MY VOICE

HOW YOU CAN DEMAND BETTER PROTECTION OF HUMAN HEALTH AND THE ENVIRONMENT FROM HAZARDOUS CHEMICALS

CHEMICAL REACTION

A NEW START FOR CONTROLLING CHEMICALS

ARE YOU CONCERNED ABOUT HAZARDOUS CHEMICALS IN THE ENVIRONMENT, AND HOW THEY MAY BE AFFECTING YOUR HEALTH? DID YOU KNOW THAT A NEW EU LAW ON HOW CHEMICALS ARE REGULATED HAS COME INTO FORCE? KNOWN AS REACH[1], THIS LAW TOOK NEARLY NINE YEARS TO DEVELOP, AND PROVOKED 'THE FIERCEST LOBBYING BATTLE IN EU HISTORY' MAINLY BETWEEN THE CHEMICAL INDUSTRY AND GROUPS REPRESENTING THE INTERESTS OF HEALTH AND THE ENVIRONMENT. DURING THE DEVELOPMENT OF REACH, MANY PEOPLE, MAYBE EVEN YOU, CONTACTED THEIR GOVERNMENTS AND REPRESENTATIVES IN THE EU ASKING FOR BETTER PROTECTION OF HUMAN HEALTH AND THE ENVIRONMENT FROM THE ADVERSE IMPACTS OF HAZARDOUS CHEMICALS[2].

1 | Registration, Evaluation, Authorisation and Restriction of CHemicals, came into force on 1 June 2007.

2 | Many people wrote to their national Members of the EU Parliament and the European Commission via the 'Chemical Reaction' website (a joint project which was set up by the European Environmental Bureau, Friends of the Earth Europe and Greenpeace, www.chemicalreaction.org) or took action in the context of WWF's DETOX campaign (www.panda.org/eu).

Despite the odds, the final version of REACH succeeds in taking the first steps towards a new approach to chemicals regulation – one that puts the burden of proof onto the producer to show that their chemicals are safe, allows the public to request information about the use of some hazardous substances in products and provides for some of the most hazardous chemicals to be substituted when there are safer alternatives.

REACH also has many loopholes and legal uncertainties, as a result of lobbying by the chemical industry. But we can still influence the implementation of REACH to change it for the better over the next few years. We can also use the new provisions it gives us, and encourage companies to be more proactive and phase out hazardous chemicals wherever possible.

BROMINATED FLAME RETARDANTS (BFRS)

used in furniture fabrics (e.g. sofas) and plastics (e.g. in personal computers and mobile phones) to delay the spread of fires. Most commonly used BFRs are persistent and accumulate in the food chain, and several have been shown to interfere with the hormone system. Exposure to PBDEs (polybrominated diphenyl ether) in the womb has been associated with abnormal skeletal and brain development in animals.

WHAT'S THE PROBLEM?

There has been growing public concern about the effects of chemicals on health and the environment. Man-made chemicals are not only a problem in the wider environment, they are more often closer to home, in everyday consumer items such as air fresheners, personal care and cleaning products, and even items that might appear less likely to contain hazardous substances, such as furniture, electronic products, kitchen utensils, clothes and toys.

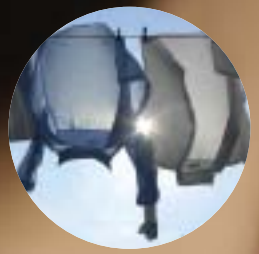
Many of these chemicals are released into the environment and accumulate in wildlife such as seals and polar bears – and in our bodies. A growing number are associated with health problems such as allergies, lower fertility, effects on children's development, damage to our genetic makeup and cancer. All of us are exposed, but unborn and small children are the most vulnerable to chemicals passed on through the mother's body or through exposure by air, dust and food.

The most hazardous substances will, under REACH, be known as 'substances of very high concern'*. The European Union will create a specific list of these undesirable substances which will oblige importers, producers and downstream users to seek special authorisation if they wish to continue using them. Authorisation may be denied, because REACH contains a provision that could force the companies to replace some of these dangerous substances with safer alternatives whenever they exist.

THE LIST OF 'SUBSTANCES OF VERY HIGH CONCERN' WILL BE DRAWN UP BY THE NEWLY-CREATED EUROPEAN CHEMICALS AGENCY IN HELSINKI. SOME OF THE CHEMICALS THAT ENVIRONMENTAL, HEALTH AND CONSUMER ORGANISATIONS ARE CONCERNED ABOUT ARE SHOWN THROUGHOUT THIS GUIDE.

* These are substances which fall into one of these classifications/categories:
- they cause cancer, damage the genetic makeup or are toxic to reproduction (CMR),
- they are persistent, accumulate in the food chain (bio-accumulative) and are toxic (PBT)
- they are very persistent and very accumulative in the food chain (vPvB), or
- have been identified from scientific evidence as causing probable serious effects to humans or the environment equivalent to those listed above on a case-by-case basis, including substances which disrupt the hormonal system.

This is a major shift in chemicals policy where it is recognised that certain categories of chemicals are so problematic that they can only be used after obtaining a special licence.



SYNTHETIC MUSKS

are used to make fragrance mixtures for cosmetic products such as soap, shampoo and perfume, as well as for detergents, fabric conditioners, cleaning agents, air fresheners and other household products. Commonly-used polycyclic musks are persistent chemicals which accumulate in the food chain; they may be capable of interfering with hormonal systems in fish, amphibians and mammals.

FILLING THE GAPS IN THE NEW LAW

REACH still has many shortcomings. Some hazardous chemicals will still be allowed to be used – even if safer alternatives exist; these can even include chemicals which disrupt the hormonal system and chemicals that cause cancer, damage to the genetic makeup and reproductive problems.

Manufacturers or importers of all chemicals subject to REACH will have to register the chemical and provide information about it derived from certain health and safety tests. The level of information required is generally set according to the yearly production of the chemical in question. However, the safety information that companies must supply for chemicals marketed in quantities between 1 and 10 tonnes annually is extremely limited, and non-existent for quantities below 1 tonne per year; companies may not be obliged to assess the hazard that these chemicals present, and will be unable to guarantee their safety with this information alone.

REACH is not yet set in stone. There are still opportunities to improve it over the next few years, especially when certain elements will be reviewed. For example, in 2013 the EU will have to decide if substances which interfere with the hormonal system should always be replaced if safer alternatives exist. Other opportunities include reviews on the safety information which companies must provide, on whether consumers should be entitled to information on a greater variety of hazardous substances, and on whether to add or delete chemicals from the regulation's scope. You can be sure that environmental, health and consumer groups will remain active and will be calling on you to help at these critical points in the future.

WARNING! THESE OPPORTUNITIES TO IMPROVE ON REACH COULD ALSO BE EXPLOITED BY THE CHEMICAL INDUSTRY WHO MAY WELL TRY TO WEAKEN IT YET FURTHER.

PLASTICIZERS

PHTHALATES

are widely used as softeners in many PVC plastic products, including toys; as solvents and fixatives in cosmetics and personal care products; and as an alcohol denaturant in perfume. They are widespread contaminants in the global environment; some of them are known to be toxic to the reproductive system and reduce fertility in animals, impact development, and disrupt the hormonal system.

USING THE NEW LAW

One of the key provisions of REACH is that companies are legally required to respond to requests from customers on whether a certain consumer product contains a 'substance of very high concern'. Once the EU has published its first list of 'substances of very high concern' (a process that will begin by June 2009), anyone buying an item on the EU market will be able to contact retailers or brand manufacturers and request information about the presence of the listed problematic substances in consumer articles.

Date

Dear Sir/Madam

In accordance with the new European regulation on Chemicals, REACH, I am writing to ask you to inform me about the presence in the product XX or its packaging of any chemical from the group of "substances of very high concern" as specified by REACH.

Should any of these substances be present in the product XX or its packaging, I wish to be informed about the name of this substance.

I would be grateful to receive this information within 45 days as required by REACH.

I would also be grateful if you would inform me about steps you are taking to provide products intended for the same use but which do not contain such potentially hazardous chemicals.

Yours faithfully,

cc: European Chemicals Agency – Helsinki
Annankatu 18, 00120 Helsinki, Finland
www.echa.europa.eu
Your national consumer or environmental organisation

SAMPLE LETTER FOR CONSUMER TO REQUEST INFORMATION ABOUT SUBSTANCES IN AN ARTICLE.

Of course, you don't need to wait until 2009 to put pressure on companies. Responsible retailers and brand manufacturers should supply you with information on the hazardous substances they use, regardless of REACH. In fact, many companies are already substituting hazardous substances with safer alternatives, ahead of REACH, in response to consumer concern[3]. Public pressure works, often faster than regulation, and even though REACH has now been agreed, companies still need to know that people want safe products now.

As a consumer you can use this model letter to send a strong signal to companies that people are very concerned about the safety of products they buy, and spur them to move away from hazardous substances and use or develop safer alternatives. It will also show regulators that the public continues to be concerned about chemical safety – and encourage them to improve the provisions of REACH in the future.

3 | Cleaning up our Chemical Homes – Changing the Market to Supply Toxic-Free Products, Greenpeace, February 2007
http://www.greenpeace.org/raw/content/international/press/reports/chemical-home-company-progress.pdf

PERFLUORINATED CHEMICALS (PFCS)

used to make non-stick coatings on irons and saucepans and the insides of fast food and microwave popcorn wrappings as well as stain-repellent coatings in carpets, textiles and paints. PFCs persist in the environment and can build up in soils and body tissues of animals. Some are known to be toxic to animals, harming reproductive success in freshwater invertebrates and damaging the liver in fish and mammals. They may also increase the uptake and toxicity of other toxic chemicals present.

REACH is far from perfect, but we can still use it to get companies to phase out hazardous substances much faster from the consumer products you use everyday; we can also work to improve it, so that eventually no hazardous substance will be allowed if a safer alternative exists.

Everyone will benefit from safer products, especially future generations – and the environment.

FOR MORE INFORMATION, SEE 'NAVIGATING REACH: AN ACTIVIST'S GUIDE TO USING AND IMPROVING THE NEW EU CHEMICALS LEGISLATION,' WWW.CHEMICALREACTION.ORG

CHEMICAL REACTION

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SUBSTITUTE HARMFUL CHEMICALS FOR SAFER ALTERNATIVES NOW!

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www.greenpeace.org/international/campaigns/toxics

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