Steptoe’s global chemical regulation practice covers the United States, European Union, and China. With offices in these three key jurisdictions, our clients are able to seamlessly benefit from Steptoe’s knowledge of their products and issues globally. Through our longstanding work for the chemical industry, we have built a reputation for constructive dialogue with regulators, policy makers, legislators, and enforcement authorities, including regulatory advocacy before the EPA and other US agencies, the European Commission and EU agencies, and national competent authorities.

Steptoe also provides exceptional regulatory litigation capability, concentrating on challenges to regulations, enforcement defense, and preemption before US appellate and trial courts as well as administrative agencies. We help clients integrate regulatory, litigation, and government relations strategies to optimize results.

We represent and advise clients who manufacture, import, distribute, use, and transport products on a broad spectrum of regulatory programs and policy including:

- REACH/CLP (including China & Korea REACH)
- Toxic Substances Control Act (TSCA)
- Antimicrobials & biocides
- Agrochemicals
- Chemicals in consumer products and children’s products
- Nanotechnology
- California’s multiple programs applicable to chemicals and products
- Consortium, data rights, & trade association management
- Emerging cannabis regulations
- Occupational Health & Safety Act (OSHA)

We cover the complete lifecycle of chemical regulation:

**Regulatory Requirements**

- Pre-market authorization and re-authorization of products
- Data valuation, sharing and compensation negotiations, and arbitrations (for mandatory and voluntary data sharing)
- Export and import requirements (including the Prior Informed Consent requirements under the Rotterdam Convention)
- Data requirements (regulatory negotiation) and risk assessment
- Classification, labeling, and marketing requirements
- Testing requirement implementation
- Maximum residue limits/tolerances

**Commercial Issues**

- Task force and consortia establishment, management, and antitrust compliance
- Letters of access
- Supply agreements
- Commercial due diligence for acquisitions and divestitures
Compliance, Enforcement & Litigation

- Regulatory challenges
- Environmental liabilities
- Enforcement defense
- Compliance audits and non-compliance response strategies
- Strategic advocacy
- International trade issues

REACH & EU Chemical Regulation

Steptoe has the largest dedicated EU chemical and environment regulatory practice in Brussels, consistently ranked in the top tier for chemicals and environment work by legal directories. *Chambers Europe* recently declared Steptoe’s environmental capabilities to be “stellar.” Our EU team’s work concerns chemicals regulation, mainly: REACH, biocides, agrochemicals, food contact materials, classification, labelling, packaging, and nanomaterials, as well as the regulation of chemicals in a range of consumer products such as cosmetics, toys, disinfectants, medical devices, etc.

We have been active in all these areas since the respective EU regimes were first proposed and worked at all stages of their implementation. The size and depth of experience of our EU team enables us to meet the requirements of our clients promptly, whilst ensuring a consistently high quality end product.

We are lawyers, scientists, and policy advisers who serve clients with an in-depth legal, scientific, and technical knowledge of the requirements. Our practice achieved success in proceedings related to EU chemical and environmental regulation before the European courts (Court of Justice of the EU and EU General Court), the Board of Appeal (BoA) of the ECHA; and preliminary references from national courts. Our litigation docket, the largest in Brussels with unparalleled track record of success, includes primarily REACH-related disputes (on substance and dossier evaluation, SVHC listings and restrictions, data sharing, etc.), biocides (data sharing), agrochemicals, and requests for access to confidential business information.

US Chemical Regulation

Steptoe’s Washington-based US practice interacts daily with the EPA to assist clients in a broad range of issues that arise under US chemical regulations. In particular, our practitioners assist clients with TSCA regulatory and litigation matters, including compliance assistance and enforcement defense. We are at the forefront of the developing issues under TSCA, including the implementation of key elements of the Lautenberg Chemical Safety Act (LCSA), PMN requirements, and implications of non-animal testing requirements under Section 4. We have longstanding experience in nanotechnology regulation in the US, EU, and China; as well as data generation protection. Steptoe has substantial experience in assisting clients on a wide array of issues arising under TSCA, including TSCA compliance audits and self-reporting of TSCA violations; Section 8(a), (d), and (e) recordkeeping and reporting requirements; Section 5 Significant New Use Rules (SNUR); TSCA exemptions; the interface among TSCA, FIFRA, and FFDCA regulation for multi-use products; the use of REACH data under TSCA; TSCA preemption; and CDR Rule.

Steptoe professionals interact daily with the EPA Office of Pesticide Programs (OPP), regularly working together with the OPP Antimicrobials, Registration, and BioPesticides divisions to guide applications through EPA’s application/registration and amendment processes. We assist companies, groups of companies, and trade associations in addressing the broad range of issues that arise under pesticide regulation, such as FIFRA, the powerful regulatory statute applicable to all pesticides, and the relationship to FFDCA and allowable residue levels of pesticides on certain foods. We also assist clients with re-registrations and registration review, data requirements and data call-ins, data compensation, regulatory development and policy, and enforcement and compliance audits.

Agrochemicals for crop protection and pest management have been a core part of our practice for more than 25 years, and Steptoe is counsel to companies supporting some of the most high profile agrochemical products on the market. We also advise regional and international trade associations operating in the agribusiness sector. The details of the regimes we work in differs in each jurisdiction and our clients turn to us regularly for strategic guidance and support.

Our California team includes dedicated professionals active in San Francisco and Los Angeles where we are able to assist our clients with a broad range of California specific regulations, including California’s Safe Drinking Water and Toxic Enforcement Act (Proposition 65), California’s Safer Consumer Products Law (Green Chemistry Initiative), SB-258 Cleaning Products Right to Know Act of 2017, California Organic Products Act (COPA), and California medical waste regulation.
Steptoe advises multinational companies on interpreting and ensuring compliance with the challenging and increasingly high profile Chinese regulatory systems for hazardous chemicals, China REACH, biocides, food safety, and cosmetics. As Chinese regulatory reforms continue, Steptoe combines in-house technical knowledge and deep experience with global regulatory regimes to advise our international clients and to assist our clients in creatively overcoming regulatory and market challenges in China. Steptoe’s presence in Beijing enables us to assist our clients in Chinese regulatory development and implementation.

Steptoe is also working on projects relating to the emerging regulation of antimicrobials and biocides. In both the food contact and non-food contact categories, we are uniquely positioned with the most up to date information on changing regulatory and technical requirements. In the consumer products category, Steptoe can determine if a product requires registration or approval and if it contains restricted or banned substances, register products and ingredients as necessary, and review labeling to ensure compliance with Chinese GHS requirements.
News & Publications

CLIENT ALERTS
Draft Compliance Guidance for Imported Articles Containing PFAS Surface Coatings Released for Comment
December 17, 2020
By: Seth Goldberg, Sara Beth Watson

PRESS RELEASES
Steptoe Expands Chemical & Life Sciences Practice with Jessica Cooper in Washington
December 16, 2020

PUBLICATIONS
How Can Biocidal Product Suppliers Ensure Market Access When the Brexit Transition Period Ends?
Chemical Watch
November 4, 2020
By: Darren Abrahams, Zanda Romata, Hannah Widemann

CLIENT ALERTS
Chemicals Strategy for Sustainability: Towards a Toxic-Free Environment
October 14, 2020
By: Ruxandra Cana, Darren Abrahams, Dr. Anna Gergely

CLIENT ALERTS
PFOAs Inclusion in the POP Regulation: Interactions Between the REACH and POP Regulations and Conflicting Provisions
September 11, 2020
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September 7, 2020
By: Darren Abrahams, David O'Sullivan, Eléonore Mullier, Hannah Widemann

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European Commission Seeks Comments on Green Deal Proposals from Global Stakeholders
August 10, 2020
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Could 'Unconstitutional Compelled Speech' be the Beginning of a Broad New Defense in Prop 65 Cases?
Chemical Watch
August 6, 2020
By: Carol R. Brophy, Dennis E. Raglin
CLIENT ALERTS

Court Overturns Prop. 65 Warning for Glyphosate as Unconstitutional Compelled Speech: The Beginning of a Broad New Defense in Prop. 65 Cases?
June 25, 2020

CLIENT ALERTS

EPA Adds to Temporary Supply Chain Flexibility to Ensure Adequate Disinfectant Supply
April 15, 2020
By: Seth Goldberg, Erik Janus
Events

SEMINARS & EVENTS
Biocides: What Does the Future Hold?
November 13, 2019
Speakers: Darren Abrahams, Dr. Anna Gergely, Eléonore Mullier, Hannah Widemann
InterContinental Frankfurt
Wilhelm-Leuschner-Straße 43
Frankfurt/Main, Germany

SEMINARS & EVENTS
Annual Biocides Seminar
September 12, 2019
Steptoe’s Brussels Office
Avenue Louise 489
B-1050, Brussels

SEMINARS & EVENTS
Brexit and the Chemical Sector
March 19, 2019
Speakers: Ruxandra Cana, Darren Abrahams, Hannah Widemann
Fleming’s Selection Hotel Frankfurt-City
Eschenheimer Tor 2, 60318
Frankfurt/Main, Germany

WEBINARS
Plant Protection Products and the Precautionary Principle
December 12, 2018
Speakers: Darren Abrahams, Eléonore Mullier

SEMINARS & EVENTS
Biocides and Antimicrobials 101
An Overview of BPR and FIFRA Approval Requirements
November 5, 2018
Speakers: Seth Goldberg, Eléonore Mullier
Steptoe’s San Francisco Office
1 Market Street
Steuart Tower
Suite 1800
San Francisco, CA 94105

SEMINARS & EVENTS
Annual EU Biocides Seminar
New Rules, Challenges and Opportunities
October 30, 2018
Speakers: Darren Abrahams, Eléonore Mullier, Hannah Widemann
Steptoe’s Brussels Office
Avenue Louise 489
B-1050, Brussels

WEBINARS
A Closer Look at Prop 65 Compliance in the Electronics Industry
co-sponsored by Chemical Watch
October 10, 2018
Speaker: Carol R. Brophy
SEMINARS & EVENTS

Appeals under REACH: Quantifying the Gains
A Complimentary Workshop
September 26, 2018
Speaker: Ruxandra Cana
Steptoe’s Brussels Office
Avenue Louise 489
B-1050, Brussels

WEBINARS

Proposition 65 Compliance Roadmap
co-sponsored by Chemical Watch
July 24, 2018
Speaker: Carol R. Brophy

WEBINARS

California’s New Proposition 65 Warning Regulations
co-sponsored by Chemical Watch
June 26, 2018
Speaker: Carol R. Brophy
Resources

BIOCIDES NEWS & BRIEFS
Protecting Commercial Secrets
Chemical Watch Biocides Hub
February 21, 2019
By: Darren Abrahams, Hannah Widemann

BIOCIDES NEWS & BRIEFS
Brexit Briefing: Environment & Life Sciences
November 16, 2018
By: Darren Abrahams, Ruxandra Cana, Eléonore Mullier, Hannah Widemann, Filippo Mattioli, Danyal Arnold

BIOCIDES NEWS & BRIEFS
Biocides & Brexit Update
September 24, 2018
By: Darren Abrahams, Hannah Widemann

BIOCIDES NEWS & BRIEFS
Endocrine Disruptors: Confronting the New Criteria
Chemical Watch
November 15, 2017
By: Darren Abrahams, Eléonore Mullier, Hannah Widemann

BIOCIDES NEWS & BRIEFS
Harmonising the Process for Biocidal Products Authorisations
Chemical Watch Biocides Hub
May 30, 2017
By: Darren Abrahams

BIOCIDES NEWS & BRIEFS
Article 95 Listing: A Level-Playing Field?
Chemical Watch
December 7, 2016
By: Darren Abrahams, Eléonore Mullier

BIOCIDES NEWS & BRIEFS
Adoption of Endocrine Disruptor Criteria: Plain Sailing Ahead?
Chemical Watch
August 31, 2016
By: Darren Abrahams

BIOCIDES NEWS & BRIEFS
Biocides and the Board of Appeal: A First Assessment
Chemical Watch
April 9, 2016
By: Darren Abrahams
BIODIES NEWS & BRIEFS

Masterbatches Under the BPR: A Riddle Resolved?

Chemical Watch
January 8, 2016
By: Dr. Anna Gergely, Darren Abrahams

BIODIES NEWS & BRIEFS

Article 95 and Beyond

Chemical Watch
September 9, 2015
By: Darren Abrahams

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