

Directors' Contact Group

DCG3/Support document/1/2018
23 April 2018

[Compilation of the four DCG Solutions to be re-activated for the 2018 REACH registration deadline \(rev. 1\)](#)

Issue No. 10

Completeness of dossiers

Industry may have, in spite of their best efforts, some difficulties in providing some data required in Annex VII and Annex VIII in due time.

There may be cases where the importer of a mixture cannot obtain from his supply chain compositional and analytical data of each substance present in the mixture. Even in that case, the importer must be provided by the formulator at least with the identity and concentration of all the substances present in the mixture which are subject to registration. Exceptionally, the importer may be in a position to derive the actual compositional and analytical data of these individual substances from data relating to the mixture itself. This would allow him to meet the data requirements for the registration of the substances themselves. However, this possibility would be only acceptable subject to valid scientific justification.

If companies have ordered tests in a timely manner but have not received the results in due time to complete their dossier, ECHA may take this into consideration when setting a reasonable deadline to complete their dossier as per Article 20(2) of REACH.

Issue No. 15

Legal Entity change

Need to accommodate complex unforeseen mergers/splits of enterprises (legal entities) or change in manufacturing conditions taking place within the last twelve months before the registration deadline.

ECHA released a legal entity change functionality as part of the 25 March 2010 version of REACH-IT which covers the standard legal entity change scenarios. If a company finds itself in a situation where it cannot submit a late pre-registration any longer, in principle, it shall not be entitled to manufacture or import the substance concerned. However, companies will be offered the opportunity to declare their situation to the Agency via the ECHA Helpdesk in order to make it transparent. This self declaration may be taken into account by the national enforcement authorities in case of control.

Issue No. 20

Dependency on the Lead Registrant

The Lead Registrant may fail his submission leaving the member registrants in a difficult situation.

In such a case, one of the member registrants needs to become the Lead Registrant and submit a complete and valid registration. If the dossier cannot be totally compliant with the REACH requirements due to unexpected circumstances, companies should contact ECHA via ECHA Helpdesk as soon as they become aware of the situation.

Issue No. 21

Substance with no registration intentions

It may be difficult for an Only Representative or a new importer to register in time or take up the Lead Registrant role.

Downstream users of that substance or of mixtures containing that substance should take proactive measures to ensure that there is a continuation of supply for them. In case their supplier has no intention to register, a downstream user may consider taking up the role of an importer and submitting a registration, or engaging another importer to do so on their behalf. A distributor may consider taking up the importer role, too.

If the dossier cannot be totally compliant with the REACH requirements due to unexpected circumstances, companies should contact ECHA via the ECHA Helpdesk as soon as they become aware of the situation.