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IMPLEMENTATION OF REACH: A DEMANDING CHALLENGE FOR EU INDUSTRY

UNICE, Cefic, EUROMETAUX and ORGALIME, today commented on the compromise on REACH that was agreed at the recent 'Trialogue' meeting between the EU Council, Parliament and Commission.

Next Wednesday, 13 December, the European Parliament has still to take a final decision on REACH.

On the whole industry recognises the balanced and open approach of the institutions, which have taken into account the divergent interests of the various stakeholders. Industry is still of the opinion that the twin objectives of REACH could have been achieved with a more risk-based and more workable approach.

Some aspects of REACH have moved in the right direction. Indeed, for registration, companies will not have to elaborate a Chemical Safety Report for substances below 10 tonnes, which is fully proportionate to the risk. This is good news, particularly for SMEs. Another example relates to 'data protection' where companies may now request confidentiality for the name of their substance in order to protect their information from unfair competitors.

However, departing from a risk-based approach, the Trialogue compromise agreement on authorisation now requires the submission of a substitution plan for all the substances where a suitable alternative exists, even if they are adequately controlled. Industry is faced with additional and strengthened requirements in many areas in the Trialogue compromise, which will further challenge European's industry's ability to implement REACH.

This will generate an additional burden for chemical producers and downstream users alike. It will equally affect the supply of raw materials for different sectors of EU industry; and this without any clear benefit for the end consumer.

Industry, suppliers and downstream users have a long tradition of innovating, developing and using safer and better alternatives when possible. This however, requires time and entails active involvement of the whole supply chain as well as a case-by-case judgement.

AV. DE CORTENBERGH 168
B-1000 BRUSSELS
VAT BE 863 418 279

TEL +32(0)2 237 65 11
FAX +32(0)2 231 14 45
E-MAIL: MAIN@UNICE.BE
WWW.UNICE.ORG

For downstream users, substitution not only requires time, but does not automatically represent the best option in terms of safety, functionality or overall environment performance of a product. Besides, we yet have to be convinced that the provisions on substances in articles will be enforceable and workable in practice. Also, information obligations for article manufacturers have been extended. This risks multiplying existing communication obligations while causing confusion among consumers.

UNICE The Confederation of European Business	Philippe de BUCK, Secretary General	Avenue de Cortenbergh, 168 BE-1000 Bruxelles	Tel: +32 2 237 65 11 Fax: +32 2 231 14 45
EUROMETAUX European Association of Metals	Guy THIRAN, Secretary General	Avenue de Broqueville 12 BE-1150 Bruxelles	Tel: +32 2 775 63 11 Fax: +32 2 7790523
ORGALIME The European Engineering Industries Association	Adrian HARRIS, Secretary General	Diamant Building - 5e Etage Boulevard A. Reyers 80 BE-1030 Bruxelles	Tel: +32 2 706 82 40 Fax: +32 2 706 82 50
Cefic, European Chemical Industry Council	Alain PERROY, Director General	Avenue E Van Nieuwenhyuse, 4/1 B – 1160 Bruxelles	Tel: +32 26767211 Fax: +3226767331