Registration, evaluation, authorisation and restriction of chemicals (REACH); European Chemicals Agency

2003/0256(COD) - 24/06/2005

Pending the opinion of the European Parliament, the Council held a policy debate on a draft Regulation and Directive concerning the registration, evaluation, authorisation and restriction of chemicals (REACH), and establishing a European Chemicals Agency, with a view to setting out general guidelines for future work.

The discussion concentrated on the authorisation regime, and in particular on:

– the scope of authorisation;

– the possible preparation of a list of chemicals of concern subject to authorisation;

– mandatory taking into account of technically and economically viable alternatives (substances or technologies);

– the conditions to which, where appropriate, authorisation would be subject (time-limits, review periods, monitoring).

At the close of the discussion, the Presidency summarised as follows:

As regards the scope of authorisation, the discussion in the Council highlighted the importance of applying scientific and technical criteria when taking account of chemicals of concern with serious and irreversible effects equivalent to carcinogens, mutagens or substances toxic to reproduction, and persistent, bioaccumulative and toxic substances (PBT) or very persistent and very bioaccumulable substances (vPvB).

While reiterating the need for a manageable and practicable authorisation regime, the policy debate confirmed the largely positive attitude towards drawing up a list of chemicals that would require authorisation.

With regard to taking account of technically and economically viable alternative technologies or substances in the context of granting authorisation, the discussion revealed that the authorization regime was an important part of REACH that could help replace chemicals of concern, and that the aim was to further encourage consideration of these alternative solutions before a decision was taken.

While recognising the merits of encouraging the development of alternative solutions, the discussion in the Council emphasised the importance of taking account of the specific constraints in production cycles when applying conditions to authorisation, yet without excluding authorization being subject to strict conditions, including time-limits, review periods and monitoring conditions.

Lastly, the Council called on its preparatory bodies to continue negotiations with a view to a political agreement, once the European Parliament's opinion was available, on all aspects of the Commission proposal, while taking account of the need to strike a balance between the international competitiveness of European industry and environmental and health protection.

It will be recalled that the Competitiveness Council on 6 and 7 June 2005 addressed the subject of the role of the European Chemicals Agency and the outcome of the in-depth analysis of the impact of REACH.

The Community chemicals policy aims at avoiding chemical contamination of air, water, soil and the human environment in order to preserve biodiversity and to safeguard workers' and citizens' health and safety. This policy seeks to balance health and environmental benefits with the need to sustain a competitive, innovative and job-creating European industry and the proper functioning of the internal market.