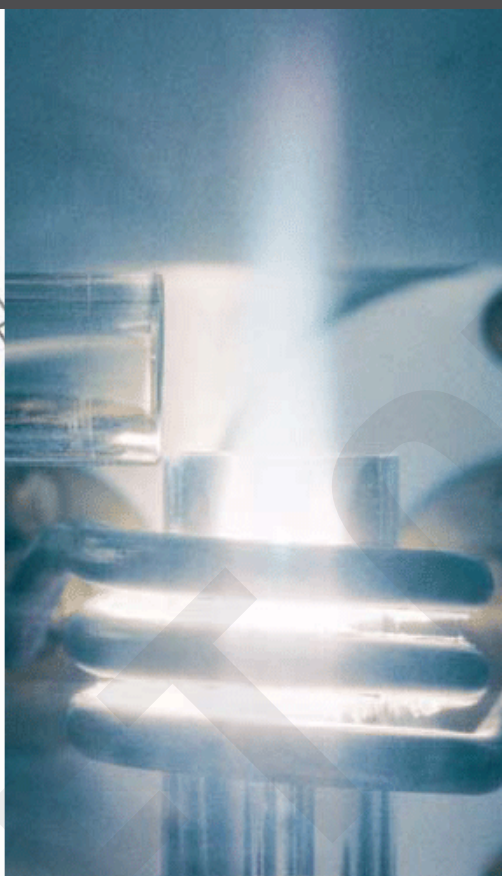


# REACH NEWSLETTER

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**SGS**

## WELCOME

Dear Reader,

The UK REACH e-bulletin brings you key issues relating to the EU REACH (Registration Evaluation and Restriction of Chemicals) regulation.

We bring information on proposed changes, confirmed changes and the possible effects of these changes from a manufacturing, retail and consumer perspective. Opinions from all concerned parties are reported so a full picture of the workings and effects of the regulation are shared.

The information in the following pages is sourced from European Chemicals Agency (ECHA) and Chemical Watch. Each of our articles are linked back to source for further reading.

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## URGENT REMINDER TO PRE-REGISTER YOUR LOW VOLUME CHEMICALS

The third and last registration deadline for existing chemicals manufactured or imported in the EU/EEA from 1 to 100 tonnes a year is on 31 May 2018. To benefit from the extended deadline for registering existing, low volume chemicals by the last REACH registration deadline, you need to have pre-registered your substance with ECHA. If you manufacture or import a substance for the first time at or above 1 to 100 tonnes per year, and your substance is not a known carcinogen, mutagen or toxic to reproduction (CMR), you can still pre-register within six months of starting the activity, and at the latest by 31 May 2017 – one year before the deadline.

If you have recently started to manufacture or import a non-CMR phase-in substance in amounts of 1 to 100 tonnes a year, you can pre-register within six months after starting the activity. However, the last possible date for pre-registration is the 31 May 2017. Pre-registration enables you to continue

supplying your low-volume chemicals legally on the EU/EEA market until the registration deadline.

The May 2018 registration deadline is only available to those manufacturers and importers who have pre-registered their substances by May 2017.

After this date you will need to submit an inquiry to ECHA and register your substance before you can manufacture or import it. This already applies if you manufacture or import 100 tonnes or more of the chemical a year or one tonne or more of a chemical that is classified as carcinogenic, mutagenic or toxic to reproduction (CMR).

If you are unsure that your substance will exceed the 1T per year level after May 2018, then it may be prudent to pre-register your substance. This will give you time to then re-evaluate your substance requirements and to review your strategy for the substance.



Article source: ECHA.Europa.eu <https://echa.europa.eu/-/last-call-to-pre-register-your-low-volume-chemicals>

## CALL FOR EVIDENCE ON THE USE OF RECYCLED RUBBER GRANULES USED AS INFILL MATERIAL IN SYNTHETIC TURF

The European Commission requested ECHA to make a preliminary evaluation if recycled rubber granules, used as infill material in synthetic turf, may pose a risk to human health. The objective of this call is to gather information, from relevant stakeholders, for the preparation of its preliminary evaluation. Information needed includes information such as tonnages of imports and on the content of rubber granules.

Target group:

- All manufacturers, suppliers (importers, distributors, retailers) and professional users of rubber granules
- Trade associations
- NGOs (consumer/environmental)
- Research institutes/academia
- Member States
- Individuals



Background information as to why this evaluation has been requested is provided on ECHA's website at <https://echa.europa.eu/documents/10162/87dd5039-3946-4c19-9ebd-158f0903a8d8>.

This call for evidence consultation is open until 9 January 2017.

Article source: ECHA.Europa.eu <https://echa.europa.eu/addressing-chemicals-of-concern/restriction/calls-for-comments-and-evidence>

## ECHA PROPOSES NINE SUBSTANCES FOR AUTHORISATION

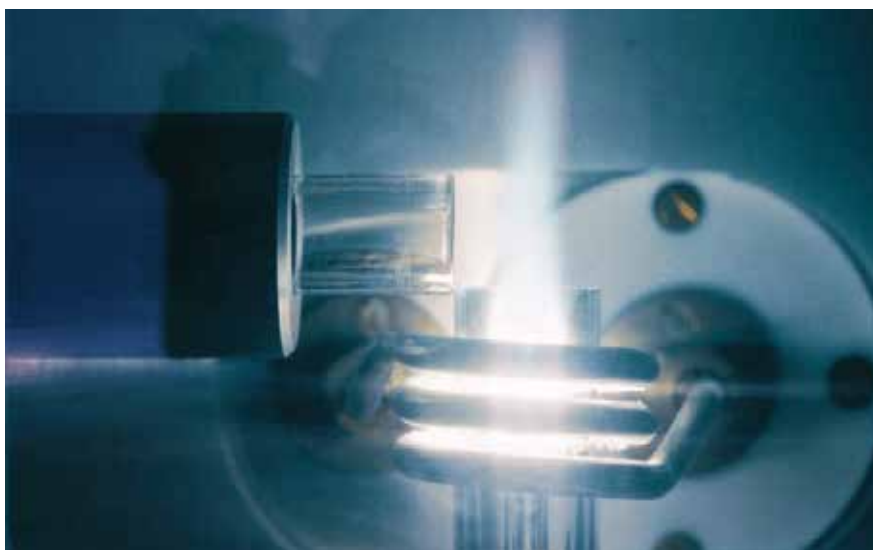
Nine substances of very high concern (SVHCs) are recommended to be added to the REACH authorisation list. They have been prioritised from the candidate list because of their high volume and widespread uses, which may pose a threat to human health, or may be used to replace other substances already on the authorisation list.

SUBSTANCE NAME	EC NUMBER	CAS NUMBER	COMMON USES	CATEGORY
1,2-Benzenedicarboxylic acid, dihexyl ester, branched and linear	271-093-5	68515-50-4	Plasticizer used in pvc	Toxic for reproduction Category 1B
Dihexyl phthalate	201-559-5	84-75-3	Plasticizer used in pv	Toxic for reproduction Category 1B
Trixylyl phosphate	246-677-8	25155-23-1	Lubricants, greases, hydraulic fluids, metal working fluids, plastic products	Toxic for reproduction Category 1B
<b>BORON COMPOUNDS</b>				
Sodium perborate; perboric acid, sodium salt	239-172-9; 234-390-0	-	Detergents and bleaching products	Toxic for reproduction Category 1B
Sodium peroxometaborate	231-556-4	4/4/7632	Detergents and bleaching products	Toxic for reproduction Category 1B
<b>LEAD COMPOUNDS</b>				
Orange lead (lead tetroxide)	15-235-6	1314-41-6	Production of batteries	Toxic for reproduction Category 1A
Lead monoxide (lead oxide)	215-267-0	1317-36-8	Production of batteries Adsorbents, catalysts, lubricants, corrosive inhibitors, rubber products, surface treatments (plating)	Toxic for reproduction Category 1A
Pentalead tetraoxide sulphate	235-067-7	12065-90-6	Production of batteries	Toxic for reproduction Category 1A
Tetralead trioxide sulphate	235-380-9	12202-17-4	Production of batteries. Coatings and inks for mirror backing	Toxic for reproduction Category 1A

Despite agreement from the Member State Committee, both HHPA (Hexahydrophthalic anhydride) and MHHPA (Methylhexahydrophthalic anhydride) have not been put forward for addition to the authorisation list as part of the seventh recommendation.

Both substances will now be considered in future recommendation rounds, together with all other substances on the candidate list.

Article source: ECHA.Europa.eu [https://echa.europa.eu/documents/10162/13630/7th\\_axiv\\_recommendation\\_november2016\\_en.pdf/3e11377b-edd8-46d3-a29c-1978c41db3ad](https://echa.europa.eu/documents/10162/13630/7th_axiv_recommendation_november2016_en.pdf/3e11377b-edd8-46d3-a29c-1978c41db3ad)





## CALL FOR EVIDENCE: ECHA'S ANNEX XV REPORT ON DIARSENIC TRIOXIDE AND DIARSENIC PENTAOXIDE

A call for evidence has been launched on ECHA's assessment of whether the use of diarsenic trioxide (EC 215-481-4; CAS 1327-53-3) and diarsenic pentaoxide (EC 215-116-9; CAS 1303-28-2) in articles should be restricted in accordance with Article 69(2) of REACH.

This call for evidence consultation is open until 9 January 2017.

Article source: [ECHA.Europa.eu https://echa.europa.eu/addressing-chemicals-of-concern/restriction/calls-for-comments-and-evidence](https://echa.europa.eu/addressing-chemicals-of-concern/restriction/calls-for-comments-and-evidence)



## PUBLIC CONSULTATIONS LAUNCHED FOR APPLICATIONS FOR AUTHORISATION

ECHA has launched a public consultation on 20 applications for authorisation covering 29 uses of:

- Chromium VI compounds used in surface treatment, hard and functional chrome plating, cooling systems, manufacture of chemicals, dyeing systems. These uses concern various industry sectors such as the chemical industry, aerospace, automotive, metal manufacturing, general engineering, textile.
- EDC used as solvent in the production of chemicals and active pharmaceutical ingredients.
- MOCA used as a curing agent/chain extender in cast polyurethane elastomer production.

More information about the uses that authorisation is applied for, including the description of the function of the substance, exposure scenarios, possible alternatives identified by the applicants, together with socio-economic information, is available on ECHA's website.



Comments can be submitted using a form on ECHA's website until 9 January 2017

Article source: [ECHA.Europa.eu https://echa.europa.eu/addressing-chemicals-of-concern/authorisation/applications-for-authorisation](https://echa.europa.eu/addressing-chemicals-of-concern/authorisation/applications-for-authorisation)

## ECHA ADVISES EEE COMPANIES ON SUBSTANCES IN ARTICLES

ECHA has urged electrical and electronic equipment (EEE) companies to “be prepared” to meet new requirements for substances in articles.

The agency’s Peter Megaw told delegates at a recent conference in London about the progress of updates to ECHA’s guidance following last year’s European Court of Justice ruling.

The ruling said Article 33 would now apply to each article in a complex product, not just the final assembled article. This requires companies to reply within 45 days if asked by consumers about the presence above 0.1% concentration of SVHC’s in products. This information must be given free of charge.

Speaking at the Edif ERA organised Electrical and Electronic Equipment and the Environment Conference 2016, Mr Megaw said ECHA is updating its guidance to reflect the ruling. As we reported in our last newsletter the draft guidance was published in July and has been circulated for comment.

It is much revised since the December 15 guidance was published in response to the ECJ decision and is available on the ECHA website. The final version is due in the first quarter of 2017.

*Article source: ChemicalWatch.com <https://chemicalwatch.com/51080/echa-advises-eee-companies-on-substances-in-articles?q=ECHA+ADVISE+S+EEE+COMPANIES+ON+SUBSTANCES+IN+ARTICLES>*



## MANUAL CHECKS OF YOUR REGISTRATION DOSSIER – FOLLOW THE ADVICE FROM ECHA

Since 21 June 2016, the technical completeness check carried out on every registration dossier submitted to the Agency has included additional manual verifications by ECHA’s staff. If issues are found with your dossier during this manual check, you will receive a letter from ECHA with instructions on how to make your dossier complete. It is important that you follow the advice in the letters and not rely solely on the IUCLID Validation Assistant to verify the completeness of your dossier as it cannot replicate the

manual checks.

So far, ECHA has selected around 30% of the incoming dossiers for manual verification based on IT-screening. Of these, about 30% have failed the manual check. The main reason for failure was that they lacked a justification for waiving data and had an unclear substance identity. In particular, dossiers with an incomplete description of the manufacturing process of UVCB substances - a key identifier for these substances of unknown or variable

composition - have failed the check.

Companies have, in most cases, been able to provide the requested information. In only two cases, the second submission was also not complete and was, therefore, rejected. They were registrations for UVCB substances which lacked sufficient information about the composition.

*Article source: ECHA.Europa.eu <https://newsletter.echa.europa.eu/home/-/newsletter/entry/want-to-know-about-the-completeness-check-and-how-it-affects-every-dossier->*

# UK DOWNSTREAM SECTORS CONSIDER POST-BREXIT STANCE ON REACH

A snapshot survey of UK trade bodies representing downstream industrial sectors, shows they have a range of attitudes on whether the UK should continue to implement REACH and other EU chemical legislation post-Brexit, or adopt its own national policy. At the same time, several make clear that they do not want to see a weakening of environmental and human health protection standards that have been built on EU law.

Trade body responses to government advisory body, the UK Chemicals Stakeholder Forum, presented at its meeting on 1 November, show a strong desire to minimise disruption to current compliance obligations.

Some, including the Chemical Industries Association, also see Brexit as a chance to give the concept of risk greater prominence over hazard in UK law.

To help inform the environment ministry's consultation efforts, the forum asked its members what should be the overarching objectives of UK chemicals policy, during the negotiations and beyond. It also asked what should be the scope of UK chemicals regulation, if it leaves the Single Market.

Illustrating the complexity of policy analysis facing the government, differences of opinion are acknowledged within the membership of individual trade bodies.

## STICKING WITH REACH

The British Plastics Federation says most of its members want "REACH-aligned UK chemicals legislation" and that regulatory equivalence between the UK and EU is "highly important".

The sector is heavily reliant on imported raw materials and machinery from the EU. Although it says its position could change, currently "it seems that members wish to keep full access to REACH" - while recognising that this may only be possible through access to the Single Market.

Similarly, the REACH cross-sector group, encompassing engineering, manufacturing and retail trade bodies, says that "despite ongoing concerns around the complexity and burden of REACH, the majority of downstream users of chemicals want [it] to stay" and "are concerned about the uncertainty and the cost of establishing a UK-specific regime".

It "strongly supports a negotiating position, where the UK can continue to provide scientific and policy input towards ongoing evolution of REACH and substance selection/characterisation."

But a "smaller number" of companies, belonging to its member trade bodies, say "a transition to a risk-based approach to chemical management" - one giving greater authority to occupational exposure limits, for example - could "increase the appetite for manufacturing investment".

## CUTTING RED TAPE

The responses show that many industry groups are pursuing a two-pronged strategy - on the one hand, seeking business certainty and minimum disruption and, on the other, seeking to cherry pick those EU laws they want to keep and those they want to jettison or amend.

The Engineering Employers Federation describes EU chemicals policy as "already being deeply embedded within UK businesses". It says its members "want to see existing and future EU chemicals regulation continue to apply in such a way to avoid UK exports facing any barriers to trade". But they are aware of the "opportunities that Brexit poses", and see a post-Brexit legislative review as "an opportunity for reducing red tape, whilst maintaining the same regulatory outcome and environmental and safety standards".

Similarly, the British Coatings Federation says: "The main negotiation objective should be minimum disruption to business and a good deal for UK manufacturing. Beyond this, there should be less red tape and burdensome regulation."

## WALMART URGES REMOVAL OF HAZARDOUS CHEMICALS FROM PACKAGING



Walmart has urged suppliers to remove hazardous chemicals from packaging in a new guidance document.

The Walmart Sustainable Packaging Playbook was launched at a summit held by the retailer last month. It gives an overview of best practices for suppliers to improve the sustainability of packaging. It was created in collaboration with the Sustainable Packaging Coalition and the Association of Plastic Recyclers.

As part of Walmart's aim to "enhance material health", it has asked suppliers to identify priority chemicals in packaging and check if they have been removed, reduced or restricted.

The playbook says: "We encourage suppliers to remove/reduce/ restrict the use of materials that may present human health and environmental toxicity risks."

Priority chemicals are defined as those that meet the criteria for classification as:

- Carcinogenic
- Mutagenic
- Reprotoxic
- Persistent, bioaccumulative and toxic (PBT)
- Any chemical for which there is scientific evidence of probable serious effects to human health, or the environment, that gives rise to an equivalent level of concern.

Walmart drew its criteria list from Article 57 of REACH. This lays out the types of substances that could qualify for inclusion in Annex XIV.

Walmart Director of Sustainability Communications, Ragan Dickens said that the document's launch "marks one of the first times Walmart has provided specific guidance to suppliers on how to enhance material health in its packaging.

"The playbook provides tools and resources to help in identifying and assessing priority chemicals."

Guidance is also provided about designing packaging for recycling. It recommends

avoiding polyvinyl chloride (PVC) and biodegradable additives in petroleum-based plastics. PVC materials, it says, may increase the contamination of other plastic recycling streams, while biodegradable additives may result in "more environmental harm"

The NGO Environmental Defence Fund (EDF) has welcomed the playbook. Boma Brown-West, Senior Manager of consumer health, said: "We are excited that Walmart is expanding their chemicals work to packaging. Food packaging is an especially important opportunity, as some chemicals in packaging can migrate into the food."

She added the playbook was a "good first step to motivate suppliers to act" and that EDF expects to see Walmart set measurable targets and timelines "to accelerate the adoption of sustainable, safer packaging."

Article source: *ChemicalWatch.com* [https://chemicalwatch.com/50905/walmart-urges-removal-of-hazardous-chemicals-from-packaging?pa=true#utm\\_campaign=50814&utm\\_medium=email&utm\\_source=alert](https://chemicalwatch.com/50905/walmart-urges-removal-of-hazardous-chemicals-from-packaging?pa=true#utm_campaign=50814&utm_medium=email&utm_source=alert)

## WHY SGS?

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