

## **Monograph Documents Advance, Impact of Europe's "Risk-Free" Regulatory Agenda**

In a Monograph released today by the Washington Legal Foundation (WLF), an international business and trade expert documents the rise in Europe of the so-called "precautionary principle" and its proponents' plans to export this regulatory approach to U.S. and our trading partners. This principle eschews science-based evaluation of the benefits and costs of regulation in favor of environmental, health, and safety rules which seek to eliminate every possible risk from economic conduct.

***Exporting Precaution: How Europe's Risk-Free Regulatory Agenda Threatens American Free Enterprise*** was authored *pro bono* for WLF by **Lawrence A. Kogan**, an international business, trade and regulatory attorney who is CEO and Co-Director of non-profit group *The Institute for Trade, Standards and Sustainable Development, Inc.* The publication features introductory materials by a diverse group of commentators: **James C. Greenwood**, a former Member of Congress who is now President and CEO of the Biotechnology Industry Organization; **Professor William H. Lash** of George Mason University School of Law and former Assistant Secretary of Commerce; **Graham Mather**, a former member of the European Parliament and now President of the European Policy Forum; and **Professor Gray E. Marchant** of the College of Law at Arizona State University.

Mr. Kogan's extensively documented tour through the evolution and application of the precautionary principle begins with a brief definition of the term and then explains how European and international activists have successfully advanced their risk-averse agenda. Next, it provides examples of precaution-based European regulations on everyday products such as foods and chemicals, and discusses the costs they impose on customers and businesses in Europe. Mr. Kogan then turns his attention to how precaution proponents are successfully advancing their regulatory principles here in the U.S., and the serious impact their success will have on American free enterprise. They are doing this not only through state and federal laws and rules, but through litigation and bold efforts to intimidate private businesses into embracing precaution "voluntarily." The Monograph concludes with an insightful philosophical discussion of the precautionary principle's broader international legal, political, and economic impact.

**Washington Legal Foundation** is a national, non-profit public interest law and policy center. By utilizing a unique approach to forwarding its mission of publishing timely legal studies, engaging in innovative litigation, and communicating directly to the public, WLF has become the nation's most effective advocate of freedom and free enterprise. This Monograph is one of seven free-standing formats in which WLF's Legal Studies Division produces legal policy papers and promotes free enterprise legal thought.

The paper can be accessed at Washington Legal Foundation's web site, [www.wlf.org](http://www.wlf.org), or copies can be obtained by calling (202) 588-0302.