



**CROWBERRY CONSULTING**  
Environment, Ethics and Corporate Responsibility Management

# REACH FAQ's



Image from GBC.

**DISCLAIMER:** This publication is intended for guidance purposes only and further legal support should be sought where necessary. Whilst every effort has been made to ensure this document is factually correct at the time of publication, its content is not intended for use without substantiating investigations by the users. No part of this publication may be reproduced, stored or transmitted in any way without prior permission from the publisher.

Crowberry Consulting Ltd® - Address: Suite 1, Peters Court, Peters Street, Chorley, Lancashire, PR7 2RP // Email: [info@crowberryconsulting.com](mailto:info@crowberryconsulting.com) // Phone: 01257 231171.

## What Is It?

The [Registration, Evaluation, Authorisation and Restriction of Chemicals \(REACH\)](#) addresses the production and use of chemical substances, and their potential impacts on both human health and the environment.

REACH requires all companies manufacturing or importing chemical substances into the European Union, in quantities of one tonne or more per year, to register these substances with the [European Chemicals Agency \(ECHA\)](#).

It has created a single system for 'existing' and 'new' substances:

- a) non-phase-in substances (those not produced or marketed prior to the entry into force of REACH).
- b) phase-in substances (those manufactured but not placed on the Community market in the last 15 years).

## How Does It Work?

The [European Chemicals Agency](#) has set three major deadlines for registration of chemicals (see figure 1.1 below):

- 1000 tonnes were required to be registered by 1 December 2010.
- 100 tonnes by 1 June 2013.
- 1 tonne by 1 June 2018.

In addition, chemicals of higher concern or toxicity will also have had to have met the 2010 deadline.

Some of the basic elements of REACH are as follows:

- All substances are covered by REACH unless they are explicitly exempted from its scope.
- Registration requires manufacturers and importers of chemicals to obtain relevant information on their substances and to use that data to manage them safely.
- Better information on hazards and risks and how to manage them safely will be passed up and down the supply chain.
- Downstream users are brought into the system.
- Evaluation is undertaken by the Agency for testing proposals made by industry or to check compliance with the registration requirements.
- Substances with properties of very high concern will be made subject to authorisation.

## Do I Need To Register Substances?

In general, under REACH you may have one of these roles:

- **Manufacturer:**
  - If you make chemicals, either to use yourself or to supply to other people (even if it is for export), then you will probably have some important responsibilities under REACH.
- **Importer:**
  - If you buy anything from outside the EU, you are likely to have some responsibilities under REACH. It may be individual chemicals, mixtures for onwards sale or finished products, like clothes, furniture or plastic goods.
- **Downstream Users:**
  - Most companies use chemicals, sometimes even without realising it, therefore you need to check your obligations if you handle any chemicals in your industrial or professional activity. Examples of downstream users are formulators, end-users, re-fillers, re-importers and so on, so it is vital to check if you fall into this category.

REACH covers most chemical substances including:

- Substances on their own.
- Substances in a 'preparation' (a mixture, for example, ink or paint).
- Substances that make up an 'article' (basically, an object that is produced with a special shape, surface or design).

**[ECHA have guidance on identifying substances under REACH.](#)**

All substances which exceed 1 tonne require registration, unless explicitly exempted.

## What Are The Costs Of Compliance?

- **Direct Costs:**
  - In the Extended Impact Assessment the direct costs of REACH to the chemicals industry were estimated at a total of € 2.3 billion over the first 11 years after the entry into force of the Regulation.
- **Costs to Downstream Users:**
  - Assuming that the market behaves as expected with only 1-2 per cent of substances withdrawn because their continued production would not be profitable, the additional costs to downstream users of chemicals were estimated at €0.5 – 1.3 billion in a “normal expectation” case and €1.7 – 2.9 billion in a scenario with higher substitution costs assumed. The estimated total costs therefore ranged between €2.8 and 5.2 billion.

The introduction of a tonnage threshold for downstream user obligations is intended to help downstream user SMEs.

## What Are The Benefits Of REACH?

Positive occupational impact and public health impact of REACH is expected as chemicals are linked to respiratory and bladder cancers, skin disorders, respiratory diseases, eye disorders, asthma and so on.

Increased information on hazards and controls will help better implementation of existing legislation.

Authorisation of substances of very high concern and speedier restrictions will also assist positive occupational and public health and positive environmental impact of REACH.

## Case Study.

Perfect Piping, a small company based in Staffordshire, makes plastic piping for a range of uses from industrial through to domestic. The company forms pipes in processes using various chemicals which are bought in from a number of different locations.

The managing director read that the duties of a company under REACH vary according to where any particular chemical, possessed, marketed and /or used by the company has originated from. She also read that a good starting point is to make an inventory of all the chemicals of interest to the company.

One of the ingredients key to the business is supplied from the USA and as such Perfect Piping are considered the importer under REACH. As Perfect Piping buy in around 2 tonnes per year they will have registration duties for this substance. If Perfect Piping had pre-registered the substance between 1st June and 1st December 2008, because they only import 2 tonnes per year, they would not need to complete a full registration until 2018.

## How Can Crowberry Consulting Help You?

- Help and guidance with the administrative process and submitting tonnage information to the ECHA.
- Provide a supply chain dialogue to assist your understanding of your company's REACH compliance, for example, by establishing the raw materials and tonnage used by manufacturers and suppliers and whether they are registered under REACH or not.

**Compiled by Ellie Digby – Legal Executive.  
July 2018.**