



CHEMTrust

Protecting humans and wildlife
from harmful chemicals

CHEM Trust
34B York Way
Kings Cross
N1 9AB

The Right Honourable Michael Gove MP
Secretary of State for Food, Environment & Rural Affairs
Nobel House,
17 Smith Square
London
SW1P 3JR

4th April 2019

Dear Secretary of State,

Concerns about chemical regulation protections post-Brexit

CHEM Trust is a UK charity that works to prevent man-made chemicals from causing long term damage to wildlife or humans, by ensuring that chemicals which cause such harm are substituted with safer alternatives.

CHEM Trust has severe concerns regarding the Statutory Instrument (SI) on REACH, which was narrowly approved by the Commons last month and passed with a motion to regret by the Lords.

As a number of parliamentarians across the House raised during debates, the SI fails to ensure that UK controls will stay in line with those at EU level, nor does it create adequate stakeholder engagement. We are writing to you as these critical issues can still be addressed through coherent Government policy commitments.

REACH is the most sophisticated regulatory system for chemicals in the world, having been developed by the EU over the last 15 years. The European Chemicals Agency (ECHA) comprises a management committee and numerous technical committees, with stakeholders from industry, NGOs and trade unions participating in meetings without a vote. This ensures that the best information is available for these discussions and reduces the potential for bias towards one interest group.

In setting out the new UK Chemical Agency as the Health and Safety Executive (HSE), the SI deems these committees as inoperable, and replaces them only with an obligation for HSE to obtain external advice. Thus, **vital mechanisms for stakeholder engagement and public participation will not exist in the new UK system.**

Further, as the REACH SI lacks any commitment to mirror future improvements in EU chemicals laws, it is clear that **UK controls on chemical use could rapidly diverge from those in the EU.** In fact, at a Westminster Forum event last month, Director of EU Exit at HSE Dave Bench stated that it would be

“almost unimaginable that two sets of very competent experts would come to the same conclusion” and that “there will be divergence if we are in a no-deal scenario, and that divergence will happen almost straight away”.

Thus, CHEM Trust is highly concerned that if the UK does not commit to follow EU outcomes, then UK regulations will rapidly become weaker.

We agree with the Government that the UK should aim to stay as close as possible to REACH, for example including it in any Free Trade Agreement negotiated with the rest of the EU. Our assessment is that the only way to do so will be to commit to stay aligned with the EU's chemical related laws. **We urge the Government to make policy commitments to remain dynamically aligned to REACH,**

and to ensure adequate mechanisms of stakeholder engagement exist in the new UK Chemical Agency.

We would greatly appreciate the opportunity to meet you to discuss this important issue in more depth.

Yours sincerely,



Dr Michael Warhurst
Executive Director, CHEM Trust
michael.warhurst@chemtrust.org

Trustees

Oliver Smith (Chair)
Nigel Haigh OBE
Leslie Jones OBE
Colin Church
Debbie Tripley
Sarah Oppenheimer
EU Transparency register ID: 27053044762-72

CHEM Trust
34b York Way
London
N1 9AB, UK
www.chemtrust.org
askchemtrust@chemtrust.org
Twitter: @CHEMTrust
UK Registered Charity No. 1118182
Company number: 5933897