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Regulation of nanotechnology: developing a level regulatory playing field for emerging materials

ABSTRACT. The author suggests that ongoing efforts to regulate the materials base of nanoscience and nanotechnology (N&N), while essential to good governance, need to take account of the emerging status of the producer base in developing a cost basis commensurate with the ability of the producers to pay and, therefore, comply with emerging regulation. Particular focus is directed towards the structure of the Substance Information Exchange Forum (SIEF) and EU REACH compliance generally. The author remains in favour of REACH; compliance with its provisions, and those of other statutory bodies, in the context of nanomaterials procurement and supply is not debated by the author beyond suggesting a case exists for lowering the tonnage trigger levels, given the characteristics of nanomaterials. Rather, focus is directed toward SIEF protocol as currently constituted. It is, therefore, suggested by the author that SIEF needs to account for the emerging status of nanomaterials insofar as a SIEF holder for any emerging nanomaterial (NM) should be impartial and nonproducing, which is not currently the case, and SIEF should be geared to function as a collective to aid the ability of any NM producer to comply with the existing SIEF framework.

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