

THE FUTURE OF REACH – AN ENVIRONMENTAL NGO PERSPECTIVE



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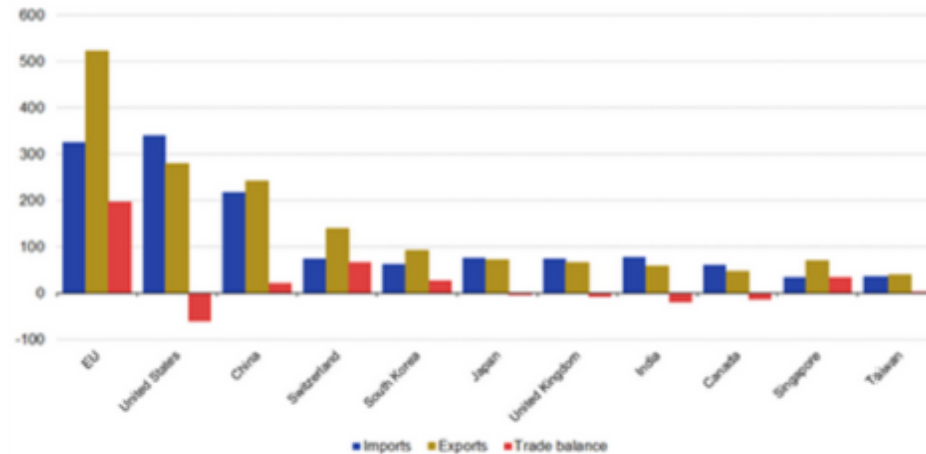
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Analysis (1): REACH is a competitiveness chance

- EU global competitiveness depends on sustainability leadership (Cefic, “The Molecule Managers”...)

EU and other major players in trade of chemicals and related products, 2023
(€ billion)



Source: UNCTAD



Analysis (1): REACH is a competitiveness chance

- Long-term market data show:
 - REACH provided supportive context chemical sector growth or
 - At least: REACH did not inhibit business and growth
- Short-term market data no basis to call this into question
- No evidence available that REACH is a problem driver in current context
- No factual basis for simplification push



Analysis (2): Flaws in design and implementation

- Foundation of „no data, no market“ not fit for purpose (Title II)
 - important endpoints are missing
 - use and exposure data scarce
 - no explicit obligations concerning unintended mixture effects
 - no incentive to provide best available information
- Restrictions (Title VIII) too burdensome
- Poor implementation and enforcement of authorisations (Title VII)
- Human right to a clean, healthy and sustainable environment not respected
- Chemical Strategy for Sustainability addressed flaws, and committed to the modernization of REACH



NGO recommendations (1)

- Align information requirements with scientific and regulatory progress (EDCs, NAMs that are validated and considered acceptable)
- To ensure level playing field (in registration)
 - Introduce revocation of registration numbers
 - Enhance incentives to keep dossiers up-to-date (e.g. ad hoc compl. check)
- Introduce an Assessment Factor for pragmatic mixture risk assessment
- Get more information on uses and available alternatives to SVHCs and ROI substances earlier in the process to allow for solid risk assessments
- Introduce notification and registration for polymers to close the gap
- Digitalize the SDS, clarify SVHC communication obligations



NGO recommendations (2)

- Risk management: Prefer grouping and do not limit MS rights to initiative (RMOA)
- Add new SVHC classes to Article 57 (EDC, PMT, vPvM)
- Just implement Title VII (e.g. AfA burden of proof, rejection if non-conformity, more emphasize on societal impact in decision-making)
- Extend fast-track restrictions (Generic Risk Assessment - GRA)
 - All most harmful substances
 - professional users
 - create MS right to initiative
- Reduce burden of proof in ordinary restriction procedure
- Introduce enforcement level playing field (sanctions)
- Create means for access to justice (including right to compensation)



Summary and Outlook

- The Commission is tasked to thoroughly assess potential impacts of any legal changes in line with the Treaties and Better Regulation Guidelines (including meaningful consultations)
- Short-term political trends must not compromise the long-term objective for a toxic-free, resource preserving and climate-neutral circular economy
- Most NGO recommendations bring modernization while also providing for simplification for people, businesses and administrations



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THANK YOU!

READ:

- [SIMPLIFYING REACH FOR INDUSTRY AND AUTHORITIES](#)
- [ENSURING A FUTURE-PROOF EU CHEMICALS POLICY](#)



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*The EEB gratefully acknowledges the financial support from the LIFE Programme of the European Union.
This communication reflects the organizers' views and does not commit the donors.*

