

US INTERVENTION IN EU CHEMICAL POLICY

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In February 2001, the European Union released a plan for a sweeping reform of chemical regulatory policy known as REACH, which would require manufacturers to test chemicals for health impacts before putting them on the market. This report describes the efforts of the United States government, under the Bush Administration, to weaken REACH.

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...CONVENING THE GOVERNMENT TEAM

In February 2001, the European Union published the White Paper that described the REACH proposal. Internal documents reveal that the US government began to work on REACH the same year with personnel from EPA, State, Commerce, and USTR working together with each other and with the chemical industry. From the beginning, the goal appeared to be intervening and changing REACH before the legislation became finalized. As one document declared, *"In their [USEU, US Mission to the European Union] view it is imperative that the U.S. Government begin a dialogue with the EU on the strategy as soon as possible with the hope of influencing the draft text."* [fn]

EPA ARGUES FOR VOLUNTARY REGULATION

A document drafted by Charlie Auer, Director, EPA Office of Pollution Prevention and Toxics, reveals the key role of the EPA in making regulatory arguments against REACH.²⁶ The paper points out that the US does not recognize the precautionary principle as a principle of international law. The document also comments on the EU's reluctance to adopt the US form of voluntary regulation of chemicals but ironically points out the disadvantage of the US approach; *"EPA must identify necessary data on existing or new chemicals, and thus places much of the burden for information collection on the government."* Finally, the EPA helped the industry attack REACH by advancing the idea of voluntary regulation. *"EPA is quite comfortable with a collaborative relationship with industry in such voluntary efforts."*

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...STATE SUPPORTS INDUSTRY TRADE GROUP

On May 6, 2003, the State Department issued a press release promoting a report from the National Foreign Trade Council (NFTC) concerning *"...trade barriers that ignore sound science."* The report features REACH as an example where, *"...U.S. and foreign exporters are effectively prevented from fully participating in the regulatory drafting and review process."*

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