

The REACH timeline

Version 3 (November 2008)



Introduction

REACH, the European Regulation concerning the **R**egistration, **E**valuation, **A**uthorisation and Restriction of **C**hemicals, entered into force for all EU Member States on 1 June 2007. The European Chemicals Agency, ECHA, was established to manage these REACH processes for chemical substances, ensuring consistency across the European Union.

This document presents a REACH implementation timeline from the entry into force of the Regulation until the final registration deadline in 2018. As REACH is a highly complex piece of legislation, we have summarised the most important stages in the table below. This guidance document goes on to outline in more detail the important stages of the lengthy REACH process. Although registration began on 1 June 2008, pre-registered 'phase-in' substances have a staggered timeline for registration dependent on hazard and tonnage.

Overview of the Key Implementation Stages

2007	2008	2009	2010+
1 June REACH entered into Force New legal responsibilities for the provision of supply chain information, including safety data sheets, began from this date Other legal responsibilities were deferred until later deadlines (see the rest of this table)	1 June Pre-Registration for phase-in substances began Registration began (non-phase-in substances) Downstream User Obligations began Evaluations began Authorisation procedures began 28 October Candidate List published: communication of SVHCs began 1 December Pre-Registration closes; late entry possibilities exist for new business Registration begins (phase-in substances not pre-registered)	1 January Substance Information Exchange Fora (SIEF) began 1 June First recommendation of priority substances to be considered for authorisation published by ECHA Restriction begins 30 November First Downstream User Communication Deadline for phase-in substances	30 November 2010 First Registration Deadline for phase-in substances 1 December 2010 Classification and Labelling Inventory begins (with deadline) 1 June 2011 Notification of Substances in Articles begins 31 May 2013 Second Registration Deadline for phase-in substances 31 May 2018 Third and final Registration Deadline for phase-in substances



2007

1 June 2007

REACH Entered into Force

As a Regulation rather than a Directive, REACH applies directly as written across all EU Member States. Enshrined in REACH, a 'Duty of Care' adds additional legal responsibility to ensure correct handling of chemicals, final product safety and communication of chemical risks (time to check and update your Safety Data Sheets! Gold subscribers can contact the Helpdesk for assistance).

There are some changes to Safety Data Sheet rules that came into immediate effect and may have significant repercussions to downstream users:

- Format and content changes to Safety Data Sheets (these are likely to be relatively minor and it appears that regulators will initially only enforce the minor requirements for the change in format under certain conditions – we will provide further information)
- Safety Data Sheets are required for very Persistent and very Bioaccumulative (vPvB) substances (although the final criteria and test methods are under review)
- There are changes to Safety Data Sheet requirements for some preparations containing certain hazardous substances but when the preparation itself is not classified as dangerous

A new requirement for articles (i.e. "finished products") was inserted at the final stages of negotiation. You are required to inform your customers if the articles you sell to them contain hazardous substances of very high concern in excess of a threshold quantity.

- Limited to substances on the 'Candidate List'
- Applies if $\geq 0.1\%$ w/w per article type
- Information communicated must be sufficient to ensure safe use

Throughout 2007, the Commission continued its preparatory activities:

- Completion of the REACH Technical Guidance Documents including
 - Development of guidance on managing preparations
 - Development of guidance on assessing special preparations (e.g. alloys)
- Finalisation of the REACH-IT system

2008

1 June 2008

European Commission Review Deadline for Registration Exemption

- *Addition of substances to Annex IV*
- *review and possible extension of general Annex V criteria*

Pre-Registration began

Pre-Registration is necessary for anyone wishing to benefit from the extended, phase-in registration deadlines for their substances, which are up to dependent on the tonnage and type of substance in question.

The pre-registration process establishes preliminary Substance Information Exchange Fora (pre-SIEF) and lasts 6 months from 1 June '08 to 1 December '08.

The REACH timeline

Version 3 (November 2008)



(1 June 2008 continued...)

Registration began:

- Immediate registration is required for non-phase-in substances ≥ 1 tonne per annum
- Staged, 11-year timeline for phase-in substances with option for 'anytime before deadline' registration should you wish to do so before your particular deadline
- Previously 'notified' substances and biocides/plant protection products actives qualify for 'automatic' registration by the Notifier (who should claim their Registration number through REACH-IT)

Pre-Substance Information Exchange Fora (pre-SIEF) began:

- Operated via a REACH-IT system website
- Sameness of substance must be agreed before SIEF can form
- Companies have an option to appoint third party representatives
- Obligation to share data

Note that even under current animal welfare rules it is illegal to conduct animal research on substances already tested.

Downstream User Obligations began:

- Risk Management Measures communicated in any relevant Exposure Scenario on a Safety Data Sheet must either be followed or a new Exposure Scenario prepared
- Any use of substance (also as a preparation or article) outside an Exposure Scenario must be reported to the European Chemicals Agency
- Duty to communicate relevant exposure and use information upstream for the purpose of registration of a phase-in substance must be made prior to registration deadlines
- Reduced requirements for substances or preparations used below 1 tonne per annum or for substances supplied at low concentrations in preparations

Evaluation begins:

- Either 'dossier' or 'substance' evaluation
- Registrations first subject to completeness check
- A minimum of 5% of dossiers will be checked for compliance
- Response to testing proposals
- Process targets high hazard or exposure, including aggregate tonnages

Authorisation procedures begin:

- Identification of 'Substances of Very High Concern' (SVHC) and establishment of the 'candidate list' (anticipated at around 1,500 SVHC; 15 included on the first list published)
- Applications can be grouped by companies and uses
- Distinction made between applications for authorisation where 'adequate control' applies and those where a full 'socio-economic analysis' must be performed
- Case-by-case selection of substances for authorisation (according to Annex XIV)
- Annex XIV prioritised according to hazard, aggregate tonnage and 'wide dispersive use'
- Process for application, issuance and review of authorisations (anticipated as 10 to 35 substances per year)
- Once in Annex XIV, applications for authorisation must be made 18 months before to a 'sunset date'
- General or specific exceptions to authorisation may be granted

The REACH timeline

Version 3 (November 2008)

REACH
Ready



28 October 2008

First Candidate List of SVHCs for Authorisation published

Duty to communicate SVHCs in articles triggered if above 0.1% w/w per article type

1 December 2008

European Commission Review Deadline for Annex XIII:

- *Criteria for determining persistent, bioaccumulative and toxic (PBT) and vPvB substances*

Pre-Registration ends:

- Late pre-registrations possible thereafter for new manufacturers/importers
- Registration begins for phase-in substances not pre-registered

2009

1 January 2009

List of pre-registered substances published by ECHA

SIEF formation, once “sameness of substance” is agreed:

- Agreement on classification and labelling
- Mandatory requests for necessary vertebrate test data
- Optional requests for other data
- Provision of proof of costs within 1 month of relevant specific request

1 June 2009

Restrictions begin:

- Replaces the previous restrictions process from Directive 76/769
- Continues the ban on carcinogenic, mutagenic and reprotoxic (CMR) category 1 & 2 substances and preparations for consumer use

30 November 2009

First Downstream User Communication Deadline for Phase-in Substances:

- Where relevant, a downstream user must have placed a request to its suppliers to register its use of their phase-in substance(s) (including as a preparation or in an article) subject to the first registration deadline of 30 November 2010 (unless the downstream user is prepared to make its own exposure scenario)
- A downstream user may therefore need to communicate detailed use and exposure data upstream or to the European Chemical Agency in Helsinki
- Suppliers and distributors are responsible for passing necessary information upstream

2010

1 June 2010

European Commission REACH Review Deadline

Proposals can be made for adaptations to REACH to avoid overlap with other EU legislation.

The REACH timeline

Version 3 (November 2008)



30 November 2010

First Registration Deadline for phase-in substances

From this date, it is illegal to continue to manufacture or import any substances that are not registered but are covered by this deadline.

- ≥ 1000 tonnes per annum (tpa);
- ≥ 1 tpa carcinogens, mutagens, reprotoxins (CMRs);
- ≥ 100 tpa dangerous to the environment R50/53

Approximately 3,700 substances in total; tonnage applies per manufacturer or importer legal entity.

1 December 2010

Classification and Labelling Inventory officially begins (with deadline)

- Submittal of the classification of all substances subject to registration and/or classified as 'dangerous' – *this can occur prior to this date and as part of a registration*
- Deadline for notification of classification and labelling for relevant manufactured and imported substances; otherwise reporting must occur at time of first manufacture/import
- Covers manufacturers and importers, including importers of articles with intended release
- Applies to 'dangerous' substances regardless of tonnage
- Applies for manufactured and imported substances irrespective of registration timeline
- Where classification and/or labelling for a substance differs between companies, efforts must be made to arrive at an agreement
- On the basis of data from the inventory, regulators can harmonise classification and labelling across the EU, especially for highly hazardous substances

2011

1 June 2011

Requirement for notification of substances in articles begins:

- Limited to Substances of Very High Concern (SVHCs) on the 'candidate list'
- There is a 6-month compliance period for newly-listed substances
- Applies if above 1 tpa and above 0.1% w/w per article type

2012

31 May 2012

Second Downstream User Communication Deadline for phase-in substances

- Where relevant, a downstream user must have placed a request to its suppliers to register its use of their phase-in substance(s) (including as a preparation or in an article) subject to the second registration deadline of 31 May 2013
- A downstream user may therefore need to communicate detailed use and exposure data upstream
- Suppliers and distributors are responsible for passing this information upstream

The REACH timeline

Version 3 (November 2008)



2013

31 May 2013

Second Registration Deadline for phase-in substances

From this date onwards, it is against the law to continue to manufacture or import any un-registered substances that are covered by this deadline.

The deadline applies to the following phase-in substances, which must be registered by now:

- ≥ 100 tonnes per annum

Tonnage applies per manufacturer or importer legal entity.

2017

31 May 2017

Third Downstream User Communication Deadline for phase-in substances

- Where relevant, a downstream user must have placed a request to its suppliers to register its use of their phase-in substance(s) (including as a preparation or in an article) subject to the third registration deadline of 31 May 2018
- A downstream user may therefore need to communicate detailed use and exposure data upstream
- Suppliers and distributors are responsible for passing this information upstream
- Limited requirements for substances in the 1-10 tonne registration bracket

European Commission Review Deadline for CMR Chemical Safety Reports

- *Potential additional requirement for Chemical Safety Reports for 1-10 tpa CMR substances*

2018

31 May 2018

Third and final Registration Deadline for phase-in substances

From this date onwards, it is against the law to continue to manufacture or import any un-registered substances that are covered by this deadline.

The deadline applies to the following phase-in substances, which must be registered by now:

- 1-100 tonnes per annum

Tonnage applies per manufacturer or importer legal entity

Further European Commission Reviews Deadline

- *Potential additional requirements for communication of substances in articles*
- *Potential requirements for Chemical Safety Reports for all 1-10 tpa substances*

The REACH timeline

Version 3 (November 2008)



Don't Panic!

Fulfilling your REACH duties can add up to a monumental task. But there's no need to worry, **REACHReady is here to help!**

We have track record as the foremost place to go for help with REACH and our **REACHReassurance** service is designed especially to make sure your REACH work is progressing towards compliance, helping you to develop a tailored action plan.

For our Gold subscribers, we offer ongoing support via our **Helpdesk**, and our comprehensive website including our own REACHReady guidance.

We also have our **Matchmaker** service to put you in touch with pre-approved service suppliers that can carry out your every REACH need.

Contact us on enquiries@reachready.co.uk or +44 (0)20 7901 1440 or visit www.reachready.co.uk