

# 4 key points to look out for in the REACH revision

Next week, Member State policy experts will gather in Brussels to hear the EU Commission's ideas for simplifying REACH, the EU's key chemicals legislation. It will be crucial for the experts to voice their opinions and perspectives because this is the only consultation chance they will get.

The responsible Commissioners Séjourné and Roswall have promised that the REACH revision will not be a deregulation exercise. But we're not so sure about that. And we strongly insist that the new REACH must improve the protection of health and environment as promised in the Commission's Chemicals Strategy for Sustainability.

ChemSec has already outlined [its view](#) on the matter. To support Member States' scrutiny of what they will hear from the Commission, we have listed four key points to look out for:

## 1. Regulatory drive for substitution of most harmful substances

We hear repeatedly from companies that they need predictability, a level playing field and clear phase-out dates in the legislation. This drives substitution and gives responsible companies cost-sharing in the supply chain for their investments.

So, how will the Commission ensure that REACH drives substitution?

There has been a lot of fuss around industry collaboration and substitution planning. While these might be good complements, they can never replace regulators setting clear end-dates for harmful substances and the same rules for all.

Supportive substitution efforts should be kept outside of REACH and not used as a deregulation tool.

## 2. How REACH will deal with chemicals in widely used products

Wide dispersive uses of the worst chemicals are a high priority in current REACH because the exposure to humans and the environment is impossible to control over their entire lifecycle.



In the Chemicals Strategy for Sustainability, the EU Commission committed to extending the Generic Risk Approach (GRA) to phase out all most harmful substances in mixtures and articles for consumer and professional uses, including substances harmful to the environment.

The main reasons? It would simplify the regulation while increasing the level of protection and substantially contribute to non-toxic materials — a prerequisite for a competitive circular economy.

However, what we hear is that wide dispersive uses should no longer be prioritised for setting 'sunset dates' (the authorisation process), and the generic approach should be used only for a few hazards (only CMR and ED) in limited uses.

### **3. The burden of proof and administration on Member States**

If the regulation of the most harmful substances is to be done mainly through burdensome and costly restriction dossiers by the Member States (Article 68.1), not much will happen.

In the ambition to reduce the industry's administrative burden at all costs, there is a high risk that the burden will instead be moved to authorities and taxpayers. For those who don't care about health or the environment, this is convenient. But for society, this is very costly.

In addition, without reinforcing the "no data, no market" principle in REACH that requires the chemical industry to provide sufficient information on substances and their uses, there will be limited possibilities to regulate the most harmful substances and manage the risks.

### **4. Competitiveness of alternative providers and innovation for the future**

REACH must unlock the market for safer alternatives to ensure that EU companies' competitiveness is built on future-proof innovations.

Strong regulations drive innovation and reward responsible companies. Accepting poorly justified derogations or exclusions of whole sectors only benefits laggards who refuse to adapt. EU-based companies that have invested in clean alternatives will then struggle to compete, which hampers the future EU economy.

[Europe can't build a green industrial future with yesterday's chemicals.](#)