

UK Chemicals Stakeholder Forum

(UKCSF)

Fourteenth Annual Report

2016

Contents

Chairman's Foreword

Background

Chapter 1 The Forum in 2016 (63rd – 66th meetings)

Chapter 2 Key activities and outputs

A Forum Terms of Reference

B Forum members and attendance at meetings in 2016

C Financial information

Chairman's Foreword

I am very pleased to bring you what is already my fourth annual report. I am able to do so because I accepted the offer to chair the Forum for a further three years from last July. In fact I accepted this responsibility before the outcome of the EU Referendum was known and I am glad I did.

It would not be an exaggeration to say that 2016 might well turn out to be a very momentous year for chemicals regulation in the UK, yet it will be some time before we can paint a clear picture of this. These are very interesting times, and I am sure the Forum will want to be in the thick of it to engage with Government and address the needs and concerns of its members, and play a part in shaping the future.

I certainly have a clear sense that for the Forum 2016 has been a game of two halves – punctuated by the result of the EU Referendum. That is not to say however, that we can take our eye off REACH. In some respects, in particular in relation to the REACH Registration deadline of May 2018, we need to do all we can to help UK industry. That is why the work of our REACH Registration 2018 sub-Group on developing new Forum Guidance in this space has been so important. I am very pleased with the progress that this work has made and the way in which Forum members, the UK REACH Competent Authority, Defra and others who support this activity have come together to work so well, quickly and very competently. I look forward to the successful culmination of this work in the spring of 2017. This will complete a useful set of Guidance from the Forum which our industry and other stakeholders have welcomed, and which others in Europe have commended highly.

I am conscious that some areas of work have taken a bit of a back seat, for example on sustainability, or the review of our Terms of Reference, or even our general interest in international chemicals management. At the same time I cannot help thinking that because of what happened in June last year, these other areas are set to take off, with much greater importance.

Once again, I would like to thank the Forum members, the Defra Secretariat, the many other officials as well as all the interested observers, who attended our UK Chemicals Stakeholder Forum – Annual Report 2016

meetings and supported our work. We will continue to need you all as I would like to think that the Forum will come to occupy an even more important place in a national UK disposition for chemicals management and regulation.

Professor David Phillips
Chairman
April 2017

Background

The UK Chemicals Stakeholder Forum (UKCSF) was established in September 2000. Its principal function is to advise the Government on how industry should reduce the risks from hazardous chemicals to the environment and to human health through the environment. In addition, the Forum has an advisory role to Government on REACH, which is the main EU Regulation for the Registration, Evaluation, Authorisation and Restriction of Chemicals (adopted in December 2006).

It meets four times a year, and held its sixty-sixth meeting in November 2016. Forum meetings are open to the public, usually attended by the specialist press, and papers and minutes for the meetings are published on the [Forum website](#).

The Forum has an independent Chairman, and its membership is drawn from industry, environmental and animal protection and conservation non-governmental organisations, trade unions, and the scientific community. The broad and unique membership of the Forum ensures it is able to explore the views of the many sectors of society who work with, or are concerned about, industrial chemicals.

The Department for Environment Food and Rural Affairs provides UKCSF Secretariat, which can draw on advice, and other support, from other Government Departments and bodies, in particular the Department for Business, Enterprise, Innovation and Skills, the Health and Safety Executive (who are the UK REACH Competent Authority), and the Environment Agency. The Forum is also able to draw on scientific advice from the Hazardous Substances Advisory Committee.

The Forum's work has changed in recent years. It no longer assesses chemicals of concern, as it used to do. This is partly due to the adoption and implementation of REACH; and to an increasing focus on the strategic objective of promoting sustainability in the chemicals supply chain.

The Forum's terms of reference, membership and attendance at meetings for 2015 are included at **Annexes A and B**.

Chapter 1

The Forum in 2016 (63rd – 66th meetings)

Four UKCSF meetings were held in 2016 – on 26 January, 26 April, 26 July and 1 November. A high level summary of these meetings is provided below. Full meeting papers and presentations can be found on the [Forum website](#).

26 January 2016 – 63rd meeting

This meeting commenced with a set of presentations addressing the issue of **sustainability in chemicals production**, with a presentation from Emily King of ERM on sustainability profiling and a critique of life cycle metrics from Tom Welton of Imperial College. This stimulated a good discussion on the different perspectives and drivers for the use of metrics. Members were asked to reflect specifically on how the Forum could add value through its continued activity on the issue of sustainability for the chemicals sector.

Defra and the REACH Competent Authority provided an update on **REACH developments**, and answered a pre-notified question on the subject of animal testing. Defra made Members aware of ECHA's proposals for stakeholder engagement and invited their feedback on this.

Defra provided an update on **International Chemicals policy** developments, and invited comments from Members on aspects of the Minamata and Stockholm conventions.

Members shared information on how they had been able to promote and cascade the **Forum guidance on Registration (and the updated Guidance on Authorisation)** through their respective websites and networks. Further measures had been taken by Defra and the Competent Authority to signpost this guidance through relevant routes, including an HMRC business bulletin and through ECHA networks.

26 April – 64th meeting

Defra and the REACH Competent Authority provided an update on **REACH developments**, including information from the most recent meeting of the EU REACH Committee. There was some anticipation about ECHA's five-yearly report on the implementation of REACH as well as a report on the promotion of alternatives to animal tests, both expected in the summer. Other points of detail which were discussed included legislation on legacy spare parts, the 2017 REACH Review, the impact of REACH on innovation and concerns about PAHs in rubber crumb in artificial sports surfaces and in imported tyres, and substances registered in quantities between 1 and 10 tonnes.

There had been one **pre-notified question** on REACH, from Cruelty Free International, to enquire about the updating of UK REACH Competent Authority Guidance for REACH Registrants on how to avoid animal testing.

There were two related presentations on the issue of the **2018 REACH Registration** deadline. Andrew Smith outlined the prospective stakeholder engagement activities by the UK REACH Competent Authority. The HSE strategy would focus on companies which had pre-registered. HSE would produce simple guidance, visit SMEs, and target specific sectors and companies. Steve Quinn, from West & Senior (a chemicals SME) reported on concerns from across British industry about the impacts of the REACH2018 deadline.

There was a clear sense emerging from the meeting that a new project was taking shape for the Forum sub-Group on raising awareness of REACH with SMEs, in particular downstream users of chemicals. It was decided that this **sub-Group would be re-configured**, with strong industry representation, and set about the task of working out how best to help UK industry, particularly SMEs, with the 2018 REACH Registration.

The Forum agreed with a number of suggestions from the Secretariat for developing the Forum's work on **sustainability**, as set out in paper UKCSF/16/15.

The outcome of a **review of the UKCSF** at the turn of the year was reported in paper UKCSF/16/16. It was agreed that the Forum's Terms of Reference would be amended to make them more realistic and to pick up on specific ideas for activities and themes. At the Chairman's request, a small drafting Group consisting of Greenpeace, the Royal Society of Chemistry and the Chemical Industries Association agreed to assist the Secretariat (and Defra and the UK REACH Competent Authority) with this task initially.

26 July – 65th meeting

Following the referendum result in June 2016, the planned agenda for the July UKCSF meeting was adapted to provide an opportunity for an early discussion on the **EU Exit process**.

Paper UKCSF/16/23 set out the latest government lines on EU exit and asked members to share their views on three key questions.

1. What should be the overarching objectives of UK chemicals policy during the negotiations? Beyond the negotiations?

2. In the event of the UK not being part of the Single Market what should be the scope of the management and/or regulation of chemicals in the UK? What should be the higher/lower priorities? .

3. For industry representatives:

(i) what is the percentage of your membership which trades within the EU?;

(ii) taking trade within your sector as a whole, what is the percentage of exports is to EU Member States, as opposed to third countries?

At the meeting a number of Members took the opportunity to set out their early views in a round table discussion, and it was agreed that EU Exit would form a standard agenda item at the Forum's quarterly meetings. Members were also invited to submit their views in writing to Defra, and many organisations undertook consultation with their own members before submitting their considered views later in the summer.

Defra and the REACH Competent Authority provided an update on **REACH developments**, and answered pre-notified questions on the subject of titanium dioxide (tioxide). Tech UK had submitted eight further questions on EU Exit issues, highlighting the potential for UK businesses to be impacted by uncertainty following the referendum. Defra was not yet in a position to respond to these questions.

Defra and the REACH Competent Authority provided an update on the **reconstitution of the UKCSF sub-group** to address REACH Registration 2018, which would be chaired by Silvia Segna of the CIA. Members of this group were undertaking initial investigations in their sectors to start to scope out the work and role for the group.

The Forum also discussed ECHA's 2016 [Report on REACH Implementation](#), and [roadmap for EC review in 2017](#). The REACH report concluded that REACH was working well, and included a list of recommendations and commitments to industry and stakeholders.

1 November – 66th meeting

The Forum had agreed at the July 2016 meeting to have a standing **EU Exit** item on the UKCSF agenda, and this was again a key item. Members had submitted initial views to Defra and these had been collated and circulated, indicating a high level of broad consensus on the need to retain high environmental standards, a preference to remain in the Single Market and to stay within the REACH regime. More detailed feedback would be sought over the coming weeks and months.

Defra updated the Forum on the planned **Great Repeal Bill**, which was expected to carry existing EU regulation across into UK law, and explained that government was developing potential scenarios and working through the significant operability issues around REACH and CLP legislation. Defra outlined **stakeholder engagement** plans, focussing on UKCSF for broad, plenary engagement, and offering further bilateral and bespoke confidential discussions, including asking stakeholders to be on call for contact group discussions on specific issues arising.

Defra and the REACH Competent Authority provided an update on **REACH developments**, including information from the most recent meeting of the EU REACH Committee on methanol and PFOA. There was also an update on the REACH Competent Authority preparations for the **2018 REACH Registration**

deadline, and a report on the good progress of the Forum's RR2018 sub-group on work to support these preparations through intelligence gathering and awareness raising, mainly from the perspective of downstream users.

There was a discussion on the EC's proposals for scientific criteria for **endocrine disrupting properties** under the plant protection products (PPP) and biocidal products (BPR) regulatory regimes. This was an ongoing negotiation and the UK government position was not yet defined, pending parliamentary scrutiny processes.

The meeting was attended by two senior **ECHA officials**, Andreas Herdina and Laura Walin. Laura gave a presentation on the REACH 2018 Roadmap and ECHA's support to SMEs. Andreas highlighted their recent report on the operation of REACH and its recommendations.

Chapter 2 Key activities and outputs

UKCSF has three Sub-Groups which were set up to allow smaller groups of Members to work together to further particular areas of interest to the Forum.

The Forum's Sub-Group on raising awareness of REACH with SMEs previously led to the updating of the Forum Guidance on Authorisation, and new Guidance on the 2018 REACH Registration deadline, both during 2015. This year (2016), the Forum agreed to reconfigure this Sub-Group to undertake further specific work on REACH Registration 2018. Working closely with co-opted interested parties from outside the Forum membership, this Group has been supporting the Competent Authority by providing valuable industry insights and helping develop materials to support downstream users, particularly SMEs, in managing the impact of the forthcoming deadline on their business. The Group has developed an Action Plan and draft guidance materials which are expected to be published during 2017. Progress on these tasks can be seen in papers UKCSF/16/26 and UKCSF/16/31.

The Sub-Group on Sustainability was expected to lead the task of investigating relevant metrics for sustainability of chemicals production. This work received fresh impetus at the start of the year with discussions at the January meeting based on presentations from ERM, and discussions relating to the World Business Council for Sustainable Development on Life Cycle Metrics for Chemical Products. However, Members found the question of how to develop the Forum's contribution in this sphere to be a challenge and this activity did not continue during the rest of 2016, although it may be a topic that the Forum returns to during 2017.

The Sub-Group on international chemicals management has not been active during 2016, with attention to this area being addressed directly at Forum meetings, with regular papers from Defra keeping the Forum well-informed on the substance of a range of international meetings and discussions, and with opportunities to contribute to UK positions.

The Forum usually has a number of presentations at each of its meetings. These add value to the Forum's work and provide an opportunity to engage with outside interests and experts. The set of presentations in 2016 is set out below. The Forum

Secretariat, with the help of members, will continue to aim to deliver a rich and relevant programme of presentations in 2017.

January

- Emily King (ERM) gave a presentation on sustainability profiling.
- Andrea Brown was not able to attend the meeting but submitted a presentation on the WBCSD Life Cycle Metrics for Sustainable Products.
- Professor Tom Welton gave a presentation of his critique of the above WBCSD Life Cycle Metrics.

April

- Simon Johnson, from Defra, gave a presentation on the European Commission's circular economy package proposals.
- Clare Norman, representing the British Retail Consortium, gave a presentation on the retailer perspective on chemicals management.

July

- Glenis Wedzicha (National Federation of Women's Institutes) gave a presentation on 'The WI on Chemicals'.
- Rachel Demaine (Crown Paints) gave a presentation on Product Environmental Footprinting in the coatings industry.
- Mark Turner from BEIS gave a presentation on the Chemistry Growth Partnership.

November

- Bob Diderich, from OECD, on 'OECD work on chemicals – why it matters'.
- Simon Johnson, from Defra, on the European Commission's circular economy package proposals.

ANNEX A: UK CHEMICALS STAKEHOLDER FORUM TERMS OF REFERENCE

The purpose of the Forum is to advise Government on managing risks to the environment and to human health via the environment that may result from the production, distribution and use of chemicals. Recognising the changing circumstances in which chemicals are regulated, the Forum aims to be a strategic body, paying due regard to the promotion of sustainable consumption and production throughout the chemicals supply chain, to the life cycle of chemicals, to the precautionary principle, and to the need to add value and not replicate activities undertaken elsewhere.

In particular it will:-

- review the effectiveness of REACH in realising its goals in the light of the experience and needs of UK stakeholders;
- review the effectiveness of the UK Competent Authority in delivering its obligations under REACH, and engage it in an on-going dialogue to reflect stakeholder views and concerns;
- advise Government on measures to promote the sound management of chemicals internationally;
- continue to promote voluntary action by industry in the UK where this can make a contribution to a reduction in the overall use of those substances recognised by the Forum as being priorities for action;
- communicate and encourage best practice and innovation, and encourage others to do so;
- promote more effective linkages throughout the chemicals supply chain, and between all those with an interest in the future of a sustainable and competitive UK chemicals industry.

In order to measure the effectiveness of the activities above as they relate both to itself and others, the Forum will develop key performance indicators against which it can assess performance.

(2008)

ANNEX B: FORUM MEMBERS AND ATTENDANCE AT MEETINGS IN 2016

Forum members in 2016

The following organisations were represented on the UK Chemicals Stakeholder Forum in 2016.

ADS (UK Aerospace, Defence, Security and Space Industries)
British Association for Chemical Specialities
British Coatings Federation
British Plastics Federation
British Retail Consortium
Business Council for Sustainable Development – United Kingdom
Chemical Business Association
Chemical Industries Association
Chemicals, Health and Environment Monitoring (CHEM) Trust
Cruelty Free International
EEF, the manufacturers' organisation
Environmental Services Association
Federation of Small Businesses
Green Chemistry Network
Greenpeace
Knowledge Transfer Network
National Federation of Women's Institutes
Non-Ferrous Alliance
Royal Society of Chemistry
Society of Chemical Industry
TechUK
Trades Union Congress
UK Cleaning Products Industry Association

The Forum also has one individual expert, Dr Mike Holland, who is not associated with a particular organisation. He is an expert on socio-economic aspects under REACH.

For a current list of Forum members and their named representatives see the [UKCSF website](#).

ATTENDANCE AT MEETINGS IN 2016

Summary of members' attendance

Member	Representative	26/1	26/4	26/7	1/11
ADS	Cathy Phillips	N	Y	Y	Y
BACS	John Reid	Y	Y	Y	Y
BCF	Tom Bowtell, Ellen Daniels, Trevor Fielding	Y	Y	Y	Y
BPF	Philip Law, Matthew Davies, Stephen Hunt	Y	Y	N	Y
BRC	David Bolton	Y	Y	Y	Y
BCSD-UK	Pat Laughlin, Victoria Kinally	Y	Y	Y	Y
CBA	Michael Cooper	Y	Y	Y	Y
CIA	Nishma Patel, Silvia Segna, Simon Marsh	Y	Y	Y	Y
CHEM Trust	Gwynne Lyons, Michael Warhurst, Gwen Buck	Y	Y	N	Y
KTN	Steve Fletcher, Peter Clark	Y	Y	N	Y
CFI	Katy Taylor	Y	Y	N	Y
EEF	Susanne Baker, Finella Elliott, Nick Troja	Y	Y	Y	Y
ESA	Ray Parmenter / Roy Hathaway	Y	Y	Y	Y
FSB	Andrew Poole	Y	N	Y	N
GCN	James Clark, Nick Owen	Y	Y	Y	Y
Greenpeace	David Santillo	Y	Y	N	Y
NFWI	Glenis Wedzicha	Y	N	Y	Y
NFA	Piat Piatkiewicz	Y	Y	Y	Y
RSC	David Taylor	Y	Y	Y	Y
SCI	Martin Elliott	Y	Y	Y	Y
TechUK	Julian Lageard, Susanne Baker	Y	Y	Y	Y
TUC	Bud Hudspith	N	Y	Y	Y
UKCPI	Philip Malpass	Y	Y	Y	Y
Mike Holland	Mike Holland	N	N	Y	N

Annex C FINANCIAL INFORMATION

The Chairman and other members of the UK Chemicals Stakeholder Forum (UKCSF) do not receive salaries. Forum members are not entitled to claim fees for the time they spend on Forum business. However, the Chairman can claim a daily fee for his work on the Forum. This covers attendance at meetings, as well as time spent on other Forum-related activities. All fees paid are taxable.

The Chairman's fee is liable to increase annually in line with recommendations from the centre. However, there has not been an increase since April 2009, and the fee stands at £204/day.

All Forum members are entitled to claim reimbursement for costs incurred in travelling (standard class) to and from meetings, which are mostly held in London, including any necessary overnight stays, and for any necessary meals and refreshments covering the period of travel. All claims are based on actual costs and require supporting receipts, i.e. for hotels, meals, rail tickets, taxis, car parking etc. which are verified by the Secretariat.

In 2016 Defra paid out £1,020.00 in fees to the UKCSF Chairman. Defra reimbursed £3556.00 to UKCSF members in travel and subsistence costs in 2016.

The total cost of the UKCSF to Defra, in 2016 was £16,287.45, including the cost of facilities for quarterly meetings, other meetings and workshops, lunches, etc.