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

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The Council held a policy debate on a draft Regulation on the registration, evaluation, authorisation and restriction of chemicals, (REACH). It instructed the permanent representatives committee to examine the remaining issues with a view to enabling the Council to reach a political agreement at its meeting on 13 December.

The debate was held on the basis of a report from the Presidency setting out the main outstanding issues, in the light of the European Parliament's recent opinion during its first reading of the proposal. The President concluded the debate by noting that there is broad agreement on many of the key issues including registration and evaluation. The Council detects that there is a high degree of convergence between the delegations' positions and a very clear desire to finalise the Council's position at the December meeting.

Where there are outstanding points, they relate principally to the question of authorisation and scope. Authorisation, being the part of REACH dealing with the most dangerous chemicals, is therefore of particular concern. Some delegations expressed the wish to see the requirements for substituting these chemicals to be strengthened further. They propose, in particular, that the availability of suitable alternatives should always be considered in authorisation decisions and, if these are available, an authorisation should not be granted.

Several other delegations, on the other hand, as well as the Commission, consider that, if it can be demonstrated that the risks from the use of some of these chemicals are adequately controlled, then it should be possible for industry to continue using these chemicals under stringent conditions.

Other delegations stressed the importance of clarity over how the concept of adequate control would apply. On the question of "Scope", some delegations requested further exemptions from the registration of specific substances. The Presidency notes that an early review of the relevant Annexes may provide the best opportunity for the important issue to be resolved.