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NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: REACH Regulation: the way forward
- Exchange of views

In view of the Council (Environment) on 25 June 2026, a background paper from the Presidency with questions to Ministers on the topic is contained in the [Annex](#).

The [Committee of Permanent Representatives](#) is invited to take note of the background note and questions and to forward them to the Council.

REACH Regulation: the way forward**- Exchange of views -**

In October 2020, the European Commission announced the revision of the REACH Regulation as part of a major overhaul of the EU's chemicals policy through the Chemicals Strategy for Sustainability. The REACH Regulation, with its aims to ensure a high level of protection of human health and the environment from the risks posed by chemicals, as well as the free circulation of substances on the internal market while enhancing competitiveness and innovation, is central to that EU's chemicals policy.

The REACH revision was supposed to address the current gaps in the regulation, such as enhancing the compliance of registration dossiers, better identifying substances with critical hazard properties, improving and simplifying the authorisation and restriction system, and reinforcing the compliance of imports of substances from third countries.

The Commission had planned to propose a targeted revision of the REACH Regulation in the course of the current mandate, as announced in the 2025 Work Programme. However, the corresponding proposal was repeatedly postponed.

In its conclusions of October 2025, the European Council underlined the need to revise the REACH Regulation as a way to boost the competitiveness of the chemical sector. Building on these orientations, the Council Conclusions on Europe's Environment 2030 of December 2025 further recalled the need to revise and modernise REACH and to fully implement the Chemicals Strategy for Sustainability.

However, in the last few years, the context surrounding the chemicals sector has evolved significantly. The European chemical industry is undergoing rapid structural change and faces significant challenges, including rising energy and feedstock costs, external dependencies on critical inputs, and intensified competition from third countries, including from operators that do not comply with EU requirements. Operators have repeatedly emphasised their need for regulatory stability and predictability to underpin investment decisions.

Against this backdrop, the conditions to deliver a full legislative revision of REACH in the short term may no longer be met. Reopening the file under the ordinary legislative procedure would create prolonged uncertainty for operators and authorities alike, at a moment when the sector needs clarity and stability.

In this context, the Commission indicated in statements made in April 2026 that the legislative revision of REACH initially foreseen in the Chemicals Strategy for Sustainability would not be pursued in the current mandate. Instead, the Commission announced that it would focus its work on simplifying and adapting REACH to scientific progress through comitology. The Commission also announced that it would strengthen the enforcement of the regulation with respect to non-compliant products and substances from third countries, as well as improve market surveillance.

In the absence of a legislative revision, the simplification and adaptation of REACH through comitology could offer a concrete avenue to deliver tangible improvements. Several issues could in particular be considered, including updating registration data requirements to account for the new hazard classes introduced by the revised CLP Regulation, harmonising and digitalising Safety Data Sheets, and simplifying the application of the regulation.

Furthermore, a significant compliance gap remains in the implementation of REACH, in particular regarding substances and articles imported from third countries. The latest targeted enforcement project of ECHA's Enforcement Forum (REF-12), based on 2 603 controls carried out by inspectors in 29 EEA countries, confirmed the scale of this gap. One out of three substances in imported mixtures lacked the required registration, and 16 % of the restricted substances checked were found to be non-compliant.

The original revision had identified this gap as one of the central issues to be addressed, including through better alignment of REACH obligations with the EU customs framework. The significant increase in online sales, in particular direct-to-consumer parcels via express freight or postal channels, further complicates the challenge of conducting inspections at an adequate frequency and quality level. Reflections should therefore continue on the most appropriate means (legislative or non-legislative) to close this compliance gap. This should be done, while taking into account the specificities of chemicals policies, notably REACH and CLP, while ensuring coherence with the ongoing reforms of the Customs Union, the New Legislative Framework, and Regulation (EU) 2019/1020 on market surveillance, as well as the possible European Products Act. The main aim of this exchange of views is to identify key actions regarding the REACH Regulation and its implementation and to determine which measures could modernise, simplify, and strengthen its enforcement in the absence of a revision through an ordinary legislative procedure.

Questions for ministers:

- 1. Which actions could be taken through comitology to modernise and simplify the REACH Regulation in practice?*
- 2. How can the compliance gap of the REACH Regulation be addressed, and which (legislative or non-legislative) measures would be needed to strengthen its enforcement?*