

Report examines what US can learn from EU chemicals law

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U.S. industry and environmental groups agree that the Toxic Substances Control Act (TSCA) of 1976 needs to be modernized to better protect public health and the environment. However, there is no consensus on what the reform should look like.

A new report from Indiana University supplies a close examination of the European Union's reformed chemicals law REACH (Registration, Evaluation, Authorization and Restriction of Chemicals), which went into effect in 2006.

After reviewing data and interviewing key [stakeholders](#), including manufacturers, importers and REACH experts, researchers from the IU School of Public and Environmental Affairs and the IU European Union Center have released "Regulating [Industrial Chemicals](#): Lessons for U.S. Policy Makers From the European Union's REACH Program."

"As the U.S. Congress considers whether and how to modernize TSCA, much can be learned from the European experience with REACH," said SPEA Dean John D. Graham, a co-author of the report. "Some aspects of REACH are innovative and promising, while others are overly burdensome and complicated."

While the report examines all areas of REACH, the primary focus is on the program's chemical registration process. REACH shifts the burden of proving safety from the government to industry. REACH's key principle -- "no data, no market" -- compels manufacturers of

substances, producers of articles and importers to supply regulators a minimum safety-related data set for a large number of existing chemicals.

"One of our most important conclusions is that there needs to be a clear and consistent definition of 'safety' throughout any new chemical regulatory program," said the report's lead author, Adam Abelkop, a doctoral student in SPEA.

Researchers have identified several aspects of the EU program that merit consideration by U.S. policymakers as well as areas that could be refined and modified to be more transparent, simplified and suitable for the U.S. context. Highlights of the report indicate that a REACH-like system in the United States should focus on opportunities to reduce risks to human health and the environment. In addition, new legislation should provide clarification about critical standards, processes and tools while lessening unnecessary burdens on industry by allowing for mutual, cross-Atlantic recognition of registration dossiers.

"This suggestion would ease obligations on companies that do business on both sides of the Atlantic and would lessen the work of the regulators," said REACH consultant Agnes Botos, co-author of the report and a Central European University doctoral student. "That is why it would be worth doing a more detailed analysis about this topic."

According to SPEA professor Lois Wise, co-author of the report and director of the European Union Center and West European Studies at IU, REACH offers an alternative approach to the process of chemical regulation and control providing a greater understanding of how regulatory processes work.

"Our interest is in the extent to which the European experience implementing this complicated and innovative piece of legislation can

inform efforts to revise TSCA," she said. "This study, examining the process of REACH implementation, provides useful insight for policymakers."

On March 2, SPEA and the European Union Center will host an invitation-only seminar in Washington, D.C., that includes a panel of international experts who will discuss Europe's early experiences with REACH and issues related to TSCA reform.

More information: The complete report is available online at www.indiana.edu/~spea/faculty/pdf/REACH_report.pdf

Provided by Indiana University

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