

## NETHERLANDS

### *Highlights of developments since 5<sup>th</sup> meeting of the WPMN*

#### **- Motions of the Lower House concerning nanotechnology (2009)**

- The Lower House of Netherlands' Parliament has introduced three motions concerning nanotechnology. The first motion is a request to the Risks of Nanotechnology Knowledge and Information Centre (KIR nano) to coordinate the derivation of reference values. The second asks the government asked to oblige producers/importers of products containing nanomaterials to perform a risk analysis for their nanomaterials/products. The third asks government to introduce a duty to report the use of nanomaterials in products by producers/importers.

#### **- Dutch Action Plan Nanotechnology (2008)**

- A result of the paper on the Dutch government's vision on nanotechnologies (Netherlands' government, 2006) is a Dutch Action Plan Nanotechnology, concentrating on ethics, risk research, innovation and development. The action plan includes proposals on managing risks, research and innovation, the communication of the technology with the wider society and legal aspects and is in line with the European action plan. In relation to risks the most significant actions are:
- Proposal of a new strategic research agenda in summer 2008 by the Netherlands' Nano Initiative (NNI). The proposed research budget is 100 million/year of which 15% should be used for risk research, starting in 2010.
- A Risks of Nanotechnology Knowledge and Information Centre (KIR nano) at the National Institute for Public Health and the Environment (RIVM),
- Participation in OECD sponsorship programmes (co-sponsor cerium oxide, dosimetry).
- To stimulate sharing of knowledge and information on risks of nanotechnology between companies and institutions, the government founded the 'Stakeholder group Nanotechnology Risks' in which business, social, and societal organizations participate,
- Furthermore, a broad societal committee is formed to facilitate and stimulate a public dialogue on nanotechnologies in the Netherlands and to advise the government on ethical aspects, societal dialogue and communication (Committee Public Dialogue Nanotechnology, see [www.nanopodium.nl](http://www.nanopodium.nl) (in Dutch)),
- Several initiatives are started to stimulate the sharing of knowledge and information between industry and government.

#### **- Risks of Nanotechnology Knowledge and Information centre (KIR nano).**

- KIR nano aims at observing and monitoring the potential risks of nanotechnology, gathering relevant scientific literature, generating overviews of relevant legislation, and advising and informing governmental bodies and professionals. These activities are always performed from a risk assessment viewpoint. Its signalling function is put into practice by participating in national and international networks (e.g. OECD WPMN, REACH CASG Nano, ISO, SCENIHR, ILSI, EFSA, SETAC, WHO/FAO, ETP NanoMedicine) and bringing experts together into national expert panels on different topics (environment, food, consumer products, medical applications, and workers). In addition, KIR nano is involved in the EU FP-7 projects: EU Observatory Nano NanoImpactNet and FramingNano. In this way, KIR nano acts as an information exchange platform without performing research itself. As a first achievement, a report giving an overview of risks for man and the environment and knowledge gaps in the entire field of nanotechnology was published (RIVM Report 601785003 and 601785004, [www.rivm.nl](http://www.rivm.nl).)

#### **- Participation in international organizations: REACH-CA subgroup**

- The subgroup of nanotechnology under REACH competent authorities works on a first step to include nanoparticles within the implementation of REACH. In this context, RIVM has studied the suitability of REACH for ensuring the safety of nanomaterials for man and the environment. This was done by performing a hypothetical registration under REACH of silver, a substance that exists both in nano and non-nanoform (i.e. bulk form). The study revealed the problems that potential registrants may encounter when trying to register a substance such as nano silver under REACH. Also, a risk assessment framework for first generation nanomaterials under REACH was proposed, based on the information generated in the case study. The final report is expected to become available on the RIVM website ([www.rivm.nl](http://www.rivm.nl)) in October 2009.

***1. Any national regulatory developments on human health and environmental safety including recommendations or discussions related to adapting existing regulatory systems or the drafting of laws/regulations/guidance materials***

The Netherlands participates in the REACH CA Subgroup on nanomaterials (see above).

***2. Developments related to voluntary or stewardship schemes***

As a result of ongoing dialogue with the Dutch authorities, VNO/NCW (Business organization of the Netherlands) has taken the initiative together with the VNCI (United Dutch Chemical Industry) to enter into a voluntary agreement with the Dutch government on communication and risk assessment issues of nanomaterials. They are currently working on a Letter of Intent. Initiatives for a structural dialogue with multiple stakeholders have started in 2008.

***3. Information on any developments related to good practice documents***

The Social and Economic Council of the Netherlands (SER, consisting of representatives from business, labour unions and academia) published an advisory report ‘Nanoparticles in the Workplace: Health and Safety Precautions’ as a response by the Working Conditions Committee of the Social and Economic Council of the Netherlands (SER, 2009) to the request for advice sent to the Council by the Minister of Social Affairs and Employment (SZW) on 5 September 2008. That request for advice concerns how to deal with the uncertainties related to the risks associated with nanotechnology, in particular with persistent synthetic nanoparticles, in an occupational environment.

The Committee’s central concern is with the health and safety of employees who are required to work with nanoparticles in the workplace. It is the employer that bears primary responsibility for this in the light of its duty of care as set forth in the Working Conditions Act. The basic principle is that substances attended by uncertain or unknown risks – which include nanoparticles – should be treated as hazardous (or extremely hazardous) substances. This means that the policy and implementation measures in such cases should focus on preventing or minimising exposure of employees to those substances.

***4. Research programmes or strategies designed to address human health and/ or environmental safety aspects of nanomaterials***

A survey (requested by the Ministries of Labour and Environment) has been performed to give insight into the places where people work with nanomaterials in The Netherlands. In addition, the measures that are being taken and the communication of “best practices” have been studied. The final report was published in July 2008 (Borm et al.).