

Presentation of Ms. Mary Taylor **Friends of the Earth Europe**

REACH and your Right to Know

Two areas to consider

- The information generated by the REACH system (registrations, chemical safety reports, etc) - and promptly
- And information on the chemicals present in products (articles)

Background

- The **Aarhus Convention** (1998) is an international treaty on
 - Access to information,
 - Public participation
 - and Access to justice
 - in Decision-making on Environmental Matters

Aarhus Convention

- Signed by the European Community
- Still being implemented partly, but
- Directive 2004/3 on access to environmental information in place;
- Regulation 1049/2001 on access to Community documents in place (needing revision);
- ASAP or 30 days/15 days time for responses respectively
- Requests have to dealt with quickly!
- ASAP or 30 days (information) or 15 days (Community documents)
- Exemptions but:
- *“Within this framework, information on emissions which is relevant to the protection of the environment shall be disclosed.”*

Articles 115, 116

- list of 'always confidential' data
- list of 'never confidential' data (which is published)
- everything else, more grey area but can be requested :

Articles 115, 116

- what is wrong

- time lines obscure, but not in line with Aarhus
- elaborate appeal.consultation procedures mean industry could delay release of data
- "always confidential" data categories would deny important information such as on chemicals in products :

In summary - our requests

- time lines (including allowing for any consultation/appeal procedures) need to be compliant with Aarhus
- publish public data promptly
- allow ALL downstream users/retailers/consumers to know what hazardous chemicals are in articles
- Label articles which have substances that meet the authorisation criteria
- Pass safety data sheets through the supply chain to retailers
- Consumers have the right to request information on substances in articles

Support

- From the **European Parliament** in 2001
"...Insists that labelling of consumer products with regard to the content of substances of concern is imperative as long as they are still contained in them, to allow consumers to make informed choices, and that realistic and practical provisions on that matter be included in the future proposal;"
- From **Environment Council** (2001)
"Information that is relevant for the safe use of chemicals as well as products must be made available to all users... Further means to improve access to information should be worked out to enable consumers and professional users to make the best choice from an environmental and health point of view."
- From UK **retailers** such as the Co-operative, Marks & Spencer, B&Q, Woolworths, Debenhams, Boots, Ikea
- In a 2004 survey, all who answered stated to FOE that *"consumers have a right to know, if they ask, what chemicals are present in the products they buy"*