

REACH in 30 minutes:

**Development and implementation of the REACH regulation –
the legal instrument for the future chemicals policy of the EU**

10th EWHN Conference – Jurmala/Latvia, 29 September 2006

Reasons and chronology

Structure of REACH

Relation to Worker Protection Legislation

State of play and current activities

Next step: preparations for the implementation

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Reasons and chronology

Reasons for new EU chemicals policy

- lack of knowledge on (eco-)toxicological characteristics for majority of 100,000 chemicals on the EU market
- different data requests for “existing” resp. “new substances”

June 1999: decision on revision of chemicals policy (Council)

Febr. 2001: White Paper (COM)

summer 2003: Internet consultation; impact assessments; first trial run

Oct. 2003: draft directive (COM)

2004/2005: further impact assessments; first round of RIPs

2005 – 2007: second round of RIPs

Nov. 2005: first reading in EP

Dec. 2005: political agreement (Council)

June 2006: Common Position (Council)

Sept. 2006: start of second reading (EP)

end of 2006: second reading agreement

2007: entry into force

2018: REACH fully implemented

Folie 1

Structure of REACH

Classification and labelling – all substances

Duty of care

REACH

<u>Registration</u>	> 1 t/a/manufacturer or importer (about 30,000 substances – but ...)
<u>Evaluation</u>	> 100 t/a/ M/I plus 5 % of rest
<u>Authorisation</u>	for substances of “very high concern” (specific (eco-)toxicological characteristics) – est. 1,500 substances (any production volume)
<u>Restriction of Chemicals</u>	as “safety net“

Structure of REACH

Volume of task

number of substances

Classification and labelling

- all substances marketed ca. 100,000

REACH

Registration by M/I – **data requirements** volume-dependent!

- production volume > 1 t/a ca. 30,000

Chemical Safety Assessment (CSA) requested:

- production volume > 10 t/a ca. 10,000

Evaluation by authorities:

- production volume > 100 t/a ca. 5,500
- production volume < 100 t/a (5 %) ca. 1,200

Relation to Worker Protection Legislation

Relevant Worker Protection Directives

- Chemical Agents Directive [CAD] (98/24/EC)
- Carcinogens and Mutagens Directive [CMD] (2004/37/EC)

CAD and REACH: correspondence of certain elements

- risk assessment (CAD) – chemical safety assessment (REACH)
- occupational exposure limits (CAD) – DNEL (REACH)
- prevention measures (CAD) – exposure scenarios incl. RMM (REACH)

no duplication of legislation, yet complementing each other: potential synergies

CMD and REACH: could authorisation override substitution?

- details of authorisation still to be decided in second reading

will substitution obligation under CMD have priority over authorisation granted under REACH?

State of play and current activities

Relevant issues to be decided in second reading (co-decision process):

- details of authorisation (role of “adequate control” vs. “substitution”)
- chemical safety assessment also for 1 – 10 t substances?
- introduction of “duty of care” into legal text?

REACH Implementation Projects – RIPs

- RIP 2: development of IT systems (REACH-IT)
- RIP 3: Technical Guidance Documents for industry
 - RIP 3.2: TGD for preparing the CSR
 - RIP 3.5: TGD for Downstream Users
- RIP 4: Technical Guidance for authorities
- RIP 5/6: Preparation for start-up of Agency in Helsinki

Next step: preparations for the implementation

Schedule:

2007: entry into force

2008: pre-registration of all 30,000 substances (6 months)

**2008 – 2010: registration of substances > 1,000 t/a; CMRs > 1 t/a;
N, R 50-53 > 100 t/a (3 years)**

– **2013: registration of substances > 100 t/a (6 years)**

– **2018: registration of substances > 1 t/a (11 years)**

What could trade unions do?

- **educate members / safety reps / works councillors about additional instruments (under REACH) useful for risk assessment under CAD**
- **request improvement of RMMs based on information generated and communicated under REACH**

Useful Internet addresses

EU-Commission

REACH proposal

<http://europa.eu.int/comm/enterprise/reach/index.htm>

<http://europa.eu.int/comm/environment/chemicals/index.htm>

RIPs

<http://ecb.jrc.it/REACH/> → Documents → public access → RIP final reports

<http://ecb.jrc.it/REACH/> → Documents → restricted access

→ SEG (UserID: segr, password: segr07)

ETUC / ETUI-REHS (formerly: TUTB)

http://hesa.etui-rehs.org/uk/dossiers/dossier.asp?dos_pk=1

brochure “REACHing the workplace” (available in 10 languages):

<http://tutb.etuc.org/uk/publications/files/REACH-EN.pdf>