

“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 vast majority of tens of thousands of chemicals used in the United States (US) do not have adequate safety information. For example, less than 2 % of chemicals on the market have actually been tested for carcinogenicity. And for the several hundred with unquestionable data on their hazards, current US laws have handcuffed government authorities from taking action to prevent them from entering our food, water, homes, and eventually our bodies.

Due to this weak federal system, 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 dollars in the US, 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 numerous US states and major US trading partners following Europe’s lead. These global efforts have tangible benefits in protecting US residents from toxic chemicals, despite the systematic flaws of the US federal system.

However, trade negotiations between the EU and 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 states, countries, and regions of the world. 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 slow progress in US states on chemicals.** The National Association of Attorneys General has criticized the potential of trade agreements to erode the regulatory power of US states. TTIP poses a particular risk of eroding the regulatory authority of states on public health and environmental issues. The European Commission is negotiating for common rules on avoiding regulatory differences to apply to states in the US, preempting them from enacting stronger measures or addressing different chemicals of concern.
- 3. TTIP could undermine European progress on chemicals.** The EU’s progress on toxic chemicals has not only inspired over 30 US states to make progress of their own on toxic chemicals, but also many major exporters of goods to the US, such as China and South Korea. EU’s chemicals regime has also helped shape global efforts under environmental treaties. However, TTIP stands to undermine this by slowing the

implementation of existing legislation, which the US government and industry alleges to be a trade barrier because it is more protective.

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 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, the mere act of governments developing lists of hazardous chemicals is driving businesses to seek substitutes. TTIP could slow the population of these lists, thereby slowing the shift to safer alternatives.
5. **TTIP could increase fracking for natural gas.** Fracking is the injection of a secret mixture of toxic chemicals underground to access natural gas, placing water supplies at risk. Due to US law, TTIP would likely require the US government to automatically approve all exports of liquid natural gas to the EU without any review, conditions or delay. Automatic exports of cheaper US liquid natural gas to the EU, already a significant importer of natural gas, would likely expand hydraulic fracturing, or fracking, across the United States to meet EU demand. In addition, precautionary measures to restrict the use of fracking could be subject to various challenges through TTIP. Thus, TTIP could increase the injection of a secret mixture of toxic chemicals underground.
6. **TTIP could force the public to pay foreign investors for lost profits due to US 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 US courts, but in secretive arbitration panels comprised of private industry attorneys. The EU and the US are negotiating NAFTA-like provisions for foreign investors in TTIP.
7. **TTIP could slow global progress on international chemical risks.** Americans, in particular those living in the Arctic, are disproportionately exposed to chemicals which persist in the environment, accumulate in food sources, and travel long distances through wind, water, and the food chain. In addition, imported products contain an increasing number of chemicals, most of which have unknown health risks. Efforts under treaties and other international agreements are increasingly protecting Americans from hazardous chemicals that can enter the US from beyond its borders; however, TTIP threatens this progress.

Tell EU and US Trade Negotiators:

Don't undermine progress on toxic chemicals!

Shockingly, elected officials do not have access to the agreement being negotiated by US and EU trade officials and their industry advisors. Sign this petition calling on the US and EU 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 the profound public health and environmental implications of trade negotiations between the European Union and United States.

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