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Introduction

Gisbert Majewski President of IMA-Europe

Being a trustworthy interlocutor to the EU institutions and supporting the process of European integration has always been on top of IMA-Europe's agenda. In order to continue to be a reliable partner, IMA-Europe considers it essential to remain well attuned to all the changes the European institutions have recently experienced: the coming into force of the Treaty of Amsterdam in May 1999, the re-election of the European Parliament in June (and, of course, the increase of its powers) and the current re-organisation of the Commission. For these reasons, IMA-Europe adopted a multi-stakeholder approach to communication.

IMA-Europe further believes that mutual acceptance of regulation is of key importance and that this can only be achieved if all the parties concerned are involved in the drafting process of any future regulation. With this conference, IMA-Europe also wanted to express the importance of good communication and common understanding between all stakeholders. We were therefore very pleased that our conference could take place in the European Parliament, hosted by Ms. Marie-Anne Isler Béguin (Greens France) and Messrs. David Robert Bowe (PSE UK), Jo Leinen (PSE Germany), Jules Maaten (Liberals Netherlands), Struan Stevenson (PPE UK). We warmly thank these MEPs to have welcomed us. I would also like to thank Franck Schwalba-Hoth & the Conseillé team for their efficient help in organising this conference. IMA-Europe would especially like to thank all speakers for their invaluable contribution. As these proceedings testify, their efforts have guaranteed the high quality of the conference.

We believe that the conference was very successful in assembling the different groups of stakeholders and giving them a mutual insight in each others' background. This has convinced IMA-Europe of the importance of developing such initiatives. Personally, I consider this event as a bright signal that time has come for the Industrial Minerals sector to become more involved in the EU democratic process.



From lobby to transparency: new rules to contribute to the democratic process

David Bowe

*Member of the European Parliament
Yorkshire, UK*

I would firstly like to thank the Industrial Minerals Association for inviting me to talk to you about new rules contributing to the democratic process.

As you are aware, last year was a particularly eventful year in the EU institutions: the Commission resigned in March, the Amsterdam Treaty came into force in May and in June we had the European elections.

Transparency

Since the European Commission resigned, there have been renewed calls for greater transparency within the EU institutions. But what is greater transparency? The EU institutions were previously accused of following a 'closed door' policy and being reluctant to provide adequate access to Commission officials, information and guidance. Now Commissioner Neil Kinnock has been assigned the daunting task of reforming the Commission. The European Parliament is also working on reforms on the way it works. This is an on-going and long-overdue process.

The new EP

The new MEPs have been elected to a more powerful parliament with a greater ability to influence policy. MEPs are now in an even stronger position to help achieve environmentally rigorous legislation.

Since the ratification of the Amsterdam Treaty in May last year, the European Parliament's power has grown, particularly in the area of environment policy, where the responsibility for decision-making on legislation is shared by the Parliament and the Council of Ministers. The European Parliament and its Environment Committee have long been recognised as champions of higher environmental standards. Our ambitions are now complimented by our increased powers under the provisions of the Amsterdam Treaty and its application of the co-decision procedure.

Obviously, our workload has expanded enormously. Furthermore, there are many new members trying to get to grips with these very complicated procedures. Added to this, the parliament has changed its rules of procedure.

For example, in the last mandate we could not amend a Council common position when the Parliament scrutinised it during a second reading. Only if the text had been substantially changed from the original common position, or new information had come to light, could it be changed. However, we can now amend a common position if there has been a European election between the 1st reading and the 2nd reading, if the leaders of the political groups feel it is desirable to do so.

Amsterdam Treaty & Co-decision

What are the effects of the Amsterdam Treaty on the relations between the Commission, Council and European Parliament? Well, after 6 years of co-decision, we have found effective ways of dealing with each other. Thanks to the Parliament's powers of veto and conciliation, the Council now cares about what the Parliament thinks. We now actually get down to it and talk to officials from Member State governments and negotiate compromises. This was completely unthinkable a few years ago.



Dr Blümer, Dr Stier and Dr Lombardotti

Back in the 1980s, very few MEPs even knew what these officials looked like and had certainly only met them by accident! This is a testament to how much the institutions can achieve by mutual respect, determination, co-operation and hard work.

The Commission has a vital role to play in bringing the Council of Ministers and Parliament together in conciliation. If it fails to recognise the important role that it can play as an arbiter between the Council and Parliament, then it falls into danger of being marginalised, which is what happened in the Novel Foods conciliation where the Council and Parliament came to an agreement without even calling upon the Commission for its opinion.

(a) "Greening of the Treaties"

I welcome the timely changes made by the Amsterdam Treaty to significantly "green" the Treaties. The EU is now explicitly committed to the pursuit of sustainable development, a commitment has been made to improve the quality of the environment so that over time we aim to raise environmental standards to the highest possible level and environmental protection now has to be integrated into all policy areas with the aim of achieving sustainable development. An environmental guarantee clause has also been included that allows Member States to maintain or introduce higher environmental standards than those available under EU legislation.

(b) Commission Hearings in September

In September, the new Environment Commissioner attended the Parliament's hearing for the new Commission in order to see if the proposed Commissioners were appropriate. I have to say, she was quite impressive. Despite her inexperience in the field of environmental affairs, she clearly seemed to be prepared and eager to take her new portfolio seriously. This was the platform she used to outline her 5 main priority areas: Air quality, climate change, water quality,

environment and enlargement, and chemicals policy. She identified that a strategic approach to chemicals policy in the EU is long overdue and it is clear that environmental protection requirements must play a central role in the development of principles for regulating the production, use, labelling and disposal of chemicals in the EU.

(c) Influencing before adoption in CEC

Many of these proposals would arrive at the Parliament after having been approved by a number of Commission departments, or Directorates-General, or DG. This is why it is important not only to focus on one DG when wishing to become more involved in the content and passage of legislation. With the air quality proposals, for example, you would not only provide input into DG Environment, but also DG Enterprise or even DG Legal Affairs and DG Budgets.

Before the Commission adopts a proposal, it will consult outside bodies involved and interested in the specific proposal. This is the best time to feed in your views to the Commission.

How would you know when the Commission is to work on a particular proposal? The quickest

way is now via the website *europa.eu.int*. DG Environment has a particularly informative website which also has contact details of various officials dealing with particular subject areas. This would give you information on its current and future work programme and policy areas.

(d) Getting interest groups involved

The Commission is currently working on a policy document regarding EU chemicals which will possibly be ready for parliamentary scrutiny as early as summer of this year. This is a good opportunity for interest groups, industry representatives and others with an interest in this area to become active in the decision making process as much as possible by informing the Commission of their views at this initial stage. They can then follow this legislation through Parliament and keep relevant MEPs on the relevant committees informed of their views. With regard to chemicals policy, for example, the Environment Committee is likely to take the lead, yet other committees, such as the Industry Committee, will also provide their opinions on the document. It is important that MEPs are kept informed of views of as many interest groups and representations as possible, in order for



*Mr Majewski, Mr Jans,
Mr Bowe and
Mrs Wwart Remv*

them to deliver a balanced decision on a piece of legislation.

It is also important to get involved in developing the debate at EU level on cleaning up and 'greening up' Europe's mining industry, particularly in light of recent accidents and spills. One month ago, the Commission published its Communication on a strategy to review waste management laws in this area of industry. It aims to not only make the mining industry more environmentally sound, but also to boost its economic potential and ensure that health and safety are respected. Included in this Communication are the areas of metal mining, construction material mining and the extraction of minerals such as talc, potash and salt.

Furthermore, a study on mining waste management in all the EU Member States will be published by the European Commission this summer and it is possible that a brand new EU directive on mining waste management will follow. All this provides a number of opportunities for industry representatives like yourselves to get in touch with the European Commission to ensure your views are taken into account at the earliest possible stage.

(e) New Commission proposals

During this legislature, the Environment Committee has largely dealt with outstanding legislation from the previous European Commission. It has now the opportunity to scrutinise new legislation which will reflect EU environment strategy of Commissioner Wallström. So far, she has handled previous legislation with a certain degree of flair, professionalism and dedication. How the Parliament views the new legislation about to come our way will be a strong exercise to prove

the Commission's drive for strict EU environmental standards.

I shall give you a few examples of forthcoming legislation and some of the main issues which will be looked at during its scrutiny in the European Parliament.



IMA Conference in the European Parliament

We are looking forward to scrutinising pieces of legislation such as a number of proposals on recycling waste. In February, Parliament adopted its report on recycling end-of-life-vehicles. Council could not accept many of Parliament's amendments. The conciliation process was therefore set up. Throughout these negotiations, I wanted to emphasise the "polluter pays" principle, whereby the consumer is not required to pay to return their vehicles for recycling. The Parliament and Council negotiated the amendments well into the early hours of a Wednesday morning last month. Even though we ran out of the strongest coffee available, we still stayed awake long enough to reach a good compromise!

The results of these negotiations will, no doubt, have some impact on other, future pieces of legislation regarding recycling of waste, for example, the proposals for Directives on electronic and electrical equipment as well as on batteries and accumulators.

There are also many proposals in the pipeline on air quality. For example, carbon monoxide; cadmium, arsenic and nickel; and PAHs and mercury. These are all daughter directives on ambient air quality assessment and management and set strict limit values and thresholds.

The policy areas I am particularly looking forward to working on are those on the precautionary principle and the newly published Commission White Paper on Environmental Liability.

The Communication on the precautionary principle outlines the Commission's definition of the precautionary principle, its approach to its use, guidelines for applying it, outlines of its assessment, appraisal and management.

Environmental liability is an issue close to my heart, particularly in light of the recent adoption by Parliament of my report on the deliberate release of GMOs (Genetically Modified Organisms). In this case I called for those responsible for GMOs who cause any damage to health or the environment to be held fully liable. However, the right of centre majority Parliament rejected amendments on my liability proposals in the report, favouring such calls for liability to be made in the context of the Commission's proposals on liability as a whole. We shall see how this progresses now that the Commission's White Paper on liability has been published.

The Parliament is also about to scrutinise the proposal for the 6th Environmental Action

Programme (EAP). This is a new, long-term action programme which is to replace the existing one, the 5th EAP, as it expires this year. The 6th EAP is likely to be more focussed and more strategic, containing general objectives and targets as well as more precise action plans.

The main themes would be climate change, chemicals, the management of natural resources and health protection. It would enhance successful measures from the previous, 5th EAP and ensure that sustainable development is a priority. Other areas of importance in the new programme are likely to be integration, implementation, public participation and information.

(f) Influencing before EP adoption

The Parliament recently voted on the report I wrote on the deliberate release of GMOs into the atmosphere. I will therefore use this as an example of how an MEP can exercise transparency and allow others to present their views in the decision making process. Before, during and after I wrote the Parliament report, I met with representatives from industry, green groups, consumers, NGOs, retailers, representatives from other EU Members States, including the UK, as well as from the USA. This enabled me to write a report as balanced as possible. The issue of biotechnology is an incredibly complex and emotive one, I therefore considered it to be of utmost importance that we put in place at EU level an effective, consistent and comprehensive regulatory framework that can take into account any potential harm to both human and ecological health and ensure that risk assessments are properly conducted. With this report, I have gained direct experience with the exercise of the Parliament's new powers and I look forward to taking a leading role in

managing the new dynamic within the Parliament and with other legislative partners, the Council and the Commission when the conciliation process begins shortly. This is a prospect I anticipate with excitement and not a little trepidation.

(g) Influencing during conciliation

Previously, when Parliament had adopted a piece of environmental legislation, interest groups ceased to become involved in the decision-making process. This is no longer the case. Once the Parliament has voted for the second time, the conciliation process starts, and Council and Parliament try to reach a compromise. This happened for example during for the legislation on end-of-life vehicles, as I mentioned earlier. During these negotiations, comments on the outstanding difficult areas of the legislation were received from a number of interest groups. The volume of comments from outside bodies appears to be increasing with every conciliation process that takes place. This proves that they are becoming increasingly aware of the power Parliament has, particularly during this crucial stage of negotiations with Council.

Timing is also essential when considering how to most effectively influence the legislative process. In the Parliament, it is necessary to provide comments to key MEPs at significant stages of the decision-making process. It is important to be aware of when a particular piece of legislation will be scrutinised in which committee and which MEPs will have a particular interest. I would recommend making as much use as possible of key information sources such as the websites of the EU institutions, which provide the most up-to-date information on EU activities and policies. The

web site of the Parliament is:
www.europarl.eu.int

In conclusion, it is clear that the European Parliament's powers have been extended considerably by the Treaty of Amsterdam and that, through judicious use of our existing budgetary powers, the Parliament has shifted the inter-institutional balance of power in its favour.

Furthermore, it is clear that the Parliament will have a say in the formulation of nearly all environmental policy and the recent reforms to the Treaty demonstrate the EU's commitment to high levels of environmental protection. I hope the new Parliament will be able to take advantage of its improved legislative position and interest groups will take advantage of this to ensure MEPs can make balanced decisions in a fair, transparent process.



Mr Majewski thanks Mr Bowe for his contribution

The Commission’s views on the communication challenges faced by the industrial minerals industry

Henrik Nielsen
European Commission,
DG Enterprise, Directorate E/2



The industrial minerals sector, together with other industry sectors, is faced with an ever increasing need for better communication in order to remain competitive on the global market.

Today, industry has to face bigger communication challenges

But competitiveness today goes beyond running business operations in a more effective way than the competitors; it also requires demonstrating social responsibility and satisfying other public interests such as environmental protection or health and safety issues. The information requested by the public has increased dramatically and companies have been asked for social and environmental reporting in addition to financial reporting. A further difficulty lies in the fact that the audience has become more diverse. Whereas financial reporting to the business world is dedicated to a well-defined group of shareholders, environmental and social reporting has to meet the interests of a quite diffuse group of public and private agents, the stakeholders. In addition, companies have to

face the challenges of the information society in which monitoring the information (over)flow has become very difficult because of the ease and rapidity by which information is published and circulated.

Communication Instruments

- Management Systems
- Site-specific reporting
- Code of conduct
- Mission statement
- Best practice guide
- Compliance with regulation

Industrial minerals: a special sector

Industrial minerals belong to a diverse sector, which is closely connected to the local community due to its extracting activities. However, the diverse use and applications of the original raw materials in everyday life are not visible as such for the consumer, who thus has no emotional value to them. The true challenge for the industrial minerals industry lies therefore in informing the public about the diverse applications of these products in order to make people appreciate their overall

usefulness. This is even more important as this sector suffers from a negative legacy in the past.



How to communicate ? In order to improve communication, the industry has several instruments at its disposal. It can use management information systems (cf. ISO 14000, EMAS Guidelines), do site-specific reporting, establish and communicate codes of conduct and mission statements and use best practice guides. The “Reference Guide on Good Environmental Practice in the European Extractive Industry”¹, carried out with the support of the European Commission, is an example of good use of an instrument.

Communication instruments should in fact be used in a complementary way in order to make communication more effective. One has to bear in mind, however, that the industrial minerals sector comprises many small and medium enterprises (SMEs), which may not have the necessary resources to develop an extensive communication strategy. It is therefore vital that every company finds an effective individual strategy.

Information society: Providing the tools for effective communication

The information society today offers many additional, inexpensive but effective tools,

which can especially be interesting for SMEs. The responsibility of the policy-maker herewith is to implement, on its part, a streamlined and co-ordinated communication process. The European Commission indeed supports the establishment of environmental management systems, and carries out a continuous dialogue on codes of conduct and voluntary actions. Whereas the role of the public authorities is, however, limited, the industry has the chance to enhance its profile by means of good communication. Within this process, business federations such as IMA-Europe have an important role to play. They

Outlook

- Industrial minerals must keep up with the information society
- Green minerals - Public pressure to increase?
- Competitive advantage - meeting the challenge is good business!

can help responding today’s business challenges, such as the increasing public pressure towards higher environmental protection and the demands of the information society. In meeting these challenges, the industry will gain competitive advantages and will do good business.



Mr H. Nielsen and Dr J. Rice

¹ Study by Centre Terre et Pierre (Belgium) for Cembureau, Cérame-Unie, EuLA, Eurogypsum, Euro-Roc, IMA-Europe and UEPG. Brussels (2000).

Developing international consensus on scientific advice: the IARC Monographs as an example

Jerry M. Rice, Ph.D

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Let me first explain what the IARC Monographs are: we are talking here about an international consensus approach to carcinogenic hazard identification, based on published scientific literature and performed by independent scientists who are active in research (more than 1,000 participants from 47 countries, 1972-1999).

Nominations are solicited periodically from scientists and public health professionals but can be proposed by anyone. The condition is that there must be evidence or suggestion of carcinogenicity (something to evaluate), and

Monographs Evaluations of Crystalline Silica

1987

Crystalline silica (Group 2A)

Limited evidence in humans, sufficient evidence in experimental animals

1997

Crystalline silica, inhaled in the form of quartz or cristobalite from occupational sources (Group 1)

Sufficient evidence in humans, sufficient evidence in experimental animals

there must be human exposure. Since 1972, three volumes have been published annually.

What do the Monographs do ? Considering any agent or exposure circumstance in the human environment that may conceivably

increase cancer risk, the Monographs make evaluations of the strength of the scientific evidence for carcinogenic hazard to human beings. Evaluations are based primarily on epidemiologic studies of cancer in exposed humans and on bioassays for carcinogenicity in animals, and include other relevant data that can raise or lower the final, overall evaluation. Only published (peer-reviewed) data are

Some IARC Monographs Evaluations Related to Industrial Minerals

Asbestos (1977, 1987: Group 1)

Crystalline silica (1987, 1997: Group 2A → 1)

Amorphous silica (1997; Group 3)

Certain silicates and coal dust (palygorskite; wollastonite, zeolites, etc.)
(1997: mostly Group 3 except erionite)

Radon and its decay products (1988; Group 1)

Haematite mining, underground, with Rn exposure
(1972, 1987: Group 1)

Man-made mineral fibres (1988; Group 2B - Rockwool, glasswool, slagwool, ceramic fibres)

[Various elements and their ores (Cr, Ni, Be, As, Cd)]

included. The Monographs provide in that sense an encyclopaedic critical review of the literature that is comprehensive for carcinogenic effects in humans and animals and selective for “other relevant data”. Once, new data become available, agents are re-evaluated.

However, the Monographs do not develop or apply models for extrapolations or attempt extrapolations of effects beyond the range of measured exposures. Neither do they undertake quantitative risk assessments, nor rank agents according to carcinogenic potency. In this connection, it is important to emphasise that *no recommendation is given with regard to regulation or legislation*, which are the responsibility and the prerogative of individual governments and/or other international organisations.

IARC Monographs Activities, 1996-1999

Between 1996 and 1999, five-volume series on infections & infectious agents have been completed. Furthermore, a systematic four-volume series on radiation is inaugurated. Older volumes have been systematically updated and many agents re-evaluated in light of newly published findings. In all evaluations and re-evaluations the mechanisms of carcinogenesis have been emphasised. All publications are available on CD-ROM and are on-line since beginning of this year at <http://www.iarc.fr>.

Why are the Monographs so important ?
 Even though the Monographs are not meant to

evolve in regulation as such, they are widely used as a basis for national classifications of carcinogens and for drafting regulations that affect commercial applications of chemicals and mixtures. Government agencies, non-governmental organisations, industry, lawyers and individuals, are therefore often very interested in the outcome of Monograph evaluations and try to influence working group composition and deliberations.



Mr Preston (EKA President), Mrs Thompson and Mr Sibson (Eurosil, SAMSA)

How does the IARC operate ? Usually, the Secretariat defines the topic and organises the meeting. The experts who prepare the working papers are identified in principle by electronic search of scientific literature. A typical working group consists of 25 experts from 10 countries. Representatives and observers from industry and sponsoring agencies are invited, “volunteers” are not accepted. The experts

851 Overall Evaluations of Carcinogenicity IARC Monographs Volumes 1-76 (1972-1999)

Group	Classification	Cancer Data	Other Data	Total
1	Carcinogenic	75	3↑	78
2A	Probably carcinogenic	24	37↑	61
2B	Possibly carcinogenic	227 + 1↓	5↑	233
3	Not classifiable	473	1↓+4↓	478
4	Probably not carcinogenic	1		1

Carcinogenic agents:

Medical drugs and treatments	21
Industrial processes	13
Infectious agents or processes	10
Industrial chemicals	7
Inhaled particulates	5
Metals and inorganic salts	5
Lifestyle factors	5
Physical agents	4
Miscellaneous	8

meet initially in four subgroups to revise drafts. Finally, the plenary meets to agree the final text and to make evaluations (only working group members can vote).

The agents under evaluation are classified into five groups by the Monographs:

Group 1: Carcinogenic to humans

Group 2A: Probably carcinogenic to humans

Group 2B: Possibly carcinogenic to humans

Group 3: Cannot be classified as to carcinogenicity to humans

Group 4: Probably not carcinogenic to humans

In order to evaluate the agents properly, the experts work with criteria that determine the relationship between the exposure to the agent and cancer. According to the criteria, data show “sufficient”, “limited” or “inadequate” proof to classify an agent as carcinogen. “Sufficient” means that a positive relationship has been observed between the exposure and cancer in studies in which chance, bias and confounding could be ruled out with reasonable confidence. “Limited” characterises

a positive relationship between the exposure and cancer which is credible, but chance, bias and confounding could not be ruled out with reasonable confidence. “Inadequate” stands for data with insufficient quality, consistency or statistical power to permit a conclusion regarding a causal association (or no data exist). It is also possible that the evidence suggests lack of carcinogenicity, in which case



several adequate studies over the full range of human exposures exist that are mutually consistent and all negative.

**Agents Evaluated as Carcinogenic to Humans
 (Group 1) (1996-99)**

Year	Agent	Volume
1996	Tamoxifen	66
1996	HIV-1; HTLV-I	67
1997	Crystalline silica (inhaled in the form of quartz or cristobalite from occupational sources)	68
1997	2,3,7,8-TCDD	69
1997	Epstein-Barr Virus (HHV4); HHV-8	70
1998	Combined oral contraceptives; postmenopausal oestrogen therapy	72
1999	X-rays and γ rays; neutrons	75
1999	Etoposide in combination with bleomycin and cisplatin	76

Industry's role in the Monographs Industry representatives can contribute information on production methods and processes, quantities produced, patterns of use, and other information related to human exposures during production and by consumers, which would not be found in scientific literature. Furthermore, they can provide expert scientific insights that result from scientific research that has been conducted in industrial laboratories or sponsored by industry and that may or may not have been published in the open literature. However, it would be even more helpful, if industry could fully disclose its results of studies on toxic and carcinogenic effects of chemicals by publication in the open literature.

Why not accept all interested parties as observers ?

Observers/representatives, such as the secretariat and the working group members, are expected to work constructively on the Monograph as knowledgeable scientific experts. Whereas working groups are charged to develop their own evaluations, independently of any prior evaluation by any

other organisation, many “interested parties” often seek to advocate their own prior conclusions and to influence the Working Group by non-scientific arguments. Additionally, they often are not scientifically qualified. Space and time are limited, and numerical domination of a working group or subgroup by observers might bias evaluations or prevent timely completion of the work.

Conclusions Scientific evaluations must be impartial and based only on science, or their value is questionable at best. In the specific case of carcinogenic hazard identification, interested individuals can and should nominate agents, bring specific evidence to the attention of scientific reviewers, and make suggestions for improvements in the Programme. Stakeholders, who may contribute ethical, economic, political, environmental or other views, can and should be heard by regulators, who are users of the scientific evaluations. Such considerations must not be confused with scientific evaluations, which concern issues of fact rather than value judgements.



IARC Monographs Preambles

Group 1 – Carcinogenic to humans

Volume 53 (1991) and before

- This category is used only when there is sufficient evidence of carcinogenicity in humans.

Volume 54 (1992) and afterwards

- Used when there is sufficient evidence in humans;
- Exceptionally an agent may be placed in Group 1 when human evidence is less than sufficient, but there is sufficient evidence in animals AND strong evidence in exposed humans that the agent acts through a relevant mechanism of carcinogenicity

Group 2A–Probably carcinogenic to humans

Volume 53 (1991) and before

- Limited evidence of carcinogenicity in humans, and sufficient evidence in experimental animals;
- Exceptionally, solely on the basis of limited evidence in humans;
- Sufficient evidence in animals, strengthened by other data.

Volume 54 (1992) and afterwards

- Limited evidence in humans and sufficient evidence in animals;
- Exceptionally, solely on the basis of limited evidence in humans;
- Inadequate evidence in humans and sufficient evidence in animals, and strong evidence that the carcinogenesis is mediated by a mechanism that also operates in humans

Group 2B – possibly carcinogenic to humans

Volume 53 (1991) and before

Limited evidence in humans but less than sufficient evidence in animals;

Inadequate evidence in humans, but sufficient evidence in animals;

Inadequate evidence in humans, limited evidence in animals, together with supporting “other relevant data (ORD).”

Volume 54 (1992) and afterwards

- No change from previous definitions.

Group 3 – Not classifiable as to carcinogenicity to humans

Volume 53 (1991) and before

- Agents are placed in Group 3 when they do not fall into any other group.

Volume 54 (1992) and afterwards

- Most commonly, inadequate evidence in humans and less than sufficient evidence in experimental animals;
- Exceptionally, inadequate evidence in humans and sufficient evidence in experimental animals, when there is strong evidence that the mechanism of carcinogenicity in experimental animals does not operate in humans.

NIMBY: “Not In My Back Yard”

Marc Neefs

former Communication Manager at Belgian Shell

In order to make you understand the nature of the problem, I do have to tell you where I live. Some 20 years ago, my family and I decided to move to the countryside, although I worked in Brussels. It took us quite a while to find this lovely old country house in Herentals, where we are living now. Herentals is a small country town and most of my neighbours are farmers. The surrounding woods are environmentally protected areas. People there have been living quietly and peacefully - until a couple of years ago.



Belgian sculptor O. Strebelle work "Confluence", in the central lobby of the EU Parliament in Brussels

One evening I was contacted by a neighbour, who told me that he had received a letter from the municipal authorities announcing that there

was a company applying for a permit to start extracting sand from the underground. He had received that letter because his garden bordered on the site and he had two weeks to formulate his objections.

The very first thing we did was to alert some other people we knew in the immediate surroundings and get them around the table. Some 10 people came together at this meeting to exchange ideas. We concluded that no one liked the idea, because it would create a great discomfort. The problem however was that no one exactly knew what was going to happen, nor when, nor what equipment would be used. So we really did not know anything at all.

During this first meeting it became very clear that everyone was defending his own interest. It was a very micro approach. If we wanted to have some success and gain credibility we had to broaden our perspective and prove that the project was unacceptable not to a *certain number of individuals* but to a *whole community*. It took quite a lot of discussions before everyone agreed on this approach.

Because the menace was imminent and since we had no time to lose we decided to start acting immediately and formed an ‘action committee’. Six people volunteered and the idea was that the action group :

- was acting on behalf of the whole community
- should develop an action program
- should keep close contact with authorities and press

- should co-ordinate all activities
- inform the neighbourhood

The first thing we then did was to contact the municipal authorities to obtain as many details as possible. We got a copy of the official application and of the *Environmental Effects Report (EER)*.

At the same time we started a provisional petition which was signed by some 170 people. We had only less than 2 weeks left to react.

All the people we contacted received us with sympathy, but quite a lot of them reacted by saying that although they found our initiative very good, they were convinced that it would have no result whatsoever. What could a group of people do against the will of a company, well introduced in political life? Our answer to that was that if no one did anything, the extraction would certainly go through and that we had nothing to lose by opposing to the plan. We studied the EER thoroughly and made a very detailed list refuting one by one the arguments used in the EER. We also started lobbying the municipal authorities and met the Mayor and the aldermen and alerted the regional press, giving interviews and issuing press releases. I must say, we had quite a good response.



1st row: Mr Lavender, Dr Siegert and Mr Anavlavis
2nd row: Mrs Moore, Mrs Leroux, Dr Lebrun

However, there was some danger in our activities: some political parties – in general those of the opposition – might try to use the

issue to attack the majority and get themselves a higher profile by using us. This was something we discussed in our action committee and although some members thought it might be beneficial to our argument, we finally agreed that we would not play this political game. In our contacts with the politicians we did of course stress the importance of their attitude towards our problem in view of the next local elections.

Our message to the press was simple :

- we live here peacefully in a rural neighbourhood and a partly protected area
- suddenly someone wants to start an industrial activity bringing a lot of discomfort to the whole community
- there is no economic benefit for the community
- the EER (our only information source) was not honest and we can refute most arguments

The company, however, had never expected our approach. It was unprepared when contacted by the press and answered with a rather arrogant reaction. So we had the sympathy of the press.

We then officially replied to the municipal authorities using all the arguments against and by now we were joined by some 400 people, who signed the second official petition.

Official Decision against the exploitation, but not the end yet ! The first tangible result was a good one for us because the municipal authorities decided against the exploitation of sand extraction. However, this was not the end yet. You have to know that in Belgium the final decision is not taken by the municipality, but by the province. The municipality is only giving advice, which is not binding, and just taken into account by the province. So we had

not won the war yet, but we had won our first battle.

We then organised a public meeting explaining the results already obtained. We organised it as professional as possible, with three speakers, each covering a certain number of items, using transparencies where necessary, etc. Some 150 people attended the meeting and even local politicians (councillors of other political parties) were present. The current Secretary of State for Environmental Affairs was also present, only because he lives in the same town and because he has a local mandate as Councillor.

Black flags in the front gardens and a country fund raising fair. During the meeting, we gave the municipal authorities credit for what they had done and said that we expected that they would keep supporting us in future. We also promised to issue a newsletter on a regular basis in which we would keep the public informed. Furthermore, we announced that since the matter was taken to a higher level and because the results were positive so far, we wanted to continue our action and contact a lawyer specialised in environmental matters in order to make sure that we did not make any mistake in the complex environmental legislation. In order to give a higher visibility to our action, we decided to put black flags and banners in the front garden of each house. And as we needed money to pay the lawyer and some other expenses, we organised a local country fund raising fair. We gave great publicity to the country fair with paid advertisements in the local press and we, of course, alerted the local press again.

The company, on the contrary, was acting in a quite silly way. Asked by a journalist what the company's plans now were as the municipality had recommended not to do the exploitation,

the owner of the company replied that *'It was not a bunch of locals organising a barbecue party and preventing an economic activity that would stop him'*. This was, of course, what he should not have said. It showed his arrogance and pushed us in the role of the sympathetic underdog. The country fair was a great success and left us with a benefit of BEF 120,000.



Mrs Ruiz, Mr Anavlavlis, Mr Kleindl.

The money raised enabled us to contact a specialised lawyer and everything we did from then on was co-ordinated by him. We wanted to make sure that we did not do anything that could harm our good relationship with the local municipal authorities, which we considered our ally. We also started lobbying the provincial government, the Provincial Deputation. We went to see three of their members and invited two of them to visit the site. During all that time we issued regularly—whenever there was news—press releases in the regional press. People should see that it was more than a one-day-action and know that we were keeping the pressure on the kettle. And politicians saw that we were not ready to give up.

In close collaboration with our lawyer, we, the committee, wrote a very detailed letter to the Provincial Deputation on behalf of all the people who had signed the two petitions (more than 600) explaining why

we opposed the exploitation of the sandpit. The arguments we used were not of personal nature, but of a broader perspective. We made clear that the exploitation :

- would create traffic congestion, creating safety problems, causing damage to road surfaces,
- would damage the environment far beyond what the EER described and for which there were no solutions given,
- was not an economic necessity, offered no additional employment and had only a benefit for one (small) company and a lot of discomfort for a whole community.

A week before the Provincial Deputation had to take a final decision we had an ultimate meeting with the Deputation member in charge for the Environment and he told us that, although he could not anticipate the Deputation’s decision, he thought we stood a very good chance. And indeed, the Deputation decided against the exploitation of the sandpit.

Still not the end ...

The Belgian legislation gives anyone who does not agree with the decision of a lower authority the possibility to appeal, and so did the company. It appealed against the decision of the Provincial Deputation to the Flemish Minister of the Environment. Using the same arguments as before, they made our life rather easy. The only new element their lawyers used was, that they already had invested BEF 20 million (building a fence around the site and paying for the EER). These were, of course, no valuable arguments because this is what Belgian law required anyway, and it is

certainly no reason to grant them a permit for their sand exploitation.

Again, we contacted our lawyer and discussed with her what our best approach could be. We studied once again all the elements pro and against and prepared ourselves very well. The risk, however, was that if the minister did not take a decision within a period of 3 months, the decision of the Provincial Deputation would automatically be revoked. And knowing that in Belgium procedures are rather slow, we



became worried.

We requested a meeting—and we insisted very strongly—with one of the ministerial advisers and defended our case. Since there were no new elements, the minister could not do anything else than affirm the negative decision of the Provincial Deputation, which he did. The only thing the company could do, was, if there had been procedural irregularities, to take the matter to a higher court. Since all our different steps were taken after consulting our lawyer, everything was done according to the rules and the company could not open up another case. This was the happy, final end of the story that had begun more than a year ago and that had required intense action from all parties concerned.

How suppliers contribute to our image: The glass industry’s view

Michael Frerker
Managing Director
Association for the Container Glass Industry



The connection between the industrial minerals as raw material and the image of the glass packaging might be a bit hidden, and it might be a bit difficult to identify and explain them but in the end, the key to this topic lays in answering the question: how does the industry try to improve the image of its products?

The usual way how to promote the image of a product is intensely described in most marketing textbooks. These tell its readers to talk about the product of concern and to highlight the positive features. Say that the product is useful. Say something about its functions and, above all, say that it is more convenient for the customer. This is how a particular image of most products – and most packaging too – is established in the consumers’ minds.

However, there are exceptions to the rule and there is an exceptional method: to talk about the product’s properties – about the product’s performance – and to explain how this is supported by the raw materials it is made of. The essential advantage of this approach is that the product gains an additional image benefit from its raw materials. Or, to put it another way: if the raw materials themselves have a positive image, it will reinforce the positive image of the product made from them.

The glass packaging industry takes this exceptional approach. The results of a survey,

that was accomplished in the year 2000, show that the image of glass packaging is based mainly on the material properties of the glass, which are closely connected to the raw materials. Teenagers, families, single people and senior citizens agreed to a large extent that glass is natural, pure, universal, recyclable and made out of domestic raw materials.

Raw materials make glass ... natural

The image of glass as a natural material is clearly drawn from its raw materials. Glass is a mineral. It is produced from natural inorganic raw materials, mostly quartz sand, soda ash, lime, dolomite, feldspar and potash. The consumer is very well aware of this and he consciously differentiates between the natural material glass and the synthetic material plastic. This is by all means a positive result of intense public relations work.

Raw materials make glass ... a safe for the filled

Glass is a pure and neutral material – its raw materials make glass inert, neutral and impervious so that glass provides a 100% hermetically protection for the product, very much like a safe does for its valuable content. This is how consumers see it and indeed that is how it is, because glass does not present any problem in terms of leaching, migration,

diffusion and permeation, and fulfils therefore the product property criteria for ideal packaging:

- **no leaching** of substances from the container material which could affect people’s health or pollute the environment;
- **no migration** and accordingly no loss of ingredients migrating from the filled product and being retained in the container wall;
- **no diffusion** of oxygen or other undesirable substances which might migrate from outside through the container wall into the filled product;
- **no permeation** and therefore no loss of carbon dioxide or any other ingredients which might escape through the container wall.

Raw materials make glass ... a universal packaging

Worth noting, but not surprising, was another statement made by the surveyed consumers: glass is a universal means of packaging. Of course, the consumers are basing this assessment on their own experience. They are familiar with glass being used as packaging for many different items. Nevertheless, it should be emphasised that, unlike other packaging, glass is indeed used universally.

This has to do with the properties of glass packaging, i.e. neutrality and purity, imperviousness and solidity, temperature stability and mouldability, which in turn have to do with the raw materials used to make glass. The properties are the reason why glass packaging is used in many different areas:

- for beverages, for food, for cosmetics, for pharmaceuticals.
- as returnable and also as non-returnable packaging.

- for all filling processes, e.g. cold and hot filling, sterilisation, pasteurisation and aseptic filling.
- For modern marketing purposes as it can be formed and dyed into a wide range of shapes and colours.

Raw materials make glass...

100% recyclable in a closed material cycle

Furthermore, the consumers surveyed emphasised the recyclability of glass, because—at least in Germany—it is part of their daily life.



Dr Lebrun and Mr Preston

In terms of image, the recycling aspect is particularly important as a whole range of the special merits of glass packaging can be concluded from this. As glass recycling is a closed material cycle, the original properties and the original quality of the glass are retained to the full extent. Accordingly, unlike other materials, glass recycling does not change the product properties. To understand this, one must first differentiate between the production of glass from natural raw materials and the production of glass from used glass, the latter being recycling.

Melting glass from natural raw materials is a thermochemical transformation process. In the course of this process the carbonates, which make up almost all our raw materials, are changed into oxides. These oxides form the so-called glass matrix and give the glass the

properties already referred to. The production of glass from used glass is no longer a chemical transformation process because the glass already exists in its final form. The recycling of glass is on the contrary a thermophysical transformation process, in which there are no chemical changes to the glass. What happens during glass recycling is that the state of the glass changes. When it is subjected to heat, it changes from a solid to a liquid state. The new glass container is formed in the liquid state and returns to a solid state after cooling.

These underlying physical principles make glass infinitely recyclable and the reason for this are its raw materials which make this transformation process possible.

How the glass industry uses this property can be perfectly demonstrated at the development of glass recycling in Germany. Glass recycling was started in Germany in 1972. Already in 1978 glass recycling was awarded the German ecology label and today Germany has about 300,000 containers for collecting used glass (bottle banks) to which 97% of households have access. The recycled quantity amounts to 2.8 million tonnes, which corresponds to 81% of the domestic sales of glass packaging. It is also interesting to note, that used glass today, is the number one raw material for new glass packaging. A bottle or jar is now made of 75% recycled glass and just 25 % new raw materials.

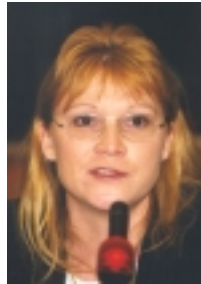
Therefore, in terms of ecology, compared to a situation without glass recycling, it shows that glass recycling is very beneficial. Our society consumes 2.8 million tonnes less raw materials, a reduction of 65%. Consumption of

energy in the production process could be reduced by 20% and waste production decreased by 2.8 million tonnes, which are savings of 90%.

Glass packaging supports ... sustainable development

Glass packaging supports sustainable development because glass protects the natural resources for future generations. Fact is, that nature provides a practically unlimited supply of the raw materials for glass. This means that the glass industry does not deplete nature of any finite raw materials. There is no exhaustion of natural resources. Furthermore, as glass is recycled, glass is a raw material by itself. To the extent to which we use old glass to produce new glass, we do not need any natural raw materials. This means, of course, that less industrial minerals are sold to the glass industry than would be if no glass recycling existed. Just to give an example: in 1955 about 2 glass bottles were produced from 1 kg of raw materials. Today, 1 kg of raw materials is enough to produce 10 glass bottles. This is partly due to glass recycling but also of course to the fact that glass packaging is becoming increasingly light and therefore less material is required to make it.

What sounds very much like promoting glass as a product is in fact the outline of the connection between industrial minerals and the glass industry. As it is the raw materials - quartz sand, soda ash, lime, dolomite, feldspar, potash – that give the glass packaging their particular properties, it is those, which in turn give glass a very positive image.



Knowing how to communicate! Strategies and Target Groups

*Panel discussion moderated by:
B. Kasparas and C.-E. Houssa,
Industrial Minerals Research Ltd.*



Participants:

***K. Anavlavis** (Silver & Baryte Ores Mining Co.), **D. Moore** (Watts Blake Bearne & Co. PLC), **E. Turner** (LuzenacGroup), **H. Nielsen** (European Commission)*

In today's society, communication is an essential way for interacting with other players. It is, however, not always easy to communicate successfully.

Good communication requires above all knowing the message, to whom it is addressed, and which ways of communication exist and can be used. The participants of the panel discussion, referring to their vast experience, examined how to communicate to the public and what was to be considered. They agreed unanimously that communication was needed, especially since companies are much more looked at by society than ever before. Nowadays, companies, when building up their communication concepts, have to integrate a wider public, which consists of several target

groups. Companies also need to address a wider spectrum of topics. Furthermore, for every target group, the company needs to communicate in the corresponding language via the suitable media, establishing an integrated communication concept. For example, media and public do not want scientific reports but key facts. So in their communication concepts, companies need to combine several target groups and several communication strategies. In that way, many communication vehicles have to be brought together (publications, presentations, meetings, exhibitions) and have to be adapted to the target group addressed. The panel participants pointed out that for the industrial minerals industry, it would be especially important to

communicate at local level and at company level. In this connection, it would also be necessary to think about new approaches, e.g. partnerships with non-governmental organisations, NGOs. In fact, three main constituents making up a proper design of successful communication were considered as essential: authority, of which the state is the “owner”, influence, which was attributed to

Constituents of a proper communication design:

- | | | |
|--------------|---|-----------------|
| 1. Authority | ⇒ | State |
| 2. Influence | ⇒ | e.g. IARC, NGOs |
| 3. Power | ⇒ | People |

certain groups, e.g. the IARC, and power, which is hold by the people.

As no single body has got all of them, it is important that a proper design considers all three items. The design would be wrong or its implementation would go wrong, if one of them would be missing. It is not only important to DO ISO14000 but also to communicate to the public what it comprises and which impacts it has. For this reason, companies might have to become active in quite unusual ways, e.g. museums and conferences that are dedicated to the public.

To conclude the panel discussion: there is not a unique communication concept as such which would be valid for everybody. Every company needs to find its own way through the communication jungle, always adapted to its unique situation.



The Panel

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*Cocktail Reception
European Parliament
7 June 2000*

