

REACH & CLP *Case story*

No REACH registration, no business in the future?

REACH, a European Union law designed to enhance chemical safety in Europe, requires companies to act now if they intend to continue their business operations in the EU. 30 November 2010 is an extremely crucial deadline for manufacturers and importers of chemical substances.

They can only secure the continuity of their business operations if their SIEF submits a joint dossier and they submit their company specific parts of the registration dossier to ECHA before the deadline. To meet the fast approaching deadline, most companies are working hard to fulfil their obligations, but what should a company do that has so far been inactive?

THE TIME TO REACT IS NOW

If the company has not started the registration process yet, the experienced REACH specialists advise to act now as the clock is ticking fast.

“I think it is still possible to start the process, even though it certainly will be more difficult now as so much has been done already. Time is of essence, but by working hard and being proactive – that’s crucial – you may manage to submit the dossier in time”, says Julian Reddy, Head of REACH and Chemical Notification Services at Exponent International Limited. Exponent is a large US-based engineering and scientific consulting firm with operations in the UK and in Switzerland mainly focused on chemical regulation and preparation of EU dossiers. In terms of REACH, the company has experience of working with over 300 SIEFs (Substance Information Exchange

Forum) as representatives of importers or manufacturers.

Philip Capel, European Sales Director at REACHLaw’s office in Brussels, Belgium, agrees with Reddy. “The registration process in general is very time consuming, but I believe that it is still possible to submit the registration in time. But when time is this scarce, ►



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- ▶ the company really needs to have the whole organization ready to work and concentrate on the registration”, Capel says. REACHLaw is a Finnish environmental service company specialising in assisting clients who operate in or are planning to enter the European market to fulfil the demands of the new REACH regulation. REACHLaw has been working with more than 1000 SIEFs on behalf of their clients.

Sue Hubbard, Principal Adviser Toxicology at RioTinto, one of the world’s leading mining and exploration companies, also encourages companies to concentrate their joint efforts and all the available resources on the registration process. “It has been a big challenge for all of us to get the registration package ready in time; even though we started the process as early as in 2006. REACH demands expertise, but it is also an administrative challenge involving lots of paper work. In addition, there is a need for internal communication. We noticed that, especially in a large company like ours, getting the message across to all the relevant personnel is challenging”, says Hubbard. “But I don’t think that the deadline is unachievable; the companies just need to do the best they can in this timeframe and accept the fact that once ready, after registration, the dossier might need to be updated in due course.”

FORM A SIEF IF ONE DOES NOT EXIST

Both Capel and Reddy say that, in order to submit the registration, a SIEF needs an active lead company to push the process forward

as the lack of leadership in a SIEF delays the process considerably. Philip Capel therefore urges a company to form a SIEF immediately if one does not already exist. “And in case there is no Lead Registrant for the companies’ strategic substance – in many SIEFs that is the case – we propose that either our customer takes the lead or we do it on their behalf”, Capel explains the choices.

If a Lead Registrant exists and the SIEF is active, Julian Reddy advises to contact the Lead Registrant immediately and to discuss the situation. “Starting work this late, a company needs to compensate for its lack of involve- ▶



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- ▶ ment and pay their fair share in order to get access to the information. But, once in the SIEF, if it becomes apparent that additional testing is required at this stage, I would say that it is going to be a big challenge schedule-wise.”

SEE THE POSITIVE

In addition to securing the continuity of their business operations, all the interviewees commend to think about the other benefits of SIEFs and registration work. They all agree that working together with other companies provides invaluable experience and draw attention to the fact that there are different companies in the same industry that share your problems and can help you along the way. “In particular, I wish to point out that no single person can understand the whole REACH process and nobody knows everything, so you can always ask for help,” encourages Sue Hubbard.

There are also the Member State Competent Authority helpdesks, national organizations and trade associations to help in addition to ECHA. “We have utilized the UK helpdesk often; the helpdesks are an extremely valuable resource, often providing a prompt response to technical and logistical enquiries. I certainly recommend asking assistance from these providers“, says Julian Reddy.

“ECHA has really started to help companies in the process. It is in their best interest that you are in a position to submit your registration in time, therefore don’t wait, start now”, concludes Philip Capel.

Fast facts

REACH:

Regulation for Registration, Evaluation, Authorisation and Restriction of Chemicals. Manufacturers and importers must have registered if volumes are:

- Phase-in substances over 1,000 tonnes/year in the ECHA system
- CMR / toxic substances (R50/53) of over 1 tonne/year.

Deadline: **1 December 2010.**

CLP:

European Regulation on Classification, Labelling and Packaging of chemical substances and mixtures.

Companies must provide labels that comply with the CLP Regulation.
Deadline: **1 December 2010 and by 1 June 2015, respectively.**

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