



Technical Guidance Document (REACH Implementation Project 3.5) on requirements for downstream users - preliminary study

Main commissioner:
European Commission

Carried out by:
Antonia Reihlen, Institute for environmental strategies, Ökopol, Hamburg

In co-operation with:
Danish Toxicology Center, DK (Project leader and direct commissioner);
DHI water and environment, DK; Risk and policy analysts, UK; BRE
Environment, UK; Baltic Environmental Forum Latvia, LV

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Background

In October 2003 the EU Commission has published a proposal for a New European Chemicals Policy (REACH = Registration, Evaluation and Authorisation of Chemicals). Downstream users of chemicals will have to comply with various new requirements when the regulation enters into force, of which the most important ones are described here:

Safety data sheets of dangerous substances and preparations will be accompanied by an Annex which contains information on the safe use of the chemical. This description of safe use will contain among other information on the identified use, the operational conditions of use and risk management measures to be applied. Downstream users of dangerous substances and preparations will have to assess whether their use is covered by the so called exposure scenario communicated in the Annex of the SDS.

Furthermore, downstream users will have to check if the substances as such or contained in preparations falls under the authorization procedure under REACH or if they are banned or use restricted.

Compliance with these requirements, as well as ensuring that substances, essential to the own processes remain available on the market can only be achieved if communication and cooperation along the supply chains is enhanced and improved in the future. This is hindered by various factors, of which business secrets and a common understanding of the "language" used by different actors to communicate about chemicals risks are only the most obvious ones.

The EU-Commission prepares the implementation of the REACH regulation by launching several REACH implementation projects (RIPs) the goal of which is to develop guidance for industry and authorities.

Objectives

The goal of this scoping study is to elaborate which type of guidance and tools are necessary for the different types of downstream users to enable them to fulfill the requirements of the future legislation.



The expected result of the project is a proposal for a structure of a guidance document for downstream users. This includes a decision tree for the identification of roles and responsibilities of the various actors as and flow diagrams outlining the work process to fulfill the requirements. Parts of these flow diagrams will be worked out in more detail. Another result of the project will be recommendations on how to proceed in the development of the guidance. The focus of the guidance lies with the communication aspects of downstream users.

Tasks

The scoping study is carried out in three phases:

1. Phase: Evaluation of existing experiences on roles and responsibilities of various actors in the supply chain related to the safe use of chemicals and the fulfillment of existing requirements. This includes an analysis of structures of supply chains and companies.
2. Phase: Development of a guidance structure. Here, downstream users are guided in finding their roles and related requirements. For the different tasks, work flows will be outlined in form of flow schemes. Furthermore, the single working steps to be carried out in order to fulfill the requirements are outlined. It will be pointed out, for which of the tasks instruments are needed.
3. Phase: the guidance structure and flow schemes will be discussed and tested in three example supply chains. The draft proposal of these documents will be revised according to the experience gained in this project phase.

Contact
Antonia Reihlen

reihlen@oekopol.de