

TOWARDS A **TOXIC-FREE** **ENVIRONMENT**

EEB MAIN PRIORITIES FOR THE CHEMICAL STRATEGY FOR SUSTAINABILITY

INTRODUCTION

We are experiencing a human catastrophe; of lives lost, widespread sickness, unprecedented social hardships, and job after job being lost. The impact on poorer countries with weak health systems and a high number of people working in the informal sector without any social protections cannot even be foreseen at this stage.

With leaders starting to think beyond the crisis, it is time to decide what we value the most, and to share a vision for a better future. The current crisis has underlined the importance of human health to us all, and the European Green Deal has the potential to put wellbeing at the heart of EU policies.

Pollution from synthetic chemicals is a major and growing threat to people and nature. Today, chemical pollution has already reached the most remote corners of the globe, from the deepest oceans to the highest mountains. Industrial chemicals have permeated our bodies to the point that researchers describe babies born today as “pre-polluted”. As adults, we all harbour some 300 synthetic substances our grandparents did not, of which many are proven to be toxic. Chemical pollution is linked to a rise in severe health and environmental problems throughout Europe that are adding billions of Euros to public healthcare bills. Exposure to toxic chemicals also increases our vulnerability to pandemics such as the COVID-19.

As announced in the European Green Deal and in the context of its zero-pollution ambition for a toxic-free environment, the European Commission will soon present a Chemicals Strategy for Sustainability. The strategy for a toxic-free environment has the potential to become a truly transformative agenda, driving the detoxification and decarbonisation of our economies while creating millions of secure jobs and shifting from toxic and linear resource-intensive production models to safer and more sustainable circular ones that seek zero pollution and zero waste. This will improve the resilience of our economies. If designed well, the Chemicals Strategy for sustainability can also help tackle biodiversity loss and resource over-extraction that have often gone hand-in-hand with poisonous pollution, growing human health risks and the destruction of communities. It could support the resilience of our health and ecosystems and strengthen our communities. The commitment to a zero-pollution future, giving confidence to citizens that the products we use are not dangerous to our children and that the air we breathe, the food we eat and the water we drink are safe, will support the resilience of our governance systems and governments as citizens see that those they have elected have their backs.

For this reason, a strong and ambitious European Green Deal is more important than ever. The EU needs systemic and future-proof Chemicals Strategy for sustainability to effectively protect people and habitats and drastically reduce chemical pollution.

We now need to focus on the essentials for everyone: a toxic-free future that ensures good living and working conditions, clean water and air, a thriving natural world, a safe climate for the next generation, strong and functioning democracies that will continue to protect us in times of need. To achieve this, we need to be ambitious and to make the right decisions at the right time.

Here are the eight priorities of the EEB for a Toxic-Free Future:

1. DEVELOP AN AMBITIOUS OVERARCHING REGULATORY FRAMEWORK FOR CHEMICALS TO EFFECTIVELY REDUCE POLLUTION AT SOURCE

That includes specific proposals to ensure that:

- **Democratic and environmental principles** enshrined in the EU Treaties are applied in EU chemicals policy, (e.g. transparency in decision-making, precautionary principle, polluter-pays principle).
- Chemicals policy is **aligned with the hierarchy of actions in risk management** that prioritises prevention and precaution, elimination and substitution over control measures.
- A **sectoral and horizontal approach** in order to fully address chemical aspects of all related strategies and policies.
- There is **coherence and synergy** between chemicals legislation and related EU regulations. All substances of very high concern (SVHC) identified under REACH are restricted across the different areas of legislation (Food Contact Materials (FCM), toys, water, etc).
- **Safety testing of chemicals is carried out by independent laboratories**, with the process being paid for by an industry-supplied fund that is managed by an independent public body such as the EU agencies ECHA and/or EFSA.

2. ENSURE A HIGH LEVEL OF PROTECTION FOR PEOPLE AND THE ENVIRONMENT

- **Publish an action plan to better protect most vulnerable** populations and effectively minimise exposure of pregnant women and children to toxics in toys, foods, etc.
- **Urgently phase-out the most dangerous chemicals** across legislations by expanding generic risk approaches to ensure that all known and suspected CMRs and endocrine disruptors (EDCs), and all persistent and bioaccumulative chemicals (PBTs, and vPvBs) are phased-out without delay and by promoting their substitution with safer alternatives.
- **Recognise additional categories of substances of very high concern**, e.g. very persistent, very mobile, developmental neurotoxic and immuno-toxic substances as well as toxic substances on or via lactation.
- **Regulate a large number of hazardous chemicals thanks to grouping approaches**, instead of single substance assessments and management measures.
- **Address mixture toxicity** by using consistent generic mixture assessment factors to protect human health and the environment against combined exposure to chemical mixtures across the different pieces of EU legislation.
- **Develop a new framework for product regulation to address harmful chemicals in materials and products**, such as in textiles, furniture, childcare equipment, hygiene products, indoor air pollution within childcare establishments and hospitals.
- **Equip the EU with the best early warning system in the world** for identifying new and emerging chemical risks.

3. RAPID AND COMPLETE IMPLEMENTATION AND ENFORCEMENT OF REACH AND OTHER CHEMICAL LAWS

- **Allocate necessary resources** to the implementation and enforcement of chemical and product regulations and use every available means to obtain such commitments from the Member States.
- Ensure that the REACH's **'no data, no market' principle is respected** and no chemical is allowed on the EU market if safety is not proven.
- Explore solutions to **eliminate current divergences of enforcement measures and sanctions** across the national enforcement authorities and to **ensure they are effective, resilient and dissuasive**.
- **Increase the transparency of the decision-making process**, including REACH Committee discussions and votes.
- **Urgently tackle REACH and CLP implementation deficits** outlined by the last REACH Review and the chemicals legislation fitness check, in particular to ensure the quality and usefulness of registration data, to speed up the evaluation and risk management processes, to ensure that no authorisations are granted to uses of SVHCs with available alternatives and that restrictions are worthwhile.
- Ensure adequate implementation of chemical regulations for **nano-materials** and strong enforcement of existing nano-material obligations.

- Retain Europe's leadership position on **mercury** policies by ensuring the ratification of the Minamata Convention on Mercury in all EU Member States and by implementing and strengthening the EU Mercury Regulation (including phasing out the use of mercury in dentistry) and other relevant legislation (e.g. removing exemptions for mercury in lamps under the RoHS directive).

4. TRANSPARENCY ON SUBSTANCES IN PRODUCTS ALONG THE LIFECYCLE

- Develop a harmonised legally binding requirement for **full disclosure** of substances present in materials, articles, products and waste.
- Support ECHA to finalise and maintain the [SCIP database](#) and ensure it is useful for consumers, downstream users and waste managers.
- Ensure access to all information relevant to understand the **health and environmental impacts** of chemicals, as well as information about processes and decisions concerning the management of their risks.

5. CLEAN THE CIRCULAR ECONOMY: END TOXIC RECYCLING

- **Ensure a toxic-free interface between chemicals, products and waste**, complementary to the measures taken under the Circular Economy Action Plan, with the aim of preventing toxics in the circular economy with a preventive approach.
- Revise legislation on **food contact materials** and articles following [five key principles](#) to ensure a high level of protection of human health and the environment.
- Commit to **PVC free Europe** by 2030 and become a global frontrunner towards plastic free environment by phasing out the most environmentally damaging and the least recyclable of all plastic, namely PVC.

6. ACCELERATE EU PLANS FOR SUBSTITUTION, INNOVATION FOR SAFE ALTERNATIVES AND GREEN CHEMISTRY

Ensure the required resources, technical support and coordination to **promote substitution** of hazardous chemicals by:

- Developing criteria for the safety-by-design concept, integrating [principles](#) of green chemistry into EU policies and legislation, as well as ensuring the phase-out of non-essential chemicals uses, building on the [criteria](#) agreed by the Montreal Protocol, and prioritising phase-out and substitution of these non-essential chemicals.
- Establishing an inter-authority chemical substitution forum and an EU standalone stakeholder forum on substitution.
- Establishing an EU Substitution Support Office and network of substitution support centres to provide technical support for SMEs across Europe.

- Establish a link between the Substitution Support Office and applicants for authorisation under REACH as well as limit the scope of REACH authorisation process to users of a substances of very high concern.
- Ensuring financial and economic support for chemical substitution by SMEs.

7. PLUG FUNDING GAPS BY APPLYING THE POLLUTER PAYS PRINCIPLE

Ensure that EU authorities and agencies have the required **funds to monitor, regulate and manage chemicals**:

- Apply the 'polluter pays' principle by requiring 0.1% levy on EU chemical industry sales.
- Develop fees on the use of substances of concern in line with the [Massachusetts TURA](#).
- Integrate, in the current work on sustainable finance taxonomy, a rating of environmental performance that considers the impact of harmful chemicals manufactured or used in production and present in products, in order to reward innovative alternative providers and create incentives for substituting the use and production of groups of harmful chemicals.

8. ENSURE EU GLOBAL LEADERSHIP FOR A TOXIC-FREE ENVIRONMENT

- **High-level political commitment to fully implement the chemical safety contributions to the Sustainable Development Goals (SDGs).**
- **Promote the development of an ambitious international framework, as a successor to the Strategic Approach to International Chemicals Management (SAICM),** to prevent and eliminate adverse impacts on the health of people and the environment, across the lifecycle of chemicals and waste, including a reform of the Special Programme.
- **Withdraw the existing exemptions in the regulation on Persistent Organic Pollutants (POPs)** and commitment to list new substances under the Stockholm Convention on POPs with no exemptions.
- **Commit to strengthen the Minamata Convention on mercury** throughout the various topics in the [intersessional process](#) in preparation for the 4th Conference of the Parties (COP4) by broadening the scope of products and industrial processes where mercury should be phased-out, as well as sources of emissions.
- **Avoid double standards by ensuring that REACH provisions also apply to exported substances, mixtures and articles.**