
New EU rules for chemicals

The A proposal for a new EU regulatory framework for the Registration, Evaluation and Authorisation of Chemicals (abbreviated to "REACH") was adopted by the EU Commission on 29 October 2003. For the EU Commission, the aim of REACH is to improve the protection of human health and the environment. The basic principle is that enterprises that manufacture or import more than one tonne of a chemical substance per year would be required to register it in a central database. There are further thresholds (t/a) where more extensive scientific data is required. The REACH procedure will give greater responsibility to the industry to manage the risks from chemicals and to provide users in the supply chain with safety information on the substances that they use.

The legislation will affect more than 100 000 existing commercially used chemicals. For every one of them a comprehensive Chemical Safety Report will have to be made. The registration has to include toxicological information and information on the chemical's environmental impact. The data will have to be provided by the manufacturer or importer. Each of the chemicals' registrations will be evaluated. An authorisation system will be put into place for CMR (Carcinogenic, Mutagenic and Reprotoxic) chemicals (categories 1 and 2), for endocrine disrupters and for substances that have very negative environmental effects. These chemicals may then no longer be used, unless they are specifically authorised for a certain use.

The estimated cost of this procedure is enormous. And the costs will rapidly rise when either the substance is not almost harmless or when the quantities per year are larger than the next threshold value. The manufacturers have to define "identified uses": if a downstream user needs the chemical for other purposes he has to provide the scientific data himself.

What is the impact of REACH on downstream users which use relatively rare chemicals? Some of the chemicals which are produced in small quantities will disappear from the market because for the chemical producers or importers the registration costs may be too high for this specific substance. The affected downstream users will have to reformulate their preparations. If a downstream user uses a chemical for purposes which are not covered by "identified uses", he may not be able to cope with the demands for registration of his chemical use. Another possibility is that the manufacturer of a small quantity chemical undergoes the registration process but he increases the price for the chemical significantly.

The benefit of the resulting risk management measures and the extended knowledge of the toxicological risks will be improved health and environmental protection. Therefore consumer protection associations strongly support the REACH principles. But unless the REACH system is significantly improved, it will have great negative economic impact. The affected downstream users have the fear that their products could not compete with products made outside the EU. Both the chemical industry and the downstream users maintain that the system has to be improved.

REACH may have – in the current version – serious effects on packaging and decorative gravure and all printing methods using small quantities of specific substances.

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