

**WRITTEN QUESTION TO THE MINISTER FOR THE ENVIRONMENT
BY DEPUTY K.F. MOREL OF ST. LAWRENCE
QUESTION SUBMITTED ON MONDAY 17th JANUARY 2022
ANSWER TO BE TABLED ON MONDAY 24th JANUARY 2022**

Question

Following publication of the U.K. (United Kingdom) Government's policy paper entitled '[Approach to including substances of very high concern on the U.K. REACH candidate list](#)', and the divergence it highlights between the U.K.'s approach to the control of hazardous substances and the E.U.'s (European Union) existing approach, will the Minister advise whether the Government of Jersey will continue to follow the E.U.'s approach, or will it start following the U.K.?

Answer

Jersey has never adopted a formal approach to REACH in the Island as it was deemed unnecessary and there is little to indicate that this stance needs changing.

Substances of very high concern are largely supposed to be phased out, but it would seem the UK appears to want to diverge from the EU in the way they deal with those substances. Whilst largely symbolic at this stage in practical terms, we could see more divergence in the future as the EU's well-established system will probably identify different substances for inclusion or exclusion.

The import and use of pesticides and biocides is regulated by the Infrastructure, Housing and Environment in Jersey. All other chemicals are broadly controlled by import controls only (i.e., rely on UK/ EU standards for export to ensure they are safe for us to import) - with use at work typically regulated by the HSI and for consumers by Trading Standards. The potential divergence between the UK and EU is primarily based on the approval basis - the evidence on which this is based will not change. In essence they may come to a different conclusion when deciding whether to approve a substance or not depending on the weighting they give to different parameters e.g., risks to humans, animals, environment.

Jersey can decide to ban products based on particular circumstances, although this requires approval from the UK.