



DET KONGELIGE
MILJØVERNDEPARTEMENT

*Royal Ministry of the Environment
The Minister*

Your ref

Our ref

Date

11 NOV 2005

REACH - strengthening chemical safety in Europe

Madame/Sir,

The new Government in Norway will strive to ensure a toxic-free environment. We therefore attach great importance to the REACH proposal, as it will be a key instrument in protecting human health and environment from chemical risks.

As part of the European Economic Area (EEA), Norway has the same chemical legislation as the EU. Norway participates fully in the current expert groups in the chemicals area and takes its share of the workload.

I appreciate and acknowledge the work done by the Commission in order to propose improved legislation in the chemicals field. The REACH system as proposed would entail a great leap forward in generating knowledge regarding chemicals, their properties and their effects on human health and the environment.

Norway has commented on the REACH proposal several times, advocating the need for high level of protection for human health and the environment. We have, inter alia, advocated the need for REACH to ensure sufficient efforts to address risks from substances of highest concern.

The current political debate in the European Parliament and in the Council indicates that the REACH proposal may be changed in fundamental ways, possibly weakening the proposal's value for protecting human health and the environment. This is of great concern to the

Norwegian Government, and I would therefore like to emphasise some aspects of great importance to Norway.

If REACH fails to stop the use of the hazardous substances of highest concern, and fails to promote the use of safer alternatives, the public will regard it as a failure. The authorization procedure in REACH therefore needs to be a tool for phasing out the use of such substances, not be a tool for administrating continued use. In general, authorization should not be given where safer substitutes are readily available on commercial terms. Please find enclosed a paper where the Norwegian experience with substitution is elaborated.

We support prioritising the registration of low volume substances with the highest expected risk. Such substances may be where information indicates that it is a substance of very high concern, or substances with dispersive uses such as in consumer articles. Such an approach should allow for more hazard information to be documented for low volume chemicals.

The REACH regulation should include the concept of duty of care. A provision regarding duty of care has for many years been a part of the Norwegian legislation and we have positive experiences with this. Please find enclosed a paper where the duty of care in Norwegian legislation is elaborated.

A strengthened chemical regime for Europe is urgently needed, and Norway looks forward to play its part. I therefore urge both the European Parliament and the Council to adopt a REACH that ensures such a strengthened regime.

Yours sincerely,


Helen Bjørnøy

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