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THE DESIGN OF REACH MUST BE IMPROVED WITHOUT COMPROMISING THE GOALS OF THE SYSTEM

European business supports the objectives of the proposed EU chemical legislation (REACH)¹ i.e. protecting human health and the environment while preserving the global competitiveness of European industry. But a redesign of some key rules of REACH -is needed to make it manageable for producers and users of chemicals. This can be done without jeopardising the goals of the system. This is the message presented today by UNICE Secretary General Philippe de Buck, together with Klaus Mittelbach, UNICE "Chemicals" Taskforce Chairman, Alain Perroy, Cefic Director General, Guy Thiran, EUROMETAUX Secretary General and Adrian Harris, ORGALIME Secretary General.

REACH will affect not only chemical companies but also downstream users of chemicals and the producers of all kinds of inorganic materials (metals, cement, wood fibres, glass, etc.). Hence, the rules proposed by the European Commission have implications for all manufacturing companies in Europe.

In advance of the European Parliament hearing on 19 January 2005, UNICE has presented "*An EU industry recommendation to improve the efficiency and workability of REACH*". The central message of UNICE is that REACH should be focused on its core principles of risk assessment and evaluation of chemicals. This will ensure efficiency and avoid overlap with existing legislation. If the legislation is to meet its information-sharing, health, social and environmental objectives, while preserving and enhancing the global competitiveness of the European industry as a whole, some elements of the proposal have to be changed fundamentally to achieve a more proportionate and better balanced system.

When the European Parliament and the Council review the proposal in the coming months, UNICE recommends the following:

1. Incorporate risk-based priority-setting in the system, to be applied primarily in the registration step. Volume alone is not a sufficient criterion to determine the amount of data that are needed to assess the potential impacts of a chemical for human health or the environment.
2. Review fundamentally requirements for substances in articles as they are not workable in practice, overlap with existing rules and lead to unfair competition from non-EU competitors.
3. Limit the scope of REACH to genuine chemicals by excluding raw materials and waste
4. Build registration on clear, broad, simple and standardised use and exposure categories that cover the whole supply chain.
5. Ensure that the data-sharing is based on voluntary consortia and in line with competition compliance rules.
6. Make of the Safety Data Sheets the exclusive document to communicate data on substances through the supply chain.

¹ Draft Regulation concerning Registration, Evaluation, Authorisation and Restriction of Chemicals

7. Apply restrictions and not authorisation as the preferred approach for risk management for chemicals whose use has to be limited.

Philippe de Buck stated that *“Industry is not against the REACH objectives but with UNICE’s recommendations we can make it cost-efficient and more workable. This is vital to preserve SMEs and competitiveness”*

“The condition for the success of the entire REACH process is to have a system for prioritisation which is based on scientific risk assessment” emphasised Alain Perroy.

“Downstream users can ensure the safe handling of a substance according to the information provided in a substantial material safety data sheet, but should not be responsible for testing and registration” stated Adrian Harris.

“The inorganic sector covers 90% of the volume of materials in Europe” said Guy Thiran. *“However, the specificities of these materials, mostly of natural origin, have largely been ignored when deciding to include them in the scope of REACH. This could seriously harm the competitiveness of the sectors concerned and threaten the overall supply of basic raw materials for the European economy”*.

The brochure “An EU industry recommendation to improve the efficiency and workability of REACH” is attached.

Note to the editor:

UNICE is the voice of more than 20 million small, medium and large companies. Active in European affairs since 1958, UNICE’s members are 38 central industrial and employers federations from 32 countries, working together to achieve growth and competitiveness in Europe

Cefic, the European Chemical Industry Council is, since 1972, both the forum and the voice of the European chemical industry. It represents, directly or indirectly, about 29,000 large, medium and small chemical companies - from 26 countries - which employ about 2 million people and account for nearly a third of world chemical production.

EUROMETAUX constitutes the interface between the European non-ferrous metals industry and the European authorities and international or intergovernmental bodies. It is committed to establishing dialogue with the latter in order to ensure early consultation in all fields of policy and legislation that may affect industry and to asserting the sector’s views and positions in this respect. It asserts the contribution of the European industry and its products to sustainable development, as well as this industry’s views and positions, whenever the opportunity to do so arises across all sectors of society.

ORGALIME represents the mechanical, electrical, electronic and metalworking industries in 23 European countries. We speak for 33 trade federations representing over 130,000 companies. These industries, the vast majority of which are small and medium-sized enterprises, employ some 7 million people and, in 2003, accounted for 1175 billion Euro of output, that is a quarter of the EU’s manufacturing output and a third of its manufactured exports.

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