



# Involvement of downstream users in REACH

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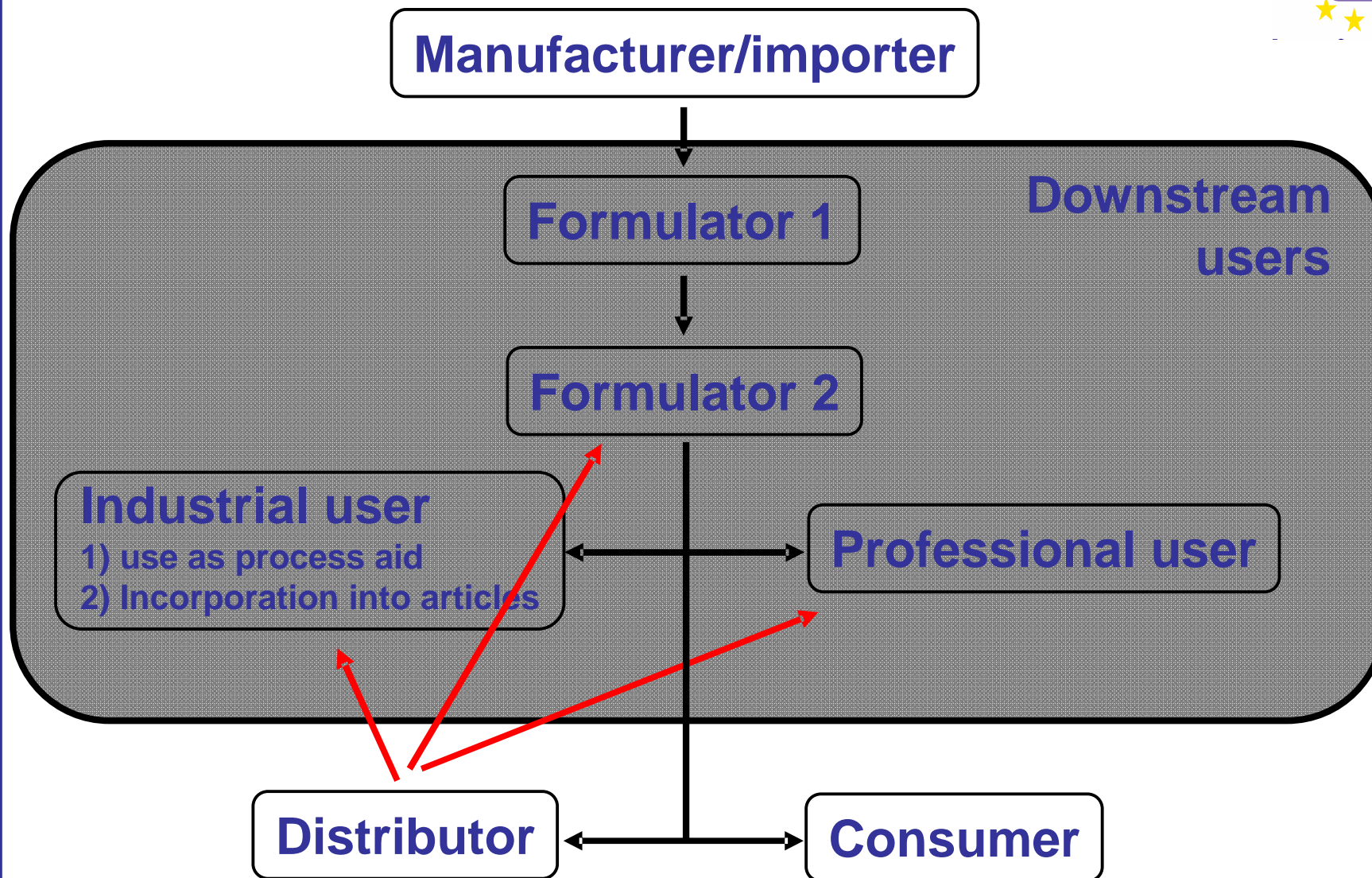


## This presentation

- Who is Downstream User (DU) under REACH
- Main role and obligations
- Development of technical guidance

## Who is a Downstream User

- Any industrial/ professional user of substance/preparation who is not a manufacturer or importer
  - Formulators of preparations of substances
  - Industrial use in production processes
  - Industrial manufacturing of articles
  - Professional user
- Not regarded as DU:
  - Distributors, retailers
  - Consumers





## Main new DU tasks

- Obligation to identify and apply measures to control risks (e.g. suppliers exposure scenario, ES)
- Include this in communication to customers
- Obligation to communicate up in supply chain
- Obligation to report to authorities
- Obligation to keep and update information
- Right to make use known to supplier

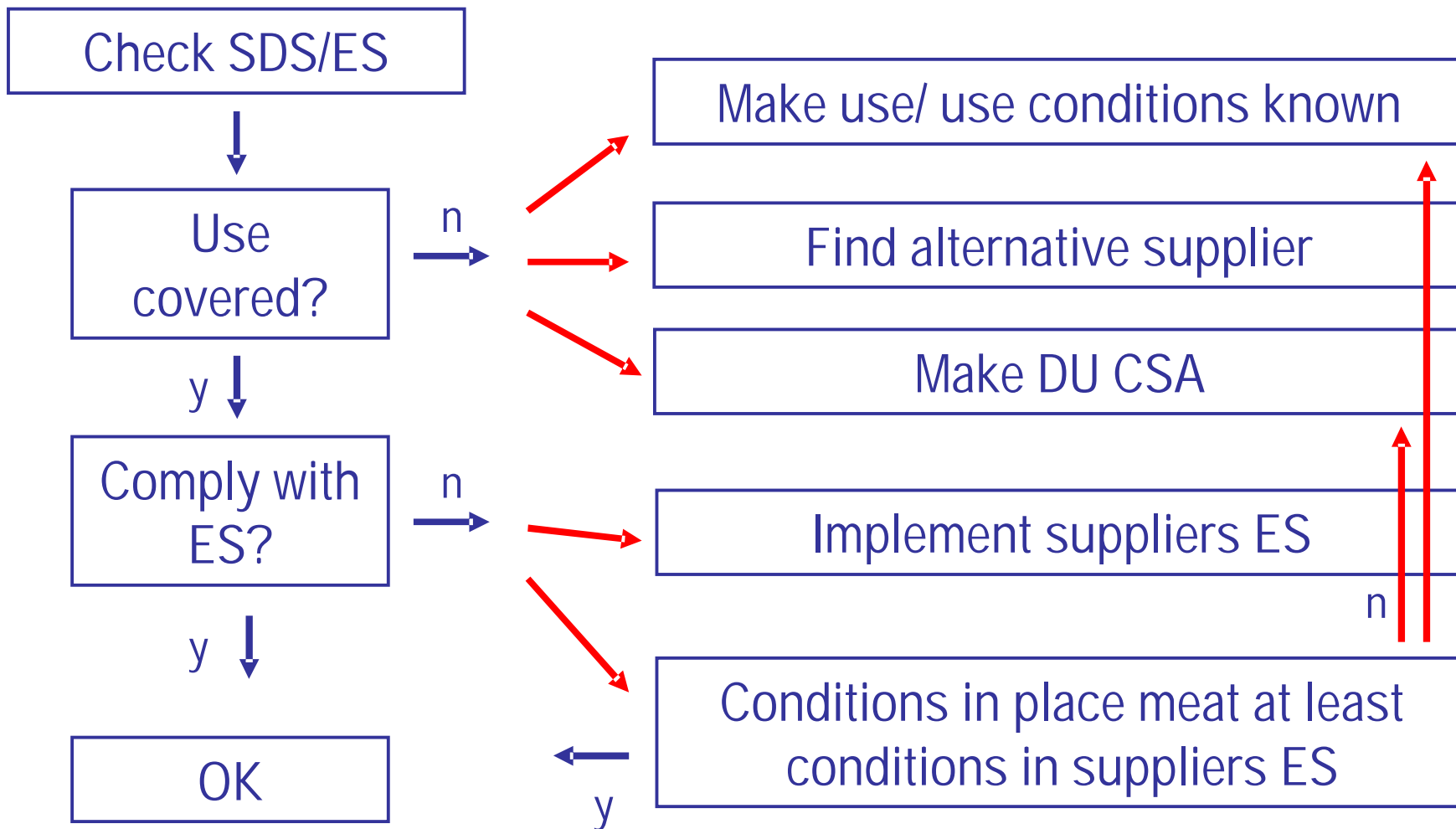


## Obligation to identify and apply measures to control risks (RMM)

- Communicated in suppliers SDS
- Identified in own safety assessment (DU CSA)
- Information on RMM if SDS is not required
- If necessary, communicate this to customers

# Simplified workflow: check of SDS/ES (new)

Joint Research Centre



## Obligation to communicate and report (1)

- Communicate to actor up the supply chain:
  - New information on hazardous properties
  - Information that call into question the RMM in received SDS
- Communicate to customers RMM needed to ensure that risks are adequately controlled



## Obligation to communicate and report (2)

- DU shall report to Agency (not required if use < 1 ton/yr):
  - In case of DU CSA is required
  - If his classification is different from suppliers
- Distributors shall pass information to next actor in supply chain`

## Obligation to keep available and update information

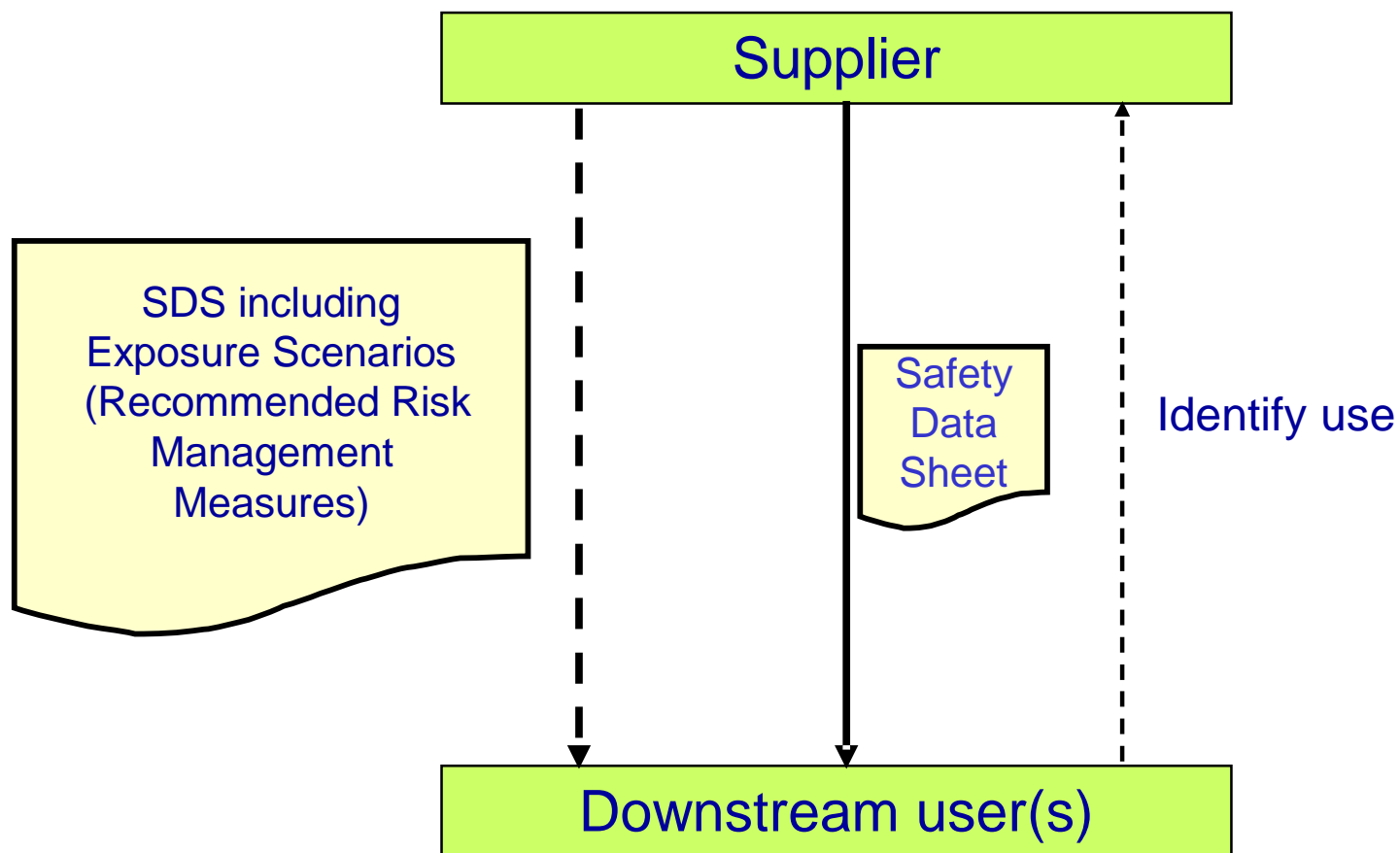
- Suppliers shall update information to customers:
  - new info that may affect RMM or on hazard
  - If an authorisation is granted or refused
  - If a restriction is imposed
- DU shall keep their chemical safety report available and up to date
- General obligation for all actors to keep information available for at least 10 years

## Right to make use known to supplier

(DU pro-active role)

- Make use known to supplier, in order to
  - Secure continued supply
  - Get SDS/ES that cover use & use conditions
- Dialogue in supply chain and with sector organizations, in order to establish:
  - Standard descriptions of uses
  - Standard Exposure Scenarios

# Supply chain communication





## Development of technical guidance

### Overall objectives:

- Develop easy to use guidance
- Target all types of DU (and distributors)
  - SME
  - Inexperienced user
- Motivate DU to take pro-active action

Scoping study finalised Jan 06

Main study initiated Aug 06

## Scoping study on DU requirements (RIP 3.5-1)

- Evaluation of current experiences
- Analysis of DU obligations under REACH
- Preparing an outline of the guidance
- Case studies

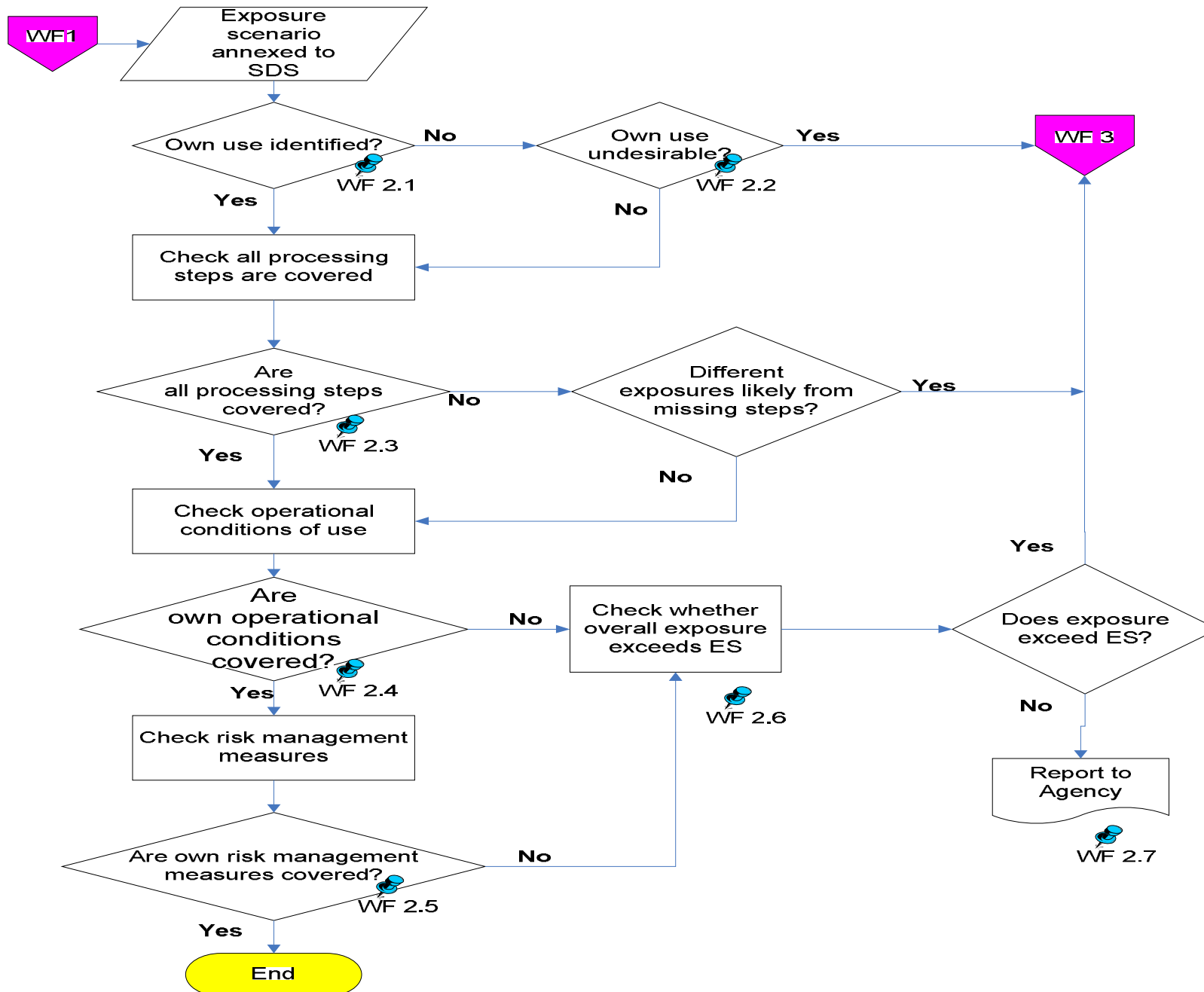
# Outline of draft guidance

(Annex 3 of the 3.5-1 report)



1. Executive summary / introduction
    - Terminology
    - Overview of the guidance
    - How to use the guidance
  2. Preparing for REACH
    - Main new requirements for DU
    - Phase-in scheme and implications for DU
    - Voluntary actions/ options for DU
  3. Workflows and guidance text
- (Report available on [www.ECB.JRC.it/REACH](http://www.ECB.JRC.it/REACH))

## WF2: Checking compliance with supplier's exposure scenario





## Recommendations from scoping study (1)

### DU Guidance:

- Easy to read introduction to guide the user
- Guidance as an interactive tool, e.g. web based
- Clear description of roles and related obligations
- Include illustrative examples
- Clearly separate mandatory and voluntary actions
- Encourage development of sector specific guidance/ approaches
- More focus on professional end-users
- Include guidance for distributors

## Recommendations from scoping study (2)

### Exposure scenarios (ES)

- Develop standard description of manufacture/use processes and RMM for sectors
- Develop further examples of ES
- Guidance on documenting compliance with ES

### Preparations

- Develop guidance for ES for preparations

## Recommendations from scoping study (3)

### Communication barriers, e.g.

- Analyse further what is regarded confidential information and how to avoid disclosure (in case studies)
- Terminology

## Main study (RIP 3.5-2)

- Key requirements
  - Easy to identify obligations and the relevant guidance
  - Understandable to inexperienced downstream users.
  - Enable DU to act pro-actively
- Will be conducted in close dialog with industry (case studies) and SEG

## Main study (RIP 3.5-2)

To be developed further

- How to assess and document compliance with ES
- How to assess and document conditions already in place vs. suppliers ES
- Process of conducting a DU CSA
- Formulators obligations regarding preparations
- Proactive DU behaviour
- Formats for supply chain communication

## Conclusions

- DU have some new obligations under REACH related to the safe use of chemicals, communication, reporting and keeping and updating information
- DU has the option of playing a pro-active role
- The scoping study has provided a draft guidance and useful recommendations
- The guidance will aim to be easy to use and read
- Dialog with users through case studies and SEG

## Further information

<http://ecb.jrc.it/REACH/> Documents > RIP final docs > RIP 3.5

<http://europa.eu.int/comm/environment/chemicals/index.htm>

<http://europa.eu.int/comm/enterprise/chemicals/index.htm>