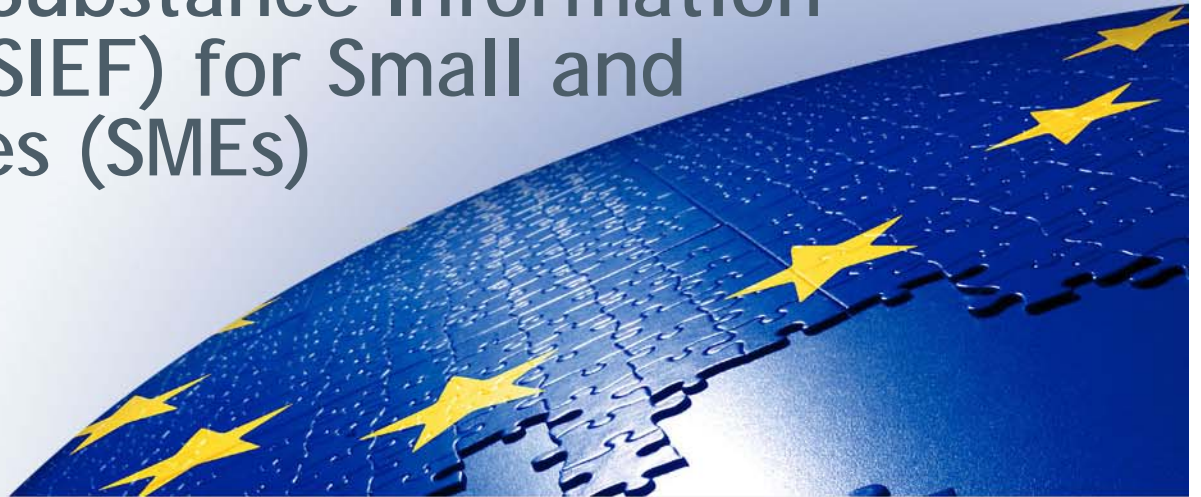




# Challenges of the Substance Information Exchange Forum (SIEF) for Small and Medium Enterprises (SMEs)



Barbara Dallinger

Information session on updated registration process | Drivers behind changes

Brussels, 4 November 2015



# European Association of Craft, Small and Medium-Sized Enterprises

## The Voice of SMEs in Europe

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UEAPME

- Umbrella Organization representing the interests of European crafts, trades and SMEs at EU level.
- Around 80 Member organizations.
- National cross-sectorial SME federations, European branch federations, and other associate members.
- More than 12 million enterprises with nearly 55 million employees.
- Austrian Federal Economic Chamber is one of UEAPME's member organizations.



# Challenges of the Substance Information Exchange Forum (SIEF) for Small and Medium Enterprises (SMEs)

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- Data-Sharing according to REACH
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- REACH-Registration 2018: Outlook
- Areas of Concern for SMEs
- The New-Draft Regulation on Data-Sharing
- Remaining Questions



# Data-sharing under REACH

## SMEs are highly affected

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Registration &  
Evaluation

- Clarifying if a substance needs to be registered.
- Core process of REACH: registration.
  - Pre-registration & joint registration (Art 28 REACH-Regulation).
- Next Registration deadline for phase-in substances  $\geq 1\text{t}$  per year per manufacturer or importer: June 1<sup>st</sup>, 2018

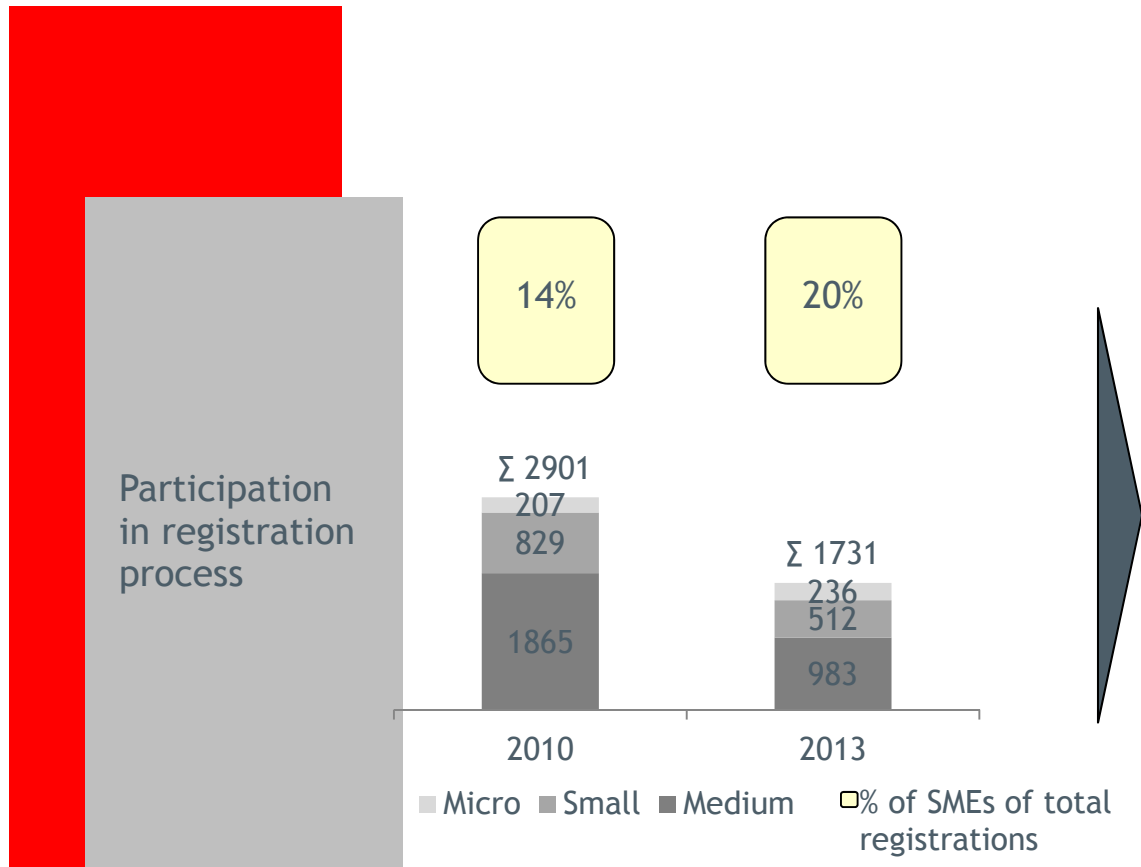
Substance  
Information  
Exchange  
Forum (SIEF)

- Transparency of data & costs.
- Legal basis in Art 29 REACH-Regulation.
- Main objectives of the SIEF:
  - Data sharing & classification.
  - Data submission.
- Each SIEF shall be operational until 1 June 2018.



# REACH-Registration Data 2010 & 2013

## Focus on SMEs



- Total registrations
  - 2010: 20723 registrations, of which 14% were SMEs.
  - 2013: 9030 registrations, of which 20% were SMEs.
- 01.12.2010: phase-in substances  $\geq 1000t$  per year and manufacturer or importer as well as most hazardous substances
- 01.06.2013: phase-in substances  $\geq 100t$  per year and manufacturer or importer



# REACH-Registration 2018 Outlook I/II

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## Outlook 2018

- Negative attitude of SMEs towards REACH-regulation and registration duties.
- Difficulties related to substance identity (especially in more complicated cases, e.g. UVCB)
- Main difficulty for SMEs for 2018: Availability of resources (in terms of costs and opportunity costs) to comply with the requirements of the Regulation.
- Differences between SMEs and large firms as regards information from suppliers of chemical substances on 2018-registration intentions.



# REACH-Registration 2018

## Outlook II/II

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Outlook 2018

- Two types of companies:
  - Companies establishing a new SIEF with a substance that is registered for the 1<sup>st</sup> time.
  - Very small SIEFs(2-3 participants); costly administration; inexperienced participants; significant distance- and language-barriers expected.
- Companies joining a SIEF of an already registered substance.
- New registrants benefit from finding a finished dossier; but not much room for discussion.



# SIEF Data- & Cost-Sharing Areas of Concern for SMEs I/II

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Problems  
related to SIEF  
& data-sharing

- Organization of a SIEF not clearly defined within REACH.
- Process of data sharing and cost compensation is not sufficiently regulated under REACH.
- REACH data-requirements are designed to discriminate low tonnages  
- costs per unit for low tonnages are significantly higher.
- Next to SIEF a consortium is another established way for data- and cost sharing. The difference between the two is often unclear.





# SIEF Data- & Cost-Sharing Areas of Concern for SMEs II/II

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Problems  
related to SIEF  
& data-sharing

- Costs of participation:
  - Non- or badly transparent costs.
  - Uneven share of costs compared to larger firms.
  - Disproportionally high costs.
  - High administrative costs.
  - Registration fee in no relation to other, much higher costs.
- Concern to share confidential business information with competitors.
- Lack of language capabilities.



# Draft Regulation on Data- and Cost-Sharing Added-value for SMEs

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REACH-  
Regulation

Draft-  
Regulation

How SMEs  
benefit

- The legal text is quite vage on data-sharing and leaves enough room for disputes.
- This is in favour of those who can afford higher costs and lawyers.
- The new draft-regulation is a good way forward.
- It clearly states that requirements for data-sharing need to be improved.
- While concentrating strongly on transparency it keeps administration to a minimum.
- They know, what they pay for.
- A fair and transparent market for data is fostered.
- Basic questiones and misunderstandings will be avoided.
- Legal Stability.



# Remaining Questions for SMEs

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What is important for 2018?

- Will the Implementing-Regulation on Data-Sharing enter into force in time?
- Will there be any further assistance or guidance from the European Commission/ ECHA on how to apply the regulation?
  - on already existing SIEFs
  - on new SIEFs





Thank you for your attention.



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