



10 July 2018

Dear Secretariat of the EU Transparency Register,

I am writing to provide further information to back the alerts I have recently submitted regarding the [Titanium Dioxide Manufacturers Association \(TDMA\)](#) and [Venator](#) which are both absent from the EU lobby transparency register. TDMA is linked to the registrations of two registered organisations: lobby consultancy [Fleishman-Hillard](#) and chemicals industry lobby group [CEFIC](#).

We consider that the TDMA should be registered for the following reasons:

- It is clear that the TDMA is active in EU lobbying as the lobby consultancy [Fleishman-Hillard](#) declares it as a client and receives at least €400,000 a year for activities covered by the EU lobby register. This is a significant expenditure on lobbying.
- In addition, TDMA has [made clear](#) that it has also set up “a serious 14m euro science programme which will build the scientific basis to help discuss and resolve the many issues that present themselves in the current, unique situation”. This “situation” is a reference to the ongoing EU process to classify titanium dioxide. This €14 million programme could be considered further expenditure which has the “[objective](#) of directly or indirectly influencing the formulation or implementation of policy and the decision-making processes of the EU institutions”.
- According to the archives available on [LobbyFacts](#), TDMA has been a lobby client of Fleishman-Hillard since at least April 2017, which indicates that it has been active for some time and has had plenty of time to register.

We consider that TDMA should be registered in its own right, under its own name.

We further consider that Fleishman-Hillard and other lobby intermediaries which lobby on behalf of clients should not accept paid work from clients which are not registered. We hope that this point will be taken up in the current EU lobby register reform process.

TDMA calls itself a “sector group” of [CEFIC, the European Chemical Industry Council](#). The two organisations also share an office address. Perhaps TDMA will argue that it does not need to join the register in its own right as it is covered by the registration of CEFIC. However, such an argument does not hold water for the following reasons:

- Fleishman-Hillard lists both TDMA and CEFIC as lobby clients, implying that the work it does for each is separately contracted.
- CEFIC does not refer to titanium dioxide, TIO<sub>2</sub>, or the TDMA in its own registration.
- TDMA has its own website, logo and identity.

If TDMA insists that CEFIC's registration covers its own lobbying activities, substantial clarifications should be made to CEFIC's entry accordingly. Instead, we suggest that CEFIC is reminded that if its sector groups conduct their own lobbying campaigns, they should be registered in their own name.

Despite not being registered, we note that TDMA has been able to meet with Commission officials. TDMA was apparently present at an April 2018 REACH sub-group meeting hosted by Commission officials to hear "exchanges" on the proposed titanium dioxide classification. This implies that TDMA was invited by the Commission to attend this meeting.

TDMA has also been very active in lobbying [CARACAL](#), the key Commission expert group on REACH, the EU's chemicals legislation. The lobby group has submitted several position statements prior to specific meetings discussing titanium dioxide and even [participated](#) in, and spoke at, the 12 June 2018 meeting of CARACAL. The TDMA participant was from [Venator](#), a US chemicals company, which is also not registered in the EU lobby register. TDMA is itself chaired by another representative from Venator, [Robert Bird](#).

We consider that allowing non-registered lobbyists to participate in Commission expert group meetings is a breach of at least the spirit of the Commission's transparency rules regarding expert groups. This should be raised with DG GROW and its chemicals team.

We further note that of eight full members of the TDMA listed on its [website](#), seven are not part of the EU lobby register: [Cinkarna Celje d.d.](#); [Cristal](#); [Grupa Azoty Zaklady Chemiczne "Police" S.A.](#); [KRONOS](#); [Precheza AS](#); [Tronox Ltd](#); and [Venator](#). We expect the Secretariat to take action regarding these seven groups, especially Venator.

To conclude:

- We expect that TDMA, Venator, and other TDMA members which are not already part of the lobby register, should join the register if they are active in EU lobbying.
- We consider that CEFIC should be reminded that if its sector lobby groups are lobbying in their own name, that they should each be separately registered.
- We hope that the revised lobby register will ensure that intermediaries are only able to accept paid work from clients which are registered.
- We demand that the Commission is far more vigilant in policing who is lobbying its officials, including who is participating in expert group or sub-group meetings.
- We consider that this case is further evidence to support a far more watertight lobby register which should be legally-binding. Before that is introduced, it is imperative that the 'no registration, no meeting' rule be extended to all Commission officials.

We look forward to hearing from you.

Yours sincerely,

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