Additional written evidence submitted by CHEM Trust

The need for an institutional structure to protect public health from hazardous chemicals

CHEM Trust would like to add to our initial evidence to the committee in order to consider the issue of the protection of public health against hazardous chemicals.

The current structure for the implementation of chemicals regulation in the UK is led by the Health and Safety Executive (HSE), with environmental aspects dealt with by the Environment Agency. The HSE’s expertise is focussed on worker safety, not the health of the general public. In our view the system has a clear gap in terms of the protection of public health.

One aspect of this lack of public protection is exposed by our analysis\(^1\) conducted last year into resources for consumer protection at local authority level. The results reveal a postcode lottery for consumer health and environmental protection across the UK. Budgets spent on monitoring for hazardous chemicals vary widely, with more than a third of councils queried spending nothing. Where testing did occur, hazardous chemicals were identified in consumer products and prosecutions undertaken, but the amount of action taken by trading standards officers varied widely between councils.

The evidence to this inquiry from Tracey Logan and Richard Szwagrzak emphasises this lack of public protection. They established, using a reputable monitoring organisation, that emissions their new furniture resulted in a level of formaldehyde in their bedroom that was over 13 times the WHO limit for this chemical. Despite this they were unable to get their local authority environmental health to take any action, and when they approached the HSE they only considered the worker exposure limits, which are usually set substantially higher than those for the general population. This is not an acceptable situation.

This lack of a clear home for the protection of public health from chemicals also leads to a lack of consideration of this issue. For example, which agency or department is responsible for indoor air pollution? We are aware that NICE is soon to publish a report on the subject, but they are not in a position to identify priority chemicals of concern and propose a REACH restriction on their use, as the Environment Agency can do when their research identifies a concern for the environment. What about exposure from dust, or overall exposures of babies, toddlers or pregnant women? Or impacts on other susceptible groups, such as those with genetic susceptibilities?

The UK Government created a new Office for Product Safety and Standards (OPSS) in January 2018, which could have an important role to play on the enforcement side of public protection, but we believe that more is necessary.

Public Health England (PHE) could potentially be the agency that could be given a responsibility for monitoring and researching the impact of chemicals on public health and proposing restrictions and other controls on problematic chemicals. Without such an allocation of responsibility, together with adequate funding and staffing for research and policy development, it is clear that public health will not be properly protected.

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