

Product Regulation and Metrology Bill: Briefing for Lords Committee stage (Chemicals)

This briefing is on behalf of Wildlife and Countryside Link ([Link](#)) and sets out how the Product Regulation and Metrology Bill could, if amended, reduce the risk of harm to human health and the environment from chemicals in products.

As currently drafted, the Bill represents a missed opportunity to adopt a robust approach to reducing the risk of harm to human health and the environment by aligning UK product regulations with the EU's leading chemicals safety rules.

Committee stage amendments tabled by Baroness Bennett of Manor Castle and Lord Fox would address this chemicals omission and ensure the Bill delivers vital protections for nature and human health. A further amendment tabled by Lord Russell of Liverpool, Lord Kirkhope of Harrogate, Lord Browne of Ladyton and Lord Fox would secure a helpful standard model of alignment with EU product regulations across the board (with the capacity for divergence where justified).

We would be very grateful if peers could speak in support of the below amendments at Committee stage from 20th November.

The case for using the Bill to secure alignment on chemicals regulations

Chemical pollution in the UK presents grave and growing threats to human health and the environment.¹ The impacts are already visible, with many environmental sites in the UK facing unacceptably high levels of chemical contamination in water, soils and biodiversity. No UK water bodies achieve 'Good Chemical Status' due to the use of harmful chemicals in products that enter the environment through wastewater, sewage sludge applied to the land and from industrial sites and applications. Through consumer use, humans are also exposed to hazardous chemicals in these products, including forever chemicals (PFAS) and endocrine-disrupting chemicals.

After nearly half a decade of divergence from the EU, the UK continues to fall behind the EU due to the GB lighter-touch system of regulation of harmful chemicals in consumer products and industrial processes.² This growing divergence in chemicals regulations risks growing harms from chemical pollution.

At Lords second reading in early October, several Peers highlighted how the Product Regulation and Metrology Bill, and the powers it will give to Ministers to improve the safety of products used by UK

¹ [Link report on chemical pollution](#)

² CHEM Trust [papers](#) on [divergence](#)

consumers, could be used to address chemical risks.³ There is a clear opportunity to use Bill powers to align the GB system of hazardous chemicals regulation known as UK REACH (Registration, Evaluation, Authorisation and Restriction), with EU product standards that cover a broad range of EU REACH restrictions and other EU regulatory controls on the use of harmful substances in consumer products, enabling higher protections for human and environmental health.

In the words of Lord Fox at second reading when advocating for an expansion of the Bill to enable alignment with EU chemical regulations:

“Chemicals regulation is one of the biggest bugbears facing British manufacturing, and one of the biggest hazards facing British consumers across the country.”

In response to these concerns about growing gaps in UK policy alignment with EU chemical protections, Lord Leong, speaking for the Government, remarked at second reading:

“This Government are committed to protecting human health and the environment from the risks posed by chemicals. We are currently considering the best approach to chemicals regulation in the UK separately to this Bill and will set out our priorities and next steps in due course.”

It remains unclear why the Government feels that chemical risks in products must be addressed outside the Bill. With intense pressures on the legislative timetable, failure to align chemical regulations through the opportunity the Bill presents could mean years of further damaging divergence.

To press the question further, Baroness Bennett of Manor Castle has tabled a new ‘chemical regulation’ clause after clause 2 which would require the Secretary of State to use their powers under clause 1 to align UK chemical regulation with the EU, raising environmental standards and removing a barrier to business and trade. Such alignment would prevent further slippage in UK standards on hazardous chemicals in consumer products compared to our EU neighbours, as well as protecting against the dumping of lower-standard products on the UK and GB markets.⁴

The amendment tabled to page 2, line 13 of clause 1 by Lord Fox would also deliver progress in this area, putting chemical regulations in the scope of the Bill and thereby giving the Secretary of State the capacity to align chemical regulation with the EU if they wish.

The new clause proposed by Lord Russell of Liverpool, Lord Kirkhope of Harrogate, Lord Browne of Ladyton and Lord Fox would also assist. The proposed standard model of alignment with EU product regulations, with the Secretary of State having the power to diverge when justified as in the interests of the UK, could allow some regulations related to chemicals in products to be aligned with the EU and therefore strengthened.

³ [Hansard transcript of Lords second reading](#)

⁴ [Amendment list](#)

We would be grateful if peers could speak in favour of these three amendments at Committee stage, to require the Government to give more consideration to the possibility of addressing chemical risks through the Bill.

This consideration is urgently required. A UK Chemicals Strategy has been long-promised under previous Government policy. This strategy, first promised nearly seven years ago, is still yet to be published. In the absence of a coherent plan for chemicals regulation, these protections must be baked into other regulatory frameworks, including the Bill at hand. Failure to do so will jeopardise human health and the environment while creating unreasonable, long-term uncertainty for businesses.

The amendments from Baroness Bennett and Lord Fox would help to address these risks and to deliver the Government's own promises to legislate to mirror or diverge from EU rules to maintain product safety, provide regulatory certainty and prevent additional costs for businesses.⁵ We ask peers to show their support.

A briefing from CHEM Trust, making the case for these amendments to tackle chemical pollution, can be found [here](#).

Link's Circular Economy Working Group has also produced a briefing for Committee stage, setting out support for an amendment to embed circular economy principles into product regulation. This briefing can be found [here](#).

For questions or further information please contact:

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Wildlife and Countryside Link (Link) is the largest nature coalition in England, bringing together 86 organisations to campaign for nature, climate, animal welfare and a healthy environment for everyone. www.wcl.org.uk

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⁵ [Kings Speech briefing](#)