

Chemicals Regulation post EU-exit

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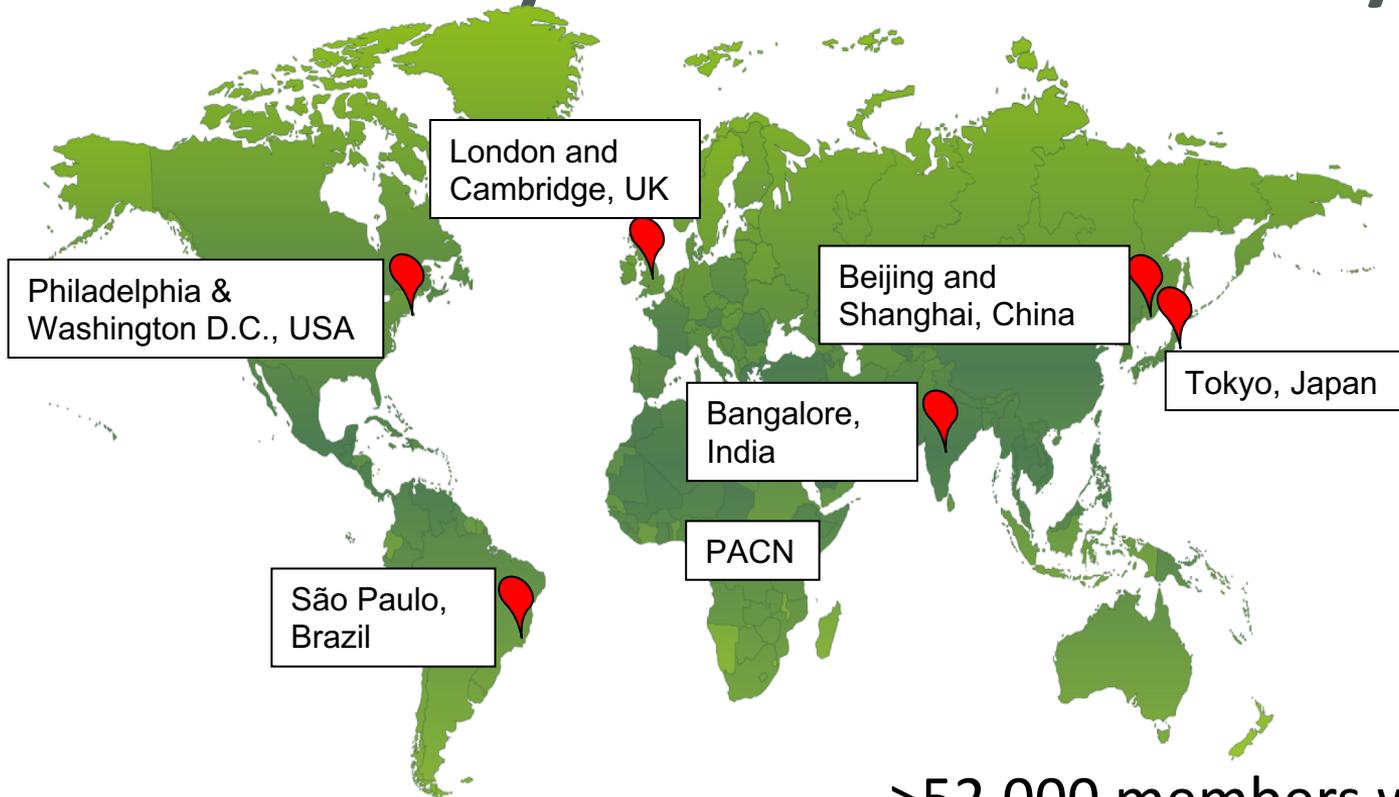


The morning after: UK Chemistry in a post-Brexit world
Process Chemistry & Technology Group, Manchester, 10th April 2019.

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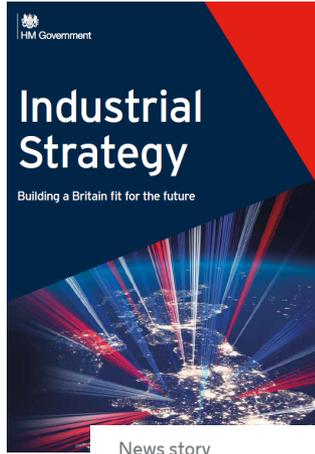


>52,000 members worldwide

Uncertain and Unprecedented Time in UK Policymaking

INOPERABILITIES

European Union
(Withdrawal) Act 2018



HM Government



**THE FUTURE
RELATIONSHIP BETWEEN
THE UNITED KINGDOM AND
THE EUROPEAN UNION**

News story

Have your say on the UK's future trade negotiations

Members of the public and businesses can now have their say on the UK's prospective trade agreements. Online consultations close on 26 October 2018.

Published 18 September 2018

From: [Department for International Trade](#) and [The Rt Hon Liam Fox MP](#)



Online consultations on the UK's prospective trade deals are open until 26 October 2018



HM Government

A Green Future: Our 25 Year Plan to Improve the Environment



England



Environmental Principles and Governance after EU Exit

Overview

When we leave the EU, we will be able to build on the successes achieved through our membership, and address the failures, to become a world-leading protector of the natural world. We have also published the 25 Year Environment Plan, which sets out this Government's ambition for this to be the first generation that leaves the environment in a better state than that in which we inherited it. These good intentions must be underpinned by a strengthened governance framework that supports our environmental protection measures and creates new mechanisms to incentivise environmental improvement.

*****Since this consultation was launched, the European Union (Withdrawal) Act 2018 has received Royal Assent (26th June, 2018).**



25 Year Plan for the Environment (England)

Prime Minister's words

“This is a national plan of action, with international ambition.”

“As well as setting an example for others to follow, we will also bring the United Kingdom's international influence to bear in pursuit of a cleaner and safer world.”



Themes of Interest to RSC

- **Clean air**
- **Clean and plentiful water**
- Thriving plants and wildlife
- Reducing the risks of harm from environmental [*natural*] hazards
- Using resources from nature more sustainably and efficiently
- Enhancing beauty, heritage and engagement with the natural environment
- Mitigating and adapting to climate change
- **Minimising waste**
- **Managing exposure to chemicals**
- Enhancing biosecurity



Strategies *to date* – 25 Year plan

Clean Air Strategy

Resources & Waste Strategy [CRMs in WEEE, and Plastics]

Chemicals Strategy

– linked to EU Exit and Regulation

– chemicals in the environment

Water strategy?

Next step – a new Environment Act

Environmental Principles and Governance Bill –
presented to Westminster Parliament – Summer 2019

Aims:

To set up a new **Office for Environmental Protection** to hold the government to account on environmental standards

Establish environmental **‘principles’ in law**

Establish environmental **governance mechanisms**



RSC Environment & Regulation Collective Workshop – June 2018



Principles for the Management of Chemicals in the Environment – a Thought Starter



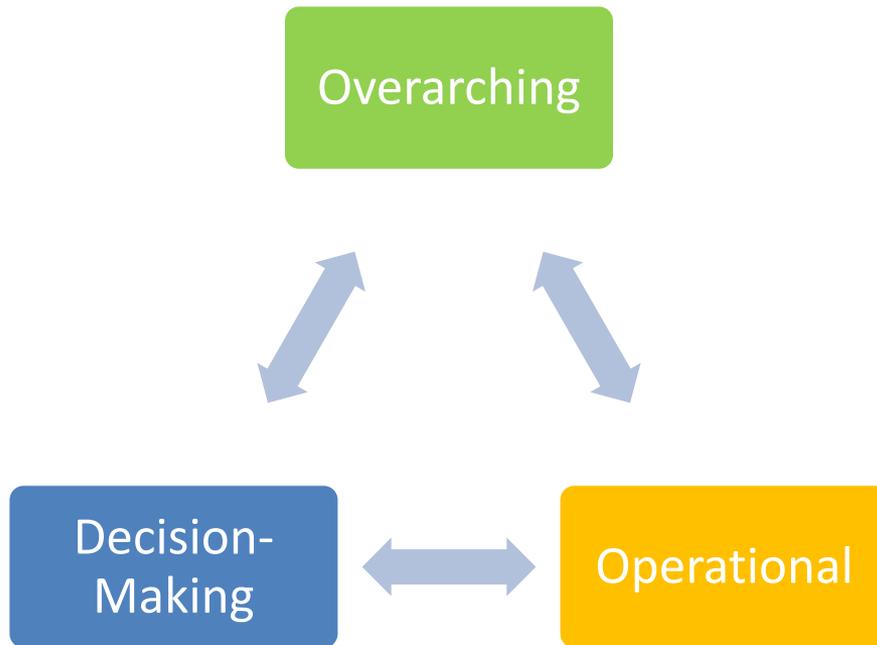
Presented at Defra's
UK Chemicals Stakeholder
Forum – London July 2018



http://www.rsc.org/globalassets/04-campaigning-outreach/tackling-the-worlds-challenges/environment/rsc_principles_for_chemicals_in_the_environment.pdf

Three Types of Principles

.....overseen by good governance





*We propose here that the **innovation principle** should not be applied in isolation but in concert with the **precautionary principle**, **mutual recognition principle**, and **risk & impact principle**.*

These 'decision-making principles' should operate in a mutually inter-dependent way, and also considering the principles in TFEU article 191(3) .

9. Citizens 'Right to Know'/Transparency & Inclusivity principle

Multi-level and multi-sector stakeholder engagement, accountability and empowerment should underpin environmental policy development, including involvement of citizens in decision-making. [Foundation EU policy – Citizens 'Right to Know']

Future of Chemicals Regulation post EU-Exit



RSC Workshops & Round Tables on EU Exit

Chemical Regulation & Brexit Advisory Forum

Burlington House, London.

Mary Creagh
– Chair of the
House of Commons
Environmental
Audit Committee



Defra
HSE
EA



2017-2018

RSC Priority - EU Exit and Regulation Relating to Chemicals

22 Feb 2017

RSC were invited to give oral evidence to the House of Commons Environmental Audit Committee inquiry into [*the Future of Chemicals Regulation*](#) after the EU Referendum



House of Commons
Environmental Audit Committee

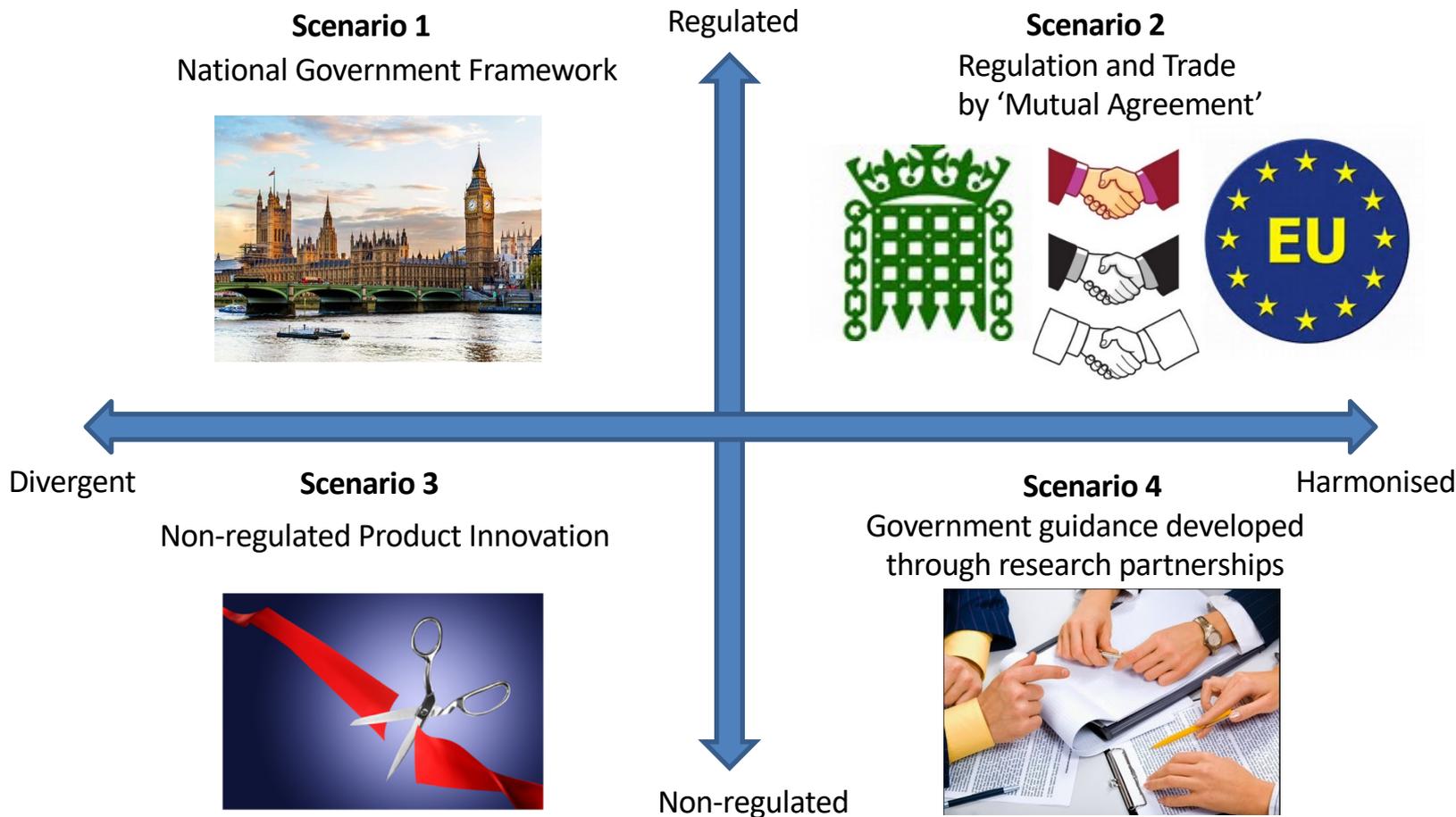
The Future of Chemicals Regulation after the EU Referendum

Eleventh Report of Session 2016–17

Report, together with formal minutes relating to the report

Ordered by the House of Commons to be printed 25 April 2017

UK Chemicals Management - Pathways for Environmental Policy & Regulation



Membership of EU

EU-REACH

CLP, PIC, Pesticides, Biocides



No Deal

UK-REACH

CLP, PIC, Pesticides, Biocides



Withdrawal Agreement/transition

EU-REACH

CLP, PIC, Pesticides, Biocides



Political Declaration/Future Partnership?

UK/EU-REACH

CLP, PIC, Pesticides, Biocides





House of Commons
Environmental Audit Committee

The Future of Chemicals Regulation after the EU Referendum

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Second Phase – October 2017

Our key messages:

- i. It is critical to establish how **regulatory decisions** will be made in the UK, including how we will **access data** and how **expert scientific input** will feed in

- ii. what **legal relationship** the UK will have **with EU bodies**, such as ECHA.

Association to EU Agencies

Common Rulebook?

Brexit White Paper
July 2018



THE FUTURE
RELATIONSHIP BETWEEN
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Our ask:

‘Full and uninterrupted partnership with the
European Chemicals Agency following EU exit’

as per

European Medicines Agency

European Aviation Agency

Legal association agreements



Share Data and Expertise

→ harmonised decisions



Our Briefing to Peers on No Deal

We have three primary asks regarding the additional responsibilities being transferred to the Health and Safety Executive:

- We ask that the government set out its plans to ensure HSE has **adequate scientific capability** to take on increased decision-making responsibilities and act as the national regulator.
- We ask that the government clarify how the UK will seek to aid **harmonisation of its scientific evidence base** with the EU in a no deal scenario.
- We ask that the government set out plans for a fully **transparent decision-making process, guided by clear principles.**

House of Lords share our view

26 March 2019 – Debate on REACH etc. (Amendment etc.) (EU Exit) Regulations 2019

The House of Lords agreed the necessity of the SI to make UK REACH work in no deal, but

“this House regrets that the draft Regulations **fail to fulfil the Prime Minister’s intention to maintain the United Kingdom’s participation in the European Chemicals Agency**, which would have avoided

(1) the **duplication of registrations** and the consequential increased costs to United Kingdom manufacturers, downstream users and importers,

(2) the **duplication of testing procedures**, including animal testing, and

(3) the **pressure on the resources and expertise of the Health and Safety Executive** and the environment agencies, which could increase the risks to United Kingdom citizens’ health, and to our environment;

and calls on Her Majesty’s Government to **make continued United Kingdom participation in the European Chemicals Agency and REACH an objective in negotiations** with the European Union”.

Toxic Chemicals in Everyday Life

Open House of Commons Environmental Audit Committee Inquiry

In our response, we focus on four overarching action points that require further investigation and consideration by government, ie the need for

- 1) **decision-making principles** for chemicals and products regulation
- 2) **independent scientific evaluation and advice mechanisms**
- 3) **globally harmonised outcomes** for chemicals and products regulations
- 4) awareness on the **development of biomonitoring** of chemicals in humans and wildlife

[RSC response to the EAC inquiry Toxic Chemicals in Everyday Life](#)

Two RSC Toxicology group/IGHRC meetings for detailed presentations on
[Biomonitoring – human and environmental perspectives 22 January 2019](#)

[Meeting the Challenges of Global Regulation 27 February 2019](#)



Chemical Sciences – Our Role?

Our community has views on how environmental policies are set and how data are generated and interpreted for the benefit of society

All of the aims, themes, policy areas and strategies in the 25 year plan and future chemicals and waste strategies need to draw upon

- Scientific data
- Scientific advisory mechanisms
- Evidence-informed decision-making

Continue to Be a Voice for Science in Policy

Acknowledgment



This work has been developed in consultation with members of the Royal Society of Chemistry 'Environment & Regulation Collective'.

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