
- Q1 2022: open public consultation for 12 weeks
- Q4 2022: Commission adoption of the proposal

The launch of stakeholder consultation activities related to this initiative will be announced in the [consultation planning](#). In addition, the Commission will set up a [dedicated webpage](#) to inform about the activities, studies and workshops related to the impact assessment.

The REACH Regulation was [last evaluated in 2018](#). It concluded that REACH is effective but that there are opportunities for further improvement, simplification and burden reduction. Following the evaluation, a number of non-legislative actions have been launched (some of them finalised, others still ongoing) to improve the implementation of REACH.

- **Substances of Very High Concern (SVHC)**

A [new initiative](#) updates the entries for the phthalates DEHP, DBP, BBP and DIBP (plasticisers) due to their endocrine disrupting properties. The Commission adoption is planned for Q3 2021.

Moreover, new intentions to identify a substance of very high concern have been received for:

- [S-\(tricyclo\(5.2.1.0^{2,6}\)deca-3-en-8\(or 9\)-yl O-\(isopropyl or isobutyl or 2-ethylhexyl\) O-\(isopropyl or isobutyl or 2-ethylhexyl\) phosphorodithioate](#) (EC 401-850-9, CAS 255881-94-8); and
- [\(±\)-1,7,7-trimethyl-3-\[\(4-methylphenyl\)methylene\]bicyclo\[2.2.1\]heptan-2-one covering any of the individual isomers and/or combinations thereof \(4-MBC\)](#) (EC -, CAS -).

Identification of SVHCs may lead to further risk management through authorization.

- **Restriction**

The European Commission has launched a [consultation](#) on a updated list of restricted substances. The initiative aims to protect consumers by adding substances recently classified as carcinogenic, mutagenic or toxic to reproduction (CMR) to the EU list of restricted substances (Annex XVII to the REACH Regulation). Stakeholders can provide [comments](#) until 2 June 2021.

Furthermore, Germany, the Netherlands, Norway, Sweden and Denmark are working on a REACH restriction proposal to limit the risks to the environment and human health from the manufacture and use of all PFAS. This is a large family of thousands of synthetic chemicals that are widely used throughout society. A [call for evidence](#) was held during the summer of 2020. ECHA also organised a [webinar](#) on 29 October 2020 to learn about the REACH restriction process and the status of the proposed PFAS restriction.

The next steps of the process are:

- The five Member States are expected to finalise a regulatory management option analysis (RMOA) on PFAS by June 2021
- After this publication, The Netherlands are expected to notify its intention to submit a REACH restriction proposal on non-essential uses of PFAS to ECHA and the European Commission
- The five Member States would then finalise the Annex XV dossier within 12 months of its notification to ECHA. ECHA would then publish the dossier following a conformity check, expected in the first half of 2022.
- Following the dossier's publication, a 6-months publication consultation would start, in 2022
- Based on the final ECHA opinion, the European Commission may decide to draft an amendment to restrict non-essential uses of PFAS under REACH Annex XV (expected in 2024)
- The amendment of the Annex XV would then possibly enter into force in 2025

Moreover, the ECHA Committee [RAC \(Risk Assessment Committee\)](#) adopted a [supplementary opinion](#) on an Article 77(3)(c) request on the proposed restriction on intentionally-added microplastics, taking into account new elements which emerged after RAC had adopted its final opinion in June 2020. Furthermore, the opinion development process has been extended on the restriction proposal (submitted by Germany) concerning the manufacture, use and placing on the market of [PFHxA](#), its salts and related substances. Agreement is expected in June 2021 instead.

In addition, Germany invites interested parties to submit information related to 1,4-dioxane (EC 204-661-8, CAS 123-91-1) to help with the preparation of a restriction proposal. The call for evidence is separate to the ongoing consultation on the SVHC properties of 1,4-dioxane, which started on 9 March 2021. Deadline for [comments](#) is **17 June 2021**.

- **Authorisation**

ECHA, and more specifically the Socio-Economic Analysis Committee (SEAC), was asked to analyse the substitution plans provided by applicants for authorisation. In particular, the use of hexavalent chromium in surface treatment, but also the hardener MOCA. SEAC's final opinion on the substitution plan submitted for the upstream MOCA application, as well as that for the use of decorative chromium from CTACSub, is expected in June 2021. The European Commission's decision is expected in January 2022.

RAC and SEAC agreed on 11 draft opinions on applications for authorisation of uses of chromium trioxide and bis(2-methoxyethyl) ether (diglyme). Nine of the agreed draft opinions concern uses of chromium trioxide in chrome plating for the sanitary and automotive industry sectors, as well as in a surface pre-treatment (so called 'etching') step, and as colouring and hardening agent for stainless steel plates. The remaining two opinions are on uses of diglyme as a carrier solvent in fluoropolymer surface modification.

Moreover, the European Commission has granted an authorisation for one use of trichloroethylene (TCE) (EC 201-167-4, CAS 79-01-6) by SPOLANA s.r.o with a review period expiry date on 21 April 2032.

- **Evaluation**

Member States will evaluate 58 substances in 2021-2023. ECHA lists 58 substances for evaluation by EU Member States under the [Community rolling action plan \(CoRAP\)](#) for 2021-2023. Eight of the substances are planned to be evaluated in 2021, while 50 substances are listed for evaluation in 2022 and 2023. Based on the opinion of its Member State Committee, ECHA adopted and published the [CoRAP for 2021-2023](#) on 17 March 2021. Registrants are invited to consider if dossier updates would be

needed to bring new relevant information, for example, on tonnages, use and exposure (see "[Registrant's guide - How to act in substance evaluation](#)").

Furthermore, in 2020, ECHA assessed around 1 900 registered chemicals in groups. 290 of these may be candidates for further regulatory risk management at EU level if their hazards are confirmed. ECHA's third [report](#) on its Integrated Regulatory Strategy gives the latest on the Agency's work to identify and manage chemicals that may pose risks to people and the environment, as well as recommendations to authorities and industry on managing the risks. Last year, ECHA continued addressing groups of structurally similar substances instead of assessing each chemical individually. This group approach boosted the total number of chemicals assessed in 2020 to around 1 900 – which is twice as many as in 2019 and ten times the amount screened annually between 2014 and 2018.

In addition, the consolidated opinions of the Committees for Risk Assessment and Socio-Economic Analysis for uses of the following substances are now available:

- [trichloroethylene](#) (EC 201-167-4, CAS 79-01-6) by Blue Cube Germany Assets GmbH & Co. KG; and
- [chromium trioxide](#) (EC 215-607-8, CAS 1333-82-0) by C. Hübner GmbH.

Moreover, new substance evaluation conclusion documents are now available for:

- [methacrylic acid, monoester with propane-1,2-diol](#) (EC 248-666-3, CAS 27813-02-1), added to the CoRAP list in 2014 and evaluated by France;
- [1,2,4-triazole](#) (EC 206-022-9, CAS 288-88-0), added to the CoRAP list in 2015 and evaluated by Belgium;
- [1,3-diphenylguanidine](#) (EC 203-002-1, CAS 102-06-7), added to the CoRAP list in 2012 and evaluated by France;
- [benzyl alcohol](#) (EC 202-859-9, CAS 100-51-6), added to the CoRAP list in 2016 and evaluated by Germany;
- [reaction mass of O,O'-diisopropyl \(pentathio\)dithioformate and O,O'-diisopropyl \(trithio\)dithioformate and O,O'-diisopropyl \(tetrathio\)dithioformate](#) (EC 403-030-6, CAS 137398-54-0), evaluated by Belgium; and
- [2,3-epoxypropyl neodecanoate](#) (EC 247-979-2, CAS 26761-45-5), added to the CoRAP list in 2015 and evaluated by Denmark.

- **Brexit**

All transfers of registrations following the UK's withdrawal from the EU have now been completed. More than 8 000 UK-based registrations have been successfully transferred to companies in the EU, EEA or Northern Ireland. These companies must review and, if needed, update the information in these registrations. As the transfers have now been completed, safety information may need to be reviewed and updated, and administrative information, such as the company's role in the supply chain, may also need to be revised by the new registrant.

If an update is required, registrants have up to three months to update administrative information or up to 6, 9 or 12 months for more complex updates. These timelines have been clarified in the Commission's Implementing Regulation on dossier updates. The obligation to update applies to REACH registrations and previously notified substances (NONS) under the Dangerous Substances Directive.

All information in a registration dossier is checked for completeness, whether it is newly submitted or was already previously included in the registration. Since March 2021, ECHA also checks the completeness of the chemical safety reports.

Now that the transfer of all registrations has been completed, 2 964 UK-registrations were not transferred, and are therefore legally void. These are now indicated as 'revoked' in ECHA's database and on ECHA's website.



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REACH and Nanomaterials

The European Commission has launched a targeted online consultation on the definition of a nanomaterial. The EU's recommendation for the definition of a nanomaterial (2011/696/EU) provides a common definition for the term nanomaterial that can be applied to different regulations across the EU. The current consultation is part of the review process required by the original recommendation. Deadline for [comments](#) is 30 June 2021.



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EU Ecolabel

On 22 March 2021, the Commission Decision (EU) 2021/476 of 16 March 2021 establishing the [EU Ecolabel criteria for hard covering products](#) was published in the Official Journal of the European Union. The criteria cover products in natural stone, agglomerated stone, ceramic or fired clay, and precast concrete or compressed earth. The Ecolabel criteria are valid until the end of 2028.

See here the [factsheet](#) related to this new EU ecolabel.



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Green Public Procurement

The Commission published [voluntary green public procurement criteria for computers, monitors, tablets and smartphones](#). The criteria address the main environmental impacts of these devices and focus on product lifetime extension, energy consumption, hazardous substances, end-of-life management and specific criteria applicable to refurbished/remanufactured equipment.



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ENERGY

Renewable Energy Sources

Early draft documents on the upcoming [review](#) of the Renewable Energy Directive (RED II) were leaked, providing indications on the possible changes that the European Commission will be putting forward in this summer.

Some of the main outtakes from the [impact assessment](#) that will accompany the publication of the proposal, and the [overview table](#) of the currently preferred policy options, include:

- An increased target from 32% to 38-40% share of renewables in the EU's energy mix by 2030.
- A binding baseline target of a 1.1% annual increase in national share of final renewable energy consumption in heating and cooling (H&C).
- A binding target of 1% annual increase in the share of renewable electricity, and renewable waste heat & cold energy in district heating and cooling (DHC), combined with a ban on fossil fuels use for this purpose.
- The Commission will propose an EU benchmark for the use of renewables in industry, including labelling for green industrial products in certain sectors.
- Stronger and binding renewable electricity targets for both the transport and H&C sectors.
- Provisions to facilitate electrification and enhanced energy system integration of district heating systems with electricity distribution (DSO) and transmission system operators (TSO).

As a next step, the publication of the RED III proposal is expected on 14 July as part of the wider 'Fit-for-55' legislative package.

- **Renewable energy – new Renewable Development Platform**

On 29 April, the European Commission published its draft delegated regulation establishing the [Union renewable development platform](#) that comes under the umbrella of the current Renewable Energy Directive.

The platform aims at facilitating statistical transfers between EU countries, enabling those below their 2020 binding national targets to 'buy' renewable energy from those above their target, which does not entail a physical relocation.

The Commission is currently collecting feedback on the draft proposal by 27 May and plans to adopt it in the 4th quarter of 2021.



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Energy Efficiency

Energy Performance of Buildings (EPBD)

22 March was the deadline for comments on the [roadmap](#) for the upcoming revision of the [Energy Performance of Buildings Directive \(EPBD\) 2010/31/EU](#). These are available [here](#).

On 30 March, the Commission launched a 12-week [public consultation](#). Responses to the consultation questionnaire will be accepted by 22 June 2021.

As a reminder, the revision is necessary to deliver on the EU 2030 and 2050 climate and energy objectives, which require buildings' energy related GHG emissions to be reduced by 60% compared to 2015 levels.

The adoption of the Commission proposal is expected at the end of 2021.

- **Stakeholder workshops on the EPBD**

As part of the preparation of the EPBD revision, the European Commission, and the team of consultants from Trinomics, Guidehouse, Öko-Institut and Ricardo that is supporting it, are running a series of five stakeholder workshops.

The first three that took place in March and April covered:

- Workshop 1: Setting a vision for buildings and a decarbonised building stock
- Workshop 2: Minimum energy performance standards for existing buildings
- Workshop 3: Strengthening buildings information tools (with focus on EPC)

The final two workshops will be on:

- Workshop 4: Digitalisation and data management in buildings

- Workshop 5: Financing and energy poverty



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Ecodesign Directive

- **Ecodesign Working plan 2020-2024**

The study on the Ecodesign and Energy Labelling Working Plan 2020-2024, which will guide the European Commission's work on individual product categories for the next years, is completed and all final reports are available [here](#).

On 5 May, the Commission published its [roadmap](#), which includes the 16 product groups and cross-cutting aspects that were shortlisted for further assessment by the study.

As a reminder, this initiative aims to address:

- The conclusions reached in the previous working plan, in particular the rescaling of existing energy labels, and other reviews and potential revisions of current ecodesign and labelling regulations.
- Currently unregulated product groups of interest that could potentially be regulated in the next years.
- Additional environmental and circular economy aspects such as pollutant emissions, durability, reparability, recyclability, and other aspects of material efficiency and ecological profile of products.
- Enforcement by market surveillance authorities and further development/implementation of the European Product Registry for Energy Labelling (EPREL).

As next steps, the Commission is accepting feedback on roadmap by 2 June and will adopt a communication by the 3rd quarter of 2021.



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Ecodesign Directive - Update on Lots / implementing measures

ENTR Lot 6: Ventilation units: The Consultation forum meeting on the revision of the Ecodesign and Energy Labelling Regulation took place on 30 March 2021.

The key concern for some stakeholders is the potential regulation fragmentation, which involves regulations (EU) 813/2013 Space heaters, (EU) 814/2013 Water heaters, and (EU) 1253/2014 Ventilation units.

The draft final Impact Assessment is expected in either the 2nd or 3rd quarter of 2021.



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Issues of General Interest

Energy Union

The [Quarterly report on European electricity markets](#), published in April 2021 and covering the last quarter of 2020, indicated that the share of electricity generated from renewables in the EU energy mix (39%) exceeded the share of fossil fuels (36%) in 2020 for the first time ever. The EU consumption of electricity (-4%) and gas (-3%) fell compared to 2019 levels, however most of the drivers for this change (notably the COVID-19 pandemic) were exceptional. In the last months of 2020, energy consumption was almost back to normal levels despite lockdown measures in many countries.



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Energy Infrastructure Package

Offshore Renewable Energy

The European Parliament Committee on Industry, Research and Energy (ITRE) is currently discussing an own-initiative report to set the Parliament's position on [the](#)

[European Commission offshore renewable strategy](#). The vote in the ITRE Committee is scheduled on 15 July 2021.



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DECARBONISATION & CLIMATE CHANGE

National Energy and Climate Plans

The Joint Research Centre (JRC) to the European Commission published in April a technical report: [*“Assessment of heating and cooling related chapters of the national energy and climate plans \(NECPs\)”*](#).

It analyses the EU Member States’ plans and measures related to renewable energy and energy savings in the heating and cooling (H&C) sector from 2020 to 2030.

The report shows the status of the European H&C market and its development, as well as national actions to achieve the renewable and energy efficiency targets of the Renewable Energy Directive (RED II) and the Energy Efficiency Directive (EED).

Some of the main conclusions include:

- The ambition to increase the share of renewables in the H&C sector is often lower than that in the power sector and the RED II objectives are not met in many NECPs.
- The potential use of waste heat and cold is often overlooked.
- Cooling is addressed by only six NECPs, although its importance is expected to grow in the future.
- Data collection and completeness for H&C could be improved. The target year for the estimated trajectories was not 2030 in all cases.

The report also contains specific recommendations to these and other findings that are described in further detail in the report, available [here](#).



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Issues of General Interest

Sustainable finance

In the context of the implementation of the [Taxonomy Regulation](#), the Commission has adopted on 21 April 2021 a first delegated act : the “EU Taxonomy [Climate Delegated Act](#)”). The text defines the technical screening criteria for economic activities that can make a substantial contribution to climate change mitigation and climate change adaptation. The delegated act will be formally adopted at the end of May and will enter into force at the end of the scrutiny period of the European Parliament and European Council (four months that can be extended by another two months). It will apply from 1 January 2022. A Q&A document can be found [here](#).

An “Environmental Delegated Act” on technical screening criteria for environmentally sustainable economic activities will be developed later.

The Commission is consulting stakeholders on a draft of a second delegated act on taxonomy-related disclosures by undertakings reporting non-financial information. The text defines the conditions under which companies have to publish information on their climate and environmentally sustainable economic activities.

The consultation is open until 2 June 2021 and the draft text is available [here](#).



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Revision of EU Emissions Trading Scheme

As announced in the previous edition of the Bulletin, the Commission is currently preparing the revision of the [EU Emissions Trading System Directive](#) and the [Effort Sharing Regulation](#). Both pieces of legislation need to be updated to support the new EU emission reduction objectives, set at -55% by the Commission. To this end, the Commission is expected to propose to put an end to free carbon emissions allocations attributed to some sectors, as well as to expand the scope of the system to include transports (in particular aviation) or buildings. The proposal is expected to be published on 14 July 2021.



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F-gases

450 stakeholders took part in the F-Gas consultation meeting held on 6 May as part of the ongoing review and impact assessment of the F-Gas Regulation. In her introductory speech, DG CLIMA Deputy Director General Clara de la Torre reminded the participants of the ambitious new EU climate objectives in the context of a post-COVID green transition. She notably stressed that although F-gases only account for 2.5% of EU CO₂ emissions, “*they need to be eliminated by 2050 for the EU to reach its climate objectives*”.

Preliminary results from the ongoing study were introduced in a detailed presentation, as well as in a briefing paper distributed prior to the meeting (both documents are available from the [Secretariat](#)). The Regulation is found generally performing as expected but a number of improvements are presented, revolving around 4 objectives:

- Raising ambition in line with the European Green Deal: tougher phase-down and more equipment bans
- Seeking alignment with the Montreal Protocol: going beyond 2030, phase-down on HFC production
- Improve implementation and enforcement: extend technicians’ certification to alternatives, address illegal trade
- Other improvements and clarifications

Stakeholders can send comments to DG CLIMA until 24th May COB. After that, the Commission will go in “bunker mode”, essentially meaning they will focus on the drafting of the proposal for a revision and avoid contacts with stakeholders. A proposal for a revision is still expected by the end of 2021.



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RESEARCH & INNOVATION

Issues of General Interest

Horizon Europe" (2021-2027)

On 28 April 2021, the EU Official Journal published [Regulation \(EU\) 2021/695](#) establishing the new overall Framework Programme for Research and Innovation for the period 2021-2027 "Horizon Europe" laying down all its rules for participation and dissemination.

This Regulation was completed on 10 May 2021 by [Council Decision \(EU\) 2021/764](#), establishing the Specific Programme implementing Horizon Europe. This Decision describes the programme in its various components:

- **Pillar I 'Excellent Science'**, with the following components: the European Research Council (ERC), Marie Skłodowska-Curie Actions (MSCA), and 'Research Infrastructures'
- **Pillar II 'Global Challenges and European Industrial Competitiveness'**, with the following components: cluster 'Health', cluster 'Culture, Creativity and Inclusive Society', cluster 'Civil Security for Society', *cluster 'Digital, Industry and Space'*, cluster 'Climate, Energy and Mobility', cluster 'Food, Bioeconomy, Natural Resources, Agriculture and Environment', non-nuclear direct actions of the JRC;
- **Pillar III 'Innovative Europe'**, with the following components: the European Innovation Council (EIC), and European innovation ecosystems;
- **Part 'Widening Participation and Strengthening the ERA'** with the following components: widening participation and spreading excellence, reforming, and enhancing the European R&I system.

The European Commission has published a general overview of Horizon Europe in the form of a [presentation](#). Moreover, direct links to the three pillars and other elements of the programme can be found [here](#).

Specific work programmes for the years 2021-2022 are currently being finalised: a recently leaked [draft for the Digital, Industry and Space cluster](#) outlines the importance of new investments to promote EU's strategic autonomy in key value chains (digital sovereignty; secure, data-agile economy; satellite navigation and earth observation; human-centred technologies).

From the budget dedicated to cluster 4, over the next two years, €759 million will be used on R&D projects to ensure that the EU is not left behind in the digital revolution. In addition, €724 million will be spent over the next two years to digitise the manufacturing and construction sectors and reduce their carbon footprint. Ultimately for the next two years, the EU will invest another €733.5 million in projects related to new wireless communications technology (5G), artificial intelligence (AI) and quantum computing to foster the green and digital transition.



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PUBLICATIONS & EVENTS

PUBLICATIONS

Author	Date	Title
European Parliament	March 2021	Briefing - EU Trade Policy: How can FTAs better deliver for SMEs?
European Parliament	March 2021	Briefing - Energy Efficiency Directive
European Parliament	March 2021	Study - Impacts of the COVID-19 pandemic on EU industries
European Parliament	March 2021	Briefing - The EU strategic autonomy debate
European Commission	March 2021	Overview of EU-Canada trade performance under CETA
European Commission	March 2021	Study - Digital technologies and use cases in the energy sector
European Commission	March 2021	Report - Advanced technologies for industry - AT watch : technology focus on the Internet of Things

European Commission	March 2021	Final report - The strategic use of public procurement for innovation in the digital economy
Joint Research Centre (European Commission)	March 2021	Report - Intellectual Property and Artificial Intelligence - A literature review
Directorate-General for Environment (European Commission), Oeko-Institut, Ramboll, Umweltbundesamt	March 2021	Final report - Assessment of options to improve particular aspects of the EU regulatory framework on batteries
CSES, CSIL, Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs (European Commission), KMUForschung, Prognos	March 2021	Final report - Study on the effectiveness of public innovation support for SMEs in Europe
EcoMole, European Chemicals Agency (EU body or agency), ReachSpektrum, SC&C	March 2021	Final report - Understanding public perception of nanomaterials and their safety in the EU
European Parliament	April 2021	Study - Impacts of the COVID-19 pandemic on EU industries
European Parliament	April 2021	Briefing - Waste Shipment Regulation
EUROSTAT	April 2021	Trade in goods by top 5 partners, EU, 2020

European Commission	April 2021	Guide on how to make an anti-dumping complaint
European Commission	April 2021	Report - Advanced technologies for industry - AT watch : technology focus on blockchain
European Commission	April 2021	Study - ASSET study on gathering data on EU competitiveness on selected clean energy technologies
European Commission	April 2021	Final report - Evaluation of the White Paper 'Roadmap to a Single European Transport Area - towards a competitive and resource efficient transport system'
European Commission	April 2021	Report - Advanced technologies for industry - AT watch : technology focus on data sharing
European Commission	April 2021	Study - Mapping study for the development of sustainable-by-design criteria
European Commission	April 2021	Study - ASSET study on international strategic partnerships in energy
European Commission	April 2021	Report - Humans and societies in the age of artificial intelligence
European Commission	April 2021	Quarterly Report on European Electricity Markets with focus on the

		developments in annual wholesale prices (Q4 2020)
Directorate-General for Environment (European Commission), ECORYS, Ramboll	April 2021	Final report - Support for the evaluation of Directive 2011/65/EU on the restriction of the use of certain hazardous substances in electrical and electronic equipment
ENTSO-E & ENTSO-G	April 2021	TYNDP 2022 Scenarios – Final Storyline Report
Joint Research Centre (European Commission)	April 2021	Report - Technological & innovation challenges for industry - Science for policy insights
Joint Research Centre (European Commission)	April 2021	Urban e-mobility and impacts on energy consumption
Joint Research Centre (European Commission)	April 2021	Report - AI watch index - Policy relevant dimensions to assess Europe's performance in artificial intelligence
Joint Research Centre (European Commission)	April 2021	Report - Future transitions for the bioeconomy towards sustainable development and a climate-neutral economy - Modelling needs to integrate all three aspects of sustainability
Joint Research Centre (European Commission)	April 2021	Report - Export control handbook for chemicals (2021 edition)

European Union Agency for Cybersecurity	April 2021	Report - Cybersecurity research directions for EU digital strategic autonomy
CEPS, Directorate-General for Communications Networks, Content and Technology (European Commission), ICF, Wavestone	April 2021	Final report - Study to support an impact assessment of regulatory requirements for Artificial Intelligence in Europe
Navigant Netherlands B.V, Oeko-Institut , The European Forest Institute (EFI) , The Institute for European Environmental Policy (IEEP)	April 2021	REDIIBIO : final report - Technical assistance for the preparation of guidance for the implementation of the new bioenergy sustainability criteria set out in the revised Renewable Energy Directive

EVENTS

Organiser	Date	Name & Location
European Commission	26 – 28 May 2021	EU open for business – A new compass for SMEs Webinar
Politico	31 May 2021	Politico's 2021 AI Summit Webinar
European Commission	31 May – 4 June 2021	EU Green Week 2021 Webinar

Cyber Security for Manufacturing	1 – 2 June 2021	Cyber Security for Manufacturing Summit Webinar
Politico	3 June 2021	Surfing the renovation wave: Can Europe “build back better”? Webinar
EURACTIV	4 June 2021	COP26: will it be different this time? Webinar
E.DSO and ENTSO-E	4-11 June 2021	InnoGrid 2021 “Living the transition”
European Commission	14-15 June 2021	European Electricity Regulatory Forum (Florence Forum)
EURACTIV	16 June 2021	The future of work in the EU - challenges in a fast-changing world Webinar
European Investment Bank	18 June 2021	The trans-European networks for energy: a milestone towards a renewables-powered EU Webinar
EURACTIV	21 June 2021	Trust in the digital decade - making sure technology serves EU citizens Webinar

European Parliament	25 June 2021	Technology and innovation shaping Europe's competitiveness Webinar
European Commission	25-29 October 2021	EU Sustainable Energy Week , "Towards 2030: Reshaping the European Energy System"

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