

Minutes of 81st UK Chemical Stakeholder Forum meeting, 10th February 2021, Virtual Conference

1. Chair's welcome

The Chair welcomed all to the meeting. See Annex A for attendance and apologies.

The Chair explained that the meeting was virtual due to the current circumstances of the Coronavirus pandemic (Covid-19). The Chair of the meeting was drawn from the Steering group on a rotating basis and the meeting was held under Chatham House rule.

The draft minutes of the 80th CSF June meeting (UKCSF/20/07) were approved.

2. Beyond 2020 Framework on chemicals and waste (Strategic Approach to International Chemicals Management (SAICM))

Defra officials presented updates from the CSF sub-group on the Beyond 2020 Framework on chemicals and waste (SAICM). See Annex B.

An attendee noted that the UK acting as a focal point for this work was beneficial to bridge across different stakeholder groups, and that members of the academic community were willing to engage. They continued that the Virtual Working Groups (VWGs) were well organised, open, and had developed and submitted a policy position in writing. They concluded that the VWGs required continuous engagement but, were not time consuming.

Another attendee noted that this work was essential to achieving the Sustainable Development Goals (SDGs), highlighting that the deadline for SDG 12.4 had been missed. They continued that a focus on women who may be in 'triple jeopardy' for exposure was needed, and that the lack of data broken down by gender, made this difficult to interpret. They asked how Defra would involve women in the process. Defra responded that this had been raised, for example in the Africa region, regarding impacts on pregnant women who sprayed pesticides without protective equipment. The issue was being addressed in the Ministerial commitment and experts, including social researchers and economists, were involved to address data issues.

An attendee welcomed the recognition to involve downstream users on essentiality of use and commented on the target related to companies consistently investing on this issue. They highlighted that industry resources were being diverted to UK REACH and businesses would have to make a choice between paying for regulatory compliance and fostering innovation.

Another attendee commented that the approach to the sound management of chemicals and waste seemed linear and that it should be focussed on a circular economy. They asked how Defra would embed this into targets. Defra agreed that the terminology might be difficult to understand, and that circularity was an important factor.

An attendee thanked Defra for their work on the VWG's, which had allowed more stakeholders to be involved. They added that there were limitations on regional participation with the virtual meetings, due to time differences, resulting in a lack of diversity in making interventions. They continued that this was a learning curve for new types of UN meetings and hoped new stakeholders were encouraged to join.

A question was asked on whether there was scope for setting a target that limited the use of animal data in toxicity testing and if there was a move away from animal testing altogether. Defra responded that there were no explicit plans for a target but, that this could be included this as an indicator.

Attendees answered and discussed questions around Green Finance using Slido and in break-out groups. See Annex C for the Slido results and EasyRetro board with noted group discussion points.

3. Update on the CSF working groups

3.1. UK Chemicals Strategy

A Defra official presented a reminder on the context surrounding the CSF working groups. See Annex D.

3.2. Green Feedstocks

The working group lead provided a verbal update on the Green Feedstocks working group. They reminded the group of their proposal from the October CSF meeting and noted that they hadn't received much interest so were not able to make as much progress as hoped.

3.3. Essential Use

The working group lead presented an update on the Essential Use working group. See Annex E.

An attendee asked whether the group had considered that once a definition was decided, it would be a fertile ground for appeals, as any decisions would not be fully scientific but a matter of opinion and would cause substantial delays in any regulation. The lead responded that they were using science as a guide to indicate the nature of the problem and that there was political will to address it. Successful policies were being looked at, such as the Montreal Protocol, although that was for a smaller group of chemicals. They agreed that there were many questions around this issue and that it was important for Defra to stay abreast of the debate in the EU on Essential Use.

A HSE official highlighted that RIVM, Centre for Safety of Substances and Products in the Netherlands, had started a research project on Essential Use criteria.

3.4. Global Chemicals Strategies

The working group lead presented an update on the Global Chemicals Strategies. See Annex F. Attendees answered questions on related topics for this working group using Slido. See Annex G for the Slido results.

4. Furniture and Furnishing (Fire safety) Regulations

An OPSS official presented on the proposed revisions of the Furniture and Furnishings (Fire safety) Regulations. See Annex H.

An attendee commented that they were pleased at the move to reduce flame retardants and to see a list of chemicals included in labelling for consumers and recyclers to know what they are dealing with. They added that there should be an additional category on fire smoke toxicity, as this was the leading cause of death in fires, and that polyurethane produces cyanide when it burns so, a safe replacement was needed. OPSS responded that smoke toxicity was a complex area and focussing on it would slow policy development down considerably from the focus of preventing ignition. However, there would be a review process in five years, once the policy was in place.

Another attendee noted that they appreciated this work being based on a new government approach to consumer safety, which was less prescriptive, and more consumers driven. They highlighted the need to ensure those developing materials were in a coordinated partnership with trading standards and aligned with changes in handling consumer safety.

An attendee echoed the positive comments on the presented reforms and asked whether the government would dispose of the regulations entirely and take a European approach. OPSS responded that there was some evidence from the European Federation of Fire Fighters, advocating for the EU to have closer alignment with UK regulations. New Zealand had also produced a policy statement encouraging manufacturers towards UK practices. The attendee commented that they believed Ministerial positions on this matter to be based on lobbying from the chemical industry. OPSS responded that if the attendee had evidence to support this, they would be grateful to receive it.

Another attendee supported the desire to put the full list of chemicals on labels but asked about the logistics of this under current chemical legislations, given it would be required throughout the supply chain. OPSS responded that they would encourage those throughout the supply chain to ask for more transparency, and compliance would be mandatory if regulation came into force, as with food and cosmetics labelling.

5. Policy Update

A PHE official gave a verbal update on the remit of a new body for UK health security.

The official reminded the forum of PHE's wide remit from health protection and emergency response to radiation, chemical and microbiological events. They explained that public awareness of this had increased due to recent high-profile events, such as the Salisbury incident and the Covid-19 pandemic. It was announced near the end of 2020 that PHE would be disbanded. The official explained that a new body would bring together key elements of Public Health England, with the Joint Biosecurity Centre (JBC), and NHS Test and Trace, with a single focus to plan for, prevent and respond to external health threats, such as infectious diseases. The aim was for the new body to be established in Spring 2021 and be fully operational from October 2021. The remit of the Centre for Radiation, Chemical and Environmental Hazards would be transferred to this new body but, the structure was still in discussion. The Centre would continue to work closely with Defra and OGDs, to effectively manage chemicals to protect human health and the environment.

A HSE official gave a verbal update on accredited stakeholders for UK REACH.

The official informed the Forum of a public consultation on the Independent Scientific Advice Statement (ISAS) to gather views and opinions ahead of publication. They explained that the ISAS would be published by the end of March 2021 and an official announcement was expected to be published a few weeks after the CSF meeting, on the HSE consultation webpage, inviting stakeholders to comment. The consultation would be open for a shorter period than usual, due to tight deadlines. The official updated on recruitment for the UK REACH Independent Scientific Expert pool. This was established to provide the UK Agency with independent scientific advice. An announcement on the next recruitment exercise, along with application details, was shortly due to be advertised on the HSE recruitment webpage. The official reminded attendees to apply for the UK REACH Accredited Stakeholder scheme. Guidance on how to apply was shortly due to be advertised on the HSE website. They said that this reflected a commitment to maintain close relations with stakeholders, and that the UK agency would process authorisation applications received in January 2021, as soon as possible.

A Defra official gave a verbal update on UK REACH since the end of EU-Exit transition.

UK REACH went live on 1 January 2021, with the 'Comply with UK REACH' IT system going live at 1-minute past midnight. Additionally, a chemicals helpline had been established to provide support for businesses using the system. Early signs showed that the system was working well with minimal IT issues reported. The official reminded the Forum that a Trade and Cooperation agreement (TCA) with the EU was reached on Christmas Eve and that NI remained part of EU REACH under the Northern Ireland Protocol. Although the TCA did include an annex on chemicals, no agreement had been reached on with the EU on REACH registration data sharing as hoped. Defra would continue to hold discussions with trade associations and individual businesses to understand the impacts and engage with wider stakeholders on this matter.

5.1. Q&A

A question was asked on the future relationship with ECHA and whether there could be a data sharing agreement in the future. Defra responded that given the UK Government's red lines, they would not be participating in ECHA and were not directly aligned to EU REACH. On negotiating data sharing with the EU, it was the Commission's view that such an option was only available for countries wanting to be part of the EU single market. The Chemicals Annex to the Trade and Cooperation Agreement does make provision for the sharing of other information between UK/GB authorities and the EU. Defra and HSE were exploring how that would be put into practice.

An attendee asked whether animal welfare specialists would be considered as independent scientific experts in UK REACH. HSE responded that such specialists would need to have expertise in one of several scientific fields and be independent. HSE were looking at the possibility of having lay members amongst the pool.

A question was asked about updates on the monitoring and evaluation strategy for UK REACH, following stakeholder views conducted on behalf of Defra. Defra responded that scoping for this work was ongoing and a clearer idea of what the strategy would look like was expected at the end of the financial year.

An attendee asked for information on a proposal seen in a recent news article, that suggested registrants for UK REACH use ECHA data available in the public domain and only submit full data in exceptional circumstances. Defra responded that they were aware of the article but had no further information. On issues of animal testing and UK REACH, Defra's line continued to be that EU law would be carried over into UK law. The fundamental approach and principles, including the 'last resort principle' had been retained and animal testing would be kept to exceptional circumstances. Defra was working closely with the Home Office and PHE to find alternative methods and minimise the need for testing. The attendee queried what Defra considered to be a 'last resort', and whether issues around accessing existing data would be a good enough reason to do animal testing. Defra responded that they would follow up on this.

An attendee asked about the UK view on exemptions in relation to international chemicals, such as decaBDE and short chain chlorinated paraffins, and Defra's upcoming consultation, suggesting that these Persistent Organic Pollutants (POPs) would be difficult to remove from the environment. Defra responded that the consultation on the UK National Implementation Plan set out actions over the next few years on the use and management of POPs, including the review of exemptions carried over from the EU on 1 January 2021.

A question was asked on the clarity of the definition of an advanced material, to say that if the definition did not consider safety by design, recyclability and re-use, then in their view it would not be an advanced material. Defra responded that the Organisation for Economic Co-operation and Development (OECD) had previously looked at categorizing advanced materials into 8 different groups. They were not currently working on an active definition, but instead were identifying governance needs including the identification of materials of concern and early warning systems, and regulatory action for specific advanced materials.

An attendee noted that the policy update paper no longer included an update on EU REACH, despite NI still being part of EU REACH. HSE responded that there was a UK focus, as the UK was no longer part of the EU. The majority of what was previously provided was a courtesy to the CSF and was already publicly available information. The attendee queried the process for keeping track of divergence from EU REACH and when this would start. HSE responded that more information on what regulatory proposals the UK would be taking forward would be published as part of the Agency's work plan before the end of the financial year.

An attendee asked whether there would be a consolidated text for REACH rather than multiple Statutory Instruments for GB. Defra responded that work was ongoing towards having a consolidated UK REACH regulation.

An attendee commented that the automotive industry looked to ECHA for EU REACH developments. They asked whether the transparency on decisions would be mirrored for UK REACH and what would be the timeframes for publishing information. HSE responded that there were plans to publish this information for UK REACH on their website and timeframes would depend on when activities commenced. Public consultations on various areas of regulatory activity, would also be published in line with the extent of legal requirements.

6. AOB and wrap-up

An attendee raised potential difficulties with NI remaining in EU REACH, as restrictions may diverge over time. They asked if a chemical restricted in the EU, but not in the UK could be imported and recommended including a section on NI in the policy update paper.

Another attendee responded that it needn't be overcomplicated, as NI was part of the EU, therefore, a third country. They continued that the divergence issue was the same for the rest of the EU, except for provisions which were NI specific.

A Defra official raised that they were hosting an event to explain and take questions on their draft proposal on [Medium Chain Chlorinated Paraffins](#), on 23 February 2021, and attendees should contact pops@defra.gov.uk if they wished to attend.

The Chair thanked the Defra team who supported the meeting, all the presenters and everyone for attending. The next meeting would be held virtually on 10 June 2021.

Annexes

Annex A: Attendance and apologies

Annex B: Presentation – Beyond 2020 Framework on chemicals and waste (SAICM)

Annex C: Slido results and EasyRetro board with noted group discussion points – Beyond 2020 Framework on chemicals and waste (SAICM)

Annex D: Presentation - UK Chemicals Strategy & CSF working groups

Annex E: Presentation – Essential Use working group

Annex F: Presentation – Global Chemicals Strategies working group

Annex G: Slido results – Global Chemicals Strategies working group

Annex H: Presentation - Furniture and Furnishings (Fire safety) Regulations

For accessibility reasons, Annexes B, C, D, E, F, G and H will not be made available on the UKCSF website. Copies can be obtained by contacting the Secretariat at Chemicals@defra.gov.uk

Annex A: Attendance and apologies

Attendees

Clara Ritch	3M
Tony Bingham	AGB Chemical Compliance
Helen Lynn	Alliance for Cancer Prevention
Helen Kean	Anthesis (UK) Ltd.
Simon Hall	BAE Systems
John Reid	British Association for Chemical Specialities
Ciara Dempsey	British Coatings Federation
David Park	British Coatings Federation
Parihan Tambe	British Coatings Federation
Elisabeth Laird	Beryllium Science & Technology Association
Mohamed Elkhalfifa	British Plastics Federation
Ian Axford	British Standards Institution / LGC Group
Jamie Page	Cancer Prevention & Education Society
Tim Burrows	Charles River
Pat Jennings	Chartered Institution of Wastes Management
Anna Watson	CHEM Trust
Lara Dickens	Chemservice UK
Michael Cooper	Chemical Business Association
Roger Pullin	Chemical Industries Association
Luke Buxton	Chemical Watch
Clelia Oziel	Chemical Watch
Matteo Dalla-Valle	Chevron
Joanna Sacks	CLEAPSS
Caroline Rainsford	Cosmetics Toiletries and Perfumery Association
Emma Grange	Cruelty Free International

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Khurram Jowiya	Cruelty Free International	
Richard Ayton	Dow	
Gary Bower	Environmental Services Association / Augean plc	
Crea O'Hanlon	EUK Consulting Ltd	
Steve Hollins	Exponent International Ltd	
Kerry Dinsmore	Fidra	
Peter Wragg	Flame Retardant Textiles Network Ltd	
Tom Booker	Green Alliance	
Peter Fisk	Green Chemical Design Ltd	
Melissa Wang	Greenpeace	
David Santillo	Greenpeace / University of Exeter	
Gareth Simkins	The ENDS Report	
Rachel Stonehouse	IOM3	
Phil Rowley	Independent	
Mike Holland	Independent	
Lisa Hipgrave	International Fragrance Association UK	
Nigel Haigh	Institute for European Environmental Policy	
Brigitte Amoruso	Make UK	
Francesca Bevan	Marine Conservation Society	
Sean Kelly	Nanotechnology Industries Association	
Tony Davis	Non-Ferrous Alliance	
Steve Whitehouse	Non-Ferrous Alliance	
Samantha Saunders	People for the Ethical Treatment of Animals (PETA) UK	
Phil Humphries	PTJH Consulting Ltd	
Sue Bullock	Ramboll UK Ltd	
Geoff Brighty	ReNew ELP	
Becca Johansen	Ricardo Energy & Environment	

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David Lever	Risk & Policy Analysts Ltd	
Meg Postle	Risk & Policy Analysts Ltd	
David Carlander	Risk & Policy Analysts Ltd	
Ricky Dunn	Risk & Policy Analysts Ltd	
Helen Middleton	Rolls-Royce	
Camilla Alexander-White	Royal Society of Chemistry	
Steve George	SG Advisory Services Ltd	
David Bott	Society of Chemical Industry	
Monika Bomba	Society of Motor Manufacturers and Traders Ltd	
Jonathan Swindell	Society of Motor Manufacturers and Traders Ltd	
Susanne Baker	techUK	
Peter Abbott	UK Aerospace, Defence, Security and Space Industries - Sustainable Materials Working Group	
Philip Malpass	UK Cleaning Products Industry Association	
David Wright	UK Lubricants Association Ltd	
Andy Roberts	UK Petroleum Industry Association	
Frank Aaskov	UK Steel	
Andrew Brooks	UL	
Bud Hudspith	Unite the Union	
Nick Bennett	University of Nottingham	
David Taylor	WCA Ltd	
Hannah Conway	Wildlife & Countryside Link	
Liz Nicol	Wood UK	
William Wilson	Wyeside Consulting Ltd	

Apologies

Peter Clark	Knowledge Transfer Network
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Government officials

Aroon Akhtar	BEIS	Kate Parsons	BEIS
Donna Acheson	DAERA	Eamon Campbell	DAERA
Janet Sheridan	DAERA	Ahamad Akbor	Defra
Kasim Ali	Defra	Daisy Barbour	Defra
Emma Barton	Defra	Ellie Bates	Defra
Mags Bradley	Defra	Antoaneta Bilyanska	Defra
Jack Brown	Defra	Mark Chandler	Defra
Fraser Dick	Defra	Katie Dick	Defra
Claire Dixon	Defra	Alison Elliott	Defra
Max Folkett	Defra	Melanie Foster	Defra
Chris Green	Defra	Georgia Heritage	Defra
Freddie Ironside	Defra	Simon Johnson	Defra
James Kearney	Defra	Kate Kirkup	Defra
Ed Latter	Defra	Michael Lockhart	Defra
Laura Magezi	Defra	Gintare Masiulyte	Defra
David Matz	Defra	Ruth Michael	Defra
Jane Morrill	Defra	Steve Morris	Defra
Fatima Nasser	Defra	Gershinder Rai	Defra
Samantha Ross	Defra	Vanessa Sanderson	Defra
Aksu Seferler	Defra	Tania Shofique	Defra
Rebecca Skinner	Defra	Connor Taylor	Defra
Chris Thorn	Defra	Kay Williams	Defra
Ruth Waite	Defra	Alex Clark	EA
Richard Hawkins	EA	Simon Houldsworth	EA
Michael Lambert	EA	Tom Nickson	EA
Catherine Sharpe	Home Office	Stavros Georgiou	HSE

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Gisela Mann	OPSS	Miriam Jacobs	PHE
Ovnair Sepai	PHE	Lucinda Fass	Scottish Government
Joshua Codd	Welsh Government	Rosie Driscoll	Welsh Government
Eloise Procter	Welsh Government	Hollie Riddell	Welsh Government
James Whitelegge	Welsh Government		