The future of REACH
Contribution of the Belgian mutuals

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Better protection of public health should be the main driver of the REACH revision

Context

Scientific advisory report of the Superior Health Council (Hoge Gezondheidsraad/Conseil supérieur de la Santé)

- *First, as carcinogenic, mutagenic and endocrine disrupting agents have a major impact on the risk of diseases of civilization and as their effects share common characteristics, a particular form of hygiene, here called "**physical chemical environmental hygiene**", is proposed. Its purpose is to decrease the number of such substances to which people are exposed and to decrease the intensity of exposure to such agents.*
  - *In the absence of convincing data showing safety, human exposure should be restricted, in each particular case as much as reasonable, by regulation imposed by public authorities.*

- *Exposures early in life can interfere with an optimal development and can result in disease later in life; real life exposures do not occur to single agents but instead involve **complex mixtures** of many chemicals and other hazards, with possible interactions between them explaining adverse effects. Therefore a more holistic approach involving avoidance or reduction of exposure to many different agents is desirable along the precautionary principle.*

Physical chemical environmental hygiene (limiting exposure to mutagenic or endocrine disrupting agents) and the importance of exposures early in life (2019)

Context

Exposure to endocrine disruptors can contribute to premature puberty, obesity, fertility problems, lower IQ, autism, etc.
Experts estimate the health costs of endocrine disruptors at **157 billion euros** or 1.23% of European GDP

(Report on EDC, Belgian Senate, 2018)

Context

There are more and more initiatives to reduce/prevent exposure to dangerous chemicals, like:

- Nation Action Plan in Endocrine Disruptors (NAPED)
- By 2030, Flanders wants to achieve an acceptable health risk from priority substances of very high concern for every Flemish person. (Environmental health objective)
- Platform on EDC:
  - Wallonia: Le site de référence en matière de perturbateurs endocriniens
  - Flanders: Hormoonverstoorders | Departement Zorg

Context

SURVEY OECD:

"These findings confirm previous survey and poll results that found that the public supports additional and stricter regulation of chemicals and demonstrates that this is also the case beyond the European Union.

Moreover, the findings accord an even stronger responsibility to business and industry players to reduce the exposure to harmful substances."

OECD (2024), Insights on "Attitudes towards chemicals"

The revision of REACH is an opportunity to better protect public health

The Belgian mutuals support the revision of REACH:

- to significantly increase the protection of human health and the environment from harmful chemicals
- to simplify the implementation of the legislation, provided that it doesn’t result in a weakening of the ambition to avoid harm to the planet and to current and future generations
- driven by REACH’s founding principles; namely ensuring a high level of protection of human health and the environment against harmful substances, implementing the ‘no data, no market’ principle, putting the burden of proof regarding the safe use of chemicals on the registrants
- as a chance for the uptake of the latest scientific evidence and to align REACH with recent changes in related EU regulatory files, especially the introduction of four new hazard classes in the Classification, Labelling and Packaging (CLP) regulation in 2022
- as an opportunity to promote the circular economy through the smart use of chemicals and clean material cycles, which don’t contain harmful chemicals or substances that hamper recycling.

6 Recommendations

Recommendation 1: No data, no market

- **Extend the scope of registration requirements** → to allow hazard assessment and risk management
  - Require information that allows for the identification of critical hazards (e.g. carcinogenicity) in low-tonnage substances
  - Revise the registration exemption for polymers: notification of all polymers and registration for prioritised polymers (i.e. PRR: polymers requiring registration)

- **Update the information requirements for new and emerging hazards** → to enable identification of chemicals harmful for current and future generations
  - Include dedicated data requirements to identify endocrine disrupting substances, persistent and mobile chemicals (PMT/vPvM) and substances with neurotoxic, immunotoxic or metabolically disrupting properties

Recommendation 2: Ensure the burden of proof regarding the safe use of chemicals is on the registrants

- **Allow comprehensive compliance checks and adequate times (more then 3 weeks) to conduct those checks, before giving access to the EU market** → minimise the exposure of citizens to industrial chemicals with unknown hazards and reduce the burden on authorities in subsequent evaluation or risk management

- **Avoid new mandatory burden on authorities** → keep Regulatory Management Option Analysis (RMOA) as a voluntary tool for authorities as it is being used in current practices

- **Stop applications for authorization which do not contain sufficient information** → free authority resources from working on incomplete applications and speed up to process complying ones

Recommendation 3: Assess and regulate entire groups of chemicals (instead of one at the time)

- **Promote the regulation of groups of chemicals** → avoid regrettable substitution, malinvestments and unnecessary animal testing

- **Extend the generic approach to risk management (GRA) beyond carcinogens, mutagens and reproductive toxicants** → accelerate the risk management of the most harmful chemicals (incl. endocrine disruptors and persistent, bioaccumulative and mobile substances)

Recommendation 4: Assess combinations of chemicals representing real-life exposures

- **Integrate a mixture assessment factor (MAF) into chemical risk assessment**
  → take the combined exposure to multiple chemicals into account and consider mixture effects in risk assessment

Recommendation 5: Apply clear criteria for what constitutes an ‘essential use’ of a harmful chemical

- **Implement the essential use criteria as communicated by the European Commission** → only allow essential uses of restricted or phased-out chemicals

Recommendation 6: Legal provisions to allow sanctions for non-compliance

- **Introduce consequences for non-compliance** → incentivize comprehensive data generation and regular updates of dossiers to prevent continuous exposure of humans and wildlife to chemicals with unknown hazards

Thank you

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