



Environmental Audit Committee

House of Commons, London SW1A 0AA

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Rt Hon George Eustice MP
Secretary of State
Department for Environment, Food and Rural Affairs

By Email

6 July 2020

Dear George,

Chemicals regulation at the end of the Brexit Transition period

On behalf of the Committee I would like to thank you for appearing before us last month. As you know my Committee has closely monitored government proposals for the future of chemicals regulation after Brexit and there are a number of points arising from our session on which we would appreciate further clarification.

Registrations and the new UK REACH

Following the Government's decision not to seek associate membership of EU REACH, business groups from the chemicals sector have expressed concerns to us about the process for transferring registrations from the EU system and ongoing costs, some of which we touched on during our session.

The process of grandfathering-in existing EU registrations to the UK system relies on companies having access to the full data package of registration data in the EU REACH. The requirement within EU REACH for joint registration for individual substances means that many UK companies' registrations rely on data owned by 3rd parties in the EU. Industry groups have suggested that if commercial partners are unwilling to sell this information (which will in itself incur a cost to UK businesses), UK businesses will need to embark on duplicative testing which is likely to take longer than the 2 year timetable for transfer of registrations envisaged under the Government's proposals. How will companies who do not have legal ownership of the registration data needed for transferring their existing registrations be able to register with the new system?

You offered to write to the Committee with details of the costs to businesses to transfer existing EU registrations to the UK REACH system and details of the ongoing fee structure for UK REACH. We would be grateful for that information and would also be keen to know whether you have made an assessment of how these fees will impact smaller UK businesses, and whether the proposed approach will impact the commercial viability of any chemical components currently on the UK market?

Other challenges

You will be aware that the Committee has had continued correspondence with industry bodies on chemicals regulation after Brexit, and there are a number of further points which we would appreciate you addressing in your response:

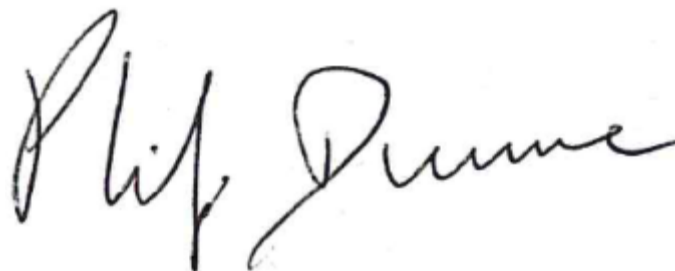
- Registrations in the EU REACH held by UK companies exporting into the EU will become invalid on 1 January 2021 when the UK becomes a third country. What negotiations are taking place with the EU to ensure that UK companies can continue to trade into the EU at the end of the transition period?
- If no agreement is reached at the end of the transition period, what cost or regulatory impacts do you expect there to be on UK companies looking to continue to trade into the EU?
- Will businesses in Northern Ireland looking to trade into GB have to hold registrations in both the EU and UK REACH?

Associate Membership

This Committee has previously encouraged the Government to seek associate membership of REACH and the ECHA. If the Government is unable to resolve the concerns raised by the UK Chemicals industry, will it re-consider seeking associate membership of the ECHA and REACH?

I would be grateful for a response to this letter by 7 August.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Philip Dunne', written in a cursive style.

Rt Hon Philip Dunne MP
Chairman of the Environmental Audit Committee