

Chemicals policy and regulation update

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1. Broad policy issues

1.1. The Chemicals Strategy

In the 25 Year Environment Plan, the government committed to publishing a Chemicals Strategy. The Chemicals Strategy will set out our ambitious approach towards ensuring the safe management of chemicals throughout their lifecycle, our priorities for action, and details of how we will achieve our goals. We are collaborating with other government departments to develop the Strategy.

The work on the Strategy has been paused due to COVID-19 re-prioritisation. The new timelines for the Strategy work are being revised.

At this early stage in the Strategy's development, **no issues related to chemicals are being treated as out of scope** and our thorough programme of engagement will help shape our ambitious vision. Initial conversations with stakeholders, including UKCSF members and academics, focused on understanding the issues and priority areas for the Strategy. The Call for Evidence, scientific evidence assessments, and stakeholder engagement activities will further inform our thinking on the Strategy.

2. Update from Devolved Administrations

2.1. Scotland

Forum – As mentioned in previous UKCSF policy updates, the Scottish Government is seeking to set up a forum to improve its understanding of issues affecting relevant stakeholders. This group will be linked to the UKCSF. We had intended to run an initial gathering of interested stakeholders in March however this had to be cancelled due to Coronavirus. We are considering the feasibility of an alternative date later in 2020.

Anyone interested in participating in such a forum, or with any issues which they wish to present to the Scottish Government, should contact jason.sharp@gov.scot, louise.cameron@gov.scot, or donna.turnbull@gov.scot.

Air Quality – The Scottish Government completed an independent review of Cleaner Air for Scotland during 2019 and we are currently drafting a new air quality strategy taking into account the review conclusions and recommendations, which we expect to issue in draft for public consultation later in 2020.

3. Update on REACH issues

3.1. EU Exit

EU REACH continues to apply in the UK until the end of the transition period, 31 December 2020; the latest information is on the [HSE website](#). The [ECHA website](#) has been updated to take the transition period into account.

3.2. Consultations

Comments for ongoing consultations should continue to be submitted by set deadlines. In cases where the COVID-19 pandemic affects this then contact ECHA who may accept comments afterwards.

Current consultations:

- Revision of derogations from proposed restrictions on [PFOA and PFCA](#) has a deadline of 6 July 2020.
- [Applications for authorisation](#) covering uses of Chromium VI compounds, 4-(1,1,3,3-tetramethylbutyl)phenol, ethoxylated and 4-Nonylphenol, branched and linear, ethoxylated and Trichloroethylene has a deadline of 8 July 2020.
- Call for evidence on potential Restriction of [per- and polyfluoroalkyl substances \(PFAS\)](#) has a deadline of 31 July 2020.
- Restriction of [undecafluorohexanoic acid \(PFHxA\), its salts and related substances](#) has a deadline of 25 September 2020. ECHA have published an [information session](#).

Consultations since the last CSF meeting:

- Alternative substances or technologies on certain authorisation applications (eight applications covering 10 uses of the substance 4-(1,1,3,3-tetramethylbutyl)phenol, ethoxylated which is used to produce various medical devices and medicinal/biopharmaceuticals had a deadline of 8 April 2020.
- Call for evidence on potential Restriction of [certain substances in single-use baby nappies](#) had a deadline of 15 April 2020.
- Draft risk profiles for [dechlorane Plus and its syn- and anti-isomers \(a chemical covered by REACH with uses as a flame retardant\) and methoxychlor \(a pesticide\)](#) to be listed as POPs under the Stockholm Convention had a deadline of 15 April 2020.
- Commission's draft regulation, on the [update of the list of restricted substances](#) had a deadline of 25 May 2020.
- Call for evidence concerning Occupational exposure limits for [asbestos, and cadmium and its inorganic compounds](#) had a deadline of 2 June 2020.
- [Proposal](#) to include seven hazardous substances in the Authorisation List had a deadline of 5 June 2020.

- Call for evidence on potential Restriction of [Dechlorane Plus™](#) has an extended deadline of 15 June 2020.

3.3. Restriction

ECHA's plan to submit a restriction dossier on [lead chromates](#) has been delayed.

ECHA's committees have [concluded on five restrictions](#) covering siloxanes (D4, D5, D6); cobalt salts; skin sensitising substances; perfluorohexane-1-sulphonic acid (PFHxS), its salts and related substances and formaldehyde and formaldehyde releasers.

3.4. Evaluation

ECHA have published substance evaluation conclusions for:

- [4,4'-Isopropylidenediphenol, propoxylated](#)
- [Butyl acrylate](#)
- [Carbon tetrachloride](#)
- [Medium-chain chlorinated paraffins/alkanes, C14-17, chloro](#)
- [N,N'-dithiodi-o-phenylenedibenzamide](#)
- [Oxydiethylene dinitrate](#)
- [Polyethylene polyamine, pentaethylenehexamine fraction](#)
- [Reaction product of ammonium molybdate and C12-C24-diethoxylated alkylamine \(1:5-1:3\)](#)

ECHA has [adopted the updated Community rolling action plan for 2020-2022](#).

3.5. Authorisation

The Commission has added 11 new substances to the Authorisation List; details are in the [Official Journal](#).

The European Commission has granted [authorisations](#) for uses of:

- Chromium trioxide to Doosan Electro-Materials Luxembourg SARL and Doosan Energy Solution Kft; HAPOC GmbH & Co KG; Mahle Ventiltrieb GmbH and Mahle Polska Sp. z o.o.
- Dichromium tris(chromate) to Henkel AG & Co. KGaA and Henkel Global Supply Chain B.V. and Wesco Aircraft EMEA Limited
- Pentazinc chromate octahydroxide to Boeing Distribution, Inc. and Finalin GmbH
- Potassium dichromate to Brenntag UK Ltd and Gentrochema
- Potassium hydroxyoctaoxo-dizincate dichromate to PPG Industries (UK) Ltd., Finalin GmbH, PPG Europe B.V., PPG Coatings SA, Boeing Distribution, Inc.

- Sodium dichromate to Gentrochema BV; Brenntag UK Ltd; Henkel AG & Co. KGaA and AD International BV
- Strontium chromate to Akzo Nobel Car Refinishes B.V.; Habich GmbH; Henkel Global Supply Chain B.V.; Indestructible Paint Ltd.; Finalin GmbH; Mapaero; PPG Europe B.V.; PPG Industries (UK) Ltd., PPG Coatings SA and Boeing Distribution, Inc.

RAC and SEAC have [adopted opinions on authorisation](#) applications for uses of:

- 4-(1,1,3,3-tetramethylbutyl)phenol, ethoxylated to Janssen Vaccines & Prevention BV and Janssen Biologics B.V.; Boehringer Ingelheim Pharma GmbH & Co. KG and Boehringer Ingelheim RCV GmbH & Co KG; BioMarin International Limited
- Chromium trioxide to Thyssenkrupp Electrical Steel GmbH and Thyssenkrupp Electrical Steel UGO S.A.S.
- Pitch, coal tar, high-temp to ArianeGroup
- Sodium dichromate to Società Chimica Bussi S.p.A.

An authorisation application to continue using DEHP has been [withdrawn](#) by Polish company Groupa Azoty; following EU-wide [restriction](#) on using four phthalates in articles (enters into effect in July 2020).

ECHA will publish the emissions of non-threshold substances such as environmental endocrine disruptors, PBTs, and vPvBs as part of the opinions on applications for authorisation.

3.6. SVHCs

Five proposals to identify new SVHCs were received for: 1-vinylimidazole; 2-methylimidazole; dibutylbis(pentane-2,4-dionato-O,O')tin; butyl 4-hydroxybenzoate and resorcinol.

Four new [substances](#) were added to the Candidate List of SVHCs for authorisation: Diisohexyl phthalate; 2-benzyl-2-dimethylamino-4'-morpholinobutyrophenone; 2-methyl-1-(4-methylthiophenyl)-2-morpholinopropan-1-one and perfluorobutane sulfonic acid (PFBS) and its salts.

3.7. Reports, Guidance & Updates

ECHA:

- [Extended some deadlines](#) to help industry meet its regulatory obligations during the COVID-19 pandemic.
- Will not take into account [dossier updates during decision making](#) once they have sent a substance evaluation draft decision to registrants.

- Will [screen structurally similar substances in groups](#) to help speed up regulatory action in identifying and managing the risks of hazardous chemicals.
- Received a lower than expected number of [registration dossiers for nanomaterials](#) since the application of the new REACH requirements for nanomaterials (1 January 2020).
- Checks a higher number of REACH [dossiers for compliance](#) and requests data to clarify long-term effects of chemicals on human health and the environment.
- Published an update of the non-confidential information from the [notifications made by downstream users](#) for uses that are covered in the authorisation granted to their supplier.
- Published a [Practical Guide](#) for registrants on how to characterise the uses of additives for plastic materials, and how to start estimating the related exposure.
- Updated the downloadable set of non-confidential REACH registration data; dataset contains key information on approx. 23,000 chemicals.
- Introduced a new online service called '[EUCLEF](#)' – the EU Chemicals Legislation Finder.
- Published its [Annual Report](#) 2019.

3.8. Workshops/Webinars

(those that have taken place since the last CSF meeting):

- [Revised completeness check: what changes and how you can prepare](#) (29 January 2020)
- [Lead in hunting and sports shooting](#) (10-11 February 2020)
- [Registering nanoforms: practical advice](#) (24 February 2020)
- [SCIP database](#) (17 March)
- [IUCLID release webinar](#) (12 May 2020)
- [Safer Chemicals Conference](#) (2-3 June 2020)
- [SME verification – getting your company size right](#) (9 June 2020)

4. International Chemicals: Multilateral Environmental Agreements (MEAs)

The [Triple Conference of the parties](#) will take place in July 2021.

4.1. Stockholm Convention – Persistent Organic Pollutants

The UN Stockholm Convention on POPs agrees global bans of substances that fulfil the POPs criteria and requires all stockpiles and waste containing POPs to be identified and disposed of so that the POPs are destroyed or irreversibly transformed.

Changes to Stockholm Convention restrictions

Amendments to the annexes which list restricted substances and those with an acceptable use were communicated to all parties in December 2019 following agreement at the Conference of the Parties to the Convention in April 2019. These changes will come into force through retained EU law, between July and December 2020.

The Stockholm Convention's Scientific Committee (POPRC)

The Stockholm Convention's Scientific Committee (POPRC) is due to meet in September 2020. This is likely to be an online meeting although, we are still awaiting confirmation. Intersessional working groups are preparing draft risk profiles on methoxychlor and dechlorane plus and have completed a review of decabromodiphenyl ether (decaBDE) and short chained chlorinated paraffins (SCCPs). All of these will be discussed at the next POPRC along with PFHxS, which is reaching the final stage before recommendation to the next conference of parties.

National Implementation Plan

The UK's [National Implementation Plan \(NIP\) 2017](#) is due to be updated by December 2020 to reflect restrictions on decabromodiphenyl ether (decaBDE) and short chained chlorinated paraffins (SCCPs) adopted at the 8th Conference of the Parties of the Stockholm Convention. Defra will be consulting stakeholders on the prospective updates and future commitments this summer.

A [Waste Electrical and Electronic equipment \(WEEE\) sampling project](#) to assess the POPs brominated flame retardant content of plastic was published on 31 March 2020.

This project, funded by the WEEE compliance fund and managed by the Industry Council for Electronic Equipment Recycling (ICER), identified the plastic waste that should be treated as POPs waste i.e., destroyed or irreversibly transformed, to inform possible management and disposal solutions. The Environment Agency is working with the waste industry on the implications of the research findings and to address compliance issues.

Further research is being undertaken to understand the historical use of two the brominated POP flame-retardants, decabromodiphenyl ether (decaBDE) and Hexabromocyclododecane (HBCDD), which are present in a range of soft furnishings passing through UK waste streams

4.2. Rotterdam Convention – Prior Informed Consent

The Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade is a multilateral treaty to promote shared responsibilities in relation to importation of hazardous chemicals.

The sixteenth meeting of the Chemical Review Committee of the Rotterdam Convention will be held online from 8 to 11 September 2020.

The 10th meeting of the Conference of the Parties to the Rotterdam Convention will take place from the 19th July – 30th July 2020. Defra is in the process of considering priorities for the Rotterdam Convention for the next COP and these will be shared with the CSF in due course.

5. International Chemicals: Voluntary international initiatives

5.1. Strategic Approach to International Chemicals Management (SAICM) – post 2020 framework negotiations

SAICM complements the multilateral environmental agreements for chemicals and waste i.e. the Basel, Stockholm, Rotterdam and Minamata Conventions. This voluntary framework aims to improve chemicals and waste management globally and negotiations are currently ongoing in relation to the beyond 2020 framework which will conclude in July 2021 (delayed due to COVID-19).

The next intersessional process (IP4) is likely to take place in Bucharest, Romania, in March 2021. We held an informative session with the UKCSF on 15th of January and will continue work through the subgroup. The input of the UKCSF was much appreciated and has provided useful input into our work. The work continues across the board including on the Science-Policy interface, objectives, targets and indicators. Once the timeline for the international process is agreed we will provide a more detailed update. The UN also recently published a paper on the options for a [strengthened science-policy interface](#) for chemicals and waste, alongside other papers relating to the [intersessional process](#).

Further info: [Strategic Approach to International Chemicals Management \(SAICM\)](#)

6. The OECD's Environment, Health and Safety (EHS) Programme

The [EHS programme](#) deals with the safe use of chemicals, nanomaterials, pesticides, biocides, and products of modern biotechnology. It aims to protect health and the environment, while avoiding duplication of effort, ensuring that efficiencies are made and barriers to trade avoided. Recent streamlining has led to responsibility for the EHS programme to the Chemicals Committee (renamed as the “Chemicals and Biotechnology Committee”), which now reports directly to the OECD Council. Its mandate remains the same, although with work growing in the area of risk management, a new working party is being developed to cover this area.

Defra continues to have oversight of the wider EHS programme and attended the final Joint Meeting of the Chemicals Committee and the Working Party on Chemicals, Pesticides and Biotechnology in February 2020. The first meeting of the Committee on the Safety of Chemicals and Biotechnology will be held in November and back to back with a Global Forum on Environment on the challenges with setting up and implementing a cost-effective management system for industrial and consumer chemicals.

For OECD updates - Sign up to [MyOECD](#) and subscribe to Chemical Safety News.

6.1. Updates from the 60th Joint Meeting

The 60th Joint Meeting covered an array of work relating to chemicals. There was enthusiasm for developing a Global Chemicals Knowledge base which would be founded upon traditional toxicity data and have an e-chem portal to help the OECD members access needed information on managing chemicals globally. The meeting had an excellent exchange of views on work relating to PFAS including estimating the societal costs for the remediation of drinking water in Europe.

The EU also talked about their new Chemicals Strategy (due mid 2020) and they are looking to simplify the Authorization process under REACH in addition to extending the hazard classes and looking to strengthen protection through registration of polymers, incorporating circular economy and increasing the number of nominations to global agreements. There was also discussion on how computational methods could be incorporated into Mutual Acceptance of Data (MAD) approach and which issues still needed to be resolved to properly predict complex endpoints.

6.2. Nanomaterials and advanced materials

A UK delegation of Defra, PHE, EA, HSE and academics attended a meeting of the Working Party on Manufactured Nanomaterials (WPMN) to discuss priorities for its programme of work

for 2021-24. This included a focus on how issues surrounding advanced materials can be addressed in the context of chemicals management.

It was very much a thought starter which provided useful context and insights into the challenges posed by advanced materials including how to get more information on the developments of advanced materials, with regards to assessing risk, and to what extent toxicity comes into design of advanced materials, and considering end-of-life of advanced material-based products.

Advanced materials will be discussed further at the annual WPMN meeting in September 2020 and at the 2nd thematic conference on Advanced Materials in June 2020. The conference will look specifically at grouping of advanced materials, understanding ways to form advanced materials classes and screening criteria to identify types of advanced materials relevant for regulatory action.

A project on the development of a scoping review for a tiered approach for bioaccumulation assessment of nanomaterials to minimize the use of higher vertebrate tests will be taken to WPMN in June for its incorporation into the work programme.

6.3. Aligning chemicals and waste legislation: case studies

With input from the Chemical Stakeholders Forum, Defra produced and submitted a case study on *the interaction of the EU POPs Regulation requirements with the requirements of waste legislation for managing electronics and electrical waste*. Defra presented this at the OECD Expert Workshop on the Misalignment of Chemicals and Waste Management Policy on 3rd February 2020. Over 120 delegates attended the workshop.

Case studies were also presented on: setting the scene (European Commission); reusing chemicals from the pharmaceutical industry (Denmark); transferring ownership of hazardous waste (Columbia); managing asbestos in construction and demolition waste (Germany); the safety and environmental impacts of rubber infill used in sports fields (Belgium); recycling of paper products contaminated with PCB (Inland Empire Paper Company and Northwest Green Chemistry, USA); defining the management of hazardous substances from electronic and electrical waste (Columbia); replacement of PVC in the use of medical devices (Italy).

The Chemicals Committee and the Working Party on Resource Productivity and Waste (WPRPW) agreed to continue working together to address policy misalignment at the chemical/waste interface. A draft meeting report has been prepared. A summary of the workshop, along with the case studies, will be published shortly. We are grateful for the contributions of the CSF so far.

6.4. Perfluorinated compounds

The OECD is stepping up work on perfluorinated compounds with a series of projects covering alternatives, defining essential use, life cycle assessment, risk reduction initiatives and joint assessments. They host a [Portal on per- and polyfluoroalkyl substances](#) where their databases, publications and free webinars can be found, such as their report on a [New Comprehensive Global Database of PFASs](#). Their webinar held on 11th June, covered the latest developments in analytical and monitoring methods for PFASs. Defra has provided a voluntary contribution on behalf of the UK to support OECD work in the PFAS space.

6.5. Plastics

Work is continuing to develop OECD sustainability criteria for plastics from a chemicals perspective. Defra, on behalf of the UK, have provided voluntary contributions to support this work. In addition, the OECD have also been working on micro-plastics with two workshops held on micro-plastics in textiles and micro-plastics in tyres this year.