

# United States Senate

WASHINGTON, DC 20510

June 22, 2004

The Honorable Robert B. Zoellick  
United States Trade Representative  
Office of the United States Trade Representative  
600 17th Street, N.W.  
Washington, DC 20508

Dear Ambassador Zoellick,

We would like to know the U.S. government's position on the potential trade implications of the European Union's proposed regulation on the Registration, Evaluation, and Authorization of Chemicals ("REACH"). We are troubled by reports that the position of this administration on REACH may reflect the interests of a narrow segment of U.S. industry without consideration of the broader ramifications for the U.S. economy, national interest, public health, and the environment.

We understand that U.S. trade officials will be presenting the U.S. position at the World Trade Organization's Technical Barriers to Trade ("TBT") Committee meeting scheduled for July 1, 2004 in Geneva, Switzerland. In light of this upcoming discussion on the trade implications of REACH, we would like a copy of any U.S. submission to the TBT Committee regarding REACH. In addition, please specify which provisions of REACH you consider may be in conflict with provisions of the relevant WTO agreements. Please cite the REACH provisions, name the WTO articles, and provide a description of exactly how the U.S. government believes the REACH proposal may violate the identified articles.

Additionally, we would like to know how the USTR has arrived at its position on REACH. Specifically, what analysis, if any, has the USTR conducted to assess the likely trade impacts of the European proposal? We also wish to know who the USTR consulted in developing its position, including industry representatives, domestic and foreign government representatives, and environmental, health, labor, consumer groups, and other non-governmental organizations, and copies of any documents and correspondence you exchanged with them. In addition, please detail any congressional consultation that the USTR has undertaken on this matter.

Finally, we would like to know what procedures the USTR will adopt and maintain to ensure that a diversity of U.S. stakeholders have input in the ongoing development of the U.S. position on REACH.

Thank you for your prompt attention to this matter.

Sincerely,

  
Frank R. Lautenberg

  
James M. Jeffords