



Downstream Users of Chemicals Co-ordination group



# DU obligations under REACH - the formulators' challenges

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# Who does DUCC represent?

- **DUCC = platform for associations whose member companies use chemicals to formulate mixtures as finished products for end users (consumers and professional users)**
  - A.I.S.E. (soaps, detergents and maintenance products)
  - CEPE (paints, inks and artists' colours)
  - Colipa (cosmetic products)
  - EFCC (construction chemicals)
  - I&P (imaging and printing materials)
  - FEA (aerosols)
  - FECC (chemical distribution)
  - FEICA (adhesives and sealants)
  - IFRA (fragrances)
- > 3,500 companies across sectors in Europe
- DUCC focuses on DU needs, rights, duties and specificities under REACH and CLP
- **Cefic (European Chemical Industry Council): all chemical manufacturers are also downstream users**
- **Cefic and DUCC work together on consistency of messages to different parts of the supply chain, for an efficient implementation of REACH**



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# Main DU deadlines

(uses, ES focus)

- Comply with conditions of use included in ES received via the extended SDS: **12 months**
- Carry out own DU CSA: **12 months**
- Notify ECHA of intent to prepare DU CSA and if use is not covered: **6 months**
- Update of CSR by M/I in case DU asks a new use to be covered: **1 month (for M/I) + time for up and down supply chain communication**
- Update SDS for own mixtures (as applicable): **12 months?**



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## DU obligations (in relation to ES)

*Receipt extended-SDS from supplier*

**Check uses are covered (own and downstream uses)**

Checking on Level 1: (ES titles, use descriptors, main exposure determinants)

Checking on Level 2: conditions of safe use (OC & RMM)

Dialogue  
supplier-customer

**NO**

**YES**

**Implement conditions of safe use / ensure safe conditions of use / find way to cover missing uses**

Assess options carefully  
(not all equivalent)

**Forward relevant information from ES downstream (via mixture SDS)**

Identification of lead substances  
(e.g. DPD+)

Integrate relevant ES info into mixture SDS



*As early as possible*



*12 months*

*NOTE: Other DU obligations not covered here include e.g. reporting new hazard information to supplier or reporting if RMM is not appropriate + other communication requirements (e.g. SVHC, authorisations, restrictions, etc)*



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# Are my uses covered? Options for DU

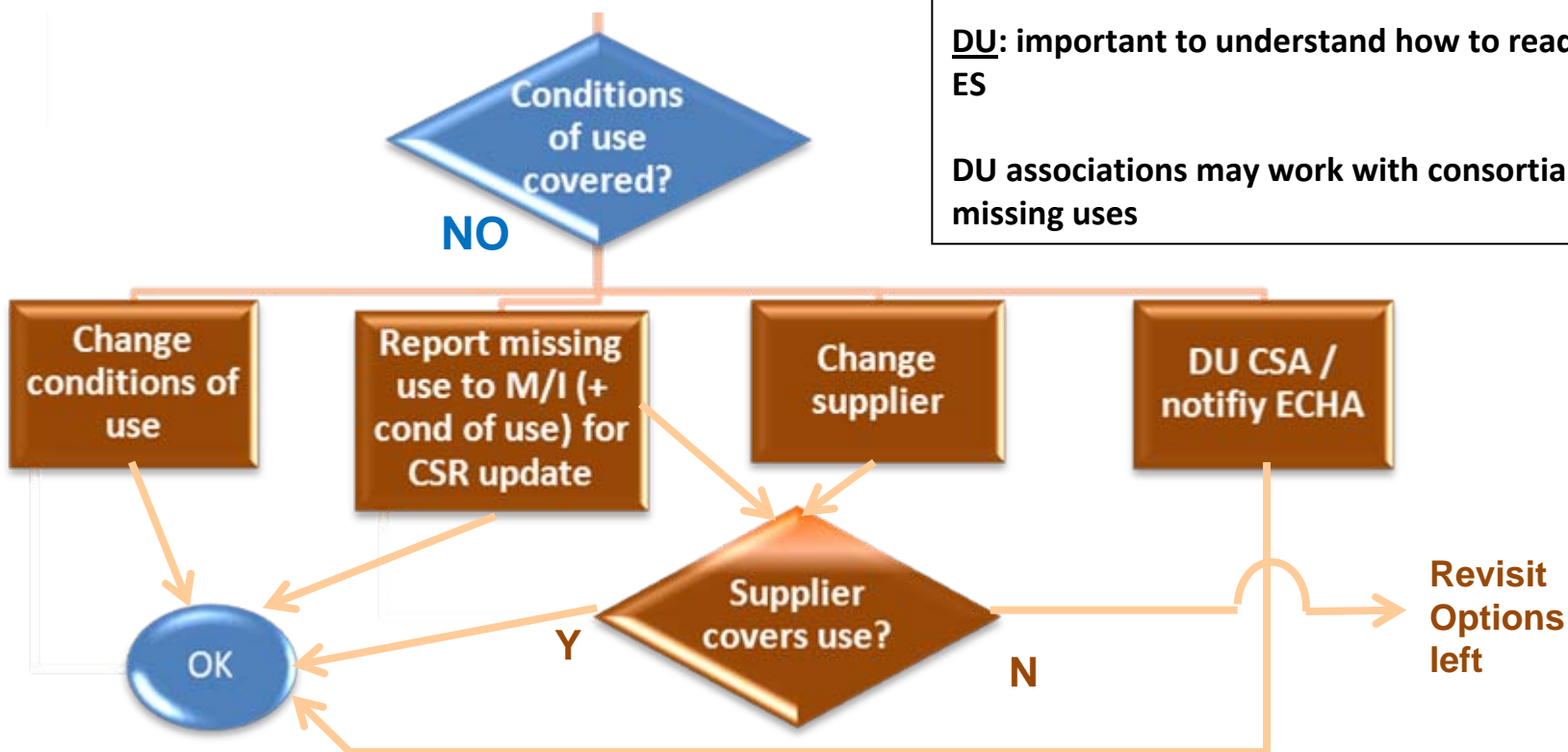
**Caution:** not all options are equivalent !

-time-wise

-feasibility

**DU:** important to understand how to read an ES

DU associations may work with consortia on missing uses



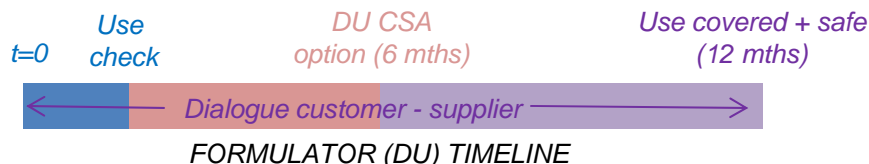


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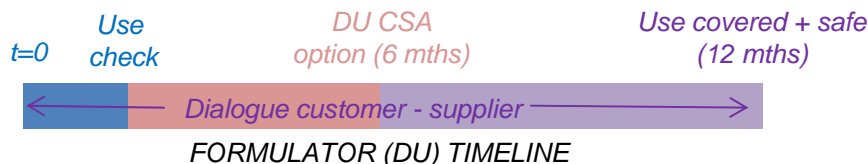


# In practice, a headache...

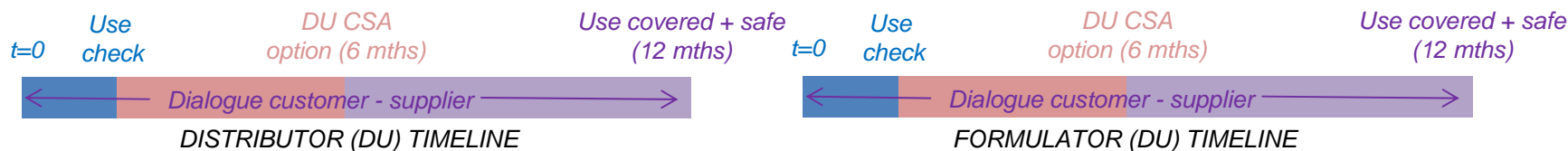
## Substance A, supplier 1 (registrant)



## Substance A, supplier 2 (registrant)



## Substance B, supplier 3 (distributor who is a DU, supplying formulator)



## Substance C, supplier 4 (registrant): no ext-SDS received

SDS not updated yet? Substance not registered? Substance not subject to CSR/ES?

Mixture A + B + C ???

Mixtures of mixtures ???



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## Substance uses and ES

- Deadlines apply for each substance/supplier combination (once extended SDS and registration number are received)
- Exposure scenarios are difficult to understand (no standard text yet, not harmonised, a lot of information) and expertise is needed
- Some important DU duties are conditioned by proper understanding / handling of ES content
- Supply chain communication is complex (multi-level, multi-player)
- Notifying ECHA of missing uses (below 1 T/yr) within 6 months could have little value if issue is solved afterwards
- **Early dialogue with suppliers is highly recommended in order to ensure a use is indeed not covered (allows sorting out options in case of use not covered)  $\longrightarrow$  deadlines apply once use coverage has been clarified with supplier?**



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# SDS for mixtures

- The DU does not and cannot know how long he should wait in order to have all extended SDS of substances
- The DU often markets many mixtures: some form of automation is needed, but it takes time to develop suitable IT systems
- There is no ideal method for extracting and ‘aggregating’ ES of substances into mixture SDS; a “mixture ES” is not necessarily the best or easiest option
- **Short-term fix: forward ES of ‘lead substance’ (as appropriate)**
- **Industry proposal for updating SDS of mixtures:**
  - **Prioritise SDS update in case of new information and major change on substances: C&L, RMM**
  - Update is less critical if changes are minor. Then, it may be possible to wait until a complete set of ES is available for incoming substances
  - Priority should also be given to new information related to SVHC / authorisation / restrictions





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# Conclusions

- DUs have complex and novel tasks: build expertise (SMEs!)
- DU challenges are numerous: deadlines, options
- We are only at the beginning of a long process that is essential to deliver REACH safety objectives
- Comprehensive IT support will not be available before 3Q2012 (best case)
  - interim solutions in the meantime, focusing on priorities
  - dialogue with substance supplier can help smoothen the process
  - pragmatic approach on SDS issues and deadlines management
- Industry is engaged in a number of initiatives related to Exposure Scenarios (practical guidance, IT tools, supply chain communication, etc)
- Continued support from ECHA and authorities is welcomed