TDMA
TITANIUM DIOXIDE MANUFACTURERS ASSOCIATION
for a brighter future

STATEMENT

04 June 2020

Legal action against the classification of titanium dioxide

On 13 May 2020, Member Companies of the Titanium Dioxide Manufacturers Association (TDMA) as a part of a wider group of titanium dioxide (TiO_2) producers and users submitted an action in annulment to the General Court of the European Union against the harmonised classification of TiO_2 as a suspected carcinogen (cat 2.) by inhalation under the EU's Classification and Labelling (CLP) Regulation.

The appeal challenges the legality of the classification adopted by the European Commission on 4 October 2019 and requests its annulment.

The appeal demonstrates that there is no reliable, acceptable or available data to suggest that TiO_2 causes cancer. It also shows that the classification was adopted in breach of the Commission's duty of care and several principles of EU law, including the principles of legal certainty, proportionality and the right of interested parties to be heard.

The decision of the General Court is expected to take 2 to 3 years and therefore will be after the classification comes into force on 1 October 2021. In the meantime, TDMA and its members will focus on finding a way to implement the regulation from that date despite the uncertainties of the classification.

About the TDMA

The Titanium Dioxide Manufacturers Association (TDMA) is a sector group of the European Chemical Industry Council (Cefic) and represents the leading producers of titanium dioxide (TiO_2). The TDMA is a non-profit organisation established in 1974 dedicated to promoting the safe use and benefits of TiO_2

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