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Dear Edward,

### **Chemicals Safety Policy Update - UK Chemicals Strategy, UK REACH and EU Alignment on Chemicals Regulation**

I wrote to you on 21 April 2023 in response to your letter of 30 March, in which you outlined the Committee's ongoing interest in the assimilated law UK REACH Regulation on chemicals safety and related issues subject to the UK Common Framework on Chemicals and Pesticides. In my response I said that I would write to you with further information, when available, on the following: consultation for the UK REACH Alternative Transitional Registration model; development of a UK Chemicals Strategy; work conducted under the annual UK REACH work programme and how this compares with the approach taken in the EU; and plans in the EU to revise the EU REACH regulation. I hope the below and the information provided in the annex to this letter are helpful. Unfortunately changes in UK Government and delays to publications including the UK REACH workplan have meant I have not been able to provide this update until now.

#### UK REACH Alternative Transitional Registration model (ATRm)

On 9 November 2023 UK Government issued a statement on plans for the ATRm. The ATRm project was initiated following significant concerns from UK Industry, and as partially evidenced by UK Government estimates, that the costs of complying with UK REACH are prohibitively expensive in its current form.

The November statement does not give a detailed description of the plans that are being developed, but does state that full data packages that replicate the EU REACH database are not necessary for UK regulators to carry out their work. The statement describes the desire to increase focus on the uses and exposures of chemicals in a GB context within the registration process; I understand that this is one area where data available to the EU can be very general and so I am supportive of this inclusion. The statement also refers to revising the UK REACH Restriction process. I believe this is a key aspect of UK REACH that is currently inefficient and does not make best use of work done elsewhere, especially in the EU (see below on "UK REACH 2023/24 Work Programme & EU alignment issues").

A public consultation run by UK Government on the ATRm will be published in the coming months. My officials have been consulted by Defra and fed into the drafting of this. If required, I will update the Committee after this with further details of ATRm and plans for further legislative amendment, when available.

#### Chemicals Strategy

Regrettably, delivery of a Chemicals Strategy is still pending. I understand that this delay is frustrating for stakeholders, but I would reassure the Committee that my officials continue to work collaboratively with Defra in this space. I will update the Committee on the outcome of this work in due course.

#### EU REACH revision

As the committee is aware, a number of major reforms had been proposed to the EU REACH regulation under the European Green Deal agenda, with these tabled for progression at the end of 2023 following public consultation earlier in 2022, to meet commitments in the 2020 EU Chemicals Strategy for Sustainability. I understand that these reforms have been postponed with no indication of when they will be progressed, although the European Commission has assured stakeholders that work continues on EU REACH reform.

#### UK REACH 2023/24 Work Programme & EU alignment issues

Publication of the UK REACH 2023/24 Work Programme was significantly delayed from its envisaged delivery in May 2023. The Work Programme was finally published in February and details the work that the HSE, supported by the English Environment Agency, has been progressing this financial year<sup>1</sup>. At the same time, Defra published on its website a document laying out the rationale for why actions on some chemicals are being progressed whereas others are not at this time under UK REACH<sup>2</sup>.

The annex to this letter sets out current key details of ongoing work under UK REACH and relates this to action under equivalent EU frameworks, with reference to the above two documents. I have asked my officials to continue to track GB's divergence from the EU where this is significant. For UK REACH, this is especially important when it comes to the proactive work that the UK REACH Agency, as provided by the Health and Safety Executive, is undertaking to advise on the need for any new or revised controls on chemicals. Initial work is underway on a restriction proposal on PFAS (per- and polyfluorinated Alkyl Substances) in fire fighting foams, as recommended in HSE's Risk Management Options Analysis which was published in April 2023. A restriction proposal on hazardous substances in tattoo and permanent makeup inks has been developed and is being considered by Defra and Scottish and Welsh Ministers in line with Articles 68 and 73 of UK REACH, and a restriction proposal on lead in ammunition is being developed by the Health and Safety Executive.

Yours sincerely,

**MÀIRI MCALLAN**

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<sup>1</sup> [UK REACH: UK REACH Consolidated Reports and Work Programmes \(hse.gov.uk\)](https://www.hse.gov.uk/uk-reach-consolidated-reports-and-work-programmes/)

<sup>2</sup> [Rationale for prioritising substances in the UK REACH work programme: 2023 to 2024 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/118422/rationalisation_of_uk_reach_work_programme_2023_to_2024.pdf)