

Is science-led regulation finally within REACH?

We will need a new framework for UK chemicals management – what should it look like?

The UK has many, many decisions to make at the end of the transition period after leaving the EU. One important set of decisions for chemistry is how the UK will manage and regulate chemicals once it is no longer formally associated with EU REACH, which has been the EU-wide framework for chemicals management that the UK has heavily invested in for the past two decades.

Although much of the scientific community – including the RSC – campaigned for the UK to continue a formal association with EU REACH, in the summer of 2020 the UK government confirmed this would not be the case, and that “the UK will establish its own independent chemicals regulatory framework, including a UK REACH regime, from 1 January 2021.”

This decision has disappointed some of our community and presents some challenges, but also offers some significant opportunities to increase the influence of UK science in not only our own laws, but at a global level as well.

What should a new chemicals framework achieve?

At the time of writing – on the cusp of the deadline for negotiations – it seems the most likely outcome of UK/EU negotiations will be no deal, or a loose free trade agreement. Combined with the confirmation of UK REACH, this means there is an urgent requirement to implement a new chemicals framework that supports economic prosperity, well-being and quality of life improvements for citizens and wildlife, and secures the trust of citizens in this new system of chemicals management.

In our recent document *Drivers and scope for a UK chemicals framework* we highlighted the main drivers for such a framework (summarised in the box), which show what a new chemicals framework should set out to achieve.



<p>Sustainable innovation</p> <ul style="list-style-type: none"> - generate economic prosperity - develop people and provide jobs - aid a green recovery during COVID-19 	<p>Science-led chemicals regulation</p> <ul style="list-style-type: none"> - build trust with citizens that chemicals are used safely - draw upon the best science to develop chemicals policy - build trust for international trade deals
<p>Citizens' role in transparent policymaking</p> <ul style="list-style-type: none"> - ensure people have access to information and education - enable citizens to contribute through citizens' assemblies 	<p>UK's place in a global circular economy</p> <ul style="list-style-type: none"> - trust in the UK as a world leader in science policy, and in developing circular economy operating models - be responsible global citizens in how we use chemicals and manage waste



How should a new framework be delivered?

In the same document we outline what should be in scope for a chemicals framework. It should build trust, economic prosperity, well-being and quality of life through four pillars of strategy and investment: education, innovation, circular economy and regulation.

We believe a transparent, science-led approach can be the basis of a regulatory framework trusted by industry and citizens alike. It should not overly burden our innovative chemical businesses, particularly SMEs, and there should be government support available to ensure the chemical sector's ingenuity is enabled to thrive in a safe, science-led framework.

The support and trust of citizens is vital. A successful framework would provide for education, communication and true engagement with the UK public, building an environment where people feel safe while also reaping the benefits of new technologies.

So how to achieve all this? We have a series of specific recommendations of how to implement these ideas. Chief among them is the creation of an independent, properly funded and UK-wide Chemicals Standards Agency, putting chemicals regulation on a par with food (Food Standards Agency, FSA) and medicine (Medicines & Health Regulatory Agency, MHRA).

Building on the current strong regulatory framework, this new UK agency must be adequately resourced to lead and act as the primary national point of cooperation and collaboration with other chemicals agencies in the world, such as the European Chemicals Agency (ECHA) and the US EPA's Office of Chemical Safety and Pollution Prevention (OSCP).

As it stands, the Health & Safety Executive (HSE) is the immediate regulator for chemicals from 1 January 2021, as well as biocides, pesticides, and classification and labelling regulation. This expansion of remit and responsibilities has resulted in a recruitment campaign to staff and upskill the HSE accordingly. Many fine chemists will give it their all, but we feel that to build true credibility and authority, the government must establish a full agency.

To build trust, scientific advice must be independent of both government and industry. To support the Chemicals Standards Agency alongside formal science advice mechanisms, the UK needs a new independent government-funded UK Institute for Chemicals Safety Assessment, which can deliver top quality, impartial evidence and advice on chemical matters for policymaking. It should lead on all areas of new science for assessing exposures, hazards and risks of chemicals to humans and wildlife. It should be sited in academia and liaise with other scientific bodies such as the EC Joint Research Centre (JRC).

Global harmonisation of standards

Beyond the immediate need to replace our own systems formerly dependent on EU REACH and other EU chemicals regulation, we have an opportunity to elevate the UK as a truly science-led international influencer of chemicals policy. Working closely with our community, our sister societies, industry, academia, other organisations and our own government, we can make strong representations to global-level coordination, such as the UN Environment Programme's ongoing work on chemicals through a Strategic Approach to International Chemicals Management (SAICM).

As our president Tom Welton argues on p14, global chemicals management is not only a major concern in itself, but that other enormous challenges like climate change and biodiversity loss are dependent on us tackling chemical pollution at a global level.

The next few months are a crucial time for deciding the influence of science in chemicals regulation, both in the UK and across the globe. We will be using every avenue available to us to champion the value of science-led regulation, to enable fantastic innovation and regulation that citizens can trust. If you would like to contribute to our efforts, please get in touch at policy@rsc.org