

Emma Hardy MP
Parliamentary Under-Secretary of State (Minister for Water and Flooding)

17 April 2026

Dear Minister Hardy,

We welcome the Government's decision to review chemicals from the EU's Substances of Very High Concern (SVHC) list to be added to the UK's. This is an important and positive step towards strengthening protections against harmful chemicals. We are writing to highlight the key processes that must underpin this approach to ensure it delivers effectively, transparently and in line with EU standards.

Entry on the Candidate List is an important mechanism for identifying and prioritising action on highly hazardous substances. It triggers legal obligations for companies to provide information on them to its customers and consumers, while also driving substitution and innovation in alternatives. We welcome the move to end the 'interim principles' which obstructed new additions and limited progress, and support the commitment set out in the 2025 Environmental Improvement Plan to enable protections that address chemical pollution to align with the EU "unless there are compelling reasons to diverge".

However, this strategic direction must be supported by a clear, transparent and robust decision-making framework. Such a framework is essential to guard against undue influence, ensure accountability, uphold the environmental principles and maintain public confidence.

The principle of 'no data, no market' enshrined in the Environment Act, requires companies to provide sufficient data on information on hazards and risks of chemicals they place on the market. Given the UK system does not have this data and is reliant on publicly available EU data, a precautionary approach should apply. In practice, this should mean automatic adoption of EU regulatory decisions that set the highest standards globally and are based on access to complete chemicals datasets and proper evaluation of their risks.

We welcome the proposed default assumption of alignment with EU listings in the SVHC list. To ensure this is meaningful, divergence must be rare, clearly justified and open to scrutiny. In particular:

- Decisions not to adopt an EU listing should be supported by evidence against clearly defined and stringent criteria; and be open to challenge.
- All Substances added to the EU Candidate Lists should be considered as a matter of course: in our view there is no clear justification for excluding any.
- Substances identified as giving rise to an equivalent level of concern, such as endocrine disruptors and neurotoxicants, should be included alongside carcinogenic, mutagenic and reprotoxic substances.

We are concerned that the current process may allow harmful substances to be excluded without explanation. Excessive regulatory discretion, without transparency, risks creating an unpredictable system that is vulnerable to lobbying and undermines confidence and public trust in the outcomes.

To address that we urge that:

- Any divergence from EU decisions is clearly explained against strict 'compelling reason' criteria and subject to public and expert challenge.
- Consultation responses are published, with only limited and justified confidentiality, in same way as comments to EU consultations on SVHC listings.
- Industry-provided/consultancy sponsored data must be subject to independent scientific scrutiny, understood within the context of potential conflict of interest due to financial gain/loss – especially as the regulator does not have access to full studies available to ECHA on which it based its decision, which could refute this data.

Transparency is fundamental to high quality decision making. It helps expose undue influence, strengthens accountability and builds public trust. It also supports better long-term outcomes by encouraging innovation in safer alternatives and reducing trade barriers with the EU and within the UK internal market.

These safeguards are essential to protect public health and the environment, while providing regulatory certainty needed for investment and innovation.

Thank you for your consideration of the recommendations. We would welcome the opportunity to engage further on how this process can be strengthened

Yours sincerely,

Richard Benwell, Chief Executive, Wildlife & Countryside Link

Catherine Gunby, Executive Director, Fidra

Dr Anna Watson, Director of Policy & Advocacy, CHEM Trust

Fiona Taylor, CEO, Garden Organic

Russel Hobson, Director of Science and Data, Butterfly Conservation

Kate Metcalf, Co-Director, Wen (Women's Environmental Network)

Jamie Cook, CEO, The Angling Trust

Maria Giulia Checchi, Secretary, British Dragonfly Society

Dr Rob Collins, Director of Policy & Science, The Rivers Trust