

Proposed REACH Regulation

Main UNICE comments

Aide-mémoire

Need for further work on impact assessment

- The chemicals legislative package will have a strong impact on European industry generally, given that all products are manufactured on the basis of complex and continuously changing combinations of chemical substances.
- There are many examples of critical substances, which are used in downstream industries where both direct and indirect effects could be foreseen. UNICE is concerned by the fact that the situation has not yet been properly analysed. It is important that such an assessment is carried out to indicate the ultimate impact of REACH on industry.
- It is also important to assess the consequences of REACH for Europe's competitiveness and its capacity for innovation, which are key for prosperity and job creation, as well as the impact of REACH on international trade and foreign direct investment in the EU.

Prioritisation according to risk

- The current volume-based approach should be replaced by a risk-based approach.
- Test requirements must be based on the risks involved, not on hazardous related properties: clear and straightforward exposure categories should be developed in this respect.

Consistency with other regulations - no duplication of requirements

- Exclusion or exemptions should be given for products and substances already covered by existing EU regulations (e.g. cosmetics, toys, waste).

Recognition of existing data and risk evaluation

- Dossiers and data required for other regulatory or voluntary, national or international, programmes should be acceptable for submission under REACH in their original format to avoid the burden of re-writing.

Simple and rapid procedures, safeguarding of competitiveness, protection of confidential business information

- The registration, evaluation, and authorisation processes require too much detail and compromise intellectual property. REACH needs to be changed to limit the amount of substance-/preparation-/article-specific information submitted and/or to limit public access to manufacturer- and substance-/preparation-/article-specific information.

Substances in articles

- The proposal would have severe impacts on international trade. Producers outside the EU do not have to bear the burdens it imposes. The title on substances in articles is totally impractical and should therefore be deleted.

Centralised decision-making, enhanced legal certainty for registered uses of substances

- The Central Agency should have responsibility for full and sole decision-making power for all aspects of registration as well as dossier and substance evaluation.