



*EU Environmental Policy Briefing**

REACH Compromise Deal Published

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The agreed compromise package on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) is now available. The main challenge was to agree on the substitution principle and to what extent substances of very high concern ought to be substituted, even if safer alternatives exist. The European Parliament was of the opinion that these substances should not be allowed to stay on the market if safer alternatives do exist. In the end the European Parliament was unable to stick to its guns any longer and had to move from a requirement of mandatory substitution to mandatory substitution plans. According to the European Parliament's rapporteur Guido Sacconi MEP it would have been impossible to reach a better compromise 'following concerns by Germany and industry groups'. Chris Davies, the UK Liberal Democrat MEP, expressed his views a bit more colourfully, accusing Germany of being the 'gorilla in the room' with the Commission swinging along as 'gorilla's sister'. The Greens in Parliament echoed this by saying MEPs had 'sold out to intense lobbying from the German chemical industry'¹.

The key points regarding the authorisation procedure for substances of very high concern are now as follows:

- Producers applying for authorisation for a substance of very high concern are required to produce a substitution plan so that they are eventually replaced;
- If safer alternatives exist or are identified, applicants are required to submit a substitution plan including a timetable for proposed action;
- For those substances of very high concern for which 'safe thresholds' have been established (including endocrine disrupters) the producers have to show that the risks are 'adequately controlled' within these thresholds; and
- For those substances that cannot be 'adequately controlled' (including persistent, bioaccumulative and toxic chemicals as well as very persistent and very bioaccumulative chemicals) applicants need to show that the benefits of use outweigh the risks based on a socioeconomic analysis.

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The compromise text will be put to the vote in the European Parliament on 13 December, with the vote in the Council on 18 December 2006.

References

1. EurActiv (5.12.2006) *REACH Compromise under Fire*, article 160203:
<http://www.euractiv.com/en/environment/reach-compromise-fire/article-160203>

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