



**THE LEGAL REGULATION OF  
ENVIRONMENTAL RISK**

**IN THE EU AND THE UNITED STATES:  
INNOVATION, BUREAUCRACY, AND  
DEMOCRACY AT A CROSSROADS**

**Tom Page, Esq.**

# The Common Ground in Risk Regulation:

1. THE PRECAUTIONARY PRINCIPLE

2. “HOLISTIC” REGULATION

3. EXTENDED PRODUCER  
RESPONSIBILITY (“EPR”)

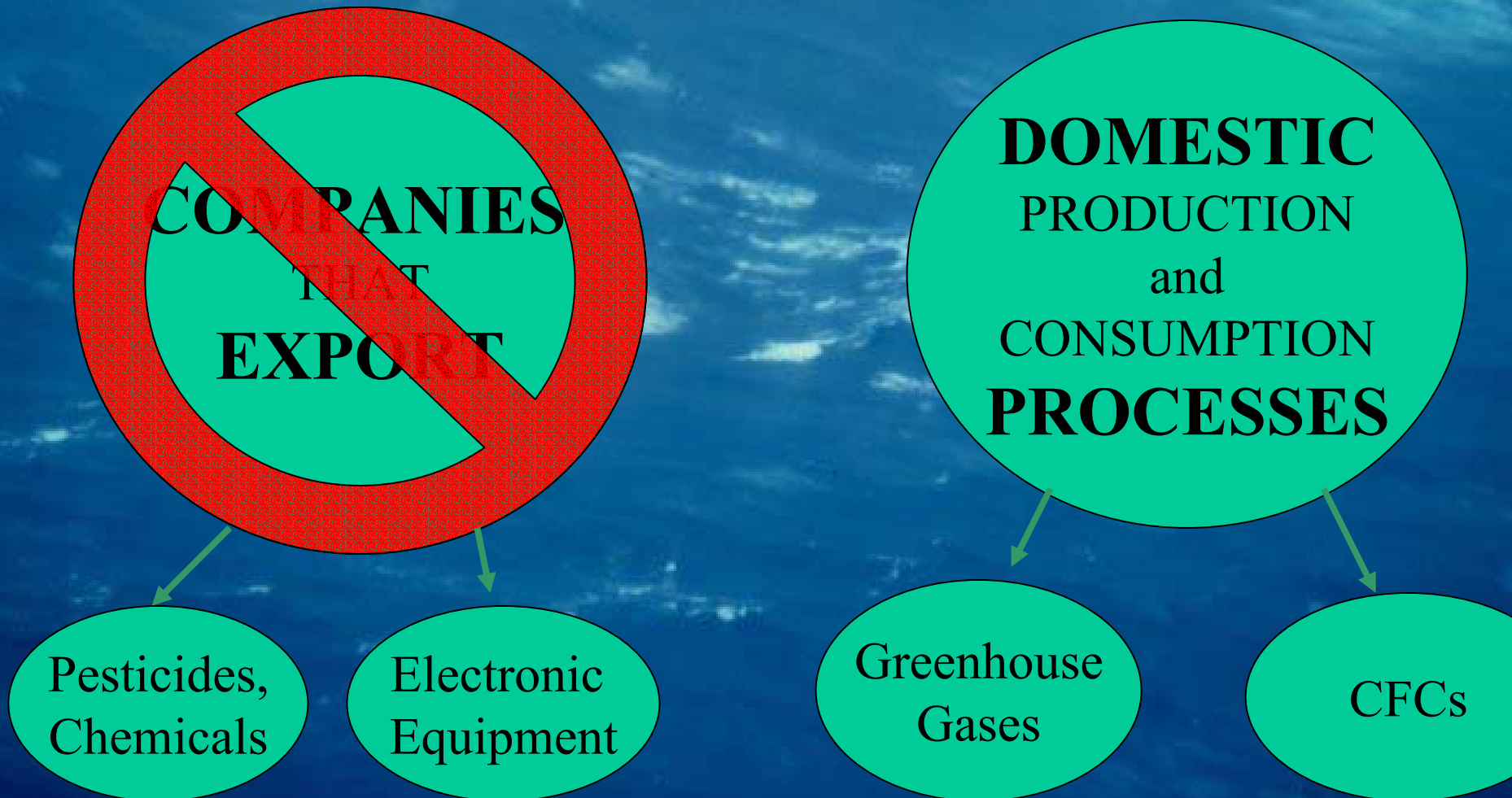
4. RISK-RISK TRADEOFFS

5. SHIFTING THE DATA BURDEN  
TO THE PRIVATE SECTOR

6. “CUMULATIVE RISK”

7. COST BENEFIT ANALYSIS (“CBA”)

# The Fundamental Distinction in Global Risk Regulation under WTO/GATT

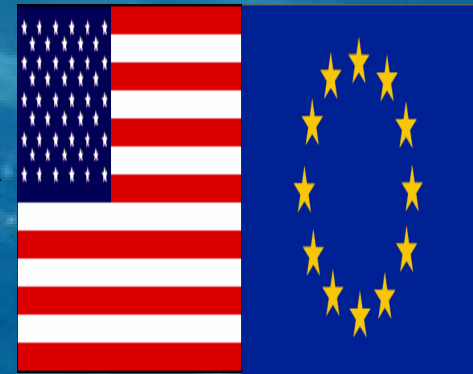


REACH  
(chemicals)

WEEE  
(waste from electric  
and electronic  
equipment)

ROHs  
(restriction of  
hazardous  
substances)

ISO 14000



# THE PRECAUTIONARY PRINCIPLE AND CULTURAL DIFFERENCES



Mad Cow Disease

Prescription Drugs

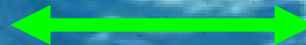
CFCs



Hormones in Beef

GMOs

Climate Change



**Climate  
Change**

**THE COMING DECADE**

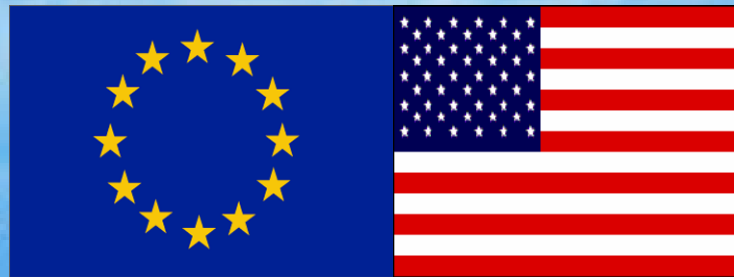
**DEMOCRATIZATION OF RISK**

**ECOSYSTEM CARRYING CAPACITY**

**STANDARDIZATION OF  
RISK BENCHMARKS**

**THE GLOBAL COMMONS:  
INTERNATIONAL CONFLICT  
AND  
TECHNOLOGY TRANSFER**

# CONCLUSION



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