



UK REACH BRIEFING

BACKGROUND

Registration, Evaluation, Authorisation & Restriction of Chemicals (UK REACH) is the key regulation businesses must comply with to manufacture and import chemicals in Great Britain (GB). Although similar in structure, EU and UK REACH are implemented independently from each other, having important implications for businesses with commercial interests in both markets. In recognising these challenges, the best EU exit outcome would have been for the UK to fully remain within EU chemical regulations, with a seat at the table for decision making and continuing to use the services of the European Chemical Agency (ECHA) – a position CIA pushed for during the Brexit negotiations. *Note: remaining within EU chemicals regulation is not the same as the UK aligning to EU REACH since the latter does not guarantee friction free access to the EU single market.*

Given EU REACH is viewed as an EU ‘single market’ legislative instrument, and the UK has left the single market and customs union, UK REACH is implemented independently from EU REACH. This situation has led to: (i) a degree of ‘unavoidable’ divergence between the EU and UK regulations; and (ii) given the lack of EU/UK agreement on data sharing, UK REACH requires separate registration of all substances (‘Current status’). As things stand today, the latter would mean a cost to UK industry, estimated by Defra to be ~£2-3billion, relating to the re-submission of data to the UK authorities, unless a solution is put in place as a matter of urgency.

A UK industry proposal for transitional registrations was put forward in February 2021 based on the registration approach taken by Switzerland, whereby the Swiss regulations recognise substances registered in the EU, as registered for the Swiss market¹. This proposal was rejected on the basis that UK REACH must abide to the “no data-no market” principle, but following extensive discussions and consideration given to other possible variants, in November 2023 Defra outlined a policy direction for UK REACH with the aim to significantly reduce data sharing costs and fees for businesses, while maintaining the responsibility on business to provide relevant registration information. The intent is to ensure authorities have GB-level information to better target regulatory work most concerning to GB.

¹ Recognises substances already registered in the EU, as registered for the Swiss market. Whilst the Swiss regime aligns with most EU decisions on chemicals they do and have deviated from EU decisions

Current status: Registration of all substances placed on the UK market, according to existing REACH requirements

Industry proposal: Recognition of substances already registered in the EU, as registered in GB.

Defra ATRm proposal: Defra's proposed Alternative Transitional Registration model (ATRm) would allow for reduced hazard / revised use and exposure requirements.

PROGRESS TO DATE

Following over five years of intense discussion, and welcoming Defra's initial work towards a more pragmatic approach around data requirements and registration fees, the chemicals industry, and many of its key customers including advanced manufacturing sectors, remain concerned given the lack of progress in delivering a way forward on UK REACH. As businesses across the UK have been facing unprecedented uncertainty with a first compliance deadline of October 2026 fast approaching, DEFRA has proposed a further extension to the registration's timeline for transitional registrations.

WHAT THE UK CHEMICAL SECTOR IS SEEKING – MOST IMPORTANTLY – URGENT CLARITY!

On [registration](#), CIA has been calling for both minimising the immediate uncertainty and working towards a solution that does not undermine UK businesses across the manufacturing supply chain:

- > An extension to existing UK REACH registration deadlines is necessary. As the government's approach to UK chemical regulation and related legislation has not been finalised yet, it is regrettably clear that the upcoming registration deadline for transitional registrations cannot be met. We repeat our call on the need for two years to understand, plan and comply with any future alternative registration model requirements, once in place.
- > Given UK REACH is here to stay, implement a fully functioning UK registration regime, minimising costs to industry while maintaining human health and environment protection. Understandably, finding a solution for UK REACH has by no means been an easy task with trade off related decisions needing to be made. While the Alternative Transitional Registration Model (ATRm) proposal is a step in the right direction, we await to continue work with Defra on remaining issues as business urgently requires policy certainty. The ongoing uncertainty is not only creating barriers for existing products being supplied to the GB market but hampering new innovations and products being introduced. This is at a time when these are much needed, whether it be to enhance resilience and/or supply advance manufacturing, life sciences, defence and the clean energy sector.
- > While supporting the authorities' efforts in identifying a workable alternative registration model, CIA remains of the view that an effective UK REACH regime can be achieved without requiring a full resubmission of dossiers for substances that are registered under

EU REACH. Although the prospect of duplicating EU registrations for the UK market might ultimately deliver a UK database for chemicals, this approach does not help improving protection of human health and environment or support UK chemicals and wider manufacturing innovation or investment in the UK.

On the [relationship between UK and EU REACH](#), enhanced collaboration between UK and EU authorities can help achieve a common understanding of the science related to emerging issues, through the implementation of the current provisions UK/EU Trade and cooperation and related Chemical Annex. This would be a good first step to help minimising divergence as well as avoiding unnecessary duplication of costly testing and work when it comes to taking decisions on chemicals in Great Britain, while recognising the autonomy of the two regulatory systems. We urge the Government to bear in mind that aligning Great Britain to EU REACH regulatory decisions does not mean removing trade barriers with the EU, as long as two separate registration regimes are in place. In addition, alignment with EU REACH cannot be considered in isolation given the interconnectivity with other chemicals legislation (e.g. HSE are proposing changes to CLP and BPR for GB specific needs via the REUL Act). Future policy also needs due consideration of impacts for both UK authorities and industry. For example, many of the expected proposals on the incoming EU REACH revision, by moving further away from the UK's long-standing evidence and risk-based approach, have the potential to bring significant additional workload and detrimental impact on the UK's clean energy transition and growth missions. Instead, we support an approach to policy decision-making where divergence or alignment with the EU should not be without purpose but led by science and be risk based.