Defra Consultation: Consultation on Extending the UK REACH Transitional Registration Submission Deadlines - August 2025 Supporting Information to CTPA Response

Q 8 - Please explain the reasons for your ranking, including any comments on the strengths or weaknesses of specific options.

CTPA and the UK cosmetics industry identified Option 2 as the most preferred option for extending registration deadlines under UK REACH. CTPA welcomes the text in paragraph 18 of the consultation document, that the ATRm currently under development is intended to significantly reduce the burden on industry compared to existing UK REACH registration requirements. Once a simplified ATRm is in place, companies will need enough time to gain an understanding of exactly which obligations will be in place for industry. The longer deadlines of option 2 best account for the current uncertainties on the future obligations. This is especially important for Downstream Users (DUs), who have become importers and will be required to familiarise themselves with the new obligations under UK REACH, which they did not have prior to the UK Exit. Joint work between industry and regulators should be reinstated to continue the work on an alternative model to registrations; as well as develop relevant training for companies. From a business perspective, option 2 allows companies to better manage resources for the compliance with the UK REACH requirements.

In addition, work is ongoing at UK and EU level to facilitate the implementation of regulatory cooperation under the Chemicals Annex of the Trade and Cooperation Agreement (TCA). Regulatory cooperation and enhanced information sharing on chemicals would facilitate collaboration and compatibility of both regulatory frameworks, as well as encourage the sharing of information and safety assessments between regulators, and could therefore enable UK REACH to be less costly and burdensome for UK companies by greatly simplifying the requirements under the ATRm. Having the longer deadline extension proposed in option 2 will allow more time for regulatory cooperation on chemicals to be implemented, and therefore further simplify the registration requirements under the ATRm.

Paragraph 21 of the consultation document expresses a concern that this option could offer a lower level of protection for human health and the environment. On the contrary, CTPA does not consider that this option represents a weakening of protection, or puts human health or the environment at risk. This is further elaborated in the answer to question 10.

It is also important to keep in mind that the EU REACH Regulation will go through a revision. It will therefore be key to understand further details on the likely direction of the revision of EU REACH, before the UK takes final decisions on UK REACH and the ATRm, as well as on the degree of future compatibility with EU rules. It must be noted that in the REACH framework, we are still participating to the EU REACH system through our NI ties to the EU Single Market meaning that the avoidance of trade barriers will be critical to ensure the internal UK market is not divided. Compatibility between the two regulatory regimes is key, to avoid unnecessary duplication of efforts and costs.

A “do nothing” scenario is not feasible because the ATRm is not yet developed, and there is currently no clarity on the outcome of regulatory cooperation on chemicals between the UK and the EU. Companies will need certainty before working to the requirements of the new ATRm; the continued uncertainty in this area will have a financial and administrative impact on businesses. The many steps in the publication process that will need to take place before certainty is achieved and the ATRm is published mean that by the time this occurs, companies would not have enough time to prepare and comply with the new requirements. It is essential for the registration deadlines to be extended.

Q 10 – What impact do you think your preferred option for extending the deadlines would have on UK REACH’s aim of ensuring a high level of protection for human health and the environment?

CTPA does not consider that Option 2 risks weakening human health and environmental protection. It is important to consider that there is already a high level of protection for human health and the environment, comparing to when EU REACH first came into force in 2007. This is because there is much more data available for substances than 15 years ago; also, this information has been shared within the supply chain via SDS, therefore industry has good knowledge of how to manage risks.

The HSE can still undertake its prioritisation work according to other available robust data sources and implement risk management measures for chemicals of concern, if needed. Furthermore, the substances of higher risk have the similar deadline extension in both Options 1 and 2, and the HSE will be able to investigate chemicals within this band as a priority, if required. As mentioned in the Article 1 consistency statement of this consultation, the HSE will still have the capability and capacity to carry out its regulatory obligations and make decisions by referring to data available from publicly available databases and documentation from other jurisdictions.

Data on transitional chemicals has not been provided to UK authorities since the UK left the EU, and this has not resulted in adverse health or environmental events. This suggests that holding full UK datasets may not be the key to their effective management where they have been provided already under EU REACH and much of this information is publicly accessible. Also, the EU has already been addressing chemicals of high concern over many years, and the subsequent risk management measures are already implemented within UK law. For more recently-assessed chemicals, the HSE is already prioritising their assessment within its work programme.

Q 11 - Please provide views and evidence on any cost impact, to either the chemical industry or consumers, not detailed above, of extending the deadlines while the ATRm policy is being finalised.

Providing businesses greater certainty through legislating to extend the REACH registration deadlines will ease the burden when it comes to administrative and financial impact of managing REACH registrations. If no certainty is provided to businesses, then they may choose to invest in designing compliance strategies which will become redundant when changes occur in the registration process. This uncertainty may also require manufacturers to explore other options in terms of raw material suppliers which again contributes to their increased costs. Longer deadlines generally allow for more preparation time and therefore costs can be spread out over a longer time period, which is beneficial for companies. The most significant impact on costs will be the design of the ATRm: a highly simplified ATRm will be more beneficial to companies, and significantly reducing cost to businesses would increase competitiveness and growth opportunities in GB.

Q 12 - Do you agree with the government's proposal, as set out in paragraph 9 of Part 1, to move the current compliance check deadlines so that they align with the proposed submission deadlines? Please explain the reasons for your answer

Compliance checks need to occur after information has been submitted as part of the simplified ATRm, so an extension to the submission deadlines will necessitate an amendment to the regulator's compliance check dates. The revised timeframe for the HSE to carry out compliance checks of 20% of the dossiers needs to be in line with the revised framework for companies to submit information to the UK Agency.

Q 13 - What are your views on how the compliance checks should be scheduled in relation to the submission deadlines? Please explain the reasons for your answer

The Statutory Instrument currently in force, which previously extended the deadlines for registration and compliance checks, shall be referred to to assess the appropriate gap between the registration and the compliance check deadlines.

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