

Guidance *Fact Sheet*

GUIDANCE FACT SHEET

Ref.: ECHA-08-GF-02-EN
Date: 17/04/2008
Language: English

Guidance for Downstream Users

The European Chemicals Agency (ECHA) will issue a series of Fact Sheets which provide a structured overview of each REACH Guidance Document published by the Agency. These documents are available in the following 22 languages:

Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovakian, Slovenian, Spanish and Swedish

A Guidance Fact Sheet provides a short summary of the key aspects of the respective REACH Guidance Document including bibliographic information and other references.

If you have questions or comments in relation to this Fact Sheet please send them by e-mail to info@echa.europa.eu quoting the Fact Sheet reference, issue date and language version, shown above.



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Guidance for downstream users

WHO SHOULD READ THIS GUIDANCE DOCUMENT?

Under REACH, a downstream user is a company (or a professional) who uses a chemical substance on its own or in a preparation in his industrial or professional activity. Substance manufacturers, formulators of preparations, producers of articles, craftsmen and service providers can all be downstream users. This guidance is particularly addressed to downstream users.

This guidance is also addressed to other actors who have obligations under REACH such as distributors, retailers and storage providers. The guidance may also be a relevant source of information for manufacturers and importers of chemicals, who will be communicating with their customers.

WHAT DOES THE GUIDANCE ADDRESS?

The guidance aims to help downstream users to identify their obligations under the REACH regulation and to get prepared to work with REACH. This includes internal knowledge and procedures as well as communication to suppliers and customers.

Substances which are not registered in accordance with REACH will become unavailable to downstream users. This means that the only substances which will be available to downstream users in future have either:

- been registered, or
- been pre-registered and therefore have a later registration deadline, or
- are exempted from registration, or
- are produced/imported by the supplier in amounts below 1 tonne per year.

A downstream user should make sure that his supplier is aware of REACH and the relevant deadlines. He should also

consider providing information on his specific conditions of use to the supplier in order to assist the supplier's registration. The main obligations of a downstream user under REACH:

- The downstream user should follow his supplier's advice on measures to control risks as provided in the safety data sheets, including attached exposure scenarios (in case of registered substances).
- If his use is not covered by an exposure scenario, or the advice is not appropriate, the downstream user should contact his supplier in order to get his use covered in the exposure scenario. Alternatively, he may need to develop his own chemical safety report.
- A downstream user is obliged to inform his supplier if he has new information on the hazard of the substance or preparation, or if he believes that the risk management advice provided is not appropriate.
- Formulators must supply their customers with information on hazards and safe conditions of use for their substance (including risk management measures). Formulators are required to forward exposure scenario information received from their suppliers to their own customers.
- A downstream user producing articles containing more than 0.1% (w/w) of a substance of very high concern (SVHC) must provide his customers with sufficient information to enable safe use of the articles and at least the name of the SVHC. A list of such substances which are candidates for an authorisation procedure will be available on the Agency's website. The first publication is expected early 2009.

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HOW TO READ THIS GUIDANCE?

The guidance is structured so that the reader only needs to refer to the chapters that are relevant to him.

- The introductory chapters (chapters 1, 2 and 3) give the overview of REACH, present the roles, obligations and preparatory action of downstream users and direct the reader to the main chapters of the guidance.
- The main chapters provide further details to help a downstream user to meet his specific obligations under REACH. The chapters are all similar in structure:
 1. Summary of the content and the requirements;
 2. Workflows to outline the overall processes (compliance with REACH, communication upstream and downstream);
 3. Explanations of the workflow with additional guidance, including sources of further information.

The guidance covers the full range of obligations and circumstances that a downstream user may face under REACH. The questions below direct downstream users to the right chapters of the guidance.

- What is REACH and what does it mean for me? (Chapter 1)
- Am I a downstream user and what are my obligations? (Chapter 2)
- How should I prepare for REACH? (Chapter 3)
- What should I do when I receive information from my suppliers? (Chapter 4)
- What if the information includes an exposure scenario? (Chapter 5)
- What if the exposure scenario does not cover my use? (Chapter 6)
- How do I prepare a downstream user chemical safety assessment? (Chapter 7)
- How do I inform my supplier of my use? (Chapter 8)
- What information will my supplier need and how can I get it? (Chapter 9)
- What if I have new information on hazards of the substance? (Chapter 10)
- What if I have information that calls into question the risk management measures in the safety data sheet or exposure scenario? (Chapter 11)
- What is an authorisation and what does it mean for me? (Chapter 12)
- What are restrictions? (Chapter 13)
- I am a formulator of preparations – what do I need to do? (Chapter 14)
- I am a distributor – what are my duties under REACH? (Chapter 15)

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KEY ASPECTS

Downstream use

Using a substance or a preparation in a professional context is a downstream use under REACH. Consumer use and activities with articles not involving the use of substances or in preparations are not downstream uses.

The conditions of use

Whether or not a use is covered in the supplier's exposure scenario does not depend on the title of the exposure scenario or the name of the use. REACH requires that the operational conditions and risk management measures described in the exposure scenario match the actual conditions of use at the downstream user level.

Downstream user chemical safety assessment for own records

When a downstream user has prepared his own chemical safety assessment for uses not covered in the supplier's exposure scenarios, it has to be made available on request, although it does not need to be sent to the European Chemicals Agency. The only obligation is to notify the Agency for which use a downstream user chemical safety assessment has been carried out and who the supplier of the substance is.

Making uses known to suppliers

In order to enable efficient communication up and down the supply chain downstream users should start early to set up processes for informing suppliers on their conditions of use and hence to assist in preparing the registration.

LINKS TO RELATED MATERIAL

[REACH Regulation](#) EC No 1907/2006
[REACH Guidance](#) website is a single point of access to general and detailed technical guidance on REACH.
[REACH Guidance Fact Sheets](#) can be found in the publications section of the ECHA website.

BIBLIOGRAPHIC INFORMATION OF THE GUIDANCE DOCUMENT

Guidance for Downstream Users can be downloaded from the ECHA website. The document is currently available in English. The 21 additional EU language versions are expected to be published in autumn 2008.

Version	1
Pages	159
Date	2008
ISBN	not yet available
DOT	not yet available

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