

TACD

TRANS ATLANTIC DIALOGUE TRANSATLANTIQUE
CONSUMER DIALOGUE DES CONSOMMATEURS

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TACD Statement on the implementation of REACH

TACD sharply condemns the efforts of the US Administration and the chemicals industry to weaken the EU REACH proposal for a systematic assessment of the risks and potential risks of the tens of thousands of chemical substances to which we are all exposed from multiple sources.

Led by Ambassador Boyden Gray, the U.S. is pressing the EU to ignore potential hazards in favour of a “risk-based” approach to the assessment of chemicals. Under this “risk-based” approach very many hazardous chemicals would not be assessed, on the grounds that “there is no evidence of risk”. The so-called risk-based approach would undermine the very purpose of REACH, which is to assess the effects of our exposure to tens of thousands of chemicals from multiple sources.

The U.S. model for assessing chemicals, centred on the Toxic Substances Control Act, has been a notable failure. When the Act took effect in 1976, there were over 60 000 chemical substances on the market; the EPA has required tests on fewer than 200 of these, according to the GAO. Since then some 20,000 new chemical substances have been produced but the GAO says that EPA “reviews of new chemicals provide only limited assurance that health and environmental risks are identified because TSCA does not require companies to test chemicals before they notify EPA of their intent to manufacture the chemicals”. This is the discredited model that the U.S. is now pressing on the EU.

According to Ambassador Gray, “no government has the resources to monitor all chemicals and substances that are sold in commerce” yet the U.S. administration continues to pursue a hostile and divisive approach to REACH. TACD has already urged the EU and U.S. to take a cooperative, rather than adversarial, approach to the real problems of hazardous chemicals and chemical pollution for public health, safety and the environment. A new model of regulatory cooperation focusing on balanced stakeholder participation and best practice would provide an opportunity for regulators to learn about the strengths and weaknesses of each other's systems. For instance, the EU, U.S. and other trading partners could share emerging data on hazards of chemicals that may be available on one side of the Atlantic, but not the other. This should result in a system of regulating chemicals that better protects the consumer on both sides of the Atlantic.

The REACH proposal needs to be strengthened, not weakened:

- Priority should be given to the assessment of substances of very high concern, including carcinogenic, mutagenic and toxic for reproduction (CMR), persistent, bio-accumulative and toxic (PBT), very persistent and very bio-accumulative (vPvB) and endocrine disrupting chemicals.

- Special emphasis should be given to phasing-out of hazardous chemicals in consumer articles.
- Consumers have a right to know what chemicals are contained in the articles they purchase.