

HEAL's response to the EU Commission's proposed roadmap 'Towards a more comprehensive framework on endocrine disruptors'



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The Health and Environment Alliance (HEAL) welcomes the opportunity to comment on the European Commission's proposed roadmap "Towards a more comprehensive framework on endocrine disruptors"ⁱ. In HEAL's view, a comprehensive European approach to address the health and societal challenges of endocrine disrupting chemicals (EDCs) that reduces exposure is long overdue and an absolute necessity.

From a legal point of view, the seventh Environment Action Programme (EAP)ⁱⁱ adopted in 2013 already makes the minimisation of exposure to EDCs a priority objective, including addressing safety concerns related to EDCs across legislations and their combination effects. Moreover the December 2016 Environment council conclusions invite the European Commission to update the 1999 EU endocrine disruptors strategy as appropriateⁱⁱⁱ.

The significant increase in the relevant scientific knowledge providing evidence on the link between EDC exposure and a series of serious health conditions – including but not limited to reproductive disorders, cancers such as breast cancers or prostate cancers, behavioural disorders such as autism or ADHD – since the 1999 strategy was released should guide the European Commission's effort in building a new strategy. This new strategy should place measures to reduce citizens' exposure to EDCs at its core in order to truly make a difference in terms of health and societal gains.

INITIAL FRAMING

We are puzzled at the framing proposed by the European Commission under this roadmap, which suggests to update and replace the 1999 "strategy" by a "framework on endocrine disruptors". The latter seems less ambitious and appropriate than a fully-fledged strategy. We also note that this constitutes a change of language in comparison to the European Commission's July 2017 communication, which mentions that *"the adopted criteria will provide a stepping stone for further actions to protect health and the environment by enabling the Commission to start working on a new strategy to minimise exposure of EU citizens to endocrine disruptors, beyond pesticides and biocides"*^{iv}. We would welcome clarifications about the reason for this distinction and urge the European Commission to uphold an ambitious approach that builds a new strategy that places measures to truly reduce citizens' exposure to EDCs at its core.

Moreover we are ill-at-ease with the Commission's framing of its own actions so far in the area of EDCs under this term, which gives a misleading impression that significant progress has been achieved and that remaining issues are independent of its own actions (e.g. "Despite significant progress having been achieved since then [1999] in understanding endocrine disruptors, societal concerns remain high";

"The current Commission has paid special attention to endocrine disruptors, and this has resulted in the development of a number of initiatives since 2014"). We would like to remind the Commission of its own delay in presenting identification criteria for ED biocides and pesticides, resulting in a condemnation at the European Court of Justice. Swifter action on these criteria would have allowed the Commission to take steps to identify EDCs and reduce exposure to these in other areas at an earlier stage, thereby contributing to an overhaul of the 1999 strategy and enhanced protection for citizens' health.

INITIATIVE AIMS

In light of the above, we are surprised and regret that the reduction of exposure to EDCs (and related gains for human health and the economy) is not explicitly mentioned in the aims of the roadmap. Comprehensive EU action on EDCs should indeed make such a reduction central to its action, including as a way to reduce the economic costs of the health conditions associated to current levels of exposure^v. We are concerned that the roadmap aims hereby presented ("addressing the gaps in knowledge", "linking science and regulation", "cooperating on the global scene") do not take this element into account. The proposed aims will be of little concrete added-value to citizens and society unless they are not associated to a clear objective and related

measures of exposure reduction. Should the Commission fail to address this objective, it will breach the commitments made under the seventh EAP and not deliver on the Council 2016 requests. This might also jeopardise the ability to deliver in relation to the legal basis referred to in the roadmap itself (articles 114 and 191 of the Treaty of the Functioning of the European Union^{vi}) and the better regulation principles.

CONTENTS OF THE NEW INITIATIVE

In order for the new initiative to reach the objective of truly reducing citizens' exposure to EDCs, HEAL considers that the European Commission should fully embrace and include the eight proposals for action developed by the EDC Free Europe Coalition in May 2018^{vii} (the full proposals can be found in the annex at the end of this document).

1. Consider public health and precaution as the cornerstones of a new EU EDC Strategy;
2. Enhance public awareness of EDCs – connect it with the EU's work on protecting citizen's health;
3. Improve regulation: Increase the control of the use of EDCs across all sectors;
4. Reduce our EDC daily cocktail: Replace the substance-by-substance approach by including all possible sources of exposure to multiple chemicals;
5. Speed up testing, screening and identification of EDCs;
6. Work towards a clean 'Circular economy' and a non-toxic environment: Avoid toxic substances such as EDCs in products from the start;
7. Enhance European market leadership for safer substitution with no regrets and promotion of innovative solutions;
8. Monitor the health and environmental effects of single, groups and mixtures of ED substances to capture all sources of EDC exposure 'across the board' and respond swiftly to minimise them.

Finally, a new European EDC strategy should commit to anchor its proposed measures to better identify EDCs and reduce exposure in the latest scientific developments. EDC science is fast evolving; researchers are publishing new evidence on EDCs on a weekly basis. While knowledge gaps remain (e.g. on the exact mode of action of some substances, or the assessment of the cocktail effect), there is enough scientific evidence to take policy action and even global consensus on the urgency to do so^{viii}. For instance, the knowledge on some key principles by which EDCs act (such as nonmonotonic dose-responses, low-dose effects,

and developmental vulnerability) has evolved a lot over the last years^{ix}. The European Commission has a responsibility to guarantee that EU legislation relies on the latest scientific knowledge to make decisions to identify substances, regulate them across legislations and sources of exposure. A new strategy must provide legislators with the flexibility to integrate this new knowledge and to use it in the most health and environment protective ways in case where uncertainties remain, in full compliance with the precautionary principle, which is a cornerstone of EU treaties.

By way of illustration of the fast moving pace of the EDC research and the need to adapt our regulatory framework to it in a precautionary way, here we have added an extra set of resources:

- The Collaborative on Health and Environment (CHE) webinar series to discuss EDC science and its implications
<https://www.healthandenvironment.org/our-work/webinars/che-edc-strategies-partnership>
- Member states' work on EDCs to inspire EU action:
 - France ongoing work for a second national strategy:
<https://www.ecologique-solidaire.gouv.fr/rapport-devaluation-du-plan-national-daction-sur-perturbateurs-endocriniens-gouvernement-engage>
 - Belgium senate information report on EDCs in view of a national EDC strategy:
<https://www.senate.be/www/webdrive.r?MltabObj=pdf&MlcolObj=pdf&MlnamObj=pdfid&MltypeObj=application/pdf&MlvalObj=100663866>
 - Danish report towards a non-toxic future:
http://en.mfvm.dk/fileadmin/user_upload/ENGLISH_FVM.DK/Focus_on/Chemicals_and_waste/13215_MF_Kemikonferencen_Rapport_A4_PRINT.pdf
 - Sweden strategy for a non-toxic environment (including on EDCs):
<http://www.swedishepa.se/Environmental-objectives-and-cooperation/Swedensenvironmental-objectives/The-national-environmentalobjectives/A-Non-Toxic-Environment>

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About the Health and Environment Alliance (HEAL):

The Health and Environment Alliance (HEAL) is the leading not-for-profit organisation addressing how the environment affects human health in the European Union (EU) and beyond. HEAL works to shape laws and policies that promote planetary and human health and protect those most affected by pollution, and raise awareness on the benefits of environmental action for health.

HEAL's over 70 member organisations include international, European, national and local groups of health professionals, not-for-profit health insurers, patients, citizens, women, youth, and environmental experts representing over 200 million people across the 53 countries of the WHO European Region.

As an alliance, HEAL brings independent and expert evidence from the health community to EU and global decision-making processes to inspire disease prevention and to promote a toxic-free, low-carbon, fair and healthy future.

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- ^{iv} European Commission, press release, "Endocrine disruptors: major step towards protecting citizens and environment", 4 July 2018, http://europa.eu/rapid/press-release_IP-17-1906_en.htm
- ^v Trasande, L., Zoeller, R. T., Hass, U., Kortenkamp, A., Grandjean, P., Myers, J. P., DiGangi, J., Hunt, P. M., Rudel, R., Sathyanarayana, S., Bellanger, M., Hauser, R., Legler, J., Skakkebaek, N. E. and Heindel, J. J. (2016), Burden of disease and costs of exposure to endocrine disrupting chemicals in the European Union: an updated analysis. *Andrology*, 4: 565-572. doi:10.1111/andr.12178
- ^{vi} Article 114(3) of the TFEU mentions: "The Commission, in its proposals envisaged in paragraph 1 concerning health, safety, environmental protection and consumer protection, will take as a base a high level of protection, taking account in particular of any new development based on scientific facts". Article 191(1) mentions "Union policy on the environment shall contribute to pursuit of the following objectives: preserving, protecting and improving the quality of the environment, protecting human health".
- ^{vii} EDC Free Europe Coalition, "EU has the obligation to protect its people and the environment from all harm caused by endocrine disrupting chemicals - Our Eight demands for an EU EDC Strategy", May 2018, <http://www.edc-free-europe.org/wp-content/uploads/2018/05/EDC-Free-statement-on-EU-EDC-Strategy-final-EN1.pdf>
- ^{viii} See several UNEP reports on the issue: http://wedocs.unep.org/bitstream/handle/20.500.11822/19276/9789241505031_eng_UNEPWHO.pdf?sequence=1&isAllowed=y; <https://www.unenvironment.org/explore-topics/chemicals-waste/what-we-do/emerging-issues/scientific-knowledge-endocrine-disrupting>
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