

## Information session on Critical Raw Materials and REACH on 17 June 2013

### Introduction

ECHA held an information session to discuss the possible regulatory impacts that the REACH<sup>1</sup> and CLP<sup>2</sup> legal obligations have on Critical Raw Materials (CRMs)<sup>3</sup> within the field of interest of the Raw Materials Supply Group. This report summarises the outcome of the session, which was organised by ECHA and held in the premises of the European Commission in Brussels on 17 June 2013.

### Participants

The information session was attended by 65 delegates consisting of 45 members of the Raw Material Supply Group, five Member States Competent Authorities (Belgium, Denmark, Hungary, Germany and Romania), four staff members of the European Commission, four representatives of the environment and trade attachés of the Permanent Representations (Australia, Canada, the USA and Ireland) and seven industry representatives (Beryllium Science and Technology Association, CEFIC, CEPE, German Mechanical engineering Industry- VDMA, UEAPME/WKÖ, REACH Alliance/IMA-Europe, ORGALIME).

### Purpose

The meeting was chaired by **Mattia Pellegrini** (European Commission) and **Johan Nouwen** (ECHA). The Chair(s) stated that the aim of the information session - to bring together different stakeholders to discuss the possible regulatory impacts that the REACH and CLP legal obligations have on those dealing with CRM – had been brought forward through a discussion between the Commission's Vice President Antonio Tajani and ECHA's Executive Director Geert Dancet a year earlier.

### Presentations

**Patrice Christmann** focused on "REACH and links to the Critical Raw Materials Regulation and criticality: the case of gallium and beryllium". **Matti Vainio** explained the link between chemicals risk management and CRM under REACH and CLP. **Jan-Karel Kwisthout** gave a Member State view on the link between chemicals risk management and CRMs under REACH and CLP. The presentations are available on ECHA's web-site.

### Q & A session

The purpose of the Q&A session was to investigate if it is possible to demystify all recently created "myths" about the REACH and CLP Regulations and their processes with respect to CRMs (for example the REACH authorisation process). Matti Vainio and Jan-Karel Kwisthout emphasised that REACH is able to address the socio-economic issues related to the use of CRMs. They emphasized that ECHA and Member States convey the message that it is

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<sup>1</sup> (EC) No 1907/2006

<sup>2</sup> Regulation (EC) No 1272/2008

<sup>3</sup> (COM(2011) 25 final)

acceptable to apply for a REACH authorisation process and that REACH does not impede the possibility to use CRMs. The authorisation of the use of CRMs is possible under REACH provided that the risks are managed appropriately and effectively.

## Conclusions

The Chair closed the meeting by concluding the following:

- i) Most of CRMs are not classified and thus are unlikely to be identified as Substances of very high concern (SVHCs);
- ii) Classification of substances includes extensive stakeholder input both through public consultation and accredited stakeholder involvement in the Risk Assessment Committee (RAC);
- iii) In the authorisation process issues relating to socio-economic analysis are fully taken into account at the application stage;
- iv) ECHA would be pleased to give further explanations if the need arises on the occasion of another CRM event;
- v) CRM experts could be invited to give a presentation of the importance of CRM in a suitable REACH related meeting.