



**Friends of
the Earth
Europe**

5th October 2006

Dear Member of the Environment Committee,

The REACH second reading Environment Committee vote presents a unique opportunity to provide a legal framework for testing and placing on the market potentially hazardous nanoparticles, delivering an improved protection of human health and environment.

Nanotechnology is the production and use of materials at the smallest possible scale. Such materials are produced specifically for their very different physical and chemical effects. Accordingly, they very often also show different biological effects from their bigger counterparts and are characterised by higher reactivity and mobility. The adverse effects of engineered nanoparticles have not been systematically investigated, but there is increasing scientific evidence that their very nature is likely to lead to an increase of toxicity and bioavailability.

One of the primary concerns about nanoparticles is that there is increasing evidence that nanotoxicity will not be detected by the testing methods currently available under REACH (e.g. QSARs). Indeed, the Scientific Committee on Emerging and Newly Identified Health Risks (SCENIHR) gave an opinion on 10 March 2006 on how appropriate existing methods are to assess the potential risks associated with nanomaterials. The opinion pointed to major gaps in the knowledge necessary for risk assessment, including nanoparticle characterisation, the detection and measurement of nanoparticles, the dose-response, fate and persistence of nanoparticles in humans and in the environment and all aspects of toxicology and environmental toxicology related to nanoparticles. It concluded that current risk assessment methodologies require some modifications in order to deal with the hazards associated with nanotechnology, and in particular that existing toxicological and ecotoxicological methods may not be sufficient to address all of the issues arising with nanoparticles. Given this worrying opinion, REACH should include a special provision for nanotechnology so that information requirements are adapted to new developments in this field (amendments 87 and 325).

What is even more worrying, is the fact that the majority of nanoparticles will be excluded from the scope of REACH. This is because their tiny size and almost negligible tonnage mean that hardly any will be imported or produced at the threshold REACH quantity of one tonne or more per year. REACH should include an additional provision ensuring that nanoparticles produced in quantities under one tonne will be covered in the future (amendment 325). In the meantime, for nanoparticles above one tonne, we should ensure that all available information is provided (including a Chemical Safety Report) (amendments 158, 160, 333). They should also fall under the scope of authorisation as the strongest possible control regime (amendments 217, 218).

Despite growing scientific evidence for the potential toxicity of nanoparticles, nanotechnology is a rapidly expanding industrial sector that is currently beyond the scope of regulations and hundreds of nano-enhanced products are currently available on the market.

Please support the following amendments - which will be voted as a block - to ensure some levels of control of the sector: 87, 115, 158, 160, 217, 228, 325, 333.

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