



1 June 2007

Open letter to European Commissioners Dimas & Verheugen,

Cc: Geert Dancet, Interim Acting Director, European Chemicals Agency

Dear Commissioners,

After nine years of debate REACH finally enters into force today. Even though entry into force does move Europe a modest step towards a new approach to chemicals regulation, we believe that it is far too early to celebrate. REACH has flaws and loopholes and is also vulnerable to further weakening in the future. Many key decisions on identifying and regulating hazardous chemicals are still to be taken pending future reviews. These include legislative proposals on further exemptions of certain classes of chemical substances and setting "safe" thresholds for substances of very high concern, as well as setting the criteria to identify persistent and bioaccumulative chemicals. We call on you today to ensure that the forthcoming reviews are used to strengthen the law so as to increase the protection of human health and the environment. In addition, we urge the Commission to make sure that the REACH regulation will be fully and correctly implemented.

Equally critical for the success of REACH is the establishment of the new European Chemicals Agency in Helsinki - due to be operational in June 2008. We would expect the Agency to operate independently of the chemical industry defending the public interest in terms of health, environmental and worker protection by stimulating green innovation and by strictly overseeing the enforcement of the legislation.

European environmental, women's, health and consumer groups therefore urge you to ensure that, over the coming months and years, the Agency will:

- Guarantee that members of the Management Board and Agency Committees do not have conflicts of interest;
- Make sure that NGO observers to the Agency's bodies have access to all relevant documents and meetings;
- Make decisions in a transparent way
- **Something on Membership of Management Board depending on what happens before then.....**
- Use the REACH system to act against the use of, and phase out, chemicals of very high concern, rather than simply preserve the status quo.

We will continue to closely monitor the forthcoming REACH implementation process, the legislative reviews as well as the Agency itself to ensure that REACH achieves the necessary protection for human health and the environment, which is long overdue. Without the strong support of the Commission to encourage substitution, hazardous chemicals will continue to contaminate wildlife, our homes and our bodies, and REACH would prove a failure.

Yours sincerely,



Media Advisory – Too early to celebrate REACH

On the day REACH officially enters into force in the EU (1 June 2007)¹ European environmental, women's, health and consumer groups have written an open letter to the European Commission pointing out that it is too early to celebrate because many serious loopholes in this legislation will make it difficult to properly protect our health and the environment.

After nine years of debate REACH moves Europe on a modest step towards a new approach to chemicals regulation. NGOs are concerned that REACH has too many flaws and loopholes and is also even vulnerable to further weakening in the future. Even though REACH provides a new framework, thousands of chemicals will escape providing sufficient safety data and some chemicals of very high concern will be authorised even when a safer alternative exists. Many key decisions on identifying and regulating hazardous chemicals are still to be taken pending future reviews. These include legislative proposals on further exemptions for certain classes of chemical substances and setting "safe" thresholds for substances of very high concern, such as chemicals that may cause cancer, as well as the criteria to identify persistent and bioaccumulative chemicals.

NGOs therefore today call on the Commission to ensure that the forthcoming legislative reviews of REACH (some already starting later this year) will strengthen the law so as to increase the protection of human health and the environment. In addition, they urge the Commission to ensure correct and full implementation of the REACH regulation. The NGOs believe without the strong support of the European Commission to encourage substitution of the most toxic chemicals, hazardous chemicals will continue to contaminate wildlife, our homes and our bodies, and REACH would prove a failure.

NGOs also have urged the European Commission today to ensure that the Chemical Agency operates independently of the chemical industry defending the public interest in terms of health, environmental and worker protection by stimulating green innovation and by strictly overseeing the enforcement of the legislation. Although the European Chemicals Agency will not be fully operational until June 2008, it will be a key factor in the success or failure of the REACH legislation.

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¹ Entry into force: Titles I, IV, IX, X, XIII, XIV & XV, together with Articles 32, 67 and 115 apply from this date. Directive 91/155/EEC is repealed and article 14 of Directive 1999/45/EEC is deleted