

REACH & CLP

Consequences for Plastics Converters,
Compounders & Masterbatchers and Recyclers

**Downstream Users as Formulators
Targets of Inspections**

**2nd Enforcement Workshop with
Stakeholder Organisations**
Helsinki, 6 October 2011

Presentation W. Claes

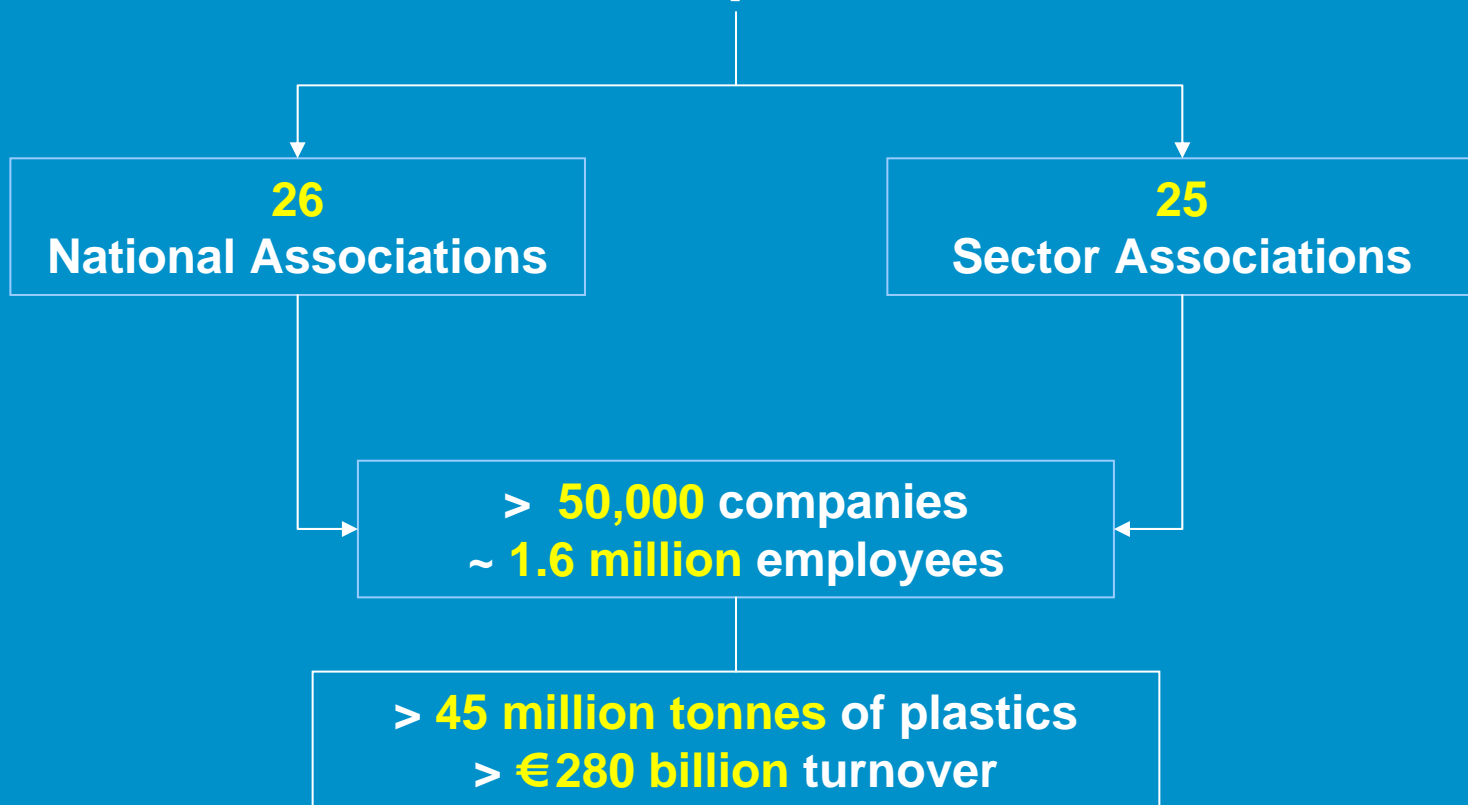


European PLASTICS Converters





EuPC represents




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**European
Thermoplastics
Independent
Compounders
(& Masterbatchers)**

A Sector Group of EuPC

by L. Katzmayer, President

ETHIC Members



Enforcement

5 Case Studies : Inspections at Masterbatchers

Case n° 1 : France (1)

During the Inspection in **July 2011** :
Full check of Reach requirements through the
supply chain from supplier to customer

- A **questionnaire** was used but not sent beforehand nor handed afterwards
- **Raw Materials Data Base** to be shown
- For a sample: list of **suppliers, volumes, invoices**
(“ to check the Reach situation the supplier ”)
- Examination of **all exchanges with these suppliers**
about Reach (pre-registration, identified uses, ...)

Case n° 1 : France (2)

During the Inspection :

- Some questions about transfer of information from **suppliers SDS to formulation SDS** but no mention of Exposure Scenario
- Impression was that it was an **old (< 1.12.2010) questionnaire** because it did not talk about Registration Dossiers, Registration Numbers, Exposure Scenarios
- **All information about one customer**
“ to go to the customer who is buying the formulation ”
but the customer was in Germany and it was dropped

Case n° 2 : The Netherlands

During the Inspection in March 2011 :

- Initially the Inspection was announced as “about **REACH and Packaging**”
- In reality it was a **discussion on packaging** - presence of Substances on the Candidate List.
- Inspectors had a **glance to the SDS** and nothing more
- **Samples were taken** for further analysis.

Case n° 3 : Germany (1)

1 month before the Inspection: 3-page detailed letter

- **Legal Context** of REACH, Purpose of the Inspection
- **Articles concerned** (Reach 31, 32, 35, 36, 5, 6 - CLP 40, 49)
- Presence requested of central **Reach Contact person** plus for further questions: responsible persons for **Procurement, Sales and Production**
- **Documents to be sent** before the inspection:
 - Name of Reach contact person
 - Information on the different production units
 - List of Substances used
 - List of Products manufactured

Case n° 3 : Germany (2)

During the Inspection in **June 2011** :

- German factory visit but **multinational company** has many sites in Europe with **central Reach** management not in Germany;
- Inflexible on the **use of German** during visit
- Registration: **complete check on 2 substances imported** from non EU suppliers:
 - show registration number,
 - demonstration Reach IT,
 - prove CLP Notification

Case n° 3 : Germany (3)

During the Inspection :

- **Several dozen finished products** chosen random: show for all substances - all supplier information
- Request to see **SDS received and SDS made** for finished products (in German and other languages)
- No special interest in **Exposure Scenarios** (if any)
- Provide all details on **one OR** of non-EU supplier

Case n° 3 : Germany (4)

After the Inspection :

- For some 20 substances which were not yet registered, send **all suppliers' confirmation of Pre-registration**

Case n° 4 : France (1)

Inspection in August 2011 :

- Prior announcement **two weeks** and formally in writing **ten days** before inspection
- Prior request of :
 - List and **volumes of all substances** produced, imported and used on site in 2007 / 2008 / 2009.
 - List of **substances really on site** at the inspection date
 - Preregistration numbers, Safety Data Sheets
- During inspection (in essence a detailed SDS audit)
 - Request for **preregistration numbers of suppliers**

Case n° 4 : France (2)

Inspection in August 2011 :

- In this (and other sites), request to receive the **written company procedure on management of SDS** (received and made)
- No request for ES
 - except discussion on need for **ES for NONS CSR**
- No formal report received yet

Case n° 5 : Italy (1)

Inspection in April 2010 :

- It was an **excellent inspection** :
 - **announced** well in advance and the final inspection date was fixed to suit both parties,
 - with a **questionnaire** sent beforehand,
 - and an excellent **inspection report** received after the meeting (with all inspectors' signatures).
- The **questionnaire** concerned :
 - a list of **company data** to be filled out
 - a list of **documents** to be prepared before the inspection
 - with the questionnaire, the company sent :
 - an organisation chart
 - a layout of the plant
 - a list of all suppliers of substances
 - a list of suppliers of preparations

Case n° 5 : Italy (2)

Inspection in April 2010 :

- During inspection, **actions** undertaken and **data** collected by the company were evaluated using a company **checklist**, starting from the **supplier's lists**.
 - **company data**
 - evaluation of **preregistrations**
 - supplier's correspondence and preregistration numbers, and company preregistration
 - activities undertaken to **communicate uses**
 - shown **SDS modifications** to be Reach compliant
 - reporting of SVHC in SDS
 - follow up of suppliers' **Registrations**

Case n° 5 : Italy (3)

Inspection in April 2010 :

- **6 Inspectors** : 2 Ministry of Health, 2 Istituto Superiore di Sanità, 2 Azienda Sanitaria Locale; they were very kind and helpful
- The audit was **more a training than an inspection**: support the company and evaluate if the company had well understood the Regulation.
- This encouraged the company to **cooperate**, open **documents** and give all **information**
- Pagamento dell'**importo**

Conclusions

- ◆ Very different styles, from “Inspection” to “Audit”
- ◆ No major complaints
- ◆ Use of languages ?
- ◆ Limits to data and information requests ?
- ◆ Inspection Fee ?

The image shows the flag of the European Union, which is a blue field with twelve five-pointed gold stars arranged in a circle. The flag is waving on a silver pole against a clear blue sky. The text "Thank you for your attention" is overlaid in the center of the flag in a yellow, sans-serif font.

Thank you
for your
attention

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EuPC is the leading EU-level Trade Association, based in Brussels, representing European Plastics Converters. Its powerful European Plastics Network exists to support the beneficial use of plastics worldwide, especially providing plastics converting companies with a voice in European legislation.

EuPC now totals about 51 European Plastics Converting national and European industry associations, it represents close to 50,000 companies, producing over 45 millions tonnes of plastic products every year.

The European plastics industry makes a significant contribution to the welfare in Europe by enabling innovation, creating quality of life to citizens and facilitating resource efficiency and climate protection. More than 1.6 million people are working in about 50.000 companies (mainly small and medium sized companies in the converting sector) to create a turnover in excess of 300 billion € per year. The plastics industry includes polymer producers - represented by PlasticsEurope, converters - represented by EuPC and machine manufacturers - represented by EUROMAP.

**For further info see the web links below: www.plasticsconverters.eu
www.plasticseurope.org www.euromap.org**