

ChemSec feedback to the public consultation on CMR restriction in childcare articles

ChemSec welcomes and supports in general the proposed restriction of CMR substances in childcare articles. We urge the REACH Committee to conclude swiftly and the Commission to adopt the restriction as soon as possible. We support the **dynamic link to CLP** which makes the restriction effective, preventative and forward looking. It provides a clear signal to companies to start phasing-out substances that may become in scope of the restriction in the future. The restriction will be a powerful driver to speed up the development of safer alternatives and reward companies investing in safer solutions that will increase the protection of children.

However, we believe that the 36-month period for entering into force of the restriction is unjustified. Allowing time for depleting existing stocks means allowing more children risk being exposed to carcinogens in these products. We see no reason why this restriction would require longer transition periods than what is the case in the Toys Safety Regulation ((EU) 2025/2509). For new classifications in CLP there is already an 18-month transition period before the entering into force which should be sufficient.

Exemptions: Substances in childcare products within the scope of the EU Regulations on food contact materials (FCMs), (EC) No 1935/2004) or medical devices ((EU) 2017/745), should not be allowed if they lower the protection level of children. Therefore, the restriction should be explicit that the highest protection level applies. CMR substances should not be allowed if the substance is only used for decorative purposes.

Need for a complementary restriction: The level of protection of children should be the same regardless of products. While we acknowledge that restrictions based on Article 68.2 in REACH is currently only targeting CMR substances, we would like to highlight the fact that **this restriction is inconsistent with the Toys Safety Regulation ((EU) 2025/2509)** and needs to be complemented with further regulatory prohibitions for other most harmful substances, such as endocrine disruptive chemicals, substances toxic to the nervous system, immune system etc. For example, this proposed restriction will ban Bisphenol A and Bisphenol S, but not Bisphenol F. Bisphenol F is sometimes used as a drop-in substitute and has been shown, among other things, to be oestrogenic. Because of its endocrine disruptive properties, it's been included in the [ChemSec SIN List](#) since 2014. The proposed CMR restriction is a welcomed first step. However, it will open for a regulatory loophole to substitute a CMR for an EDC, which should be hindered. One way of dealing with this is to complement this restriction with a group restriction targeting the same substances in childcare articles as the Toys Safety Regulation, and to ensure a regular update of substances in scope of such restriction.