

SUBSTANCES OF VERY HIGH CONCERN IN CHEMICALS POLICY

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A high percentage of the about 100.000 existing chemicals is used in day to day products such as electronic equipment, furniture, household chemicals or cosmetics. Attributing and back tracing of industrial chemicals is a challenging task, given the variety of potential sources. However the documentation of a high number of persistent and bio-accumulating substances in the blood of Europeans can give us an idea on the ubiquitous nature of chemicals in today's environment.

According to investigations of the European Chemicals Bureau there is a fundamental lack of knowledge on the effects industrial chemicals might have on man and / or environment. For about 20 % of High Production Volume Chemicals (HPVCs) there are even no data at all! On the other hand the main burden of proof for assessing the risks of hazardous chemicals on the market currently lays on authorities. Due to the weak data basis and the lack of resources since 1993 only a handful of hazardous chemicals have been fully risk assessed in the framework of the EU existing substance regulation 93/793.

It is obvious that a shift of paradigm within chemicals policy is needed, leading to systematically examining of chemicals used in significant quantities in the EU and an adequately controlling of "Substances of Very High Concern", such as persistent, bio-accumulative and toxic substances or substances having other serious and irreversible effects on man and / or the environment (e.g. Endocrine Disrupters). REACH, the new regulatory framework for chemicals proposed by the Commission on 29 October 2003, has been devised to tackle this problem. The reconstruction of chemicals management also implicitly includes new policy concepts, which require a major shift in mind setting. In particular the reversal of the "**burden of proof**" to producers of chemicals and their clients (Downstream-Users) in our view is a key component of the future system leading to a "no data – no market" concept. This implies a real

shift of paradigm although the current legislation also was based to a certain extent on producer's responsibility.

With the same political emphasis it should be ensured that the **precautionary principle** is adequately addressed in the new legislation. Therefore the direct link from certain irreversible hazardous properties to risk management measures was strengthened and developed further. The integration and operationalisation of a strong precautionary approach in REACH in our view is essential in order to adequately protect human health and the environment.

Austria has long tradition in applying the precautionary principle in chemicals policy, especially when the health of children is concerned: for instance was Austria one of the first EU-Member States which banned phthalates in toys for children below 3 years in 1998. Other Member States followed and nowadays a ban of phthalates in toys and other articles to whom babies are exposed to is being implemented on European level. Hazardous chemicals are a priority area for Austrian environmental policy in particular with regard to properties which are manifested at very low concentrations such as endocrine disruption. Not just legal instruments are used but also market oriented measures such as public procurement and eco-labelling. Further details on the later one can be found for instance at www.umweltzeichen.at, the Austrian ecolabel website.

Endocrine disrupting effects in our view are a big challenge for the new management of chemicals. Austria has set a number of activities to investigate Endocrines and to address them adequately in Environment-Policy: For instance from 2000 to 2003 a large-scale programme for assessing Endocrine Disrupters in Austrian surface and groundwater, the so-called **ARCEM-project** has been performed. The results can be found on a website (www.arcem.at). At the time being the Austrian Environment Agency assesses endocrine disrupting chemicals, such as certain phthalates or Bisphenol A in **household dust**. However, monitoring of Endocrine Disrupters in the environment only is not a goal on its own. It is of major importance to treat them in a precautionary manner also in the new Chemicals Policy REACH. Therefore Austria supported the inclusion of potential Endocrine Disrupters in the collection of "Substances of very High Concern" and thus in the Authorisation concept of REACH.