



HEAL comments on the EU Commission roadmap on a chemical strategy for sustainability

10 June 2020

The Health and Environment Alliance (HEAL) is grateful for the opportunity to comment on the European Commission [roadmap](#) on a chemical strategy for sustainability. We welcome the stated ambition to tailor the upcoming strategy in order to serve the Zero Pollution ambition towards a toxic-free environment.

HEAL has long called for a dedicated strategy to serve such ambition [1]. As a network which includes health professionals, disease and patient groups as well as not for profit health insurers, we are concerned about the everyday exposure to chemicals, including endocrine disruptors, because they are linked to serious diseases and health conditions including infertility, obesity, diabetes, breast and prostate cancer as well as learning disabilities. On many instances, we have expressed our disappointment at the European Commission missing the set deadline for the delivery of a strategy for a non-toxic environment as per the 7th Environment Action Programme. It is more than urgent to move ahead with this proposed chemicals strategy.

ROADMAP AIMS AND PROPOSED WAYS OF ACTION

We welcome the roadmap aims, which put health and environment protection as well as support to innovation at the core of the proposed actions. In HEAL's view, **a successful chemicals strategy must aim at minimising production, emission and use of chemicals that are harmful to environment and health and allow transitioning to 100% non-toxic material cycles by 2030.**

The strategy and the proposals that will accompany it must be developed around the following 10 elements:

1 DO NOT REINVENT THE WHEEL

- **Build upon all of the lessons learnt** from the various evaluations on chemicals regulations (REACH review, fitness check of all chemicals regulations except REACH, ongoing fitness check on endocrine disruptors) as well as existing European Commission studies (including that on the non-toxic environment). We therefore welcome the commitment to proceed without adding yet another impact assessment.
- **Commit to deliver on the existing requirements**, starting with the 2013 seventh Environment Action Programme and the Environment Council Conclusions on sustainable chemicals from June 2019.

2 STATE THE FACTS AND COMMIT TO ACTING BASED ON SCIENTIFIC EVIDENCE

- **Acknowledge that:**
 - **The mere volume of chemicals [2] currently on the market demands more thorough control**, because many of them are hazardous to health and our environment.
 - **The global threats to health constituted by chemical pollution, biodiversity loss and climate change are closely linked in part due to their common origins in fossil fuels [3]** and that tackling the increasing occurrence of non-communicable diseases requires political determination and action to control chemical releases from the source accordingly.

- **According to the World Health Organization, 1.4 million deaths in European region are linked with the environment [4].** Growing evidence indicates that early life exposure to environmental risks, such as chemicals, radiation and air pollutants, might increase non-communicable diseases (NCD) risk throughout the life course. Because NCDs are the leading cause of preventable death and disease worldwide acting on our environment, including chemical pollution, is an underestimated health promotion opportunity.
- **Some types of chemicals such as endocrine disruptors can act at very low doses,** with exposure causing irreversible health outcomes (such as hormonal cancers, metabolism disorders such as obesity or diabetes, or behavioural disorders), sometimes with large time lags, even generations, between exposure and the materialising of the impacts [5].
- **The costs of inaction are not only a threat to health, but also to the economy, which Europe cannot afford.** By way of example, the health costs of exposure to endocrine disruptors are estimated to be at least 163 billion Euros for endocrine disruptors alone per year in Europe [6]. Human exposure to preventable environmental chemicals estimated to cost 10% of global GDP in health costs [7]. Finally, the costs of inaction of per- and polyfluoroalkyl (PFAS) are estimated to be between 52 – 84 billion Euros for all EEA countries [8]. In this regard, the chemicals strategy must be geared up towards disease prevention and closely feeding into Europe's health protection objectives and initiatives, such as the EU Beating Cancer plan [9].
- **Chemical production is expected to doubly by 2030 [10] and Eurostats data already indicate that two third of the chemicals produced in the EU are hazardous to health [11],** as referenced in the roadmap itself. These are dizzying numbers that require urgent policy action towards exposure minimisation and the latter is broadly supported by citizens' concerns: two in three citizens are concerned about exposure to hazardous chemicals, less than half of them feels well informed about the potential dangers of chemicals in products, and half of them think that the current level of regulations and standards should be increased [12].

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ASK THE RIGHT QUESTIONS

- In the context of the points mentioned above, **an ambitious chemicals strategy must question our current approach to chemicals:** from their production to use and possible recycling. A chemical strategy must therefore **establish a hierarchy of actions to deal with hazardous chemicals** in order to deliver the stated Zero Pollution Ambition and truly minimise harm to health and environmental degradation.
- In so doing, **the strategy must be used as an opportunity to refine our approach to chemical uses, including essential and non-essential uses** in order to allow the phasing out of the most hazardous substances and overall a more protective production, use and release of chemicals to serve a truly safe and circular economy. Scientists have led the way by initiating this discussion to address per- and polyfluoroalkyl compounds and it is now up to the Commission to pick up the ball to operationalise such an idea beyond this group of chemicals and across regulations [13].

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ACKNOWLEDGE THE IMPORTANT ROLE OF REGULATION FOR PROTECTION AND INNOVATION

- **Acknowledge that strong chemicals regulations are necessary to protect health and environment as well as to boost innovation and the economy.** A number of industrial players have already committed to addressing hazardous substances throughout the supply chain, illustrating that the market is ready to move towards ambitious policies for a non-toxic environment [14]. It is high time to reward industry players that promote the use of safe substances and materials and overall sobriety in product and process design in the context of the circular economy.
- **Recognise that boosting innovation does not mean supporting putting ever more chemicals on the market,** but rather devising political and economic incentives towards the safe substitution of chemicals of concern (including through non-chemical alternatives) in order to reward health- and environment-friendly industry frontrunners. This will contribute to the proper implementation of the polluter-pays principle.

- **Protection and innovation can go hand in hand if we are serious about implementing existing laws.** For instance, when it comes to industrial chemicals, REACH is indeed the most far-reaching piece of legislation in the world, but it needs to be better implemented to deliver on both aforementioned objectives. Some of the priorities include speeding up the pace of SVHC identification, improving the data quality in restriction dossiers, improving the socio-economic assessments in restriction and authorisation processes to truly assess alternatives [15] and promote safe substitution. Such improvements are perfect illustrations of what can be achieved with a better use of existing chemical regulatory tools.

5

ACT ON CHEMICALS OF HIGH CONCERN AND PROTECT THE MOST VULNERABLE BY 2030

- As per [our vision for a non-toxic environment](#), the strategy must **prioritise major groups of chemicals** for policy action toward exposure minimisation at EU level starting with: **endocrine disrupting chemicals, flame retardants, PFAS, hazardous pesticides.**
- Acknowledge that **specific parts of the population are particularly vulnerable** to hazardous chemicals and **that urgent action is needed to deliver on regulation to protect them.** This is especially the case for:
 - Pregnant women and unborn child, young children, teenagers, the elderly;
 - Workers – especially re: chemical industry or agriculture;
 - People of low socio-economic background because they might not have the information they need to protect themselves or simply the financial means to make those choices;
 - Those already affected by non-communicable diseases such as cancer.

6

ADDRESS THE MISSING LINKS ACROSS REGULATIONS AND SECTORS FOR THE BENEFITS OF ALL STAKEHOLDERS

- **Remove all hazardous chemicals from consumer products and food packaging by 2030**
 - **Guarantee that no SVHCs ever make their ways into consumer products and food packaging** [16] as a matter of principle, with possible derogations when essential uses can be proven.
 - **Do not misuse recycling as an excuse to keep hazardous chemicals in the environment.** A circular economy will only work if aim is to have recycling loops free of toxic chemicals. The recent Commission attempt to allow lead in recycled PVC is the perfect example of what should not happen in a functioning and health-protective circular economy [17].
- **Address protection gaps in chemicals-related legislations, including:**
 - **Developing further hazard classes for chemicals that disrupt hormones** (including known, presumed and **suspected** endocrine disruptors), that **persist in the environment and are very mobile** (persistent, mobile and very persistent and very bioaccumulative chemicals), that are **toxic to neurodevelopment and the immune system** in order in order to contribute to safe substitution.
 - **Developing provisions allowing for the identification of endocrine disruptors across regulations** and prioritise addressing them in **food contact materials, cosmetics, toys, water, workers regulations.**
 - In overhauling the current EU framework on endocrine disruptors, fully take into account these chemicals' specificities (low dose effects, occurrence of non-monotonic dose responses, effects across generations) and assume that there is no safe threshold for exposure and that exposure minimisation must be the rule rather than the exception [18].
 - In order to facilitate the prioritising of those substances for regulatory action, **establish a European list including known, presumed, and suspected endocrine disruptors.** This

list could be based on and expanded from the recently launched Member States' portal of ED lists [19] and the cross-linking of existing lists such as the TEDX list [20] and the screening list of the EU impact assessment from 2013 [21].

- **Guaranteeing the implementation of the “no data, no market” principle under REACH** through the following: requesting swift improvement in the quality of the registration data through increased compliance check under this term as well as the registration of polymers and low-volume substances; finalising the ongoing update of REACH test requirements by end of 2020 in a health-protective way.
- **Addressing regulatory discrepancies** in the treatment of:
 - primary and recycled materials and products;
 - products produced in the EU versus imported products.

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ADDRESS OUR DAILY EXPOSURE TO MIXTURES OF CHEMICALS

- The chemical strategy is an important opportunity to address one extremely important gap in the current build-up of European regulations, which is **the failure to take into account the reality of our exposure to mixtures of chemicals**.
- The **discussions on the development of a mixture assessment factor recently initiated in the context of REACH are a positive and pragmatic step forward [22]**. We urge the Commission to build on this approach in order to integrate such factor in the strategy across chemical-related regulations.

8

AIM FOR CONSISTENCY AND COHERENCE ACROSS REGULATIONS BASED ON HIGH PROTECTION LEVELS

- We **acknowledge that current regulatory tools could be used in a more effective way**, e.g. by avoiding to multiply the hazard assessment of the same chemical substance, by extending the use of generic risk assessment across legislations for enhanced protection and consistency.
- **If taken forward, the proposed ‘one substance one assessment’ principle must be based on the highest levels of protection**. This also means that **when scientific uncertainties arise**, they must be translated into a **precautionary approach** to chemical regulations. This principle should in **no way be used in order to fast-track and circumvent the regulation of hazardous substances or to lower protection levels**. In moving forward to **improve existing risk assessment processes**, other principles must be reflected in the strategy under development:
 - Allow for **assessing chemicals by groups** rather than individual substances in order to speed up the phase out and duly regulation of chemicals of concern [23].
 - **Fully take into account independent peer-reviewed scientific evidence**, giving it the same weight as internationally validated studies, and always use the latest scientific knowledge in chemical assessments. This is particularly critical when it comes to assessing chemicals for properties of concern such as endocrine disruption (for which internationally validated test methods are often not sensitive enough or outdated to assess critical endpoints) as well as **to limit unnecessary animal testing**.
 - In general, **better use of precaution in case of scientific uncertainties would also contribute to limit unnecessary animal testing**.
 - Include **all relevant health endpoints** in risk assessment (eg neurotoxicity, immunotoxicity are currently overlooked).
 - **Better use and promote the full uptake of existing human biomonitoring data in risk assessment**

could contribute to better health protection. The increasing relevance of the ‘exposome’ for our understanding of the health impacts of a lifetime of environmental exposures also calls for commitments toward research funding that allows for monitoring cohorts over the long-term, from early-life onwards, and full use of such data in risk assessment. An **industry fee to public authorities** to continue generating such essential data over the long-term should be considered, and could contribute to implementing both of the ‘no data, no market’ and ‘polluter pays’ principles.

9

INCREASE TRANSPARENCY AND KNOWLEDGE BASE

- **Increased transparency throughout the supply chain** is essential in the context of the circular economy and increased recycling. **Consumers also have the right to know**, which substances they are being exposed to through products and food, and their right is currently not being upheld.
- Finally, **increased transparency also means better information about emerging scientific evidence** on chemicals of concern and their effects on health and the environment. The development of an **early warning system** could allow triggering policy action based on early scientific warnings, also allowing the development and communication of appropriate advice for citizens, with the possible involvement of health professionals for enhanced prevention [24].

10

LEARN THE LESSONS FROM THE CURRENT COVID CRISIS

- We welcome that the roadmap highlights that the current Covid crisis *“increases the urgency to step up action in the chemicals area in order to ensure that stronger protection of citizens’ health will also enable and support the socio-economic recovery of the European industry producing.”*
- **We however caution against the misuse of the Covid crisis as a blank cheque for yet ever more releases of chemicals into the environment.** We are concerned to read in the roadmap that: *“Increasing production of chemicals in Europe could boost economic growth and job creation as part of the post COVID-19 recovery.”* **We urge European decision-makers to approach the discussion of Europe’s strategic autonomy based on a preliminary questioning about which sectors and products are essential to society keeping health protection goals in mind, and not take for granted that production must increase.** Recovery support could go for example to jobs dedicated to monitoring compliance and enforcement, and assessing the backload of chemicals in REACH, pesticides or biocides regulations. Bail-outs must be linked to strict environmental and health conditionalities, so as to prevent that taxpayers’ money is used to increase the production of hazardous chemicals [25].
- In HEAL’s and the public health community’s view, the Covid crisis is indeed a powerful reveal of the urgency to shift to a more holistic approach to chemical production and management. The recovery plans are a unique opportunity to interrogate the reality of the interactions between our environment and health conditions and overall promote as safe an environment as possible [26] and to work towards the zero-pollution objective. On the one hand, **recent studies have pointed at the role of chemicals, including endocrine disruptors, on the weakening of the immune system [27], adding yet more to the body of evidence about the overall negative burden that our exposure to daily mixtures of chemicals on our health.** On the other hand, researchers engaged in the consortium “Health Environment Research Agenda for Europe” (HERA) have pointed out that “chronic diseases contributing to COVID-19 severity are at least partially promoted by environmental factors”[28].

There is therefore overall a strong impetus towards increased chemical sobriety and support for those industry players who contribute less and safer chemical releases into our environment.

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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 80 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.

HEAL's EU Transparency Register Number: 00723343929-96

NOTES:

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2. It is estimated that more than 100,000 chemicals are currently on the market. For more information, see European Environment Agency, "The European Environment - state and outlook 2020", <https://www.eea.europa.eu/soer/2020>
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