

Mr Marco Mensink
Director General
European Chemical Industry Council – Cefic
Rue Belliard 40 b. 15
B-1040 Brussels
Belgium

Subject: Clarifications on ECHA's Covid-19 measures

Dear Mr Mensink,

Thank you for your letter of 28 April 2020.

I appreciate the supportive message you sent on behalf of the European chemicals industry and I am pleased to provide you with the requested clarifications.

Before turning to your questions, I would like to express my appreciation for the contributions European chemicals companies make to the joint efforts to combat the COVID-19 crisis, and the agility and cooperative spirit of your industry. We at ECHA fully realise the pressures on companies under the current circumstances. You rightly point out the value of the internal market. The EU created an internal market for industrial chemicals and biocides with the regulations managed by ECHA. This means that companies have a one-stop-shop for placing chemicals on the EU market, based on common standards, a high degree of predictability and a modern set of digital tools. This will be instrumental when Europe's economy will relaunch after the crisis. We will, as a central regulatory agency, do our part to support this, in the spirit of the European Green Deal's promise of economic modernisation and protection.

Realising the difficulties companies will unavoidably face as a result of the public health measures put into place across Europe, ECHA announced at an early stage that we do what is possible within our remit to support companies in coping with the situation. As you rightly point out, ECHA cannot unilaterally alter legal deadlines. As a public health agency we will also not compromise our mandate to protect the public health and the environment. However, we considered that certain process deadlines can reasonably be extended and therefore implemented a number of measures to this end as of late March. Companies concerned were informed directly.

Apart from these measures, we are coordinating with the Member States, Commission and industry to support the response to the pandemic. This does not only concern our work on biocidal products, such as disinfectants, mentioned in your letter. We, for example, also coordinate with national authorities to bring other critical chemicals without unnecessary delay on the EU market. Furthermore we are in close contact with the Commission services to provide consistent and quick replies to company requests for support or derogations from regulatory deadlines.

Helsinki, 4.5.2020

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I am attaching a list of measures put in place by ECHA to support companies. As said, concerned companies have been or will be contacted directly.

Please get back to me if you need further clarification. In the meantime, I hope that you, your family and all your colleagues stay safe and healthy.

Yours sincerely,

SIGNED

Bjorn Hansen
Executive Director

Encls. List of measures put in place by ECHA to support companies

Annex: Extensions in deadlines for industry

During these exceptional circumstances, ECHA understands that companies may be lacking human or financial resources or facing technical difficulties in meeting certain deadlines associated to ECHA's decisions.

ECHA is committed to help industry to meet its regulatory obligations during the COVID-19 pandemic. Therefore, ECHA has decided on a number of deadline extensions which apply until end of May 2020. Companies concerned have been informed directly of these extensions since the end of March.

Technical completeness check of registration dossiers

Companies who initially failed to provide a complete registration and had a final deadline to submit information to ECHA between March and May 2020, will have additional two months to finalise their submission.

Revised completeness check for registration dossiers

The extension of the technical completeness check to include the chemical safety report has been postponed from April to October 2020. More information and background can be found here: <https://echa.europa.eu/-/completeness-check-of-chemical-safety-reports-postponed-until-october-2020>

Deadline for further information on confidentiality claims

Companies will have two additional months to provide information if they submitted a confidentiality claims to ECHA according to the REACH Regulation and have been requested to provide additional information with a final deadline between March and May 2020.

Comments on draft decisions in substance or dossier evaluation

Companies who receive draft decisions from ECHA, asking for additional information on their registration or the chemical registered, will have additional 30 days to provide their comments. These are the draft decisions issued as a result of a testing proposal examination under the REACH Regulation (Article 40), compliance check (Article 41), follow-up to dossier evaluation (Article 42(1)) and substance evaluation (Article 46). The extension applies only to commenting under Article 50(1).

All other deadlines, e.g. the deadline set in the adopted ECHA decision to provide the requested information, are not subject to the above arrangements. If there are delays, companies should follow the instructions outlined in [Q&A 1061](#)

PIC notifications to national authorities

Companies notifying their national authorities about 2019 imports and exports of chemicals falling under the PIC Regulation have additional two months to submit them until the end of May. The companies have received information about this through the ePIC tool.

Invoices to companies

Companies receiving invoices from ECHA with a deadline between mid-March to end of April have an extended deadline until 30 May to pay their invoices. The companies have been informed directly with the invoices sent.

Authorisation decisions - monitoring programme

Companies that have received a Commission decision on their application for authorisation stating a condition that a monitoring programme needs to be established with first measurements to be performed by spring 2020, are advised to contact the [national enforcement authorities](#) without delay and ask them how to address the situation.