

“T” for Toxic? Seven things everyone should know about the EU-US trade negotiations (aka “TTIP” or “TAFTA”) and chemical regulation

Protecting the public from toxic chemicals requires government action. The public health impacts linked to toxic chemicals—e.g. cancer, asthma, obesity, diabetes, difficulty conceiving and maintaining pregnancy, and many others—are conservatively estimated to cost the public, governments and businesses hundreds of billions of Euros per year, which is almost entirely borne by individuals and public resources, not chemical manufacturers.

In contrast to the weak US federal chemical management system, the European Union (EU) has begun to implement relatively stronger policies, with major trading partners in Asia following the EU’s lead. These efforts at home and abroad have tangible benefits in protecting Europeans from toxic chemicals, unlike a systematically flawed US federal system.

Throughout the process of the EU enacting stricter measures on toxic chemicals, the US government has argued alongside the chemical industry that EU regulations to protect public health and the environment are a trade barrier. Certain politicians and policymakers are already using speculative trade impact assessments as a principal reason not to protect women and children from hormone disrupting chemicals (or “EDCs”), without accounting for the costs of these hazardous chemicals on individuals and public resources.

Despite American opposition, significant new policies have been adopted in Europe to generate information about the most widely used industrial chemicals and to reduce the use of those that have unmanageable risks; however, many years remain until these policies and regulations are fully implemented. And, for the several hundred with unquestionable data of their hazards, the European Commission is moving at a pace that will require decades to prevent the majority of them from entering our food, water, homes, and eventually our bodies.

The EU’s trade negotiations with the United States stand to put the brakes on this progress, by weakening the stronger EU system and preventing the improvement of the bad US system.

The so-called Transatlantic Trade and Investment Partnership (TTIP, also known as TAFTA), is not a typical trade agreement. Here is why:

1. **TTIP is primarily a regulatory agreement.** It is designed to minimize regulatory differences across countries and regions of the world. However, these regulatory differences have repeatedly been key to progress and innovation in phasing out indisputably hazardous chemicals, including: chemicals linked to cancer and impaired immune, reproductive, nervous and endocrine systems, like DDT and PCBs; ozone-depleting substances, such as CFCs; and, other chemicals of concern. Approaches to minimize regulatory differences on chemicals would likely result in harmonization “downward,” toward regulations and standards that are less protective of people and the environment.
2. **TTIP could undermine progress on chemicals in the EU region.** Onerous, speculative, and inaccurate trade “impact assessments” and consultations with US regulators threaten to slow environmental law-making in the EU to the current level of paralysis in the US. Risk assessments for just one chemical in the US have taken upwards of twenty years, and the need for impact assessments in the implementation of US law brought efforts to manage chemical risks to a halt. The EU has made significant steps to encourage

a transition to safer, less hazardous chemicals. TTIP stands to undermine this progress by slowing the implementation of existing, more protective legislation in the EU, which the US government and industry continues to accuse as a trade barrier.

3. **TTIP could prevent progress in EU Member States on chemicals.** TTIP poses a particular risk of further eroding the regulatory authority of EU Member States on public health and environmental issues. The European Commission wants all rules under TTIP preventing regulatory differences to apply at the national level as well, thereby hindering EU Member States from enacting stronger measures on chemicals of concern.
4. **TTIP could undermine innovation toward safer chemicals.** Innovation depends in part on access to information, including information on the hazards of chemicals and when and where they are used. Proposed labeling and secrecy rules in TTIP could make it even harder for innovators, consumers, and regulators to access vital information concerning which chemicals are hazardous and in which products they are found. In addition, European lists of hazardous chemicals are driving businesses to seek substitutes. TTIP could slow the population of these lists, thereby slowing the shift to safer alternatives.
5. **TTIP could force the public to pay foreign investors for lost profits due to EU chemicals laws.** Under NAFTA, numerous challenges have been made and settlements reached with foreign investors over public health and environmental laws designed to protect Americans from toxic chemicals and other risks. Called a “full frontal assault on democracy,” these proceedings are not conducted in EU courts, but in secretive arbitration panels comprised of private industry attorneys. The US and EU are negotiating NAFTA-like provisions for foreign investors in TTIP.
6. **TTIP could increase fracking for natural gas.** Recently, several EU Member States enacted moratoria to block the injection of a secret and potentially toxic cocktail of chemicals underground to unlock natural gas supplies (fracking). Under the NAFTA provisions mentioned above, a US company is challenging a Canadian province’s precautionary fracking moratorium due to lost profits, and similar challenges may be brought in the EU with NAFTA-like investment provisions in TTIP. These and other provisions could undermine precautionary measures for fracking, thereby increasing the injection of a secret mixture of toxic chemicals underground.
7. **TTIP could slow global progress on international chemical risks.** Imported products are increasingly a source of exposure to chemicals in Europe. Wind, water, and animals continue to transport persistent chemicals used outside EU borders into European environments. While the expansion of precautionary EU chemical policies to major Asian trading partners and efforts under global agreements for toxic chemicals increasingly protect Europeans from hazardous chemicals that enter from beyond EU borders, TTIP threatens this progress.

Tell EU and US Trade Negotiators:

Don’t undermine progress on toxic chemicals!

Shockingly, very few Members of the European Parliament (MEPs) and EU Member States have access to the trade agreement being negotiated by US and EU trade officials and their industry advisors. Sign this petition calling on the EU and US to ensure that progress toward safer chemicals will not be undermined by TTIP. Given the startling lack of transparency in these negotiations, your signature will help ensure that the negotiators understand one of the many profound public health and environmental implications of trade negotiations between the European Union and United States.

Take Action: <http://bit.ly/1eYZhU0>