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Regulating Nanotechnology's Potential Environmental and Health Hazards — Examining Taiwan's Existing Legal Regimes and Some Comments for Future Development

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Abstract

The rapid development of nanotechnology has changed the momentum of human civilization. Numerous nanoproducts in market are changing the way of life. The promise of nanotechnology has attracted intense investment in supporting nanotechnology development. Some scientists, however, are skeptical of the optimism of developing the nanotechnology in full speed. Some early studies suggest that many of these tiny nano-particles have unique ability to penetrate human body or to persist in the environment. Some even indicate that nanomaterials pose greater potential health hazards to conventional substances. Many commentators, however, criticize these studies for a lack of scientific certainty. The lesson from the development of biotechnology has indicated that postpone of any early regulatory intervention had lead to consumer mistrust. This article suggests that the government shall propose a plan for the establishment of nanotechnology legal framework. In order to prevent outrageous regulatory response to nanotechnology devel-

opment, such as a total ban or taking no actions at all, this article suggests a step-by-step legal process based on the development of ongoing research in nanotoxicology.

Keywords: Nanotechnology, Nano-materials, Risk Management, Scientific Uncertainty, Precautionary Principle