Minutes of 90th UK Chemical Stakeholder Forum (UKCSF) meeting, 19 March 2024, Virtual Conference

1. Chair's welcome

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

The Chair of the meeting was drawn from the Steering Group and the meeting was held under Chatham House rule.

The draft minutes for the 89th UKCSF October meeting (UKCSF/17/10) were approved following agreement by attendees.

2. UKCSF Membership & Steering Group refresh

The CSF Secretariat reminded attendees of the ongoing process for refreshing the CSF Steering Group and informed the group that two members of the steering group have left the group and been replaced.

The chair of the 90th meeting has also been replaced.

There were no questions raised.

3. Opening Remarks

Marc Casale, Deputy Director for chemicals in Defra welcomed attendees to the meeting. In his opening remarks he updated on new Ministers in Defra and talked through strategic priorities for chemicals. This included the approach to regulation and the importance of a dynamic and innovative sector, which is focused on developing new substances generating fewer hazards and risks while having the same degree of efficacy. Regulatory restrictions currently being looked at include tattoo inks, lead in ammunition, and firefighting foams. There is ongoing work on a wide range of substances, including PFAS, POPs and EDCs amongst others; development of Regulatory management option analysis (RMOA) which look at a wide range of measures apart from regulatory restrictions and the development of alternative testing approaches.

4. Update on International Negotiations: The Global Framework on Chemicals

A Defra official who leads one of the International Negotiations teams in the chemicals, pesticides and hazardous waste hub in Defra presented on 'The Global Framework on Chemicals', as well as providing an overview of the upcoming International Negotiations relevant to the chemicals and waste sector. See Annex B (available on request).

An attendee asked about the secretariat of the Global Framework on Chemicals in Geneva, whether it's part of UNEP and how could more information be gathered. They also asked about the Bonn declaration, and what wording was included.

A link to the Framework and Bonn declaration will be circulated. It was added that the secretariat will be sitting under the United Nations Environment Programme along with administration of the Global Framework on Chemicals Fund.

Another question was on gender priorities and indicators into the implementation of this global framework plan. It was suggested that the framework is still under analysis and Defra cannot comment until this internal analysis is completed – however, these points were welcomed, and more conversations were encouraged in the breakout room. Another participant suggested there are civil society groups at the UN representing groups like 'women'.

Another participant suggested 'consistency' was a word that came up in the word clouds at the start of the conference and asked how consistency can be achieved, for example, for a definition on microplastics. Presenters agreed that the conventions mentioned do not address microplastics but the goal around definitions is to create comprehensive and consistent approaches.

5. Update on developments for a Science Policy Panel (SPP) and Reflections on the SPP Open-Ended Working Group 2

A Defra official who leads one of the International Negotiation teams in the chemicals, pesticides and hazardous waste hub in Defra presented on the SPP (Annex C available on request).

Camilla Alexander-White, representing the Royal Society of Chemistry (RSC) presented on the role of civil society in UN negotiations. It was mentioned that accredited organisations can input at meetings attended by UK Government at the UN in the interest of specific groups. The RSC, for example, is part of a stakeholder group dedicated to Science and Technology.

It was mentioned that there are nine major groups part of the civil society structure. These include business and industry, children and youth, farmers, indigenous peoples and their communities, local authorities, non-governmental organisations, and women, among others.

In response to a point made that some negotiators believe industry plays a big role in lobbying international negotiations, a participant underlined the importance of industry involvement and the understanding of the complexity of the supply chain relationships between upstream producer of a chemical and its application.

Another participant asked about the prognosis for success of the SPP and the obstacles that emerged for the UK, in addition to the UK relationship with the EU. The response confirmed that there is wide support for the SPP and that it should enable evidence-based policy making by providing credible, relevant and transparent outputs which are policy relevant but not prescriptive.

6. UN Treaty on Plastics Pollution

Joe Moss, Defra Team Lead on the Plastic Treaty in the Chemicals, Pesticides, and Hazardous Waste area, presented on the UN Treaty on Plastics Pollution (see Annex D).

A participant asked if the negotiations would meet the tight deadlines of the Treaty. The response confirmed that although this broadly depends on geopolitical mechanisms and multilateral systems, most countries involved are committed to reaching agreement by the end of 2024, including the UK, and the timelines are closely monitored, with parties working to meet them.

7. Tronox's approach to product stewardship

Steve Hollins, Senior Product Stewardship Advisor at Tronox presented on product stewardship (see Annex E).

A participant asked if an exporting formulator should be able to appoint an 'only representative' (OR) and it was confirmed that third country manufacturers and formulators can appoint ORs, whilst distributors can't.

8. Opportunities and challenges for chemical legislation and the circular economy

Henrik Edin, Policy Advisor at ChemSec presented on opportunities and challenges for chemical legislation (see Annex F).

9. Breakout group discussion

Defra presented questions for attendees to discuss in breakout groups virtually. See Annex H for the questions and noted discussion points. Following discussions, the Chair invited each group to present their key points in plenary.

10. UK REACH Work Programme update - Defra

A Defra official gave a verbal update on the UK REACH Work Programme.

The 2022/2023 Work Programme was published with a delay for reasons including alignment with recess periods. The 2023/2024 Work Programme is on track to be published and considering the required governance steps, this is likely to be published in June. The official mentioned that the team will seek to do what is necessary for a speedy publication but there are external circumstances to bear in mind like the upcoming general election.

The official addressed a number of questions raised by stakeholders on the different workstreams in the WP:

- Flame retardants scoping report: the report is close to completion. The aim is to publish later this year.

- Bisphenols RMOA: ongoing work on an RMOA on bisphenols in thermal paper, with a goal to publish this year. PFAS in firefighting foams: Defra has officially commissioned HSE to develop the dossier on PFAS in firefighting foams.
- Two further restrictions recommended by the PFAS RMOA: scoping is in progress and has been running in parallel with the scoping of PFAS in firefighting foams. The picture is complex around industrial uses that lead to wide dispersive releases into the environment, and consumer uses that lead to emissions.
- Stakeholder engagement: Defra is looking for input from industry, NGOs, and civil society.
- Formaldehyde: formaldehyde occurs naturally through processes such as cooking and burning candles, as well as being included as a substance in e.g. wood panels and generating emissions in indoor environments. The RMOA is progressing well.

11. UK REACH ATRm update – Defra

A Defra official gave a verbal update on the UK Reach Alternative Transitional Registration model (ATRm) confirming that based on an 8-week consultation, there is scope to produce legislation by the end of the year, general election dependent.

A participant made a plea to note that industry and the consultants supporting them need time to get the resources in place and to budget. The participant followed up asking if the first deadline and maybe subsequent deadlines for the transitional registration would need to slip to allow industry to meet those deadlines. The response confirmed that the detailed proposals of the ATRm requirements in the consultation should confirm all the necessary information to assess the time needed to meet them and it is likely that the consultation will seek information from stakeholders on the time it would take to meet those requirements.

Another question was on companies who want to submit for the lead registrant role within their substance group ahead of the registration deadlines and if it is recommended for them to submit despite the current level of uncertainty. It was recommended to see the consultation first as this should provide a comprehensive steer.

Another question asked if the envisaged data calls are similar to a substance and dossier evaluation, and if this will be a separate exercise. The presenter replied that the consultation will confirm this but the initial thinking on data calls is a similar process, but the circumstances would be different as it would not be a situation of non-compliance.

12. PFAS update (Working Group and firefighting foams) - Defra/Health and Safety Executive

An update on the UKCSF Working Group on PFAS was provided. This forms part of Defra's actions that take forward a strategic approach on PFAS, as recommended by the RMOA. This group was formed in 2022 and is now seeking to develop outputs through ongoing work and potential recommendations to Defra. There is no substantive update at this time, but work is progressing.

An HSE official provided an update on firefighting foams (Annex G available on request), in particular on the restrictions dossier which will include information on the hazard and risk,

along with an assessment of alternatives, and consider the need for any further measures to manage the risk of PFAS in firefighting foams throughout their life cycle.

Information about the process and the stages, including when something is open for consultation, will be made available on the HSE website through the restriction registry of intentions and will be communicated via UK REACH eBulletins.

There is also an option to become an accredited stakeholder organisation and listen in on the challenge panel meetings - further information about that is available on the HSE website.

13. Operational update – Health and Safety Executive

A HSE official provided an operational update. It was mentioned that a decision on the GB mandatory classification and labelling for 25 chemical substances is available on the GB list on the HSE website and it contains the legally binding mandatory classification and labelling.

Regarding Biocidal Products Regulations, regulations updating the data requirements for active substances and biocide products have been laid in Parliament.

HSE consulted for eight weeks on the proposed changes between the 17th of January and 14th of March in 2023, and a report on the outcome of that consultation is available on the HSE website. The legislation specifically updates the data requirements in Annexes 2 and three of GB BPR, and that was laid in Parliament on the 13th of March 2024. This includes the use of alternative testing approaches to determine some hazardous properties which previously relied on animal testing.

The regulations are due to come into force on the 6th of April 2024. The new data requirements will apply to applications received 18 months after the legislation came into force (6th of October 2025). Further guidance on these changes will be on the HSE website.

Since April 2021, stakeholders have been invited to apply for a ASO accredited stakeholder status. HSE has recruited 58 ASOS from industry and NGOs to date. Accredited stakeholders have been able to attend all formal meetings of write up and any challenge panels to date. There's no closing date on ASO, so anyone interested to sign up can find details on how to sign up on the gov.uk page.

HSE is currently working on 28 active applications for authorisation. Parties with information on alternatives are strongly encouraged to share any relevant information by the 2nd of May 2024.

HSE has assessed the risks to human health and the environment from lead in ammunition and has published its final risk assessment opinion.

14. Comments and Q&A on the policy update paper (UKCSF/19/03)

The secretariat invited questions and comments on the UKCSF policy update paper, shared in advance of the meeting, for which UK government officials were present to respond.

No comments were raised with regards to the Policy Update Paper.

a. Q&A

The questions received included:

How the UK considers the position of the EU and its Member States when negotiation on Multilateral Environment Agreements (Basel, Rotterdam and Stockholm). The response confirmed that there are bilateral and multilateral exchanges, as well as informal consultations, occurring between negotiations and these are often useful to hear the position held by other parties.

Another question was on the timeline for the Chemicals Strategy. The response acknowledged that ministers are currently considering the Chemical Strategy and an update will follow in due course.

15. AOB

Before bringing the meeting to a close, participants were asked what they would like to see more in the next meeting and the key responses included: Chemical Strategy, PFAS updates, industry insight, and overall policy updates.

The Chair thanked Defra, the UKCSF Secretariat, all the presenters and everyone for attending. The next meeting would be held as a hybrid event in July 2024.

Annexes

Annex A: Attendance and apologies

Annex B: Update on the Global Framework on Chemicals

Annex C: Update on SPP

Annex D: UN Plastic Treaty

Annex E: Going Beyond Global Compliance - Tronox

Annex F: Opportunities and challenges for chemical legislation and the circular economy - ChemSec

Annex G: PFAS in FFF presentation (HSE)

Annex H: Breakout rooms material.

For accessibility reasons, Annexes B, C, D, E, F, G, 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

Aaliyah Vayez, EUK Consulting

Ashti Freebody , 3M

Brigitte Amoruso, Make UK

Camilla Alexander-White, Royal Society of Chemistry

Caroline Raine, Ricardo

Caroline Rainsford, Cosmetic, Toiletries and Perfumery Association

Catherine Gunby, Fidra

Charis McInnes, Chemicals Industries Association

Chloe Alexander, Chem Trust

Chris Caldwell, Safic-Alcan UK Limited

Claire Ruiz, Smiths

Clelia Oziel, Chemical Watch

David Bott, Society of Chemical Industry

David Carlander, RPA

David Gurden-Williams, MMM

David Taylor, Wca-consulting

Devina Sankhla, BRC

Elaine McGavin, Chemical Business Association

Elizabeth Salter Green, Chemtrust

Erika Bonnegrace, Loreal

Hannah Blitzer, Wildlife and Countryside Link

Hannah Evans, Fidra

Heather McFarlane, Fidra

Helen Lynn, Alliance for Cancer Prevention

Henrik Edin, ChemSec

Ian Axford, Lgc group

Ian Callan, Innospecinc

James Clark, Dow

James O'Keefe

Jo Lloyd, ERM

Kate Shipton, Cruelty Free International

Khareen Singh, Anthesis group

Kieran Woof, RSB

Kirsty Eley, Chemicals Industries Association

Lara Dickens, Chem Service UK

Liz Nicol, Logika Group

Mandy Veillette, Peta

Matthew Davidson, University of Bath

Michael Shepherd, Non-Ferrous Alliance

Michelle Bloor, Society of Environmental Toxicology and Chemistry UK

Mick Goodwin, Wsp

Natalie Burden, NC3Rs, nc3rs

Neil Christopher Hollis, Basf

Nigel Haigh, Institute of European Environmental Policy

Nik Robinson, European Oilfield Speciality Chemicals Association (UK)

Nissanka Rajapakse, Matthey

Ola Dosunmu, Lancaster University

Olivia Hamilton, BAE Systems

Paul Guthrie, Collins Aerospace

Peter Clark, Innovate UK

Peter Silverans, Venator

Philip Malpass, UK Cleaning Products Industry Association

Rachel Salvidge, Watershed Investigations

Rhona Savin, Theoep

Richard Roy, Scottbader

Roger Pullin, Chemicals Industries Association

Sarah Giles, Royal Society

Sean Kelly, Nanotechnology Industries Association Ltd

Shosha Adie, Haynet

Shubhi Sharma, Chem Trust

Stephanie Metzger, Royal Society of Chemistry

Stephen Hollins, Tronox

Steve George, Make UK

Thea Sletten, Eftec

Tom Parker, British Chamber of Commerce to EU & Belgium

Tony Bingham, AGB Chemical Compliance

Government Officials

Abi Williams, HSE

Alex Park, HSE

Andrea Caitens, HSE

Annabel Hill, Defra

Anthony POOLE, Environment Agency

Aoibhinn Corrigan, Daera, Northern Ireland

Callum Jackson, Defra

Cecile Brich, Defra

Charlotte Houghton, Defra

Chris Thorn, Defra

Connor Emery, Defra

Daisy Barbour, Defra

Dave MHPD Adams, HSE

Debra Barnes, Defra

Edward Latter, Defra

Elizabeth Terry, HSE

Freddy Barratt, Defra

Gareth Lyons, Economy Northern Ireland

Hannah Rogers, DESNZ

Helena Davids, Defra

Hermione Mackelworth, Defra

Izzie Coleman, Defra

Jack Brown, Defra

Jessica Creak, Defra

Jessica Evans, Defra

Jill Wakefield, HSE

Joe Moss, Defra

Julia Laverty, HSE

Julius Piercy, Defra

Keith Bailey, Defra

Lyndon Ashmore, Defra

Marc Casale, Defra

Mark Chandler, Defra

Matt Lovatt, Defra

Matthew Horan, Defra

Max Folkett, Defra

Melanie Foster, Defra

Niamh Leaman, Defra

Paula Daina, Defra

Phil Leeks, Scottish Gov

Philip Young, FCDO

Philippa Kearney, Defra

Rachel Koramoah, HSE

Ray Winter, Defra

Rhaine White, Daera, Northern Ireland

Richard Hawkins, Environment Agency

Sarah Heathcote-Jones, Defra

Simon Allcock, Defra

Siobhan Fitzpatrick, Daera, Northern Ireland

Stavros Georgiou, HSE

Stephen Burrows, Defra

Stephen Iluyemi, Defra

Apologies

Adrian Hanrahan, Robinson Brothers

Aroon Akhtar, Department of Business and Trade

Clare Evans, Augean Treatment,

Helen Sneddon, York University

Sam Corp, Environmental Services Association

Tina Benfield, CIWM