Footwear and Leather Industries
Health & Safety
Committee

R E A C H

The Registration, Evaluation, Authorisation (and Restriction) of Chemicals Regulations

A guidance note for the footwear and leather industries

It should be noted that the information contained in this guidance note was correct at the time of publication and aims to summarise the key issues associated with REACH. The European Chemicals Agency [ECHA] has published comprehensive guidance on REACH. This is available on the ECHA website and readers are advised to consult this if they require more detailed guidance and updates.

WHAT IS REACH?

REACH is the **Registration, Evaluation, Authorisation (and Restriction) of Chemicals Regulations** and is new Europe-wide legislation aimed at ensuring that chemicals are properly tested before going on the market. **It is not a replacement for COSHH (Control of Substances Hazardous to Health), they are meant to work side by side.**

REACH is based on the belief that industry itself should be responsible for ensuring that the chemicals it manufactures and puts on the market in the EU do not adversely affect the health of those workers exposed to them through their employment, the public who come in contact with them as users, or the environment. REACH will also simplify the control of chemicals in the European marketplace and replaces a large number of other directives with a single system of registration, evaluation and authorization.

REACH was primarily intended as a measure to protect the environment and consumers, but it has implications for workplace safety which this guidance note will deal with.

TIMESCALE

1 June 2007	REACH entered into force
1 June 2008	Pre-registration for **existing** substances starts Registration for **new** substances starts
1 July 2008	First list of candidate substances published (see appendix 1)
30 November 2008	Pre-registration for **existing** substances ends
1 December 2008	Registration for **existing** substances starts (those substances that were not pre-registered)
1 January 2009	List of pre-registered substances published
30 November 2010	Deadline for registration of substances supplied at or above • 1000 tonnes per annum (tpa) per manufacturer or importer • 100 tpa and classified under CHIP as very toxic to aquatic organisms • 1 tpa and classified under CHIP as Cat 1 or 2 carcinogens, mutagens or reproductive toxicants.

31 May 2013	Deadline for registration of substances supplied at 100 tpa or above
31 May 2018	Deadline for registration of substances supplied at 1 tpa or above

WHY THE NEED FOR REACH?

- Over 30,000 substances on the EU market above 1 tonne per year
- Very limited information available on hazards and risks to human health and the environment
- Current regulatory system has been very slow to produce results – less than 200 substances assessed properly over the past 30 years
- Increasing public concern over risks of chemicals
- Need for better evidence base to address this concern
- Current system confusing for industry to understand and for authorities to administer

WHAT DO I HAVE TO DO?

REACH – key elements

REGISTRATION – a manufacturer or importer will need to register any substance they supply to the EU market above 1 tonne per year

EVALUATION – the authorities will carry out annual in-depth evaluations (ie assessments) of substances flagged as being of potential high risk (eg on the basis of information provided at registration)

AUTHORISATION – the uses of substances of very high concern eg CMRs (carcinogens, mutagens and toxic to reproduction), PBTs (persistent, bioaccumulative, and toxic), and vPvBs (very persistent, very bioaccumulative) will require authorization

AGENCY – a new EU Chemicals Agency based in Helsinki will administer REACH, in co-operation with Member States' competent authorities.

Evaluation

Two types – Dossier evaluation and Substance evaluation

Dossier evaluation

- Agency scrutinizes all testing proposals submitted with a registration dossier (primarily to ensure no unnecessary animal testing is carried out)

- 5% of all registration dossiers subject to full compliance check by Agency

Substance evaluation

- Member States and Commission agree on an annual list of substances to be assessed in-depth

- Competent authorities carry out substance evaluation – may lead to new control measures or to no further action

Authorisation

All uses of substances of very high concern (eg CMRs and PBT/vPvBs) must be authorized – this covers around 1,500 substances

Authorisation will be granted if the risks of a substance are under "adequate control"

"Adequate control" allows authorities to prioritise action on hazardous substances that cannot be so controlled.

If adequate control is not possible, authorisiation may be granted on socio-economic grounds if there is no suitable safer alternative

Companies will be required to make efforts to find safer substitutes as part of the authorization process

Any substitute must deliver lower overall risks and be technically and economically feasible

HOW MIGHT REACH AFFECT YOU?

REACH and Downstream Users

Most of REACH provisions cover manufacturers and importers of chemicals, not downstream users

Downstream users have rights and obligations too

Downstream users have the right to request that their supplier's chemical safety assessment covers their use(s)

Downstream users are obliged to implement risk reduction measures recommended by their suppliers

Under certain circumstances, a downstream user may be obliged to carry out a risk assessment covering their particular use(s) of a chemical

REACH and SMEs

20,000 of the 30,000 substances subject to REACH registration are supplied between 1-10 tonnes per year, mainly by SMEs

Special provisions in REACH to help SME low tonnage suppliers

Greatly reduced information requirements for substances supplied between 1-10 tonnes

1-10 tonne substances have until June 2018 to register

Reduced fees to be set for SMEs in all areas of REACH

The REACH activities where UK enforcement is needed are:

- ✓ The manufacture, import, sale, supply or use of substances without the appropriate registration
- ✓ Using a hazardous substance outside the terms of an authorization or contrary to a restriction

- ✓ Failure to provide required information up and down the supply chain
- ✓ Failure to comply with other duties regarding information eg workers' or consumers' rights of access to information
- ✓ Failure to comply with the duty to apply recommendations eg in safety assessments
- ✓ Failure to comply with the duties to co-operate and supply information (in a timely manner)

WHAT ARE YOU - SUPPLIER OR USER?

A **Supplier** is any manufacturer, importer, downstream user or distributor placing on the market a substance on its own, in a preparation, or in an article. REACH provides a framework in which information can be passed both up and down the supply chains.

REACH may make things better for **Users** as it is designed to provide more information on chemicals and increase confidence in their safe use. The good news is that, if you are using widely available chemicals in ways that are quite safe, REACH probably won't mean big changes for you. You should still find out more so you can be sure.

The passage of information up and down the supply chain is a key feature of REACH. Users should be able to understand what manufacturers and importers know about the dangers involved in using chemicals and how to control risks.

IMPLEMENTATION AND ENFORCEMENT – SUBSTANCES AND ARTICLES

What is an article under REACH?

If you are producing or importing articles then you may have responsibilities under REACH. The following aims to summarise the key issues associated with articles under REACH:

An article is defined in REACH as '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'. In a general sense, an article can usually be considered to be a finished product. Some examples of articles are clear cut, for example a telephone, a chair and a car (a car is an article made up

of several other articles, wheels, seats etc). However, sometimes it is not as easy to tell if something meets this definition.

For example, a metal bar can be an article if it has already been produced with a certain shape or size so that it can be engineered into another object (which will itself be an article) but not be if it hasn't been produced in this way and is simply to be melted to make another metallic object. It is the duty of the manufacturer/importer to decide if they are dealing with an article (where the shape, surface or design is most important) or a substance/preparation (where chemical composition is most important). The ECHA guidance explains this further and gives examples of how to make this decision. Packaging of any description is also considered as an article under REACH. If you receive goods to your premises from outside the EU or supply goods which are packaged, you need to consider the issues below for the packaging. Note - you are **not** required to submit a registration to the ECHA for an article, rather, it is the substance(s) in the article that may in specific circumstances be subject to (registration) requirements under REACH (see below).

When during a manufacturing process does a substance become an article?

Articles are usually manufactured from raw materials that are substances or preparations. During the manufacturing process the substance/preparation are used to give the object a shape, surface or design which determines its main function and at this point it becomes an article. Some materials, for example plastics, metals or fabrics undergo several stages of processing before becoming the final object (e.g. a bottle, a knife or a shirt respectively). Deciding UK REACH Competent Authority Information Leaflet 9 – REACH and Articles - May 2008 when the material has stopped being a substance/preparation and becomes an object can be difficult.

The following example is based on the ECHA guidance and illustrates the case for objects made from aluminium. Bauxite, a mineral ore is extracted and refined and thus enters the REACH system as aluminium oxide, which is a substance. It is mixed with other substances and becomes part of alloy casts, which are preparations under REACH. The alloy casts don't have an end use function and can therefore not yet be an article. For more convenient handling they are cast into small ingots, which can be transported and re-melted. The main function of ingots is to be melted and further processed, which is also not an end use function. From the ingots, for example sheets could be formed. These sheets could be either directly used or further processed into another product. As the direct use is possible, e.g. for roofing of houses, the sheets have an end use function, which is determined by the shape of the sheet. Thus, the transition

point to the article is the sheet. It is important, particularly when a company is importing, that they are clear what they are importing and in what form.

Does the article intentionally release a substance during use?

If you produce or import an article and both the following conditions are met: • a substance is present in those articles in quantities totalling over 1 tonne per producer or importer per year; and • the same substance is intended to be released under normal or reasonably foreseeable conditions of use. then you will be required to submit a registration to the ECHA for that substance contained in those articles unless the substance has already been registered for that use. This registration can be made by anyone and does not need to be from within the same supply chain.

There are very few examples of intended release of a substance from an article. One might be the release of fragrance from a scented bin liner or eraser. Many objects that at first sight might be considered as articles as a whole are better described as a preparation within a container; examples are a pen, a toner cartridge or an aerosol. With all of these items the substances/preparations within the container (the ink, toner or air freshener respectively) are the most important part and the container (pen body, cartridge or can) is a means of controlling release of the contents. The majority of articles that release substances fall into this latter category and in such cases the substances would need to be considered for registration. Note, the containers (e.g. pen barrel, cartridge or can) are articles within their own right and so all the other provisions relating to articles still apply to these components.

The ECHA guidance document highlights a number of criteria that should be applied to an object to identify whether it is an article with intentional release or a substance or preparation in a container. Generally, if the release of substances or preparations from an object is the main function of the object, then the object is regarded a substance/preparation in a special container or on a special carrier material and **not** an article with an intended release of substances. Therefore, the intended release of substances from an article normally applies to a secondary function or a specific added quality of the article. The guidance is clear that it is only substances that are intentionally released from articles that should be considered for registration. Release is not considered to be intended if:

• it occurs during removal of 'impurities' from a semi-finished or finished article during its production process (before marketing as a finished article). UK REACH Competent Authority Information Leaflet 9 – REACH and Articles - May 2008

• it occurs during use or maintenance of the article and is meant to improve the product quality in a wide sense or the safety as a side effect but the released substances do not contribute to the function of the article.

• it is an unavoidable side-effect of the functioning of the article – i.e. without the release, the article would not work but release is not intended per se (e.g. wearing down of a car tyre or brake pad)

• the substance is formed during chemical reactions of any kind

• it is incidental, for example could be forced by improper use or in an accident.

Does the article contain a "Substance of Very High Concern" (SVHC)?

SVHCs are substances that have hazards with serious consequences, e.g. they cause cancer, or they have other harmful properties and/or remain in the environment for a long time with their amounts in animals gradually building up. The ECHA will publish (probably in early 2009) an important list, the so called 'candidate list' of SVHCs. It is called this because it lists substances that are candidates for a process under REACH called authorisation. However, this 'candidate list' will also serve as the key definitive list of all SVHCs covered by REACH. It should not be confused with the probably smaller list of substances requiring authorisation that will be drawn from the 'candidate list' and be published eventually as Annex XIV of the REACH Regulation.

Communicating Information on substances in articles

Any supplier of an article containing a SVHC on the 'candidate list' in a concentration above 0.1 % (w/w) shall provide the recipient of the article with sufficient information, available to the supplier, to allow safe use of the article including, as a minimum, the name of that substance. This also applies should a consumer request this information and should be provided, free of charge, within 45 days of receipt of the request.

Notifying the ECHA of SVHCs in articles

If you produce or import an article you will be required from June 2011 to 'notify' the ECHA if the article contains an SVHC (i.e. a substance on the 'candidate list') if both the following conditions are met: (a) the substance is present in those articles in quantities totalling over 1 tonne per producer or importer per year; and (b) the substance is present in those articles above a concentration of 0.1 % weight by weight (w/w). The 0.1% (w/w) relates to the article as imported in the case of a multi-constituent article, for example a car which is made up of smaller articles.

If you import a ready-assembled car then the 0.1% (w/w) calculation needs to be made based on the overall weight of the car. However, if individual components of the car are imported separately and assembled in the EU, then it is the weight of each individual component that must be considered. If you import several articles containing the same SVHC within them you need to consider the %w/w of the substance in each article and the total tonnage. For each article that contains the substance at 0.1% (w/w) or more then the tonnage of the substance must be summed to identify any potential notification duty.

The requirement to notify does not apply where the producer or importer can exclude exposure to humans or the environment during normal or reasonably foreseeable conditions of use including disposal (this is unlikely to be straightforward). In such cases, the producer or importer shall supply appropriate instructions to the recipient of the article. UK REACH Competent Authority Information Leaflet 9 – REACH and Articles - May 2008.

However, notification is also **not** required if the substance has already been registered for that use. This registration can be made by anyone and does not need to be from within the same supply chain. It will be important to check the situation with suppliers in 2011 before going ahead and producing a notification.

A chemical element and its compounds, in a 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.

Substance

An important first step in understanding what REACH will mean for your business is to work out which chemical substances you actually deal with and in what quantities. You also need to understand if you deal with substances on their own or in preparations. A substance on its own is any chemical element or its compounds; for example calcium, sodium nitrate or propanol. A preparation is a mixture or solution composed of substances; for example paint, ink or cleaning products. Although not a legal requirement of REACH, a good way of finding out the substances/preparations you deal with is to develop an inventory of them.

Creating an inventory for downstream users of chemicals including formulators.

How complex this inventory is will depend on the nature of your business and how many substances/preparations you use. You are also likely to be relying on

your suppliers to provide you with information that they may themselves not have readily available. If you are having difficulty getting the information you need it is important that you persevere. Without the right information, you will not be able to fully appreciate the impact REACH may have for your business. Even if you won't have a specific duty under REACH, it might affect the supply of a substance or product that is important to your business. For example, a printer who relies on a fast-drying ink might find that the ink becomes harder to obtain or even unavailable.

Why preparing an inventory is important

Amongst downstream users, there are different levels of responsibility depending on whether you blend or formulate preparations, or simply use them as prescribed. Creating an inventory allows you to find out which substances or products you use and prioritise the ones that are important to your business. Remember to include everything that you buy into your business, either for your own use or to sell on. This doesn't just mean substances on their own, but may include formulated preparations (e.g. cleaning fluids, paints, inks) and even substances in articles (e.g. flame retardant in some furniture). In its simplest form, an inventory could be a basic list of the substances or preparations that come into your business.

Where to start

To produce a full inventory of substances that you use within your business you first need to find out the details of the substances/products you use.
How far you need to go into this process depends on how you use chemicals - do you use them in the course of your work activities e.g. lubricating fluid for machinery, or do you take substances, formulate them and supply them on e.g. making paint? If you formulate substances, you are likely to get your customers asking you about REACH so you should start making your inventory as soon as possible.

What do you need to know?

You should already know the trade name of any preparations you use. It is important that you know the compositions of these products in order to identify any substances that may be affected by REACH. This information should be available from your supplier. Similarly, if you formulate substances into preparations, the names of the substances should be known or easily found out. You should also find out how much of these substances/preparations you use per year, who your supplier is, and how to contact them. If any of your suppliers are based outside the EU and you import above 1 tonne of a chemical substance per annum from them, you may then have an obligation to register these substances

Any associated chemical identification numbers such as CAS (Chemical Abstract Service) or EINECS (European Inventory of Existing Commercial Chemical Substances) numbers need to be recorded as this may make it easier to communicate clearly with others about substances. Any hazard classification and labelling of the substances or preparations should be noted e.g. "T"; "R23", or "toxic if swallowed". This may help you predict whether the substances/preparations you use are, or contain, substances that will in future be deemed 'of very high concern' (SVHC). One of the aims of REACH is to reduce the number of the most hazardous substances used in the EU. Certain substances of particular concern may be subject to controls under the Authorisation or Restriction parts of REACH.

The following criteria will be used to identify SVHCs:

- Those substances which can cause cancer, genetic mutations or cause reproductive problems (these substances will have at least one of the following Risk Phrases: R45, R49, R46, R60, R61)

- Substances that stay in the environment for a long time, build up in the tissue of animals and cause some form of harmful effect (persistent, bioaccumulative and toxic – PBT) , or those that stay in the environment for a very long time and build up in the tissue of animals very readily (very persistent, very bioaccumulative – vPvB)

- Substances that cause similarly serious effects to those above e.g. those having endocrine disrupting properties (i.e. chemicals which mimic hormones and disrupt the function of hormones that occur naturally in people and animals), or those for which there is scientific evidence of probable serious effects to human health or the environment giving rise to an equivalent level of concern to those of other substances listed above, and which are identified on a case-by-case basis

A definitive list of SVHCs considered as priority for the authorisation process is not yet complete. The first draft list was published by the European Chemical Agency in July 2008. Of these priority substances those that complete the process will be listed in what is known as Annex XIV of REACH. Current restricted substances, those where the marketing or use of the substance is controlled, are already listed in Annex XVII of the REACH text, but it is expected that this list will increase as REACH progresses.

REACH requires those who supply substances to account for the uses they have knowledge of. Therefore, you should also find out briefly what your company uses the preparation or substance for. Is your supplier likely to know what you

do with the substance they supply to you? For example, do you use washing up detergent as intended (for washing dishes), or do you use it as a wetting agent e.g. damping down in a workshop; is a colouring pigment used exclusively in paint formulation or do you also use it in ink? Your supplier may also want to know about the control measures you use - for instance Local Exhaust Ventilation (LEV), enclosed processes and systems and/or PPE.

Where can you find this information?

You may not be able to find out everything 'in-house' but should check all sources of information you do have on the substances/preparations you buy into your business. This includes safety data sheets (SDS), technical data sheets, any labelling or ingredient lists on packaging and risk assessments or information gathered for other legislation (worker protection, environmental protection etc.). There may be information held within your company by departments concerned with purchasing, transport, storage, sales and operations. These departments will also be helpful in finding out the amount of the particular substance/preparation you get into your business.

Alternatively, you should be able to ask your supplier to provide you with information about the substances/preparations you buy in to your business; they may be able to send you a SDS if they haven't already done so. Some SDSs only contain limited information so you may need to find out more via your suppliers. You can also ask them for details on their intention to register (and pre-register); although in some cases the duty to register will fall on someone higher up the supply chain, so your supplier may need time to find this out.

What you may want to do with this information.

You may want to set all the information you have gathered out in a table, the content of which is very much dependent on your particular situation. Once you know what chemicals play what role in your business, you can consider how important individual substances or preparations are to you, and what the impact would be if REACH should affect the supply of a given substance. This should help you prioritise which supplier you should start communicating with as soon as possible to check continuity of supply – do they (or someone higher up in supply chain) intend to register (and pre-register). If not, are they aware of any competitors who intend to do so? In return, your supplier may want to know details of how you use your substance so they can decide if their registration will cover supply to your company, or alter it so that it does.

It will also help you consider which substances/preparations you need to look into further, e.g. alternative supply routes or substitution for similar substances/preparations. This will help you to plan ahead to ensure that any transition into REACH is as smooth as possible.

REACH and Safety Data Sheets

REACH (Registration, Evaluation, Authorisation (and Restriction) of Chemicals) is the new statutory system for controlling chemicals in Europe. REACH adopts some of the older aspects of the chemicals system in Europe, including 'Safety Data Sheets' (SDS).
Manufacturers, importers, downstream users and distributors supplying substances or preparations meeting the criteria for classification as dangerous have previously, under the Chemicals (Hazard Information and Packaging for Supply) Regulations (CHIP) 2002, been required to compile and supply a Safety Data Sheet (SDS) at the first delivery of a substance or preparation.
Since 1 June 2007, REACH has taken over this system, and introduced some changes, detailed below

Do you need to provide a SDS?

You need to provide a SDS if:

1. You supply a **substance** or a **preparation** (see 'definitions' section below) that is either:

(a) classified as dangerous under Dangerous Substances Directive 67/548/EEC or Dangerous Preparation Directive,1999/45/EC; or

(b) persistent, bioaccumulative and toxic (PBT), or very persistent and very bioaccumulative (vPvB) as defined in Annex XIII of REACH (available via

(c) http://www.hse.gov.uk/reach/resources/regulation.pdf); or

(d) included in the European Chemicals Agency's "Candidate List" of substances of very high concern (SVHC see 'definitions section below) for reasons other than (a) and (b) given here.

2. You are a supplier and your customer requests a SDS for a preparation that is not classified as dangerous under Directive 1999/45/EC, but contains either:

(a) a substance posing human health or environmental hazards in an individual concentration of ≥ 1 % by weight for non-gaseous preparations or ≥ 0.2 % by volume for gaseous preparations; or

(b) a substance that is persistent, bioaccumulative and toxic, or very persistent and very bioaccumulative as defined in Annex XIII of REACH in an individual concentration of ≥ 0.1 % by weight for non-gaseous preparations; or

(c) a substance on the "Candidate List" of substances of very high concern (for reasons other than those listed above), in an individual concentration of ≥ 0.1 % by weight for non-gaseous preparations; or

(d) a substance for which there are Europe-wide workplace exposure limits, e.g. a substance that has indicative occupational exposure limit values (IOELVs).

3. Although not required by REACH, if you are a supplier to EU countries other than the UK, then you may need to supply a SDS for preparations not classified as dangerous containing substances with national workplace exposure limit values in some EU countries. (You would need to approach individual Member States for this information).

You do not need to provide a SDS:

If you offer or sell dangerous substances or preparations to the general public and you provide sufficient information to enable users to take the necessary measures as regards the protection of human health, safety and the environment, unless requested by a downstream user or distributor.

If the substances / preparations are supplied in the UK and not classified as dangerous

For certain products intended for the final user, e.g. medicinal products or cosmetics

What information needs to be provided on a SDS?

The safety data sheet shall be dated and shall contain the following headings:

REACH has introduced a few changes to the information required in a SDS. The **main ones** are:

1. identification of the substance/preparation and of the company/undertaking;
2. hazards identification;
3. composition/information on ingredients;
4. first-aid measures;
5. fire-fighting measures;
6. accidental release measures;
7. handling and storage;
8. exposure controls/personal protection;
9. physical and chemical properties;
10. stability and reactivity;
11. toxicological information;
12. ecological information;
13. disposal considerations;
14. transport information;
15. regulatory information;
16. other information.

Guidance on how to compile an SDS is detailed in Annex II of REACH, available via
http://www.hse.gov.uk/reach/resources/regulation.pdf.

- An email contact address in section 1, for competent person(s) able to respond with appropriate advice should be included

- A SDS should be supplied in an official language of the Member State(s) where the substance or preparation is placed on the market, (unless the Member State(s) concerned indicates otherwise).

In addition, SDSs for substances that have been fully registered under REACH will require:

- Inclusion of registration numbers when available (see also section on confidentiality provisions).

- Exposure scenarios including any risk management measures, where required, to be included in an Annex to the SDS. The information in the SDS should be consistent with the information in any chemical safety assessment (CSA) for that substance, or a preparation if a CSA for the preparation is available.

Format and timescale of SDS provision

A SDS should be provided free of charge on paper or electronically, e.g. postal delivery, fax or email. A system that merely requires customers to download a

SDS is not considered appropriate. A SDS should be provided either before or at the time of first delivery of the substance or preparation.
Where a customer re-orders substances or preparations then, as before, the supplier only has to provide the SDS once (provided the sheet contents have not changed).

When should an SDS be updated?

The SDS needs to be updated:

1. As soon as new hazard information or information that may affect the risk management measures becomes available; or
2. Once an authorisation is granted or refused; or
3. Once a restriction has been imposed.

The new dated version of the information, identified as 'Revision: date' shall be supplied to all customers (of the substance/preparation in question) of the preceding 12 months.

Confidentiality provisions

As a registrant's number and identity may be made publicly available on the internet, some suppliers may be concerned that this will allow their customers to bypass them in the supply chain.
A registrant can request with justification for this information to be withheld from the internet (as long as this can be justified), so you may wish to discuss this issue with the registrant(s) in your supply chain(s).

Enforcement

REACH SDS requirements entered into force on 1st June 2007. In principle, this means the changes detailed here under 'What information needs to be provided on a SDS?' are to be implemented now. However, as the requirements for SDSs in REACH are initially similar to those they replace, enforcement of these new requirements in the UK will be pragmatic.
Certainly, if new information on hazards or risk management measures becomes available, the SDS should be updated without delay and the new format should be used. In addition, if new information has been generated from the registration process (including the production of exposure scenarios) the SDS should again be updated without delay in the new format. In other cases, suppliers should seek to update their SDSs as soon as is practicable.

Future of SDS

There is a new regulation pending, ('The Classification, Labelling and Packaging of Substances and Mixtures Regulation' (CLaP)) that will lead to changes in the way hazard classification and labels are expressed which will in turn lead to further changes to SDSs. Although this regulation is expected to enter into force late 2008 / early 2009, depending upon how the current EU negotiations proceed, changes to SDSs (and labels) will not be required until December 2010, at the earliest. The regulation will be the means by which the United Nations' Globally Harmonised System of Classification and Labelling of Chemicals will be implemented in the EU. More information is available at http://ec.europa.eu/enterprise/reach/ghs_en.htm.

WHAT WILL IT MEAN TO THE WORKFORCE?

Employees and Safety Reps

Consulting with trade union appointed safety representatives *(see Safety Reps and Safety Committee Regulations 1977)* or other employee representatives *(see Health & Safety Consultation [with employees] Regulations)* is a legal requirement. Working with safety representatives and employees' representatives is a very useful means of communicating on health and safety matters in the workplace.

It is important that safety reps continue to ensure that employers undertake full risk assessments on all chemicals and other dangerous substances and they ensure they are provided with safety data sheets from manufacturers.

Remember: involving employees in decisions can help to foster closer working relationships and make employees more receptive to new ideas.

FURTHER INFORMATION

If you need to find which tasks apply to you and the details of what you need to do to fulfill them, there is plenty of information available to help.

The UK REACH Competent Authority website gives you more information on the areas covered in this leaflet, and on REACH in general. It can be found at: www.hse.gov.uk/reach

Visit the European Chemicals Agency website for more detailed information, and to access a useful tool called Navigator which will help you work out where your chemicals fall within REACH. This can be found at:
http://reach.jrc.it/navigator_en.htm

The European Chemicals Agency (ECHA) has published comprehensive guidance on the requirements for substances in articles. This is available on the ECHA website (http://reach.jrc.it/docs/guidance_document/articles_en.pdf) and readers are advised to consult this if they require more detailed guidance.

You can now sign up for free e-mail bulletins from the HSE website and you have a choice of topics on which you can be kept informed, eg what's new at HSE, REACH, workplace transport, statistics etc. You can sign up for the HSE e-bulletins at http://www.hse.gov.uk/new/ebulletins/index.htm and information about the e-bulletins service can be found at http://www.hse.gov.uk/new/ebulletins/answers.htm.

REACH As well as the e-bulletin service for REACH mentioned above, you can keep up to date with what's happening by viewing the HSE website at http://www.hse.gov.uk/reach/index.htm. Some REACH case studies that you might find useful can be found at

http://www.hse.gov.uk/reach/casestudies/index.htm. These case studies are designed to help stakeholders understand how they might fit into REACH and reflect the experience of the types of questions asked of the helpdesk. A copy of the latest REACH e-bulletin is at the bottom of this e-mail.
Contact details for REACH queries: http://www.hse.gov.uk/reach/contact.htm

Contact details for REACH helpdesk:telephone: 0845 408 9575
e-mail: UKREACHCA@hse.gsi.gov.uk post: UK REACH CA Helpdesk, 2.3 Redgrave Court,Bootle, Merseyside L20 7HS
http://reach.jrc.it/docs/guidance_document/du_en.pdf (ECHA overview on considerations for downstream users)
http://www.hse.gov.uk/reach/role.htm (establishing roles within REACH)

Some of the presentations available on the HSE website may be helpful too, particularly:http://www.hse.gov.uk/reach/events/ericedmonds.pdf
http://www.hse.gov.uk/reach/events/johnhibbs.pdf
http://www.hse.gov.uk/reach/events/leedslucite.pdf
http://www.hse.gov.uk/reach/events/johnholbrow.pdf

COSHH Essentials http://www.coshh-essentials.org.uk

APPENDIX 1.

REACH Substances of Very High Concern (SVHC)
Draft List Published July 2008

Anthracene

4,4'- Diaminodiphenylmethane

Dibutyl phthalate

Cyclododecane

Cobalt dichloride

Diarsenic pentaoxide

Diarsenic trioxide

Sodium dichromate, dehydrate

5-tert-butyl-2,4,6-trinitro-m-xylene
(musk xylene)

Bis (2-ethyl(hexyl)phthalate) (DEHP)

Hexabromocyclododecane (HBCDD)

Alkanes, C10-13, chloro (Short Chain
Chlorinated Paraffins)

Bis(tributyltin)oxide

Lead hydrogen arsenate

Triethyl arsenate

Benzyl butyl phthalate

APPENDIX 2. Glossary of Terms Used in REACH

C&L:	Classification and Labelling
CA:	Competent Authority
CAS number:	Chemicals Abstracts Service number for a chemical
CMR:	Carcinogen, Mutagen, Reproductive toxin
CSA:	Chemical Safety Assessment
CSR:	Chemical Safety Report
DU:	Downstream User
ECB:	European Chemicals Bureau
ECHA:	European Chemicals Agency
EINECS:	European Inventory of Existing Chemical Substances
ELINCS:	European List of Notified Chemical Substances and is a list of substances which have been notified in the EU in accordance with Directive 67/548/EEC
EU:	European Union
IUCLID5	International Uniform Chemical Information Database, version 5
NGO:	Non-governmental organizations
PBT:	Persistent, Bioaccumulative, Toxic
R50/53:	Very toxic to aquatic organisms and may cause long-term adverse effects in the environment (Risk Phrase from Dangerous Substances Directive 67/548/EC
R&D:	Research and Development
REACH	Registration, Evaluation, Authorisation and Restriction of Chemicals
SIEF:	Substance Information Exchange Forum
SVHC:	Substance of Very High Concern
SDS:	Safety Data Sheet
vBvT:	Very Bioaccumulative, very Toxic

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This document will be available on the following websites:

British Footwear Association – www.britfoot.com

British Leather Confederation – www.blcleathertech.com

Community – www.community-tu.org