

Ms Catherine Day
Director General
European Commission - DG Environment
Directorate General
BU-5 03/03
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8 October 2003

THE SECRETARY GENERAL

Dear Director-General,

re: *Chemicals strategy*

UNICE has been informed about the general content of the chemicals package which is in inter-service consultation until 10 October 2003.

Bearing in mind the fact that:

- a substantially amended proposal is in preparation,
- the scope and complexity of the potential effects on downstream users have been confirmed in recent weeks,

we deem it essential that there is a further consultation with industry before the Commission adopts a proposal.

UNICE understands that development of a hazard-based REACH system remains the basic option under consideration. We are extremely concerned by this approach, since we believe that this option lacks good economic efficiency for targeting and handling those substances which present real safety or environmental concerns.

We therefore take the liberty of urging the Commission to redesign its strategy around a risk-based approach, which we regard as the only way to balance economic, social and environmental considerations as envisaged in the December 2002 communication on industrial policy.

UNICE is also very worried to note that there are still plans to introduce a REACH system based on description and registration of the specific uses made of chemicals by individual companies. This system is likely to create considerable burdens for users; we stress the need to define general exposure categories.

UNICE recognises that major improvements in the text are currently being envisaged, with a view to:

- requiring a chemicals safety report only for substances over 10 tonnes a year;
- not including polymers until scientific criteria are defined;
- reducing the number of intermediates falling within the scope of REACH;
- reducing testing requirements for small volume substances;
- improving the protection of confidential information;
- giving more responsibility to the centralised agency.

However, these improvements in the operation of REACH seem to us insufficient to make a proposal rooted in a hazard-based approach acceptable.

Thank you for the consideration you may give these comments when preparing your contribution to the consultation.

Many industrial organisations do not have the feeling that:

- this summer's Internet consultation improved the Commission's understanding of the impacts of REACH on downstream users;
- systematic evaluation work on these impacts was carried out during the summer, and notably evaluation of the indirect costs of REACH (i.e. costs for downstream users).

I would be grateful if you would verify that the requisite in-depth evaluation work has now been carried out. In line with annexes 2 and 3 of the Commission's 5 June 2002 communication, this evaluation work should compare the costs of the different basic approaches that might be envisaged for achieving the objectives of REACH (notably: risk-based approach, hazard-based approach).

Yours sincerely,



Philippe de Buck

Addressees: Directors General of DG Agriculture, DG Budget, DG Competition, DG Development and Humanitarian Aid, DG Economic and Monetary Affairs, DG Education and Culture, DG Employment and Social Affairs, DG Enlargement, DG Enterprise, DG Environment, DG External Relations, DG Fisheries, DG Health and Consumer Protection, DG Information Society, DG Internal Market, DG Justice and Home Affairs, DG Regional Policy, DG Research, DG Taxation, DG Trade, DG Transport and Energy.