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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	The "REACH-up" initiative - challenges and options for improving legislation on chemical products - Information from the Presidency, supported by the Austrian, Belgian, Danish, French, German, Netherlands, Swedish and Finnish delegations

Delegations will find in Annex a note from the Presidency, supported by the Austrian, Belgian, Danish, French, German, Netherlands, Swedish and Finnish delegations on the above subject, to be dealt with under "Any other business" at the Environment Council meeting on 16 December 2015.

The "REACH-up" initiative - challenges and options for improving legislation on chemical products**- Information from the Presidency, supported by the Austrian, Belgian, Danish, French, German, Netherlands, Swedish and Finnish delegations -**

Last year, Luxembourg, Austria, Belgium, Denmark, France, Germany, Netherlands, Norway and Sweden - in the so called 'Reach up' initiative - called on the European Commission and the Member States to intensify efforts to strengthen and speed up implementation of the REACH Regulation. We also called for other initiatives necessary in order to meet the Union strategy for a non-toxic environment in 2018, as requested in the 7th Environment Action Programme, which was adopted in 2013 and requires measures to be undertaken by 2015. As a further step in this process these countries, together with Norway, organized a conference recently. This note highlights the main outcomes of the conference and calls for follow-up action by the Council.

In our joint note to the Council (Environment) in December 2014, we aimed to refocus Europe's attention on the safe use of chemicals and, at the same time, to ensure transparency, innovation and competitiveness for the European Chemical sector and particularly for SMEs. We expressed our concern as to the effectiveness and efficiency of the REACH regulation, and pointed to areas where we see a need for improvements.

On 20 October 2015, together with Norway, we organised a conference in Brussels on '*REACH and beyond - challenges and possible options for improvements*'. The event brought together around 200 representatives from the EU Member States, the European Parliament and the European Commission, as well as industry associations and consumer and environmental organisations. Introductory presentations by Eva Kjer Hansen, the Danish Minister for Environment and Food, and Giovanni La Via, Chair of the Committee on the Environment, Public Health and Food Safety, were given. Stakeholders were invited to actively participate, to discuss and develop policy responses to identified shortcomings in the current implementation of REACH and to initiate thinking beyond REACH, thereby contributing to Europe's future chemicals policy. Presentations and a Participant Outcomes Report are available on the conference website:
<http://conferencemanager.events/REACHandBeyond>

The conference demonstrated considerable engagement from all participants in support of REACH and better regulation of chemical products, with a focus on the need to improve implementation and to consider initiatives beyond REACH. Many suggestions for improvement were developed as a result of discussions held in a spirit of openness. These included the need to accelerate the work being done to make registration dossiers compliant, improve enforcement, support efforts to increase substitution, deal with the presence of problematic substances in articles, and increase legal certainty for companies. There was also a call for greater coherence and integration across different pieces of legislation, and better use of the information in REACH in the context of other legislation, in order to increase efficiency in chemicals policies and enhance innovation, growth, the circular economy and resource efficiency.

The outcome of this conference gives a clear signal that actions to improve implementation and chemical safety are necessary, whilst acknowledging the improvements made by REACH.

We call on the incoming presidencies to adopt adequate follow-up action, such as convening a (policy) debate with Member States and the Commission based on the conference outcome, and reporting on the operation of REACH in accordance with Article 117, that should lead to Council conclusions on this topic.
