



REACH & CLP implementation – EU chemical industry view



REACH Conference 2018

3 – 4 September 2018, Bratislava

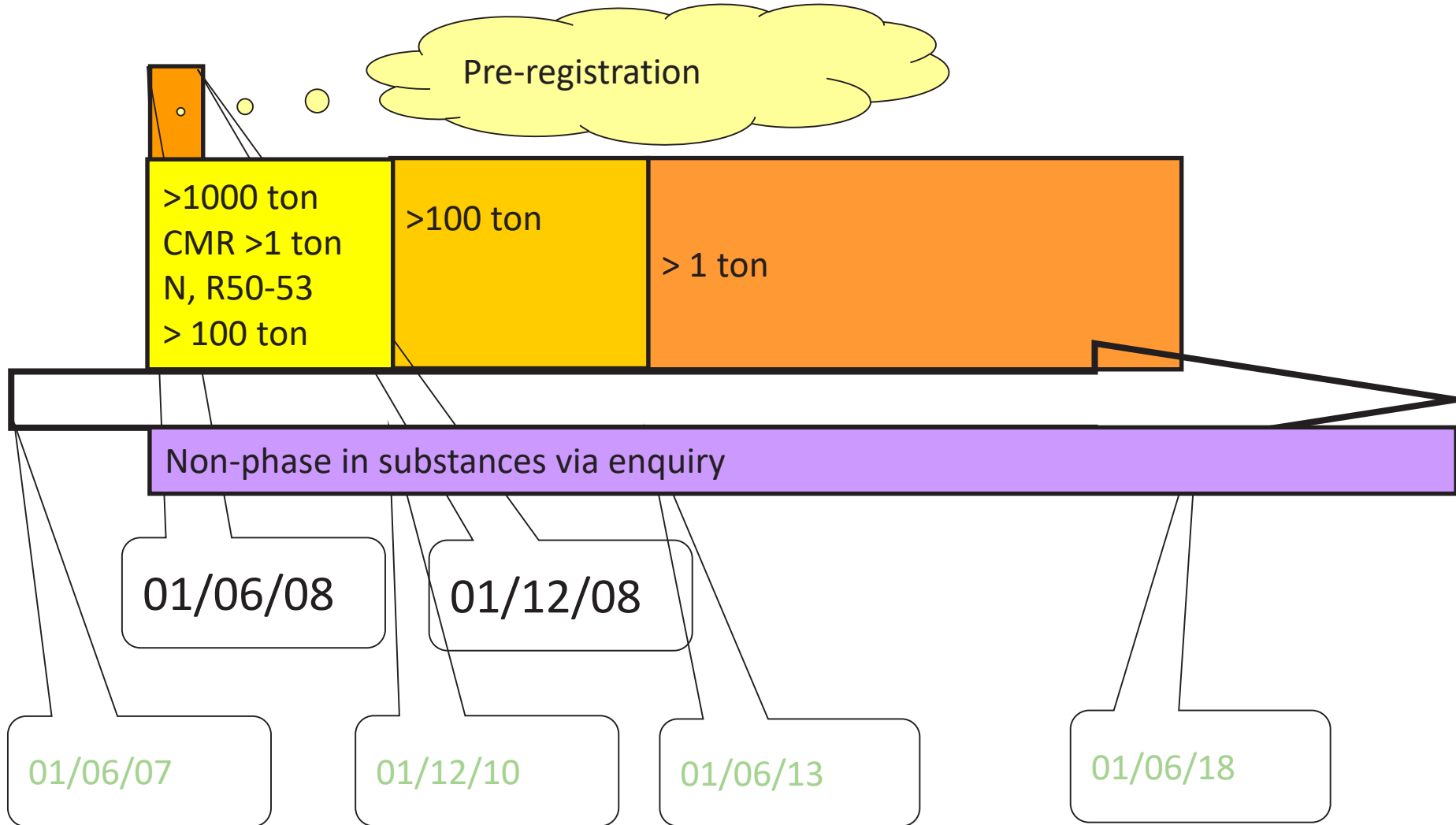
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REACH

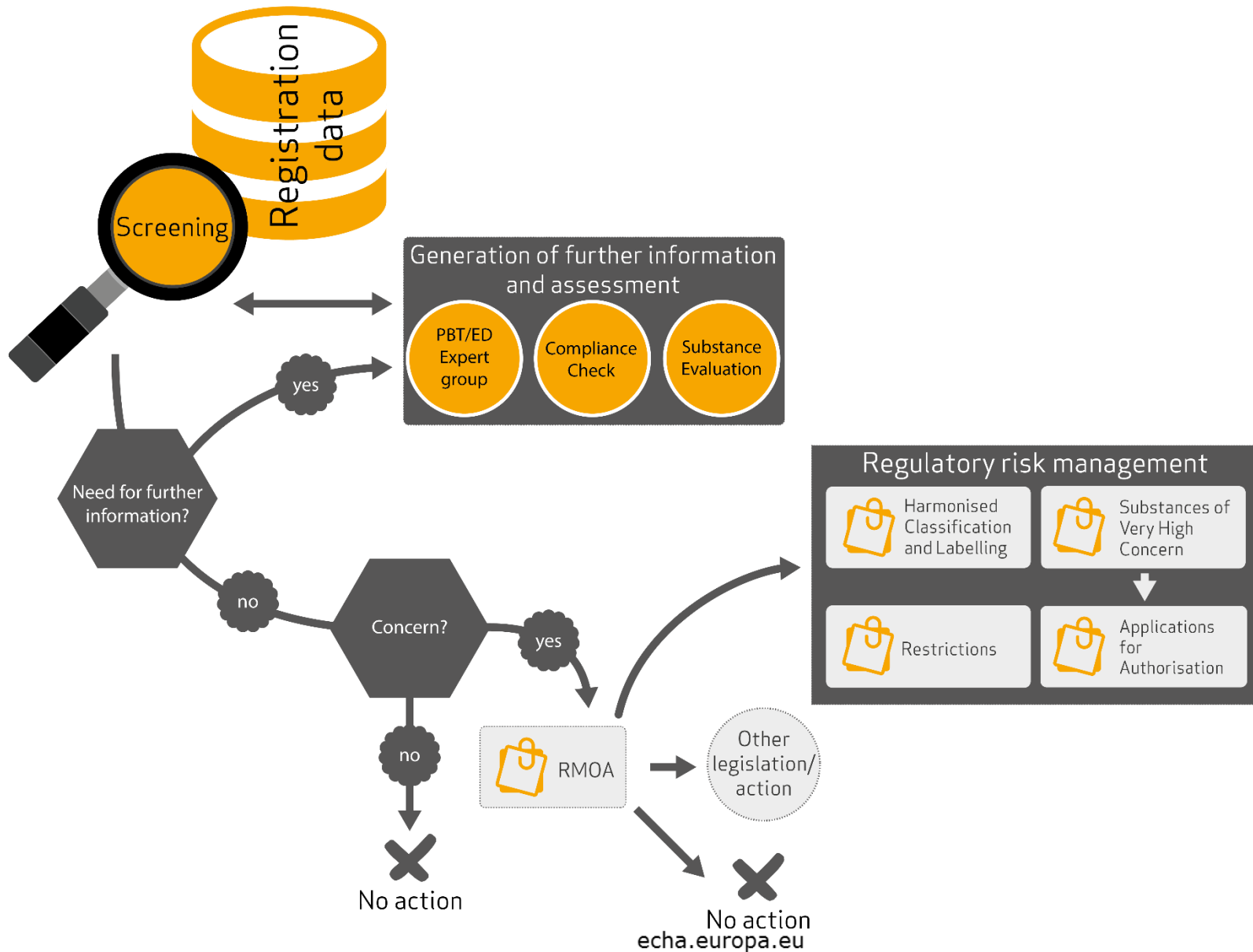


- In 1967 Europe got its first legislation on chemicals
- In 2006 the European Parliament and the Council adopted Regulation (EC) No 1907/2006 known as REACH
 - Registration
 - Evaluation
 - Authorisation
 - and Restriction of Chemicals

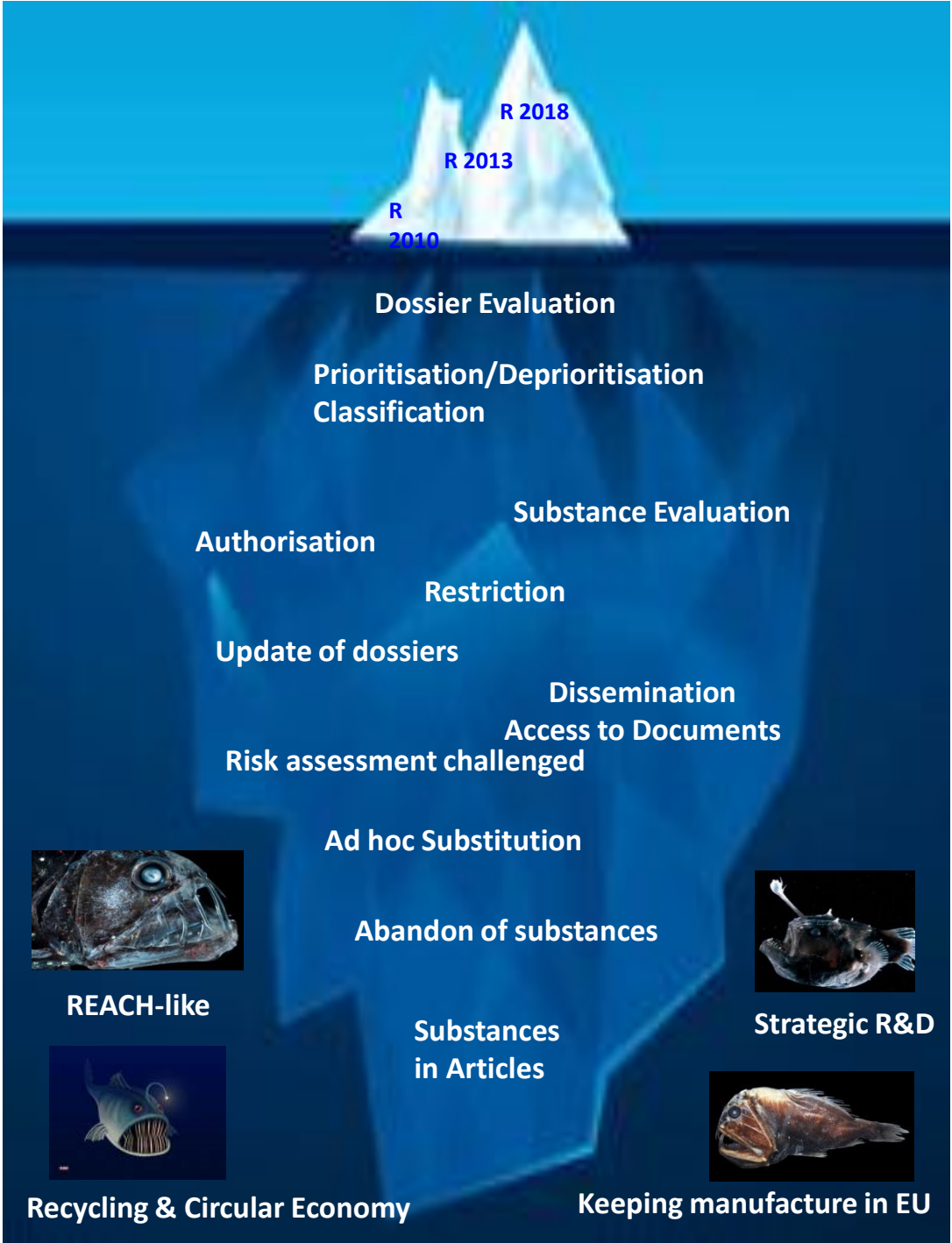
What many people believed



REACH is holistic!



Chemicals legislation in an even broader perspective



REACH Review 2017



- Upgraded to be part of the REFIT exercise
 - REFIT Evaluation inputs:
 - Effectiveness
 - Efficiency (costs/benefits)
 - Relevance (matching the needs and problems)
 - Coherence (internally and with other EU interventions)
 - EU added value

The broader picture



- In parallel with the REACH Review REFIT exercise
- Fitness Check on the most relevant chemicals legislation (excluding REACH), expected end of 2018 or beginning 2019
- Ex-post evaluation of 24 EU Directives in the area of health and safety at work

REACH Review conclusion



- The conclusion we can only support: The REACH Evaluation concludes overall that REACH is addressing today's citizens' concerns about chemical safety.
- REACH is effective but opportunities for further improvement, simplification and burden reduction have been identified, which can be achieved by delivering the actions outlined in the report. Those should be implemented in line with the renewed EU Industrial Policy Strategy, Circular Economy Action Plan-and the 7th Environment Action Programme.

REACH Review actions



- Action 1 **encouraging updating of registration dossiers**

ECHA and Cefic sign joint statement to work on effective implementation of REACH



Industry shows goodwill



- Cefic works on recommendations on updating of dossiers, in line with the joint Helsinki declaration
- Industry has been participating in the COLLA process. Despite the resource intensive activity, industry believes that we should look how we can improve this, essentially in view of more grouping in future from the perspective of authorities for regulatory risk management

Industry shows goodwill



- Chemical industry is active in the joint ECHA – Cefic – EUPC activities on mapping the chemical universe on plastic additives. We strongly believe that these kind of interactions will be of help for updating dossier quality
- Eurometaux engaged with ECHA in the MISA project, Metals and Inorganics Sectorial approach

Industry shows goodwill



- Industry is continuing to engage further to understand what is considered to be needed to be of good quality
- The grouping approach that has been followed by registering companies (resulting in Annex XI use by industry as alternative information sources for hazard properties) is now as well clearly mentioned in the ECHA strategic plan 2019 – 2013.
- A more in depth discussion between different stakeholders in the process will be needed to sort this out, in order to get the quality right and to use animal testing as last resort as mentioned in the legal text.

How to progress?



- More targetted figures related to dossier quality
 - Distinguish between LR and joint submitters
 - Distinguish between the different registrant roles
- Let's find improved ways to create joint clarity on
 - Use of Annex XI to close the data gaps
 - Use of grouping in an appropriate way and how to choose the substances for testing
 - ...

REACH Review actions



- Action 2 **improve evaluation procedures**, which is all related to speeding up the process
 - Interaction dossier and substance evaluation
 - Grouping of substances

REACH Review actions



- Action 3 **improving the workability and quality of extended safety data sheets**. This is already a main issue for Cefic that is active in the ENES activities that are mentioned in the staff working document. The further we go down in the supply chain the less the quality becomes. Cefic and their national associations are providing training for nearly 30 years on safety data sheets, but difficult to reach those downstream.
- Action 4 **tracking substances of concern in the supply chain**, perfectly in line with the Communication on the plastics strategy and the communication chemicals, products, waste

REACH Review actions



- Action 5 **promote substitution of SVHCs**
 - Just watch the number of WS on the issue
 - Austrian presidency organises a green chemistry WS in Vienna
- Action 6 **simplification for a more workable authorisation process.** Since the first experiences with applications for authorisations this has been a plea from Cefic. This process can be clearly improved by creating more clarity on what is really needed and how to present it in the best way.
 - Small quantities
 - Spare parts
 - Process chemicals

REACH Review actions



- Action 7 **early socio-economic information for possible regulatory measures**. Since the introduction of Risk Management Option Analysis under the SVHC roadmap in beginning 2013 Cefic has been supportive for this
- Action 8 **Improve restriction procedure**. Already ongoing activity
- Next to very targeted restrictions, we have now as well much broader restrictions

REACH Review actions



Action 9 **further enhance MS involvement in restriction procedure**

Action 10 **Frame the application of the precautionary principle**. Maybe the only little surprise this is reflected here and further explained in the Commission Staff Working Document on page 44.

REACH Review



- Action 11 **Interplay between authorisation and restriction**. In order to create a level playing field protecting EU manufacturers of articles respecting the EU rules, a restriction is indeed needed for imported articles
- Action 12 **interface REACH – OSH**, an alignment in methodology is needed and supported by industry to avoid to have different values for the same substance under different legislations. Cefic wants a scientific derivation of health based starting values, which allows a scientific and constructive input from industry.

REACH Review



- Action 13 **enhance enforcement**,
 - Not only on substances in articles but as well against free-riders, according to the statistics not very high but within industry we hear regularly suspicions that some players on the market are not fulfilling their duties.
 - Commission WS on enforcement in November
- Action 14 **support compliance by SME's**, what Cefic is doing essentially via its national associations

REACH Review



- Action 15 **fees and the future of ECHA**. We want an efficient Agency, the Commission needs correct funding for ECHA.
- Action 16 **review of registration requirements for low tonnage substances and polymers**. This will be further investigated by another study.

New CLP deadline: 2020



- Entering in force of Annex VIII of CLP on the notification of the composition of hazardous mixtures to the central entry point (hopefully):
 - 1 January 2020 for consumer use
 - 1 January 2021 for professional use
 - 1 January 2024 for industrial use
 - 1 January 2025 for those mixtures already notified

REACH & CLP after 2018



- Registration is only the beginning
- REACH was designed to be more overarching than industry realised
- REACH will not be emptied, but other legislations will be brought on the same level of REACH
- The quality of dossiers may require an update
- REACH, CLP and the other legislations on chemicals will contribute to the non-toxic environment as described by the 7th Environmental Action Programme



Chemicals legislation in an even broader perspective



