

PRESS RELEASE

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AmCham Germany and AmCham EU call for workable REACH proposal

Press Release/
Presseinformation

US BUSINESS CALLS FOR CHEMICALS PROPOSAL THAT CAN BE HARMONISED WITH OTHER REGULATORY PROPOSALS

Brussels/Frankfurt am Main, November 16th 2005 – In view of tomorrow's plenary vote on REACH in the European Parliament, the American Chamber of Commerce in Germany (AmCham Germany) and the American Chamber of Commerce to the European Union (AmCham EU) call upon the members of the European Parliament to come up with a REACH proposal that is workable, cost and trade neutral and that can be harmonised with other chemical regulatory proposals.

AmCham Germany and AmCham EU believe that future proposals should exempt substances from the scope that are adequately covered by vertical sector legislation. There seems to be a political compromise that waste and foodstuffs be exempted. Other categories of products should also be exempted, such as medical devices and food contact materials.

Regarding **substances in articles** AmCham Germany and AmCham EU believe that articles should not be subject to REACH and have advocated the removal of article 6.2 from the Commission Proposal. If REACH were to cover articles that are not intended for release, this might lead to a significant burden to international trade without any proportionate benefits. Moreover, the registration of the substances will include data on their intended use which will also be reviewed in the evaluation phase.

AmCham Germany and AmCham EU further recommend that no further **consumer information** requirements should be introduced in REACH for articles. The information of value to the consumer relates to the risk they may be exposed to. The use of too many labels is likely to overwhelm the consumer with information, and will therefore only serve to undermine the effect of warnings in general.

We support **voluntary data sharing** as discussed in the U.K.-Hungarian proposal for one substance – one registration (OSOR) in principle; however,

consortia formation and data-sharing for non-animal testing must remain voluntary for it to work. Voluntary cooperation among companies would save agency resources as it would not have to settle disputes among companies forced to cooperate in the mandatory model. AmCham Germany and AmCham EU are concerned that innovation would be affected by mandatory sharing rules of non-animal data.

Regarding **authorisation** AmCham Germany and AmCham EU do not support the splitting of Annex XIII into a list of substances that are meeting the criteria listed for authorisation and a list of substances which are actually authorised. There is a particular concern that Annex XIIIa will become a de facto black list and companies will be targeted to stop using such substances before any authorisation might be required. Substances that are proved to be adequately controlled should always be authorised. There should be no mandatory substitution in these cases.

THE AMERICAN CHAMBER OF COMMERCE IN GERMANY E.V.

With 3,000 members, AmCham Germany is the largest bilateral economic organisation in Europe. AmCham Germany's goals include strengthening German-American economic relations and promoting Germany as an investment location. The chamber also serves as a link to investors in the United States. For further information, please visit our website at www.amcham.de or contact Sarah Cartmell at scartmell@amcham.de.

THE AMERICAN CHAMBER OF COMMERCE TO THE EUROPEAN UNION

The American Chamber of Commerce to the European Union (AmCham EU) is the voice of companies of American parentage committed to Europe towards the institutions and governments of the European Union. It aims to ensure an optimum business and investment climate in Europe. AmCham EU facilitates the resolution of EU – US issues that impact business and plays a role in creating better understanding of EU and US positions on business matters. Total US investment in Europe amounts to \$850 billion, and currently supports over 3.5 million jobs. For further information, please contact: Anja Duchateau, Tel (32 2) 289 10 15, e-mail: aduchateau@amcham.be