

UK/EU differences in environmental/health protections from harmful substances since 1/1/2021

	UK HEALTH & SAFETY EXECUTIVE (HSE)	EUROPEAN CHEMICALS AGENCY (ECHA)
<p>Restrictions: Those adopted since the UK exited the EU. (Those initiated since the UK exited, i.e. those on the EU's registry of intension (RoI), which are subject to clear timeframes by which the regulator must submit its risk assessments and proposals for risk management).</p>	<p>0 (2)</p>	<p>9 (25)</p>
<p>Restrictions: substances that pose risks to health and/or the environment can be “restricted”, including through a total ban on a substance, bans on certain uses or concentrations, or requirements for technical measures or specific labelling.</p>	<p>In 2021, two restrictions were initiated, on lead ammunition and harmful substances in tattoo ink, that have not yet been adopted in legislation. The restriction opinion on tattoo ink is currently looking less protective than its EU equivalent.</p> <p>In its 2023-4 work programme, the UK regulator de-prioritised controls on 12 hazardous substances either adopted by the EU or on its RoI. This includes a restriction on concentration limits for eight polycyclic aromatic hydrocarbons (PAHs) used in synthetic football pitches and playgrounds, that are that are linked to an increased cancer risk, and the use of lead in PVC.</p>	<p>9 restrictions on the use of hazardous chemicals have been adopted by the EU since the UK exited EU REACH, including on intentionally-added microplastics and formaldehyde. Another 16 more have been initiated.</p> <p>In addition, the EU Restrictions Roadmap (RR) which targets groups of widely used chemicals of key concern such as bisphenols and certain brominated flame retardants, would, if fully implemented, lead to an estimated 5-7,000 chemicals being banned by 2030. The UK/EU gap is on course to become a chasm with the implementation of the Roadmap, without intervention. The RR is separate from the proposed revision of the EU REACH regulation, which has been delayed. Some of these restrictions are now in the pipeline and under investigation by ECHA – e.g. carcinogenic, mutagenic and reprotoxic (CMR) substances in childcare articles.</p>
<p>Substances added to SVHC Candidate List</p>	<p>0</p>	<p>31</p>
<p>Substances that may have very serious effects on human health and the environment can be identified as Substances of Very High Concern (SVHCs). These are primarily substances which are carcinogenic, mutagenic, reprotoxic, as well as persistent and bioaccumulative. Entry on the SVHC Candidate List carries immediate obligations on companies to provide sufficient information to their customers and consumers to allow safe use and puts substances in line for further regulatory attention.</p>	<p>HSE is considering just 4 out of the 10 substances that were added to the EU list in 2021, for the UK SVHC Candidate List. Its Regulatory Management Options Analysis (RMOA) on these substances have not yet been published. In 2023, the Government said it is not “anticipating an update to the list before 2025”.</p>	<p>Ten substances were added to the EU Candidate List in 2021 (in January and July). Another 5 substances were added in 2022 (four in January and one in June). Another 11 substances were added in 2023 (9 in January, including the high-volume flame retardant, TBBPA, and 2 in June). Another 5 have been added so far in 2024 (in January).</p>

Substances added to Authorisation List	0	5
<p>SVHCs that are added to the 'authorisation list' (Annex 14) cannot be placed on the market unless a company has been given "authorisation" for a specific use; to get this, a company must demonstrate that either the risks arising from the use(s) applied for are adequately controlled or that there are no alternatives available and the socio-economic benefits outweigh the risks arising from the uses.</p>	<p>In 2021, HSE recommended 2 substances for the UK authorisation list, dicyclohexyl phthalate and disodium octaborate. In January 2024, HSE recommended adding Diisohexyl phthalate (DIHxP) to Annex 14. The full list of recommended substances are here.</p> <p>It's unclear when the Defra Secretary of State will make a decision on whether these substances should be added to the Authorisation List.</p>	<p>ECHA recommended 25 substances for the authorisation list (in 2019 in its 9th recommendation and in April 2021 in its 10th recommendation), of which five were added to the EU authorisation list in April 2022, including Tetraethyllead in aviation fuel.</p> <p>In April 2023, ECHA recommended 8 substances for the authorisation list. In February 2024, it invited comments on a further 5 substances it is considering recommending for the list.</p>
Rolling Action Plan	2 in 2022-3 1 in 2023-4	27 for 2022-24
<p>The UK's Rolling Action Plan (RAP) or the EU's Community Rolling Action Plan (CoRAP) sets out priority substances for evaluation</p>	<p>HSE chose 2 substances for evaluation in 2022-3. In February 2023, an update on these substances was published – one of these evaluations is ongoing. It chose just 1 substance for evaluation in 2023-4.</p>	<p>27 proposed by ECHA under the community rolling action plan for 2022-24</p>