

Chemicals in articles in REACH

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Background

In October 2003 the EU Commission adopted a proposal for a new chemicals legislation called REACH. A new consolidated draft was presented by the Council by 19. December 2005.

In contrary to the current chemicals legislation Article 6 of REACH includes general requirements related to substances in articles. Article 6 of REACH implies an obligation to register substances in articles, if a release of those substances is "intended", and if the substances are present in quantities totalling over 1 tonne per year and importer/producer. If so, a complete registration dossier for the released substance is required.

Substances have to be notified (much less data than for a registration is needed), if they are contained in those articles in concentrations > 0.1 % (ww) and in quantities totalling over 1 tonne per year and importer/producer.

The current discussion at EU-level shows that there are doubts that the requirements of Article 6 can be implemented, because it contains terms difficult to be interpreted by stakeholders. In addition compliance with the requirements is regarded difficult to control because of the high number of articles and the variety of substances contained in these.

Objectives

The objective of this project is to develop proposals for definitions and interpretations of the important terms of Article 6 and to illustrate them with examples. This includes:

- Identification of existing experiences from the implementation of international conventions and legislation in Europe and Germany, from voluntary agreements and instruments (e. g. eco label like the "Blue Angel"), from communication instruments und databases in different industry sectors and from different actors like industry, trade and authorities;
- Evaluation of selected experiences with regard to definitions and interpretation of the central terms;
- Existing systems for categorisation of articles and for investigation of substance releases from articles;
- Available methods for identification and quantification of dangerous substances in articles and their applicability for REACH.

Especially for the term "article" a clear description is needed.



Based on the results of the evaluation guidance for industrial stakeholders (article producers, importers) will be developed. The methods and steps for identification of „intended“ release from articles are considered. Industry and trade actors will test the guidance on its practicability.

In parallel strategies for enforcing authorities will be discussed and outlined. This implies to outline of possibilities for an efficient inspection and the need for further instruments and cooperation between different authorities. The existing experiences of the authorities involved in inspection so far will be taken into account.

The guidance for industry as well as the outline for authorities will be discussed with experts from industry, trade and authorities. The results of this project will be fed into the EU-Project for the development of Technical Guidance Documents on fulfilling the requirements for articles (REACH Implementation Project 3.8).

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