

## What can my company do?

**Create an inventory** of all substances or substances in preparations or articles fulfilling REACH criteria you export to the EU. Check the website of the European Chemicals Agency to find out if the substances or uses in your inventory are exempted from the registration under REACH.

**Identify** for each substance on its own or in a formulated product the **likely volume band per EU importer**.

If a chemical substance in these inventories is imported into the EU  $\geq 1$  tonne/year it needs to be pre-registered and registered by the EU importer or your Only Representative to ensure uninterrupted exports.

**Consult the website of the European Chemicals Agency** for information on the Regulation and study the guidance on relevant REACH duties.

**Prepare data and information** for your EU importers or Only Representative.

## What information is required for a registration?

The Regulation sets different information requirements (e.g. on hazards, use conditions & exposure) for chemicals manufactured or imported in different volume bands.

The hazard information of a chemical substance must be shared among all registering companies in so-called SIEFs (Substance Information Exchange Forum).

If a company uses data owned by another company, the data owner is entitled to compensation.

New data should not be generated by testing on vertebrate animals without an agreement from the European Chemicals Agency.

## Where can my company turn for further information?

The "About REACH" section on the website of the European Chemicals Agency gives an overview of the Regulation.

The website also provides:

- ▶ A Navigator tool which will assist importers and Only Representatives to find out their obligations and how to fulfil them
- ▶ Extensive guidance on REACH provisions
- ▶ IT tools for REACH uses and how to operate them
- ▶ Frequently Asked Questions

If you can not find sufficient advice by consulting the Navigator, guidance documents or Frequently Asked Questions on the website you should consider consulting:

- ▶ Your EU importers: they are good sources for information on sector specific issues
- ▶ The National helpdesk in the country of your EU importer or your Only Representative (contact details are available on the website)

The REACH helpdesk of the European Chemicals Agency will assist with:

- ▶ Questions regarding the registration of substances,
- ▶ The IUCLID5 tool and gives
- ▶ Advice to companies in Third Countries

The ECHA website can be accessed at:

<http://ec.europa.eu/echa/>

# REACH

## THE NEW EUROPEAN CHEMICALS LEGISLATION

## Information for exporters to the European Union

## What should your company know?

### What is REACH?

REACH is a new European Community Regulation on chemicals and their safe use. It deals with the Registration, Evaluation, Authorisation and Restriction of Chemical substances. The new Regulation entered into force on 1 June 2007.

## Does REACH affect companies outside the European Community?

No – but your exports may be concerned if you or your customers export

- ▶ *chemical substances* (e.g. base chemicals, speciality chemicals, metals, natural substances if they are chemically modified)
- ▶ or *mixtures* (“preparations”) of chemical substances (e.g. cleaning products, formulated process chemicals, paints, motor oils)
- ▶ or *substances or preparations in containers* (e.g. printer cartridges).
- ▶ or *articles* which contain *substances which are intentionally released* during their use (e.g. fragrance in a scented candle)
- ▶ or contain substances which are on a candidate list of “*substances of very high concern*”. This list may become available at the website of the European Chemicals Agency from autumn 2008.

to any of the following 27 **European Union** (EU) Member States:

*Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Malta, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and United Kingdom*

*Iceland, Lichtenstein and Norway*, which are part of the **European Economic Area** are planning to transpose REACH to their national legislation. When this has taken place the same requirements apply to exports to these countries.

For imported products, REACH obligations must be fulfilled by the **EU importers** who will have to rely on their suppliers in Third Countries for **hazard data and safe use information** that is required for a registration.

If you would prefer to register on behalf of your EU importers, the Regulation allows Third Country manufacturers to appoint a company established in the European Union to act as their **Only Representative**. An Only Representative will have to carry out the registration of substances on their own, in preparations or in articles on behalf of the exporter he represents.

## What has changed in the EU regarding chemicals management?

REACH introduces an **obligation to send a registration**, with some exceptions, to the European Chemicals Agency (ECHA) for chemical substances on their own or in preparations, which are manufactured in or imported into the EU in quantities of  $\geq 1$  tonne per year by any company in the European Community. The obligation applies in certain cases also to substances in articles. Failure to register will mean for a company that it is no longer allowed to manufacture the substance in or import it into the EU.

REACH also introduces some changes to **supply chain communication**. These include a new Safety Data Sheet format, communication of safe use information on chemicals which do not need a Safety Data Sheet, and new information obligations on articles which contain substances of very high concern.

## What are the timelines?

Between 1 June and 1 December 2008 EU-manufacturers and EU-importers need to provide some limited information on each existing (so-called phase-in) substance for **pre-registration** with the European Chemicals Agency. This will allow companies to benefit from extended registration deadlines (2010, 2013 & 2018) depending on the substance and its volume band.

If an EU importer or your Only Representative fails to meet the deadline for pre-registration, he can not benefit from the extended registration deadlines and will need to register the substance before importing it again into the EU market.

Substances which were not pre-registered but are **imported for the first time into the EU after 1 December 2008** (end of pre-registration deadline) may benefit from the staggered registration timelines if the information requested for pre-registration is provided within 6 months of first import into the EU and no later than 12 months before the relevant registration deadline.

Registration obligations and how to fulfil them are explained in detail in the REACH guidance documents on the website of the European Chemicals Agency.

