

Regulatory alignment post-Brexit

Letter to Heads of State and Government ahead of EU Council

On 17 October, you will be meeting in Brussels to attempt to make progress towards the conclusion of the Agreement on the Withdrawal of the UK from the EU and the Declaration on the Future Relationship to ensure an orderly withdrawal with minimum disruption. A no deal Brexit would leave too little time for business to prepare and would lead to major disruptions.

Whatever shape the future relationship may eventually take, we urge you to ensure that the regulatory systems of the EU-27 and the UK remain highly aligned post-Brexit. This will not only allow for continuity and consistency for companies and regulatory bodies operating on both sides of the Channel, but also ensure a framework for the continued development and implementation of high health, safety and environmental standards.

This applies in particular to the REACH chemicals management system. Economies on both sides of the Channel have undertaken significant investments in registrations under EU-REACH; sharing information and communicating safe use in exchange for the ability to market and use chemicals in European countries, including the UK. The chemicals agency ECHA now has the world's leading database of chemicals. The UK has made major contributions to building that database, with UK companies contributing nearly 6000 registered substances. At the same time the EU has undertaken intensive efforts to convince other countries in the world to adopt approaches similar to REACH.

If the UK is outside REACH post-Brexit this would require companies on both sides of the Channel to duplicate pre-existing registration duties for a UK-REACH. This would not only weaken the international competitiveness of both EU and UK based chemical companies but, more importantly, also risk divergence of health, safety and environmental levels of protection.

Allowing the UK to remain within (and bound by) REACH and participating in ECHA is the best solution, as long as the UK accepts the conditions set by the EU-27. This solution makes sense irrespective of the outcome of broader discussions on the UK's position with regard to the EU single market. Remaining within REACH will help to maintain high standards of protection of citizens and their environment, and ensure continuity and consistency for companies. A strong REACH is in everybody's interest.

Thank you for taking our concerns into consideration.

Yours sincerely,

Marco Mensink

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