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REACH GUIDANCE DOCUMENT FOR THE PAPER AND BOARD CONVERTING INDUSTRY

Version dated 9 July 2007: this guidance represents our current best interpretation and has been developed by FEFCO in cooperation with CEPI and experts from the converting industry. CITPA takes no legal responsibility on the information given in this guidance. The legal responsibility lies with each legal entity.

REACH GUIDANCE FOR THE PAPER AND BOARD CONVERTING INDUSTRY

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1. Introduction

REACH is the acronym for *Registration, Evaluation, Authorisation and Restriction of CHemicals*. The REACH Regulation requires manufacturers/importers of chemicals to register all existing and future new substances with a new European Chemicals Agency located in Helsinki, Finland. The REACH Regulation replaces over 40 existing Directives and Regulations and is applicable to all member states directly, without transposition into national legislation.

The aim of REACH is to improve the protection of human health and the environment through better and earlier identification of the properties of chemical substances. Manufacturers and importers will be required to gather information on the properties of their substances, which will be used in advising on safety measures, and to register the information in a central database.

REACH does not cover the possible effects on human health of chemicals entering the diet from food contact materials and articles. Safety assessments of those chemicals by the European Food Safety Authority, specific to their use in food contact applications, will continue as before and is covered by EU Regulation 1831/2003. However, the non food contact uses of those chemicals will be covered by REACH and therefore, its safety assessments and other requirements will also apply.

Converters generally do not perceive themselves as part of the Chemical community – but will have to observe the new policy in the capacity of being downstream users of chemicals as well as producing articles containing chemicals (such as corrugated boxes) or importers (into the EU)¹. Recovered paper is exempted from registration, but most other inputs are affected in one way or another.

The impact of REACH regarding raw materials, purchased chemicals, as well as our (final) products presented in this guidance represents our current best interpretation of the REACH Regulation.

EU Commission technical guidance documents for the implementation of REACH by European industries in general are being produced via the the so-called REACH Implementation projects (RIPs). These documents can be found at <http://ecb.jrc.it/REACH> or http://ec.europa.eu/echa/home_en.html. The RIPs will be finalised by the end of 2007.

References within the text of this document refer to articles and annexes of the EU Regulation (EC) No. 1907/2006 of the European Parliament and of the Council from 18 December 2006 (REACH Regulation).

¹ When the EEA countries of EFTA include REACH in the EEA agreement, Norway, Iceland, and Liechtenstein will be considered countries of origin inside EU. As for Switzerland, Swiss authorities are at the present checking out how to handle the issue, avoiding new trade barriers and maintaining Swiss standards.

2. Relevant definitions under REACH

2.1 Definitions from the REACH Regulation

The definitions below are all taken from Article 3 of the REACH Regulation

Article: means an object which during production is given a special shape, surface or design which determines its function to a greater degree than does its chemical composition;

Downstream user: means any natural or legal person established within the Community, other than the manufacturer or the importer, who uses a substance, either on its own or in a preparation, in the course of his industrial or professional activities. A distributor or a consumer is not a downstream user. A re-importer exempted pursuant to Article 2(7)(c) shall be regarded as a downstream user;

Exposure scenario: means the set of conditions, including operational conditions and risk

management measures, that describe how the substance is manufactured or used during its life-cycle and how the manufacturer or importer controls, or recommends downstream users to control, exposures of humans and the environment. These exposure scenarios may cover one specific process or use or several processes or uses as appropriate;

Identified use: means a use of a substance on its own or in a preparation, or a use of a preparation, that is intended by an actor in the supply chain, including his own use, or that is made known to him in writing by an immediate DU;

Importer: means any natural or legal person established within the Community who is responsible for import;

Manufacturer: means any natural or legal person established within the Community who manufactures a substance within the Community;

Preparation: means a mixture or solution composed of two or more substances;

Producer of an article: means any natural or legal person who makes or assembles an article within the Community;

Substance: means a chemical element and its compounds in the natural state or obtained by any manufacturing process, including any additive necessary to preserve its stability and any impurity deriving from the process used, but excluding any solvent which may be separated without affecting the stability of the substance or changing its composition;

Use: means any processing, formulation, consumption, storage, keeping, treatment, filling into containers, transfer from one container to another, mixing, production of an article or any other utilisation;

2.2. Definitions from other REACH related documents

The definitions below are relevant for this guidance and are provided by CEFIC.

Authorisation: is required for each use of a substance belonging to specific groups, i.e. substances of very high concern – CMRs category 1 and 2 (carcinogenic, mutagenic or toxic to reproduction), PBTs (persistent, bioaccumulative, toxic), vPvBs (very persistent and very bio-accumulative) and other substances identified as causing serious and irreversible effects on humans and the environment.

Notification: written information on the substance submitted by the manufacturer/importer to the European Chemicals Agency.

Registration: for each substance produced or imported in quantities of 1 ton or more per year, manufacturers and importers must prepare a registration dossier to be submitted to the European Chemicals Agency (located Helsinki, Finland).

3. Roles and obligations for the Paper and Board Converting industry under REACH

First of all, it is important to note that the term “chemicals” can consist of one component (and possible solvents), called a substance, and a mixture of substances, called a preparation in REACH. When substances and/or preparations are only mixed or diluted and no new substances are manufactured, no registration is required (e.g. printing inks, defoamers).

Converters can have several different roles under REACH, as listed below.

1. Downstream users of “chemicals”

Downstream users of chemicals (e.g. borax, printing inks) have to ensure that the use they make of the chemicals is taken onboard by the supplier in the registration dossier. The downstream user further has to comply with the requirements of Safety Data Sheets and is advised to assist the manufacturers of chemicals in preparing exposure scenarios in certain cases. They also have to inform these manufacturers in case new properties for chemicals are revealed during the use.

2. Producers of articles

Producers of articles (such as corrugated boxes) have to ensure that the articles do not contain substances of very high concern in concentrations each > 0.1 % (weight by weight).

3. Users and/or Importers of recovered paper

Following EU law, recovered paper is currently considered as waste and is outside the scope of REACH (art.2, par.2). In case recovered paper would not be any longer considered by EU law as waste, it falls under REACH. For more information on this, please see chapter 4.2 of this guidance document.

4. Importers of “chemicals”

Importers of chemicals have a registration obligation, if chemicals are imported from any country outside the EU-27

Each of these roles will be dealt with in more detail below, starting in chapter 5. Chapter 4 will give as an example the in- and output of chemicals for a corrugated plant, and which of those are covered by REACH.

4. Input & output of manufacturing corrugated board

4.1. Inventory of purchased/imported chemicals to prepare for REACH

Annex C of this guidance is a proposal for how converters can organise an inventory of purchased chemicals. (*Note that this is an inventory for internal use only and is not something that needs to be communicated externally*).

Such an inventory will help the plants to get an overview of the potential implications of REACH and support them in fulfilling their Downstream User obligations. It will also help to reveal any potential problems for purchased chemicals.

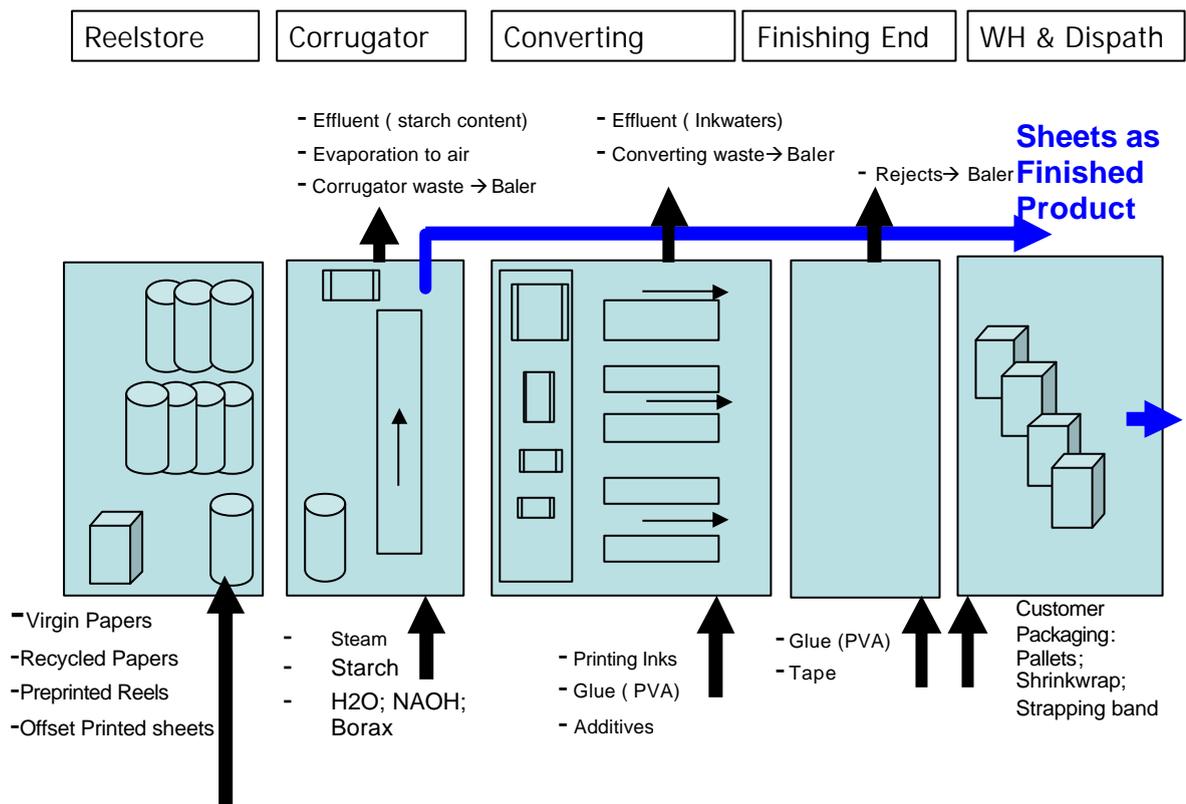
The inventory is divided into 2 steps. The first step is relevant for the early stages of the REACH implementation.

As REACH implementation is progressing the table can be extended to take care of additional information and requirements which only become available when registration and communication in the supply chain has started (Step 2).

Normally, the supplier (the manufacturer) will do an inventory as well.

Each plant should check its own situation. For imported substances it would be good to be able to list the agent, the importer² as well as the manufacturer.

4.2 Process flow/supply chain corrugated board



² In case you are the importer, you need to do the registration yourself. See point 7 on page 9 of this guidance

The process flow as presented here tries to give a first rough idea of the **in- and output** for the production of corrugated board.

For the **input** into the process we can see the following substances/preparations that are used:

- Raw materials
 - Paper
 - Virgin
 - Recovered
 - Pre-printed reels
 - Pre-printed sheets
- Additives
 - Starch
 - Borax
 - Caustic Soda (NaOH)
 - Glues (PVA & PU based)
- Printing Inks
- Maintenance additives

Virgin paper, pre-printed reels and pre-printed sheets are articles for which the responsibility lies with the paper-manufacturers, so no further action is needed.

For the additives, printing inks and maintenance additives, converters are seen as downstream users. For these chemicals, the industry should follow the requirements as described under chapter 5 and 6.

With respect to the **output**, the following substances/preparations have been identified:

- Process Waste :
 - Baled waste (Paper, board recycled)
 - Organic sludges

No further action is required under REACH with respect to the output of the process, since waste (including recovered paper) is covered under the Waste Framework Directive and therefore exempted from REACH.

The implementation of the Waste Framework Directive (WFD) might, however, differ from Member State to Member State. In case a Member State considers what is defined as waste in the WFD as a non-waste, the legal implication of the REACH Regulation will need further clarification. Please check with your national associations.

5. Requirements for downstream users of chemicals

Converters are in most cases not manufacturers/importers of chemicals, but Downstream Users (DUs) of them.

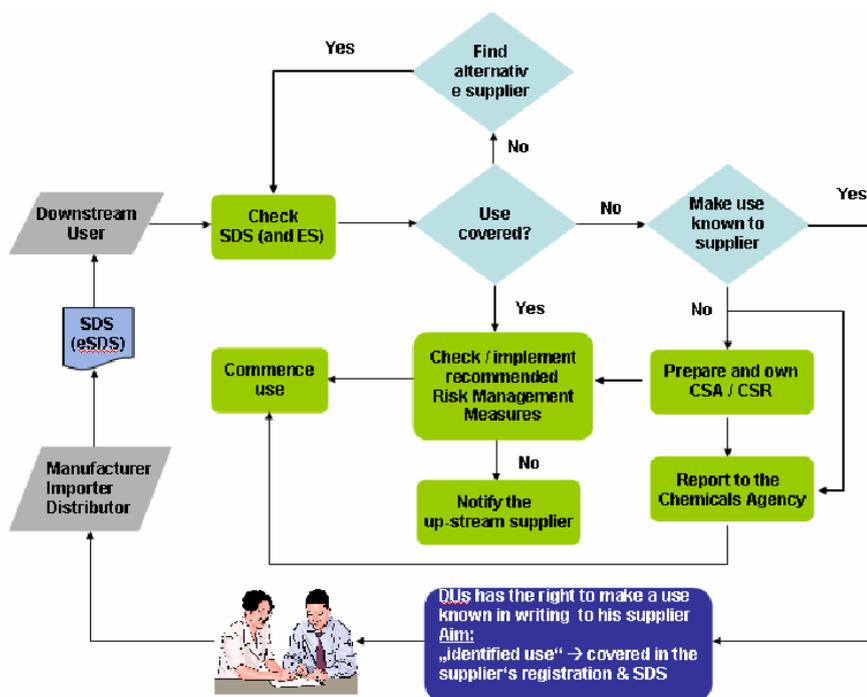


Figure 1: flowchart outlining Downstream User requirements

Downstream users should ensure that their use of chemical substances is made known as an *identified use* to their upstream suppliers and that the use is included in the manufacturers' registration dossier.

REACH gives DU's the right to inform manufacturers about their use in writing - highly recommended to do this (art.3 + 37). The manufacturer/importer is obliged to include this in the Chemical Safety Assessment (CSA) and Chemical Safety Report (CSR) or justify in writing to the informant why he has not accepted it as an identified use.

In the situation that a downstream user does not inform his suppliers of the use he intends to make of a certain substance and the use is not registered with the substance, the downstream user will no longer be able to use the respective substance as intended.

If a Downstream user for some reason wants to keep the use confidential, it needs to make the CSA and CSR itself and notify this to the EU Chemicals Agency.

It is suggested that converters should as early as possible inform their suppliers in writing about their use. This can be done in a fairly simple way (an example letter is included in **Annex A** of this guidance document).

It is also important to know whether the supplier will be able to supply the same chemicals in the future and questions related to this can also be included in the early communications with suppliers.

It is legally binding for DUs to apply the operational conditions and Risk Management Measures (RMM) recommended in the Safety Data Sheets (SDS) (art.37, par.5). The DU should also communicate to the supplier any information that might call into question the relevance of the RMMs recommended in the SDS (art.34b).

The DU has to inform the supplier of any new information on the hazardous properties for supplied substances that he becomes aware of (art.34a) and must also report to the European Chemicals Agency if his classification of a substance is different from that of the supplier (if using > 1 t/y of that substance) (art.38, par.4). DUs also have to comply with any restrictions on the use of substances and preparations.

For substances classified as dangerous (according to Directive 67/548/EEC) and produced in quantities above 10 tonnes, the manufacturers of the substances are obliged to make a more extensive safety assessment involving the development of exposure scenarios and exposure assessment for all identified uses. Manufacturers will normally need to request data from DUs on their use conditions for such substances to support this assessment and DUs are obliged to provide this.

FEFCO has together with CEPI and the European Paper Chemicals Group (EPCG) drafted a concept for the development of a generic exposure scenario for the exposure assessment of chemicals used in pulp and paper making and converting. The concept is based on a checklist with the minimum data required by manufacturers (in few cases they may need additional data to do a more specific assessment for our industry).

In the situation that CITPA members would be confronted with questions on Exposure Scenario's, it is highly recommended that they inform CITPA, so that an approach at EU level could be taken.

The exposure assessment for classified substances will be communicated to DUs in an annex to the SDS (called extended Safety Data Sheet). The DU has an obligation to check that his use is covered and that he complies with the use conditions described in the SDS. If not, the DU has the right to provide data on use and exposure to the manufacturer so that the exposure scenario and SDS can be updated accordingly.

6. Requirements for producers of articles

REACH contains specific requirements for producers of articles (such as corrugated boxes) that use substances in quantities larger than 1 ton per year in the article.

The requirements for producers of articles under REACH are twofold.

First of all, for the somewhat unlikely case that the concentration of any individual "substance of very high concern" is present in the article above 0.1% weight by weight (i.e. 1000 parts per million), the producers will have to observe such levels and notify the substance to the European Chemicals Agency in case this threshold level is exceeded (art.7, par.2).

These substances will be identified during the entire registration phase. The Agency shall make its first recommendation of priority substances to be included in Annex XIV (list of substances subject to authorisation) by the 1st of June 2009.

The Agency shall make further recommendations at least every second year with a view to including further substances in Annex XIV.

In order to be able to fulfill the requirements, information on these substances of very high concern needs to be gathered from the suppliers (SDS should also contain data on these substances).

Secondly, those converters that produce articles with intentional release of substances might have to register such substances, if not already registered for that use (art.7, par.1).

REACH further gives third parties the right to ask producers of articles for the composition of the articles (which substances present in the article). It is therefore of utmost importance to ask suppliers which substances are contained in the chemicals and preparations they supply.

An example letter to the suppliers is included in **Annex B** of this guidance document that covers the necessary actions for producers of articles.

7. Requirements for importers of chemicals

In the situation that a plant is the importer of substances or preparations into the EU it has obligations under REACH as if it was the manufacturer of these substances or preparations. Note especially that if a polymer, or a preparation containing a polymer is imported, registration obligations may apply for some of the monomers, although the polymeric substance itself is exempted from registration.

7.1 Registration

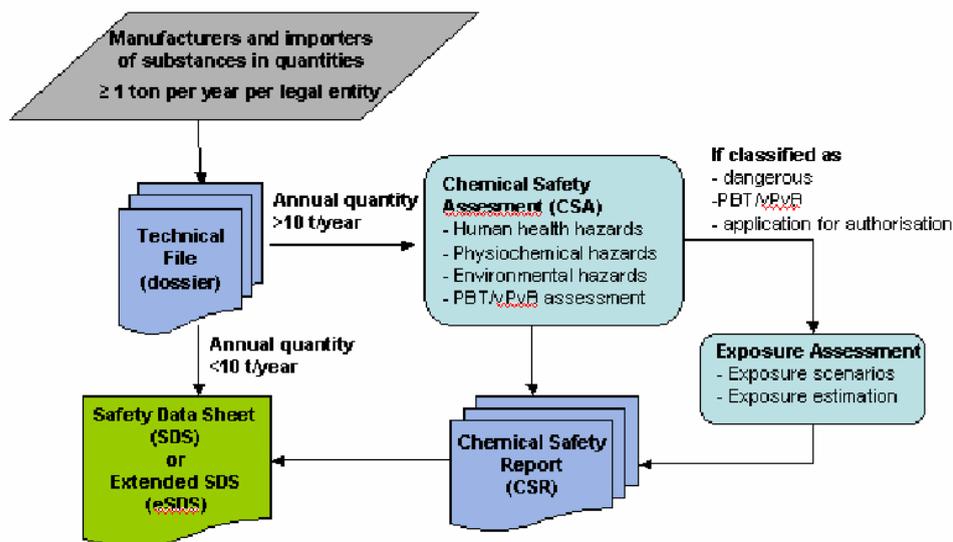


Figure 2: flowchart outlining registration

There are phase-in substances and non phase-in substances. Phase-in substances are listed in the European Inventory of Existing Commercial Chemical Substances (EINECS).

Non phase-in substances can be of two types. They are either completely new substances that have neither been used nor registered and marketed before the entry of force of the REACH Regulation or they are substances put on the EU market after 1981 and listed in the European List of Notified Chemical Substances (ELINCS). Only completely new substances that have neither been used nor registered and marketed before the entry of force of the REACH Regulation need to be registered before they can be used in a manufacturing process. ELINCS substances are considered as already being registered.

There are different rules for phase-in and non-phase-in substances. The start of the registration of non-phase-in substances according to REACH requirements is 1st June 2008.

For phase-in substances if pre-registered, there is a delay for registration of 3, 5, 6 or 11 years – starting from 1st June 2008 - as indicated below in the registration timetable, depending on the hazard and annual production tonnage per legal entity.

There are certain substances that are exempted from registration under REACH. These are Annex IV and Annex V substances as well as the majority of the cases mentioned under Article 2. Annex IV and Annex V will be reviewed by the September 2008.

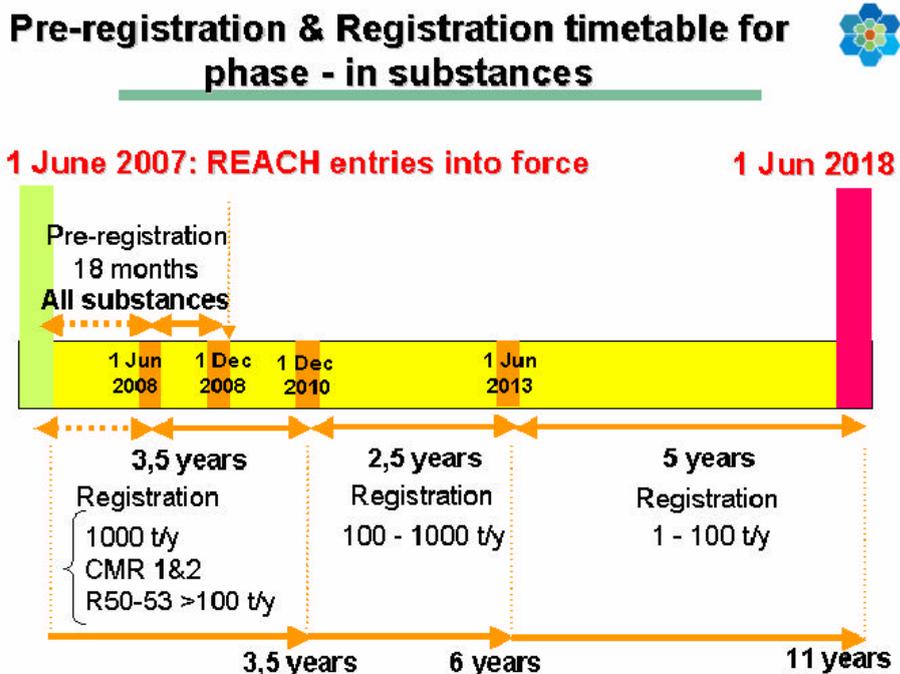


Figure 3: Registration timetable for phase-in substances

7.2 Pre-registration

The pre-registration of phase-in substances must take place between the 1st of June and the 1st of December 2008 (art.28, par.2).

One single pre-registration should include amongst others (art.28, par.1):

- The name of the substance (including EINECS and CAS number, if available);
- The name and address of the potential registrant (or third party);
- The envisaged deadline for registration and the tonnage band.

On the 1 of January 2009, the European Chemicals Agency will publish on their website the list of pre-registered substances (art.28, par.4). Then, the European Chemicals Agency will establish the so-called Substance Identification Exchange Forum (**SIEF**) – containing all manufacturers and importers who have pre-registered the same substance to the European Chemicals Agency (art.29, par.1).

The aim of the SIEF is just to exchange information on the substance to minimise duplication of tests and to agree on classification and labeling (art.29, par.2). The SIEF itself does not deal with the registration of the substance. The SIEF is operational until 1 June 2018 (art.29, par.3).

Via the EU Chemicals Agency, downstream users and “third parties” can take part in the SIEF (art.28, par.5) and provide information to it.

REACH requires multiple registrants for the same substance to submit their data jointly via for instance the formation of a consortium (art.11, par.1). Some information must be submitted separately (e.g. identity, use and exposure information) to avoid sharing information in breach of EU competition rules (art.25). Companies can “opt-out” of joint registrations if they can justify either disproportionate costs, disclosure of commercial sensitive information or disagreement with lead registrant on selection of information (art.11, par.3). Registrants can also be represented by a “third party” (the identity of the registrant represented by this third party would not be known to the other registrants – art.4).

7.3 The formation of consortia for registration

The consortium as such is not described in REACH. It is governed by private law and left to industry’s initiative. In many cases, it is the most suitable response to REACH single registration requirements and this because of the economic interest to share registration costs (reduce registration costs).

In a consortium, special emphasis will be put on confidentiality issues in order not to reveal any company specific information and to be fully compliant with EU competition law. It is believed that in the worst case scenario, the test data of a substance in the highest tonnage band (> 1000 tonnes per year and per legal entity) will cost 1,000,000 Euro and in the next tonnage band (100 – 1000 t/a) it will cost approximately 400,000 Euro. In a consortium, costs would be shared based on production volumes. A consortium is usually created as a “task force”.

8. ABBREVIATIONS USED

CAS: Chemical Abstract Service number
CEFIC: European Chemical Industry Council
CEPI: Confederation of European Paper Industries
CMR: Carcinogenic, Mutagenic or toxic to Reproduction, category 1 and 2
CSA: Chemical Safety Assessment
CSR: Chemical Safety Report
DU: Downstream User
DSD: Dangerous Substances Directive
ECB: European Chemicals Bureau
ECOIN: European Communities' Core Inventory
EEA: European Economic Area
EFTA: European Free Trade Area
EINECS: European Inventory of Existing Commercial Chemical Substances
ELINCS: European List of Notified Chemical Substances
EPCG: European Paper Chemicals Group
ES: Exposure Scenario
i.m.: indirect measurements
IUPAC: International Union of Pure and Applied Chemistry
n.a.: not available
PBT: Persistent, Bioaccumulative, Toxic
p.p.m.: parts per million
(Q)SAR: Quantitative Structure Activity Relationship
REACH: Registration, Evaluation, Authorisation and Restriction of Chemicals
RMM: Risk Management Measures (e.g. personal protective equipment)
SIEF: Substance Identification Exchange Forum
(e)SDS: (extended) Safety Data Sheet
s.s.d.: specific substance data
UEM: Use and Exposure Matrix
VCI: German Chemical Industry
vPvB: very Persistent and very Bio-accumulative
w/w: weight by weight

ANNEX A

Example letter to upstream suppliers on intended use and other relevant questions

To whom it may concern

REACH, the Registration, Evaluation, Authorisation and Restriction of Chemicals Regulation has entered into force on 1st of June 2007. As the Regulation presents an important challenge to supply chain management, companies are now preparing for compliance.

Use information

“Company name” is a purchaser of chemical substances and/or preparations from you. According to REACH downstream users have the right to notify their suppliers (in writing) of the use of the purchased products.

“Company name” would like to confirm that all products supplied by you are used in Industrial Processes namely the manufacturing of products.

We would like to ask you to confirm that each of the substances that you supply to us (individually or as part of a preparation), are going to be registered by yourself or another company further up the supply chain.

In order to be able to plan any necessary formulation changes to maintain production, could you further please confirm that as a result of REACH, the products that you supply to us are not at risk of reformulation or withdrawal from the market

Coverage in the Safety Data Sheets

Your products are ... (choose one alternative in table 1, see next page)

The expected exposure to individuals working on site is primarily via skin contact or inhalation. Ingestion of the products is always a possibility, but we view that as an incident; this will not occur during normal use.

We understand that you may not be able to answer these questions directly and might need to refer in turn to your suppliers, especially if you yourself are not responsible for a substance's registration. If this is the case please let us know when you expect a response to be provided.

We are of the opinion that we have informed you sufficiently in order for our use to be incorporated into the registration dossier of the mentioned substances and/or preparations.

In case there is a reason to believe that our use of the substances you supply will not be incorporated in the registration dossier, we request you to notify us in due time.

Finally, we expect that by informing you of our intended use, you will update the respective Chemical Safety Assessments (CSA) and Safety Data Sheets (SDS). Please be so kind to send us a copy of the CSA and SDS for verification.

Should you have any further questions or require additional information, please do not hesitate to contact our company.

Yours sincerely,

=====

Table 1 - Alternatives for different uses in the corrugated industry – please check whether these are the same for your industry or whether some uses are missing!

Alternative 1 .. used as functional product in the starch making process resulting into inclusion in the corrugated board.

As such there is expected to be losses to the environment in the normal use of these products due to a proportion staying in the waste water and passing through our effluent treatment plant. Solid waste from this plant is sent to landfill/combusted. The majority of the product is expected to be retained in the corrugated board article and is not expected to be released during normal use of that article.

Alternative 2 .. used as maintenance products.

As such there are no losses to the water environment in the normal use of these products.

Alternative 3 .. used as cleaning products in ancillary applications e.g.

As such there is expected to be losses to the environment in the normal use of these products due to being washed into the municipal water treatment plant or due to the product evaporating during normal use if solvents are included.

Alternative 4 .. used as lubrication, surface treatment of machines or gluing products in ancillary applications and around the process.

As such there is expected to be losses to the environment in the normal use of these products due to the product evaporating during normal use if solvents are in the formulation. Lubrications could incur minor losses through the effluent plant to the river/lake/sea. The effluent treatment plant discharges water directly to the river/lake/sea after treatment and solid mass is sent to landfill/combusted.

Alternative 5 .. used as part of articles (printing inks) without the intention to be released

As such there is expected to be losses to the environment in the normal use of these products due to a proportion coming in the waste water and passing through our effluent treatment plant. Solid waste from this plant is sent to landfill/combusted. The majority of the product is expected to be retained in the corrugated board article and is not expected to be released during normal use of that article.

Alternative.6 .. aerosols used throughout the site.

As such there is expected to be losses to the environment in the normal use of these products due to the product escaping to atmosphere during normal use.

ANNEX B

Example letter to upstream suppliers on substances in general and substances of very high concern

To whom it may concern

REACH, the Registration, Evaluation, Authorisation and Restriction of Chemicals Regulation has entered into force on 1st of June 2007.

We are sure that you are aware of REACH and its potential implications.

On we have informed you of the intended use for the substances you supply to us and some other relevant points in that respect.

As REACH requires a substance-by-substance approach to implementation, we would like to ask if you could provide us with the following documentation, in order for our company to be able to fulfill the requirements of REACH.

Since REACH gives third parties the right to enquire which substances are used in the products we supply, we would like to receive a list of all the substances in preparations you supply to our industry, as soon as possible.

Further, REACH deals with substances of very high concern. In order to be able to judge whether our industry has certain obligations as producers of articles, it is essential to know whether there are any substances within the products supplied to us considered of "high concern" according to the REACH definition and that may be subject to Authorisation?

If so, which products would this affect? Please provide us with a list of these substances of very high concern.

We understand that you may not be able to answer these requests for information directly and might need to refer in turn to your suppliers, especially if you yourself are not responsible for a substance's registration. If this is the case please let us know when you expect a response to be provided.

Yours sincerely,

ANNEX C

Inventory of purchased chemicals

Step 1

Product	SDS	Substance/ Preparation	Composition Known / Unknown	CAS	EINECS/ ELINCS	Use	Confidential	Alternative	Critical	Annual tonnage ¹⁸	Supplier	Country of origin	Subject to auth.	Comment

Step 2

New SDS	Use covered	RMMs implemented	Deviations form RMMs	Compliance with Exposure scenario	Comment

Example of a completed inventory table

Product	SDS	Substance/ preparation	Composition	CAS	EINECS ELINCS	Use	Conf.	Alt.	Crit ical	Annual Tonnage ¹⁹	Supp l.	Country of origin	Auth.	Comment
XXX	No	Substance	Known			Industrial Biocide	No	Yes Substance	Yes	< 1 tonne	A	Spain	No	
YYY	Yes	Preparation	Unkown	n.a.	n.a.	Industrial	Yes	Yes, Supplier	No	1-10	A	Belgium	No	
ZZZ	Yes	Preparation	Known	n.a.	n.a.	Industrial Bleaching	Yes	Yes, Process	No	10-100	B	Norway	Yes	
UUU	Yes	Substance	Known			Industrial	No	No	Yes	100-1000	C	Switzerla nd	No	

n.a = not available

¹⁸ Only relevant when you are manufacturer/importer and have registration responsibilities

¹⁹ Only relevant when you are manufacturer/importer and have registration responsibilities

Guidance for completing Annex C - Inventory of purchased chemicals

Product:

Trade name or trivial name of the purchased product (substance or preparation)

Safety Data Sheet:

Is a SDS available, yes or no?

Substance or Preparation

Is the purchased product a substance or a preparation. Check with the supplier.

Composition:

In case of a preparation, is the chemical composition known?

If yes, list substances and CAS/EINECS/ELINCS number in the appropriate columns.

This will be especially important if you import preparations from outside the EU since you need to check that all components of the preparation are registered.

For EU manufactured preparations it is the obligation of the manufacturer to ensure that all components are registered and in these cases the DU has no obligations.

CAS number

Chemical Abstracts number i.e. a single number allocated to a specific substance.

Only applicable if the purchased product is a substance or in case of preparations with known compositions.

EINECS/ELINCS

EINECS (European INventory of Existing Chemical Substances) is a list of all chemicals substances placed on the European market between 1971 and 1981. All substances in this list have a number starting with 2 or 3. EINECS listed substances produced in quantities over 1 ton per year are the so called "phase in substances".

ELINCS (European List of Notified Chemical Substances) is a list of all new substances placed on the European market after 1981. These are the so called non-phase in substances for which REACH applies immediately. These substances are considered as already registered since they have been subject to testing requirements in line with REACH since 1981.

Identified use

Define the use of the substance (e.g. industrial, professional, and consumer). For the paper and board manufacturers industrial use is applicable in most cases. It could be good to indicate a more specific use like starch preparation, printing, maintenance, water treatment, steam generation, gluing etc.

Confidentiality

Do you want to keep your use confidential yes or no?
Be aware of the fact that if you keep your use confidential you need to do the chemical safety assessment yourself, compile a chemical safety report and notify the Chemicals Agency.

Alternative

Are there any alternatives on the market for the actual chemical product yes or no?

Such alternatives can be:

- *Another substance/preparation which gives the same functionality*
- *Another supplier of the same substance/preparation*
- *Another process where the substance/preparation is no longer needed*

Lack of alternatives may cause problems in case of disappearance from the market or subject to large price increases.

Critical

Is this a key chemical i.e. crucial to the production either from an economical perspective or for technical reasons? If there are no alternatives, which are accepted for use at your plant, the product is probably critical. This information is valuable to be able to evaluate the consequences of restrictions or disappearance from the market.

Annual tonnage

Annual quantities used of the chemical product (per legal entity)?

Suppliers

Who is the supplier?

Country of origin

Do you buy the product within EU-27 or outside (or both)?

Note that if a non EU manufacturer has not appointed an EU representative for registrations you are considered as the importer and must take care of the registration yourself.

Subject to Authorisation

Are any of the substances (on their own or as part of a preparation) subject to authorization yes or no? Ask your supplier.

These substances are the ones that have the highest potential to disappear from the EU market or to be severely restricted to just a few uses.

If you use substances subject to authorisation you need to notify the European Chemicals Agency, in the situation that you use more than 1 tonne per substance per year in the article and the substance is present in concentrations over 0,1% weight by weight.

To date, Annex XIV is empty. The European Chemicals Agency shall make its first recommendation of substances included in Annex XIV by 1st June 2009.

New Safety Data Sheet

Is a new SDS available which includes all information required according to REACH?

New data sheets will not appear before 2009.

Use covered

Is your use covered in the registration by your upstream suppliers? This should be communicated to you in the SDS. If not, you have the right to inform your supplier of your use and he is obliged to include this and update the SDS accordingly.

RMMs implemented

Are all the recommended Risk Management Measures communicated to you in the SDS implemented, yes or no?

Deviation from RMMs

If the answer on the previous question is no, please list the deviations. Note that you need to notify the Chemicals Agency about any deviations from the recommended RMMs with a justification.

When the EEA (European Economic Area) countries of EFTA (European Free Trade Association) include REACH in the EEA agreement, Norway, Iceland, and Liechtenstein will be considered countries of origin inside EU. As for Switzerland, Swiss authorities are at the present checking out how to handle the issue, avoiding new trade barriers and maintaining Swiss standards.

Compliance with Exposure Scenarios

Do you comply with the use conditions described in the extended SDS?

For substances classified as dangerous (according to 67/548/EEC), PBT or vPvB substance and substances subject to authorisation, the manufacturer of the substance is obliged to do an extended safety assessment including exposure scenarios and exposure estimations. The result of this will be communicated to DUs in an annex to the SDS. DUs need to ensure that they comply with the operational conditions described in the extended SDS.

Are you ready for REACH ?

- ✓ Do you have an updated register of the chemicals used in your industry?
 - ✓ Substances & Preparations
- ✓ Do you have information on suppliers and tonnage?
- ✓ Do you have updated safety data sheets?
- ✓ Do you have suppliers from outside the EU?
- ✓ Do you have information on tonnage and the supplier of the imported chemical?
- ✓ Did you identify your “key chemicals”
- ✓ Do you have information on risk preventive measures in place ?
- ✓ Do you have exposure data of the chemicals used?
 - ✓ Environment & Humans

Action Plan

What to do ?

NOW !

- Take some time to read the REACH Guidance document
- Map the chemical products (substances & preparations) you are using
- Identify “key chemicals” (crucial for your production)
- Compile information on your use and exposure to communicate to suppliers.
- Start communicating with your suppliers and verify if substances that you are currently using will be taken through the REACH process.
(Note: ALL substances in a preparation have to be registered)
=> You can make use of the standard letter in Annex A of the Reach Guidance document.
- Verify with suppliers if substances will be/are registered and assessed for your use (ask feedback from suppliers on your letter and check the updated SDS).
- Verify with suppliers on substances in preparation and Substances of Very High Concern => You can make use of the standard letter in Annex B of the Reach Guidance document.
- Keep a register of all the feedback you get from your suppliers and insist when you don't get an answer.
- Be prepared to answer questions and to deliver proof on questions raised in the context of REACH by your customers.

REACH is not a ONE time action but will need continued attention and follow up.