

Submission from Breast Cancer UK

Views on the Government's response to the former Committee's report on The Future of Chemicals Regulation after the EU Referendum

1. Summary

- 1.1 Breast Cancer UK is dedicated to the prevention of breast cancer by addressing all risk factors, including exposure to carcinogenic and hazardous chemicals.**
- 1.2 The Government's response to EAC's report is woefully inadequate. It fails to provide even an outline of how the Government will manage chemicals regulation post-Brexit.**
- 1.3 Ineffective chemicals regulation and consequent exposure to hazardous chemicals can damage public health and the environment. There are numerous historical examples where regulations have failed to protect human health, and action has only been taken after significant harm has been done.**
- 1.4 The Government must at least indicate an outline of a plan for the development or continuation of an effective chemicals regulation system. Any system should be based on the precautionary principle and feature a hazard-based element in its approach to regulation.**
- 1.5 The UK leaving the EU does not mean that it needs to leave REACH. The UK should commit to staying within REACH, to protect regulations designed to protect the environment and public health; facilitate continued trade with the EU; and avoid the costs, bureaucracy and uncertainty necessitated by setting up a separate regulatory system.**

2. About Breast Cancer UK

- 2.1 Breast Cancer UK is dedicated to the prevention of breast cancer. It is a disease that we are increasingly vulnerable to. 55,200 new cases of breast cancer were diagnosed in the UK in 2014; that's 150 new cases every day.¹ 1 in 5 cases is diagnosed in women under the age of 50. Whilst improvements in diagnosis and treatment have led to a reduction in mortality rates for breast cancer, efforts to prevent the disease have stalled.**

¹ Cancer Research UK <http://www.cancerresearchuk.org/health-professional/cancer-statistics/statistics-by-cancer-type/breast-cancer#heading-Zero>

3. The Repeal Bill

- 3.1 In its response to the EAC's report the Government states: 'The government will use the Repeal Bill (The European Union (Withdrawal) Bill) to convert EU law into UK law and use the powers to amend REACH, as well as other related chemicals regulation to make them work properly in the UK.'
- 3.2 If the UK did not remain in the REACH system, then a new regulatory system would need to be created. This would not be a simple matter of converting EU law into UK law. The UK does not currently have the systems, I.T. or institutions necessary to run its own chemicals regulation system.
- 3.3 Developing a new UK chemicals regulation system would take significant time, resources and expertise. The process of developing a new system should be transparent, involve stakeholder input, and receive parliamentary scrutiny.

4. The economic costs of having a UK-only chemicals regulatory policy

- 4.1 In its response to the EAC's report the Government states: 'The costs required to implement any post-exit UK regulatory framework will be affected by many factors, including negotiations, and it would not be appropriate to pre-judge their outcome.'
- 4.2 Leaving REACH and setting up a UK-only chemicals regulatory policy would entail significant short and long-term costs. This includes the loss of economies of scale from utilising the REACH database, developing the necessary I.T. system, designing and implementing data sharing systems, and hiring staff with specialist skills and knowledge.
- 4.3 A UK-only system would not be a quick-fix for reducing the regulatory burden on businesses. In fact, it would create another layer of bureaucracy as many businesses who export to the single market would still have to meet REACH requirements, as well as meeting the requirements of a UK-only system.
- 4.4 A UK-only regime could result in the UK becoming a dumping ground of products insufficient to meet REACH criteria but that meet weaker or out of date UK regulations. It would require significant resources just to copy changes in REACH regulations, and any divergence would provide companies with opportunities for offloading old stock into the UK market.
- 4.5 Setting up a UK-only regime is would be less cost effective and more bureaucratic than simply staying in REACH. Staying in REACH offers the UK all the benefits it could expect from a separate regime, but without the extra costs.

5. Conclusions

- 5.1 The Government's response to the EAC's report is woefully inadequate. The Government must set out its plans for post-Brexit chemicals regulation and stop hiding behind a veil of secrecy.
- 5.2 The EU's approach to chemicals regulation and the utilization of the precautionary principle has meant that the UK benefits from some of the most effective chemicals regulations in the world. This has helped to protect public health, provide healthier food and safer consumer products, and facilitate trade with the single market.
- 5.3 Leaving REACH would entail ongoing costs in setting up and running a separate regulatory system, and would subject businesses that export to the EU to two regulatory systems.
- 5.4 A system which sought to weaken chemicals regulation could lead to importers dumping products in the UK not fit for the EU; trade barriers for UK exporters; damage to public health; and risk contributing to the rising incidence of diseases such as breast cancer.

6. Recommendations

- The Government should set out its plans for post-Brexit chemicals regulation at the earliest opportunity.
- The UK should remain in REACH, to protect public health while minimising regulatory costs and bureaucracy.
- The UK should not allow changes in its relationship with the EU to weaken chemicals regulation.
- Any new UK chemicals regime should be based on the precautionary principle, incorporate a hazard based approach to chemicals management, and mirror developments in REACH.