

Analysis of the realisation of obligations from article 7 under REACH for imported articles

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Carried out by:

Heike Luskow, Dirk Jepsen, Okopol GmbH, Germany

In co-operation with:

Kerstin Heitmann, Margarethe von Bismark, UMCO GmbH, Germany

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Background

The new European chemicals regulation REACH entered into force on 1st of June 2007. Thereby, obligations for substances in articles according to article 7 will be applied, which have not been regulated in chemicals legislation. Further requirements on obligations for communication are specified in article 33. Up to now substances in articles causing negative effects to human health or the environment, were regulated at most by use restrictions of directive 76/769/ECC. Further requirements, especial for consumer products have been covered by product specific regulations, only.

Objectives

First there will be done an analysis of the difficulties evolving from the import of articles. As the basis there will be elaborated 2-3 case studies with a focus on articles with a possibility of containing PBT or vPvB substances.'

By means of the case studies it shall be demonstrated which fields of problems have to be taken into account by implementing and how importers can act to ensure and proof REACH-conformity. "Best practice examples" shall demonstrate which approaches for an enhanced communication within the international supply chain are suited.

In terms of an efficient control of Article 7 (2) by the federal state authorities there will be generated a description and a regulatory evaluation of possible options for a control system. Originating from that, possible approaches for the development of efficient product rules and boundaries of regulatory control shall be shown.

On the basis of the case studies there will be also shown whether the system include weak points with reference to the achievement of a high protection level for human health and the environment and which possible other options of action for improved REACH implementation instruments might seem possible.

The results shall be interpreted with the focus of a possible suitability for an implementation in an international context, too.

The Project is focussing on the import of articles, which are covered by Article 7 (2). Following questions are examined:

- Which difficulties occur for importers and which instruments are

suited to solve them and proof a REACH conform behaviour?

- Which opportunities exist for the regulatory control of the federal state authorities and which are the necessary requirements?
- Are the REACH obligations for the import of articles sufficient, to ensure a high safety standard for human health and the environment?
- Are the gaps within the interface REACH – Product specific regulations?
- Do there exist weak spots according problematic substances in articles, which are neither covered by REACH nor by other product specific regulations?

Contact

Heike Luskow

luskow@okopol.de