Cefic prepares for REACH review

A comprehensive review of REACH by the European Commission is scheduled for 2012. This will be a major opportunity to address and remedy the teething problems and shortcomings of the system as currently established, including a better integration of existing legislation affecting chemicals.

In preparation of this important review in 2012 Cefic has launched an in-depth monitoring project. The monitoring involves around 100 companies and focuses on three areas:

- The working practicalities of the regulation;
- The effect on the firms' competitiveness and innovative capabilities;
- Results in terms of health, safety and environmental protection.

These are three indicators of direct interest to industry and on which the sector is likely to be judged by government, NGOs and other stakeholders.

Following an initiative of Cefic, the Commission, ECHA and industry stakeholders representing companies registering under REACH have created a Directors' Contact Group to identify and resolve issues of concern for companies in meeting the first registration deadline of 30 November 2010.

This has proven a particularly useful and pragmatic initiative. The contact group has taken practical steps to inject additional flexibility into the preparatory registration process, to support small and medium-sized enterprises and to circumvent difficulties related to changes in corporate legal entities.

Next steps needed for REACH

The implementation of REACH, meanwhile, has focused greater attention on other important chemical-safety issues: so-called "chemical cocktails" and nano-materials.

Under REACH, risk assessments are made on a substance-by-substance basis. REACH does not in principle cover situations related to combined exposure of different substances from different sources. Some are concerned about possible risks stemming from such a so-called "cocktail effect" of chemicals.

The potential effects of combinations of chemicals in complex environments may yield new information about substances and their properties. But some argue that the use of standard tools of chemicals management – cost-benefit and risk-benefit analysis, health impact assessment – are inappropriate to assess the effects of chemical "cocktails."

The European Commission is set to finalise by 2012 a scientific assessment of risks related to exposure to multiple chemicals. It will evaluate whether existing EU legislation is adequate to manage possible risks resulting from combined exposure to different substances.

The debate around chemical cocktails could have some far-reaching consequences. Indeed, it challenges the traditional, substance-by-substance approach to risk assessment and risk management that lies at the heart of REACH and the EU's current chemicals management system.

Without clear guidance, policy makers and government will be inclined to resort to the so-called precautionary principle. Needlessly drastic application of the precautionary principle seriously hampers the industry's ability to innovate, to explore new opportunities and to develop solutions to the sustainability problems we are facing today and will be facing tomorrow.

New technology issues addressed

Meanwhile, the political pressure for tightening rules on nano-materials is increasing – event though the European Commission and the chemicals industry agree that nano-materials are already covered by existing legislation and that no specifically tailored measures are necessary. Cefic and the European Commission are collaborating to ensure that, where necessary, REACH and other product-specific directives will adequately address nano-materials safety.

At the same time, Cefic is contributing to the OECD's evaluation of existing test methods, sponsoring and sharing research into nano-materials safety via its Long-range Research Initiative (LRI) and promoting the worldwide sharing of best practices under Responsible Care®.

Nano-materials constitute an exciting and highly promising field of development. Cefic is committed to ensure that nano-materials, nano-products and nano-technologies are researched, designed, manufactured and used safely and responsibly throughout the entire chain.