

Round Table

Consequences in the chemical industry



Making Brexit Work for the
Chemical Industry



House of Commons Environmental Audit Committee

The Future of Chemicals Regulation after the EU Referendum

Eleventh Report of Session 2016–17

*Report, together with formal minutes relating
to the report*

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Cefic calls for post-Brexit bilateral chemicals regulations agreement

**Sets out position on future cooperation, while EU negotiator says businesses must plan
ahead**

15 June 2018 / Europe, REACH

The European Chemical Industry Council (Cefic) has urged Brexit negotiators to secure a bilateral agreement between the EU and UK that allows continued British **participation** in the implementation of regulations administered by Echa.

In a recently published position paper, Cefic says such a scenario would represent "the most effective way" to ensure companies can continue to efficiently trade across borders and their operations are not disrupted by Brexit.



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Should the UK stay in the EU Chemical Agency Post-Brexit? Latest from UK Parliament, Cefic and Article 50 Taskforce

by KATE YOUNG on JUNE 21, 2018



In CHEM Trust's view the UK should aim to remain in the EU's world-leading chemicals regulatory system REACH and the EU Chemicals Agency ECHA, whatever the final outcome of Brexit. The UK Prime Minister [has spoken of 'Associate Membership' of ECHA, but it's not yet clear what this means.](#)

The UK Parliament has just finished a complex set of votes on a range of Brexit-related issues, while the EU chemical industry trade association has also called for the UK to remain close to REACH. However, the [Article 50 Taskforce](#) has dismissed the idea of the UK being part of REACH while outside the EU single market....



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Brussels, 23 January 2018

NOTICE TO STAKEHOLDERS

WITHDRAWAL OF THE UNITED KINGDOM AND EU RULES ON BIOCIDAL PRODUCTS

The United Kingdom submitted on 29 March 2017 the notification of its intention to withdraw from the Union pursuant to Article 50 of the Treaty on European Union. This means that unless the withdrawal agreement or a secondary law ceases to apply to the United Kingdom ("the withdrawal date"). The United Kingdom will become a third country.

Preparing for the withdrawal is not only for public authorities but also for private parties.

In view of the considerable uncertainties surrounding the withdrawal agreement, business operators and stakeholders of biocidal products are reminded to continue to apply the applicable rules of Union law while the United Kingdom becomes a third country.



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Navigating Brexit

KPMG is helping organisations across the world respond to this unprecedented change as the UK prepares to leave the European Union.

Explore these pages to access expert analysis, opinion and guidance, so you not only mitigate the effects of Brexit but use it as a catalyst to reset your future.

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ECHA EUROPEAN CHEMICALS AGENCY

Sobre la Agencia Contacto Búsqueda en el sitio web de la ECHA

REGLAMENTOS REACH CLP BPR PIC CONSULTAS PÚBLICAS INFORMACIÓN SOBRE SUSTANCIAS QUÍMICAS APOYO

ECHA > Apoyo > La salida del Reino Unido de la UE

Apoyo

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La salida del Reino Unido de la UE

The United Kingdom is withdrawing from the European Union. **From 30 March 2019 onwards, the UK will be a "third country" outside the EU.** Only a mutual agreement between the EU and UK authorities can change this date. The withdrawal process is unique and unprecedented.

These webpages contain information, as we know it at the time of its publication. **We will continually populate these webpages as developments unfold.**

You can find more specific information on various aspects of interest under the sub-headings of these webpages.

The information provided in the section on "Advice to companies" contains Q&As jointly established with the respective services of the European Commission. **We will update the answers contained in these Q&A pairs, in particular, as new information becomes available. The UK might change the validity of the answers given.**

you

[Advice to companies / Q&As](#)



UK Competent Authorities: no participation in EU decision-making

- *Article 6: References to the Union and to Member States*

1. For the purposes of this Agreement, all references to Member States and competent authorities of Member States in provisions of Union law made applicable by this Agreement shall be read as including the United Kingdom and its competent authorities, except as regards:

...

(b) the participation in the decision-making and governance of the bodies, offices and **agencies of the Union**;

Biocides and PPPs: UK to transfer ongoing activities

- *Article 40: Transfer of files and documents relating to ongoing procedures*
- The United Kingdom shall transfer without delay to the competent authority of a Member State designated in accordance with the procedures provided for in the applicable Union law **all relevant files or documents in relation to assessments, approvals and authorisations** ongoing on the day before the date of entry into force of this Agreement and led by a United Kingdom competent authority in accordance with Regulation (EU) No 528/201215, Regulation (EC) No 1107/200916, Directive 2001/83/EC17 and Directive 2001/82/EC18 of the European Parliament and of the Council.

BREXIT: Transition Phase (until 31 December 2020)

Quoted articles refer to Draft Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community

Area	Issue	UK Involvement in case Withdrawal Agreement Concluded
Chem.	Registration, Authorisation	Grandfathered: status of UK based registrants remains unchanged. Art. 122/1: ...Union law shall be applicable to and in the United Kingdom during the transition period. Art. 122/6: ...any reference to Member States in the Union law applicable pursuant to paragraph 1... shall be understood as including the United Kingdom.
	Evaluation	UK cannot be a leading authority, transfer of documents to another EU competent authority
	Restrictions	
Biocides	assessment/approval active substances	UK cannot be a leading authority, transfer of documents to another EU competent authority
	authorisation biocidal products	HSE will be able to process product applications for the UK market under the national authorisation route
PPPs	(re-) authorisation active substances	UK cannot be a leading authority, transfer of documents to another EU competent authority
	Maximum Residue Levels	

Steve Elliott

Chief Executive of the Chemical Industries Association (CIA)

Mercedes Viñas

Director of Registration at the European Chemicals Agency (ECHA)

Guillermo Díaz

Technical Director of the Spanish Detergents and Cleaning Products Business Association (ADELMA)

Tim Sarson

KPMG UK Brexit lead for Chemicals and Pharmaceuticals

Emma Shaw

Policy Adviser – Trade, Negotiations & Market Access – EU Exit: Chemicals and Pesticides –
Department for Environment, Food and Rural Affairs

Moderator: María Eugenia Anta - Director of Global Chemical Management at FEIQUÉ

To examine the following perspectives:

- The scale of the problem for the chemical sector. Value Chain
- Why UK should stay in REACH and biocides.
- Why should UK be able to cherry picking?
- Impact on registrations and authorisations of Chemicals and biocides
- What the Agencies' existing third country relations can teach us about the future EU-UK relationship
- Future Regulatory Cooperation?
- How well prepared is the chemicals sector compared with other industries?