Frequently Asked Questions & Conclusions

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Frequently Asked Questions & Conclusions

- Answers to Frequently Asked Questions on downstream user obligations
- Obligations and timelines of most relevance to downstream users
- Key messages and Conclusions

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Q&A-1

I haven't received Exposure Scenarios. Why not?

The reasons could include:

- the substance has not yet been registered
- a Chemical Safety Report (CSR) is not required for the substance
- your supplier is a downstream user and the relevant information is in the main body of the SDS
- the SDS is not required for your substance
- your supplier has not had to update their SDS

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Q&A-2

My use/conditions of use are not covered. What can I expect my supplier to do?

- Identify if your use is actually covered in the exposure scenario and inform you about it
- If the use is advised against, inform you why
- Assess your use/conditions of use and send you an updated exposure scenario
- Inform you about the reasons why they can't support your use/conditions of use.

Q&A-3

I have two suppliers for a substance and their exposure scenarios are different. What should I do?

- Check if you comply with the more restrictive requirements
- If yes, then you are OK
- If no, but you comply with the other exposure scenario and consider that it ensures safe use, contact your suppliers to highlight this and to reach a satisfactory resolution

Q&A-4

We supply the substance in mixtures. What should we inform customers of and how?

You actions could be one of the following:

- Incorporate information on the conditions of use into the main body of the SDS
- Develop exposure scenarios for your mixtures, which describe the safe use. This replaces the exposure scenarios provided by your supplier
- Forward the supplier exposure scenario for single substances in the mixture that are relevant to your customers

Timelines – General DU Obligations

Downstream User Activity	**Timeframe**	**Comment / When activity applies to Downstream User** *REACH Articles 37-39 (Title V) unless otherwise specified*
Request for your use to be identified: substances not yet registered	Supplier to assess the risk of that use, provided DU makes request one year before registration deadline.	31 May 2012 for 2013 registration (quantities>100t/y) 31 May 2017 for 2018 registration (quantities >1t/y). **This is a voluntary action**
Request for your use to be identified: registered substances	Supplier to comply with obligations before next supply or within one month after DU request, whichever is later.	Initial informal contact is recommended. Ensure full details are provided. **This is a voluntary action**
Implement the measures communicated to you in the extended safety data sheet or take alternative actions.	One year from receipt of SDS for registered substance.	Possible alternative actions include: ·Request for use to be identified by supplier ·Conduct DU chemical safety report ·Determine whether exemptions apply ·Change supplier, if feasible ·Eliminate or substitute the substance
Communicate information to your suppliers	Not specified in REACH	You should inform your supplier about (*Article 34):* ·new information on hazards ·inappropriateness of suggested risk management measures
Communicate information regarding safe use to own customers	Not specified in REACH	You should update the SDS without delay if *(Article 31(9))*: ·New information on risk management measures or hazards becomes available ·An authorisation was granted or refused ·A restriction has been imposed
Conduct DU Chemical Safety Report (CSR)	One year from receipt of SDS for registered substance.	There is no requirement to submit DU CSR. However, you need to report to ECHA if you a preparing a DU CSR.
Report unsupported uses to ECHA	Six months from receipt of SDS for registered substance.	This requirement applies if: ·Conducting a DU CSR ·Claiming exemptions due to use <1 tonne/year or used for PPORD ·Classification is different to that of supplier

Timelines –Article Producer Obligations

Downstream User Activity	Timeframe	Comment / When activity applies to Downstream User
Substances in Articles		*REACH Article 7 applies unless otherwise specified*
Notify candidate list substance to ECHA	Six months after substance is identified on the Candidate List of Substances of Very High Concern	*If you use a substance for the production of articles and:* ·the substance is present in total quantities >1 tonne per producer or importer per year ·your produced articles contain a substance in the Candidate List in a concentration >0.1%w/w ·The substance has not already been registered for that use
Register substances intended for release with ECHA	June 2013: >100 tonnes/year/manuf. June 2018: >1 tonnes/year/manuf.	*If you use a substance for the production of articles and:* ·the substance is present in total quantities >1 tonne per producer or importer per year ·the substance is intended to be released under normal conditions of use ·The substance has not already been registered for that use *(Timeframe given in Article 23(5))*
Communicate information regarding safe use to recipients (industrial or professional customers) always and to consumers on request	Recipients: timeframe not specified Consumers: within 45 days of request	*If you use a substance for the production of articles and (Article 33):* ·your produced articles contain a substance in the Candidate List in a concentration >0.1%w/w

Support for Downstream Users

- ECHA Downstream User web page
  http://echa.europa.eu/web/guest/regulations/reach/downstream-users
- ECHA Fact sheets, guidance, other support material and tools to identify your obligations
  http://echa.europa.eu/web/guest/support/guidance-on-reach-and-clp-implementation
- A Practical Guide for downstream users receiving exposure scenarios under REACH will be available in May 2012
- ECHA and national helpdesks
  http://echa.europa.eu/support/helpdesks/national-helpdesks
  http://echa.europa.eu/contact

Key messages

- Cooperate with supplier to communicate your uses by mid-2012 for substances to be registered in June 2013.
- Check exposure scenarios carefully when you receive them
- Take the necessary actions before the time limit expires:
  - implement control measures/communicate information
  - Communicate with supplier for clarification/inclusion of your use
  - prepare CSR/report to ECHA
- Document your actions and decisions

Upcoming events

- Upcoming lead registrant webinars:
  - General principles of dossier submission, September 2012
  - Registration process I: Business rules, September 2012
  - Registration process II: Technical completeness check + Invoicing and payment, October 2012
- Webinars open for all:
  - Webinar for SMEs, Q2/Q3 2012
  - Only representative webinar Q2/Q3 2012
- ECHA's Seventh Stakeholders' Day, 23 May 2012, Helsinki
- Lead Registrant Workshop Q3/Q4 2012
- Stay tuned to all the latest updates about ECHA events by subscribing to our e-News from the ECHA website

Post event survey

- Once the event has ended, you will be directed to a post-event survey page
- Your feedback is important to us
- Your feedback helps us make the content of future webinars more relevant for your individual needs
- Please take the time to fill out the survey

Thank you

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