WWF's view on the European Commission's White Paper:

Strategy for a future Chemicals Policy COM(2001) 88 final

WWF European Toxics Programme

April 2001

WWF is the world's largest and most experienced independent conservation organisation. It is a truly global network, with 52 offices working in more than 90 countries.

The mission of WWF – the global environmental network – is to stop the degradation of the planet's natural environment, and to build a future in which humans live in harmony with nature, by: conserving the world's biological diversity, ensuring that the use of renewable natural resources is sustainable, and promoting the reduction of pollution and wasteful consumption. Bearing in mind the last component of our mission statement, the EU chemicals policy is of vital concern to WWF.

1. SUMMARY & WWF RECOMMENDATIONS

A. Strengths of the Strategy

- **All chemical substances will in future be regulated in one system.** Existing substances will be subject to the same regulatory requirements as new chemicals, at least when the timetable for the phase-in of existing substances is completed.

- **Basic hazard information for substances** produced or imported in quantities over 1 tonne must be provided by industry to the authorities (the ECB), along with preliminary risk assessments undertaken by industry. Industry must also define the intended uses, and suggest the requisite risk reduction measures.

- **Based on intrinsic properties, the marketing and use of very hazardous substances will be prohibited, although certain uses may be authorised.** However, at present the hazard properties leading to authorisation do not embrace enough substances of concern, and authorisations can be granted if there is negligible risk, rather than only when there is an overwhelming societal need *and* no safer alternatives can be found.

- **The administrative costs of the system will be recovered through a fee-based system.**

- **Manufacturers and downstream users (formulators) will be obliged to provide information on exposures**. The authorities must also be informed about any downstream use which had not been envisaged by the manufacturer or importer and which had not been addressed in the preliminary risk assessment

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- **At the outset, the authorisation scheme is limited to UNEP POP[1] like substances and CMR[2] substances.**

[1] Substances which meet the United Nation Environment Programme criteria for persistent organic pollutants.

[2] carcinogenic, mutagenic or reprotoxic substances

WWF RECOMMENDATION: Additional substances should be brought within the authorisation process, with the presumption that their use or production should not be authorised, unless there is an overwhelming societal need for the chemical and there are no safer alternatives.

Such substances should include:

1. all PBT[3] substances (and not just those that can undergo long range transport),
2. very P and very B (VPVB) substances,
3. endocrine disrupting substances, and
4. persistent toxic substances.
5. substances whose risk assessment gives cause for concern

For identifying the VPVB and the PBT substances to be included within the authorisation scheme there should be a mechanism for a rolling revision of the criteria used. This rolling revision should gradually and systematically reduce the use of VPVB and PBT substances.

- **The regulatory authorities will not have enough resources** to do their job properly. The White Paper clearly states that it is envisaged that there will be no increase in the resources available to the regulatory authorities of the Member States. Yet they are to be responsible for (within a set time period) deciding on the industry submitted applications for authorisations, as well as evaluating the registration data, and deciding on the substance-tailored further testing programmes based on industry's proposals. In addition, the authorities of the Member States will also be responsible for conducting the (targeted) risk assessment of the chemicals of major concern.

  WWF RECOMMENDATION: In line with the polluter pays principle, sufficient fees should be levied from industry to cover both the administrative costs and the costs of the regulatory authorities of the Member States. Such costs should include the training of regulatory personnel in Member States, the work of the Member States in checking industry's risk assessments, their work in the authorisation and evaluation process, and also their work in conducting the risk assessments of the chemicals of most concern.

- **It is not clear that the regulatory authorities will be required to adequately oversee the proposed system.**

  WWF RECOMMENDATION: Industry should not be left to police itself. WWF considers that there is a need to ensure that the regulatory authorities will be required to check the risk assessments done by industry for the chemicals of lower concern. Furthermore, WWF considers that the authorities should be required to conduct an assessment of the risks posed by the substances of significant concern (not just those of major concern) and provide written documentation. Also, the resources should be made available for the regulatory authorities to complete this task within a reasonable period of time from the date that industry provides its preliminary risk assessment.

- **Foreign imported products may pose far greater risks than most EU made products.**

[3] Persistent, bioaccumulative and toxic

WWF RECOMMENDATION: All chemical constituents of products traded in the EU should be subject to the same requirements as individual chemicals traded in the EU.

- **There is no automatic legal guillotine that prohibits the marketing of substances when the registration requirements, including a proper preliminary risk assessment, are not met**.

  WWF RECOMMENDATION: 'No data, no market' should be the modus operandi.

- **There is no strategy to effectively implement the substitution principle into the new system.**

  WWF RECOMMENDATION: Professional users of chemicals should be given a duty to choose the least hazardous product.

- **The White Paper does not propose to introduce comparative assessment, which could be used to minimise the risks in certain problematic cases.**

  WWF RECOMMENDATION: Comparative assessment should be a key part of the Policy. This would require, in the first instance, the societal need for the goods or service to be assessed, and if necessary, then all options for delivering the goods or service would be investigated (including non-chemical options). Only the least risky options would be authorised.

- **The Strategy does not commit to giving the public the right to know the constituents of products**.

  WWF RECOMMENDATION: Public right to know should be an integral part of the Policy.

- **The White Paper does not provide a mechanism to deliver the generational goal as laid out in the OSPAR Convention**. This sets the target of cessation of discharges, emissions and losses of hazardous substances to the marine environment by 2020. The Strategy rather limply states that it "supports" the aim of the OSPAR Convention "to prevent and eliminate pollution and to protect the maritime area of the North East Atlantic against the harmful effects of human activities."

  WWF RECOMMENDATION: The generational goal should be an integral part of the policy.

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A. A

- **WWF is pleased that data requirements for new and existing chemicals will be brought into line.**

  The collection and evaluation of hazard and fate data on the older, so called "existing chemicals", is the major innovation of The Strategy. Existing chemicals are substances that were on the market before 1981, when prior-testing requirements came into force. There are over 100,000 existing chemicals still registered, but it is believed that only about 30,000 are still traded in quantities above one tonne, and of these, only some 10,000 are marketed in volumes of more than 10 tonnes. Requiring these older existing substances to be investigated will result in similar toxicity information being available on both new and existing substances, and as the system is phased in, new and existing chemicals will eventually be subject to the same procedures. The new system is to be called REACH – registration, evaluation and authorisation of chemicals.

- **Proposed testing requirements for existing chemicals**

  First to be tested are existing substances that lead to a high exposure or cause concern because of their known or suspected dangerous properties. All such substances should be tested within 5 years and subsequently assessed (COM 2001 88 final 2.3, p8).

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- **WWF is pleased that the registration process will apply to all substances that are produced or imported into the EU, not just those marketed or imported into the EU** (p17).

  An earlier draft raised ethical consideration of whether substances with less information should be able to be produced and exported from the EU. The current strategy will ensure that developing countries importing EU chemicals can be better informed about the hazards of the substance. It also ensures that adequate consideration can be given to the potential environmental and occupational health effects arising from exposure to substances destined for export only.

- **Within the registration process, WWF considers that the first requirement of industry should be to obtain data on the P and B properties of their substances, in order to prevent substances with high P and B from going forward for any further testing.**

Volume	**Registration**	
1-10 t	end 2012	Data on physico-chemical, toxicological and ecotox

		properties of the substance is to be required, but this will be generally limited to in vitro testing.

WWF considers that the following should be included: In-vitro tests for P and B and EDCs QSAR screening for T, and oestrogen receptor binding (and other ED properties, as soon as these QSARs become available). Furthermore, such in-vitro tests and QSAR screens should also be required for higher tonnage substances.

10-100t	by end 2012	"Base-Set" testing waived if information already available is comparable.
100-1000t	by end 2008	"Level 1 testing" BY 2012 (p23) tailored depending on available information, properties, use, and exposure. The (Member States') regulatory authorities will evaluate the registration data and all available information which must be submitted by industry and develop the substance-tailored testing programme based on industry's proposals for testing (p17)
0ver 1000t	by end 2005	"Level 2 testing" BY 2010 tailored as above.
Again,		the regulatory authorities (p25) will evaluate the registration data and all available information which must be submitted by industry and develop the substance-tailored testing programme based on industry's proposals for testing (p17)

The authorities (the ECB) will also be responsible for putting the registration data into the data-base, and performing spot checks and computerised screening of the registered substances for properties raising particular concern (p17/25).

It is anticipated that the lower volume chemicals (<100 tonnes) which need further testing will be picked up by the ECB conducting these computerised screens of the registration data.

Current thresholds for testing requirements are based on the amounts produced or imported by any one importer or manufacturer, rather than the cumulative total amount of the substance produced or imported. **WWF considers that an important factor in deciding further testing requirements should be the cumulative totals.**

The registration dossier includes:-

- Data/information on the identity and properties of the substance
- Intended uses, estimated human and environmental exposure
- Production quantity envisaged
- Proposal for the classification and labelling of the substance
- Safety data sheet
- Preliminary risk assessment covering the intended uses
- Proposed risk management measures (p17)

- **However there is no clear legal deadline by which the substance must be taken off the market if the registration dossier is not provided. WWF maintains that there should be a clear legal guillotine preventing the marketing of a substance without a complete registration dossier, including the requisite toxicity test data and a proper preliminary risk assessment.**

- **The testing threshold for new chemicals has been increased, as has the exemption threshold for research and development. This weakens the testing requirements for new chemicals.**

Currently, toxicity testing of new chemicals is required before they are marketed in quantities above 10 kilograms – but the proposed new system will mean that it will not now be required until production/import volume reaches 1 tonne. Further, the proposal is to increase the exemption for R & D from 100kg to 1tonne, and also the time period this is available is extended from 3 – 5 years (p13). Similarly, the conformity check for new notified substances over 1 tonne will be replaced by spot checks and computerised screening (p17).

- **Chemicals which are marketed or imported only in finished products do not necessarily have to be tested to the same standards as those traded as individual chemicals.**

Current notification requirements for new substances only cover substances placed on the market on their own or in preparations, while those marketed as constituents of actual products (eg in toys or textiles) are exempted. This has led manufacturers to transfer whole production chains outside the Community to countries that impose less stringent safety testing of substances. Unfortunately, however, the finished products containing, and potentially releasing, these inadequately tested and evaluated substances can then be imported into the Community. The new Strategy, as outlined in the White Paper, will similarly only require the future toxicity testing of new and existing chemicals which are traded as chemical entities or in preparations, and not those marketed as constituents of products.

However, most products made in the EU will have to have the toxicity of their constituents assessed, as most constituents will no doubt be traded in the EU in preparations or as chemical entities. To catch EU made constituents which are not traded as chemical entities - and imported products - whose constituents might be a concern, the Commission proposes to set up a working group to identify the product categories that could lead to significant exposure of humans or the environment, and to investigate the practical implications. "On the basis of this working group's findings, producers or importers should be requested to identify products containing such substances and provide any information, as appropriate."

It is not clear whether this "request" of producers and importers relates to a voluntary approach, which would be very difficult to administer. Such a piece-meal approach will lead to errors and oversights. **WWF considers that it is crucial that chemicals used in all products marketed within the EU should be properly tested. This requirement should be enforced on all chemicals imported as constituents of products, with a total annual volume of 1 tonne or more.** Substances used in products can leach out and give rise to consumer exposure. Such substances also represent a diffuse source of environmental exposure over the life-time of the

product, and when the product is finally disposed of in a landfill site. WWF maintains that the European Commission should focus its attention on providing a high level of protection for the health of its citizens and the environment, and not on whether or not this will upset our trading partners.

For background, a previous draft of the White Paper outlined two alternatives;

a) In order to ensure appropriate testing of such substances and so remove this disadvantage for EU industry, legislation on the testing and assessment of chemicals should be extended to substances in foreign products, provided the annual cumulative volume of the imported substance (per foreign producer of the substance) exceeds 1 t.

b) The situation should be left alone, because chemicals in products are a lower priority, and should not be specifically addressed in the legislation. Also, it would be a difficult issue to address because of the huge numbers of products involved (several millions) and because of the difficulties this would create with the EU's trading partners, who have no intention of introducing such a policy. However, where restrictions are applied to chemical substances, they will automatically be extended to products.

- **Manufacturers must define the intended uses of their products**

The authorities must be informed about any downstream use that had not been envisaged by the manufacturer or importer and which had not been addressed in the preliminary risk assessment.

- **Manufacturers*, and* importers *and* downstream users will be obliged to assess exposure**

The proposal is that it should be obligatory for manufacturers and downstream users (formulators and industrial users) of chemicals to provide estimates of exposure or the results of analytical determination of the exposure (p15). However, exactly how this will be brought into operation and enforced is not clear.

C. EAUATION

Evaluation requires the regulatory authorities to scrutinise the registration data provided by industry, on the substances produced in volumes of over 100 tonnes (5000 substances) (p16/17). Some substances below 100 tonnes will also require "an evaluation" by the authorities if they are "substances which are suspected to be persistent and liable to bioaccumulation, substances with certain hazardous properties such as mutagencity or high toxicity, or substances with molecular structure giving rise to concern". The authorities will therefore keep the right to request additional information for low volume substances on a case by case basis.

- **Further testing requirements**

The evaluation stage also requires the Member States' authorities "to decide on substance-tailored testing programmes following industry proposals" (p17). However, thankfully it is acknowledged that decisions on the further testing programmes must be based on a mechanism

that enables decisions to be taken rapidly on a large number of substances (8.1, p24). This means that such decisions will need to be based on generic principles such as usage in consumer products and a simple check list of conditions, rather than detailed discussions based on an individual risk assessment. The 'exposure driven substance-tailored testing' must not be allowed to become a sticking point where industry tries to avoid further testing, and which leads to Member States' authorities becoming embroiled in detailed discussions on exposure scenarios. However, it would certainly be logical to require less testing if a chemical was a rigorously contained intermediate, and if there was really little chance of exposure.

In addition, waiving of testing is possible if existing information on a chemical is such that some of the required tests could be considered unnecessary (p12). WWF would certainly support the wise use of existing test data. An interim task force of around 15 Member States experts will be seconded to the ECB, which will, amongst other tasks, assess the available data on IUCLID on the HPVs.

- **Industry to conduct the risk assessments on its own substances**

The Commission's White Paper proposes to shift the responsibility to industry for not only generating data, but also for assessing that data, and assessing the risks of their substances (5B,p21). Thus, the Commission proposes to "shift responsibility to enterprises, for generating and assessing data and assessing the risks of the use of the substances." Therefore, industry has to "ensure that only chemicals that are safe for the intended uses are produced and or placed on the market".

Industry is required to submit a preliminary risk assessment in the registration dossier and then will presumably have to update this in the light of the substance-tailored further testing. However, the requirement to update the preliminary risk assessment in the light of Level 1 and Level 2 testing is not made clear.

WWF agrees that industry should be responsible for providing hazard and exposure data, and that industry should be *legally liable* for their substances, such that they should conduct their own risk assessments on their products.

However, **WWF considers that any risk assessments conducted by industry should be fully checked by the regulatory experts of the Member States, or at least by certified agencies under contract to the regulatory authorities. Also, WWF considers that the chemicals that are more likely to be problematic, should have their risk assessment undertaken rather than just checked, by the regulatory authorities of the Member States.** This is because the value judgement conclusions reached in a risk assessment may vary depending on who performs it, a fact that is even acknowledged in a working document drafted by the Enterprise Directorate.[4] It would certainly be folly to suppose that industry might not be biased in assessing the risk posed by its own products.

[4] Document III.Doc97/RiMaO2. This states that uncertainties during any previous step strongly compromise the reliability of the last phase, the risk characterisation. The exercise does include many choices and judgements by the person performing it (eg. selection of underlying data, models and assumptions.)

To the credit of the White Paper it is stated that the evaluation stage "requires the authorities to *carefully examine* the data provided by industry" on the substances over 100 tonnes (p17), which will include the preliminary risk assessments. This evaluation or "careful examination" could therefore be interpreted to suggest that the authorities *are* required to at least *check* the industry conducted risk assessments. This would certainly be a good thing. However, if no new resources are to be made available, this evaluation is likely to be little more than checking whether or not a preliminary risk assessment has been submitted (see below). Unfortunately, as checking does not necessarily require written documentation, it will be difficult to assess if adequate effort has really been put into checking the industry conducted risk assessment.

Criteria to determine when the risk assessment of a chemical should be undertaken (that is re-done from first principles, rather than just checked) by the regulatory authorities need to be developed. These criteria should be based on market volumes, substance properties, consumer and/or wildlife exposure, and certain worrisome PEC:PNEC ratios or MOSs identified in the preliminary risk assessments conducted by industry. The White Paper is not clear on just how many substances will fall to the regulatory authorities to assess. However, it does state that "authorities should focus on areas of major concern." (p21), and it explains the need for "focusing public resources on those substances, where, according to experience, the involvement of authorities is indispensable and the added value in terms of the provision of safety is substantial" (p.16). In the current situation of inadequate resources, the worry is that this regulatory vigilance is likely to be minimal. There is, therefore, a need to ensure that the regulatory authorities are adequately resourced in order to enable them to complete this task within a reasonable period of time from the date that industry provides the preliminary risk assessments.

In addition, the guidance for risk assessment needs to be improved to deliver a greater level of protection for man and the environment. This should include imposing far greater perceived margins of safety, and taking all noted "effects" forward in the risk characterisation, not just those "effects" which are known to have influenced population levels or which give rise to known effects on the function of the animal. If industry is to conduct a preliminary risk assessment for certain substances, it is crucial that guidance on how to conduct risk assessment is adequately overhauled and revised, and in particular that industry is required to flag up conflicting studies, rather than take judgements. Furthermore, there should be a legal duty on industry to incorporate all relevant test data, not just the data required as a minimum for registration, into their preliminary risk assessments. This would require the screening of various data-bases for published papers on their substances. Past experience shows that it is often academic research papers that highlight the unacceptable risks that chemicals pose.

D. AUTORISATION

- **For substances with very hazardous properties there is to be a presumption against use - enforced by a prior authorisation process**

The proposed new authorisation step is the White Paper's most radical innovation. It brings in a presumption that the use of the most hazardous substances will no longer be allowed. However, companies can gain marketing permission if they prove an application has negligible risk – OR that its use is acceptable taking into account socio-economic benefits (p19) and lack of 'safer'

chemicals for the same task, and so long as measures are in place to minimise exposure (p8). Substances with certain hazardous properties (that is CMRs and UNEP POP like) will be subject to 'authorisation', although WWF considers that a better term would be 'temporary derogation for essential use'. This is because, in the case of POPs, WWF considers that use should only be authorised if there is an overwhelming societal need and there are no safer alternatives. The White Paper should also set down a proposed time-table for delivering the prohibitions of POPs and CMRs, linked to when the data to identify these substances becomes available. It is envisaged that some 1350 CMRs and 50 POP like substances could be caught by the authorisation process (p16).

- **The authorities should have sufficient time to evaluate an application for authorisation**

It is crucial that the technical experts of the Member States are sufficiently resourced to investigate industry's applications for authorisation. They should therefore be obliged to react within a set time period from the application for authorisation. However, in view of the hazards posed by these chemicals, WWF considers that the regulatory authority should have an flexible period in which to reach a decision, and furthermore, all authorisations granted should be subject to regular review.

The White Paper proposes that "particular uses of a substance will be authorised on the basis of a risk assessment submitted by the applicant to the authorities" and that "the producer or user of the substance should be obliged to provide information substantiating any claim that the benefits from the continued use of the substance outweighs the potential adverse effects." (p19). Also "the authorities will be required to decide upon the authorisation within a reasonable time from submission of the risk assessment to avoid banning of substances by default."

- **The authorisation process will only apply to hazardous substances with CMR[5] properties and substances with UNEP POP like properties.**

The final draft of the White Paper outlines that an estimated 1,350 CMR[6] chemicals, and the PBT substances meeting the UNEP POPs criteria are to brought under the authorisation scheme. In addition, the White Paper notes that "Further research is needed to develop criteria for the identification of PBT substances and VPVB substances other than the POPs. The Commission will decide at a later stage how substances with these properties should be treated". (4.3,p18) Nevertheless, this suggests that PBT substances, which do not undergo long-range transport, and the vPvB substances, may not be brought under the authorisation scheme from the outset

WWF considers it is crucial for a commitment to include vPvB and PBT substances under the authorisation system from the outset. Furthermore, for the criteria to identify the vPvB and PBT substances to be included within the authorisation scheme there should be a mechanism for a rolling revision. This rolling revision should gradually and systematically reduce the use of VPVB and PBT substances.

[5] carcinogenic, mutagenic or reprotoxic substances

[6] It is estimated that there are currently some 850 known CMR substances, although there may be an additional 500 CMR substances identified by further testing.

Bioaccumulating substances pose a particular threat to offspring of both wildlife and humans, as these substances build up in the food chain and can pass to the next generation via the placenta, or via the egg. Mammals feeding at the top of the food chain are particularly at risk because these substances also build up in breast milk. WWF's view is that exposure to bioaccumulative and persistent substances should be eliminated, because it will impossible to predict, from shorter-term tests on a few selected species, the full effects of long-term exposure in all species. Moreover, if effects do become evident, then due to the very properties of persistence and bioaccumulation, it will be impossible to quickly remedy or prevent these effects. Therefore, no further testing should be required for P and B substances. PBT substances, that don't undergo long range transport, should certainly also be included in the prior authorisation scheme because these substances can pose similar risks to EU citizens as the POP-like substances.

In addition, unfortunately, it should be noted that another earlier proposal has been dropped. This was that specific uses of other substances should also be subject to authorisation, if risk assessments identified high concern (which could not be removed by appropriate standards (eg. occupational exposure limits / emission standards) (see p13 of draft 18/01/2001). This authorisation process for such problem chemicals, would have been a better legislative vehicle than the current Marketing and Use Directive 76/769, which is now proposed to be kept in the new system. This is because unless an across the board ban is imposed under 76/769, it is difficult to stop new uses cropping up, because this legislation is used to restrict certain uses.

- **The Strategy does not require endocrine disrupting chemicals (EDCs) to be subjected to prior authorisation**

The draft Strategy stated that the majority of endocrine disrupting chemicals would come under the authorisation requirement in the REACH system – because the system will catch those substances that cause cancer and those that are reprotoxic within the CMR categorisation. However, the authorisation requirement will not automatically be imposed on those substances, which are ED to wildlife, such as fish and mollusc etc, because reprotoxicity under the CMR category, only applies to humans (mammals). The final strategy acknowledges that adverse endocrine disrupting effects on wildlife have been linked to certain POPs and these will be subject to authorisation. This still excludes non-POP like chemicals, with endocrine disrupting properties in wildlife. **WWF therefore considers that known EDCs should be brought under the prior authorisation scheme**.

E. OTER ISSUES

- **There is to be an information system established on environmental concentrations and releases.**

There is a commitment that an information system should be established on environmental concentrations and releases, and also that monitoring data ascertained by Member States or industry should be made available in an easily accessible form (p15)

- **Substitution of hazardous substances**

The White Paper stresses the important objective is to "encourage the substitution of dangerous by less dangerous substances where suitable alternatives are available." However, although WWF wholeheartedly supports the substitution principle, the White Paper does not provide an adequate strategy for making sure substitution becomes the norm.

Indeed, it seems that substitution, and the consideration of whether possible substitutes are more or less dangerous, will only be necessary when authorisation is required (p8), or when the need for control measures under 76/769 have already been identified (p20).

WWF suggests that there should be a duty on professional users of chemicals to use the least hazardous chemical, in order continually to encourage substitution with safer alternatives. In addition, for certain problematic cases, comparative assessment should be introduced.

- **Administrative costs recovered through fee-based system**

The polluter pays principle is being introduced into the system as the *administrative* costs of the system will be recovered through a fee-based system (p15). However, the costs of policing the system should also fall to industry (see below).

- **No new resources for regulatory authorities**

The White Paper states that a net increase in public resources is not expected since resource intensive tasks, (such as the comprehensive risk assessment on existing substances and the general conformity check for substances below 100 tonnes) are to be removed from the authorities (footnote, p15). WWF considers that unless significantly more resources are made available to the regulatory authorities, the new strategy will not deliver the requisite increased level of protection, because industry self-regulation will largely go un-checked. Therefore, **WWF maintains that the fees levied on industry should be extended, in line with the polluter pays principle, to cover all the costs of the regulatory authorities, including the training of personnel.**

If industry is left to regulate itself without the necessary checks and balances, then the welfare of EU citizens and the environment will be put at risk. Time and time again, industry has been shown to be unable to regulate itself.

- **The Right to Know**

WWF welcomes the White Paper's commitment that the public "should have access to information about the chemicals to which they are exposed" (p26). The consumers right of choice is acknowledged, and the White Paper further states "information should enable the consumer to make a judgement on whether alternative products on the market are more favourable in terms of their intrinsic properties and risks" (p26). However, the draft Strategy does not clearly lay down that the public should be given the right to know the all the constituents of products. **WWF maintains that the consumer should be given the right to know the constituents of products (at least on a qualitative rather than quantitative basis).**

This would enable informed consumer choice, but at the same time protect commercially confidential details of the formulation.

In addition, WWF considers that the registration data-base should be made publicly available. In particular, it is crucial that the public is not denied access to the data on the health and environmental effects of a marketed substance, although if such results are used commercially in order to market a product, a fee should be payable to the generator of the data.

- **The Strategy does not deliver the OSPAR goal**

The White Paper does not provide a mechanism to deliver the "generational goal" as laid out in the OSPAR Convention. This sets the target of cessation of discharges, emissions and losses of hazardous substances to the marine environment by 2020. The Strategy rather limply states that it "supports" the aim of the OSPAR Convention "to prevent and eliminate pollution and to protect the maritime area of the North East Atlantic against the harmful effects of human activities" (p9).

. CONCUSION

The Strategy is the first step towards developing a robust mechanism to protect future generations of wildlife and humans. It represents an important opportunity to guard against the threats from chemicals, some of which are already known, and some of which are yet to be discovered and defined. Therefore the underlying message of the Strategy must be the Precautionary Principle and should include the additional recommendations described in this document by WWF. Most important of these are;

- Additional substances to be brought within the authorisation process
- Adequate resources for the regulatory authorities to do their job properly
- Mechanisms to ensure that the regulatory authorities adequately oversee the system
- All chemical constituents of products traded in the EU to be subject to the same requirements as individual chemicals
- 'No data, no market' to be the modus operandi
- Substitution principle: Professional users of chemicals to be given a duty to choose the least hazardous product
- Comparative assessment leading to only the least risky options being authorised
- The public should have a right to know
- A generational goal

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sion is to stop the degradation of the planet's natural environment
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