

REACH: Why Should I Care? Isn't it Just a European Regulation?

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We've been hearing the acronym "REACH" for a while now. So what does it mean, and, more importantly, what does it mean *to us*? REACH is a new, *extensive* European Union regulation on the Registration, Evaluation, Authorization, and Restriction of Chemicals that is managed by the European Chemicals Agency (ECHA). Its primary goal is to ensure the protection of human health (workers and consumers) and the environment. Secondary objectives include improving the competitiveness of the European chemical industry and preventing the fragmentation of their internal market. REACH will place greater responsibility on the chemical industry to manage the risks of chemicals and provide safety information to professional users and the consumer.

Registration

Any manufacturer or importer of chemicals into the EU in volumes greater than one metric ton must comply with the regulation. The first phase of REACH implementation is Pre-Registration, which is due for *30,000+ chemicals* by *December 1, 2008*. This allows the manufacturer or importer to continue selling their chemicals until the date they are required to formally register them, which is a staged timeline based on volume. December 1, 2010 is the first due date for volumes greater than 1,000 metric tons, and the process continues for decreasing tonnage bands through the year 2018.

Authorization and Restriction

The regulation also includes requirements in which the use of highly toxic chemicals will be limited and manufacturers will be encouraged and/or required to find substitutions.

Evaluation

The registration process will include a comprehensive Chemical Safety Assessment that details the toxicological effects of the chemical; exposure limits based upon a "no effect" level for workers, consumers, and the environment; a risk assessment; and control of exposures (workers, consumers, and environment) below the "no effect" level including risk management measures, e.g., engineering controls and PPE. As part of this Chemical Safety Assessment, a detailed Safety Data Sheet must be provided to the users of the chemical along with an Exposure Scenario which includes how the chemical can be used safely. The Safety Data Sheet is like an MSDS on steroids that could be *twenty pages or more!* For those of you who have complained for years that MSDSs do not contain enough data (I'm guilty as charged), your wish has come true...but now *you* will have to comply with the risk management measures as detailed in the written Exposure Scenario. This means if your use of a chemical is not covered in the Exposure Scenario described by the manufacturer, you may have to develop *your own* Chemical Safety Assessment with *your* Exposure Scenarios. By the way, if you

are wondering how long the Chemical Safety Assessment Report is, the outline is *forty pages*, so the report can be anywhere from forty (which is unlikely) to *100+ pages*! And the more hazardous the chemical, the longer the report...

REACH for the Sky

It is an *EU* regulation. *Why do I care?* REACH affects all US firms who manufacture and export chemicals, preparations and certain articles into the EU in volumes greater than one metric ton. The US exports more than *\$20 billion* in chemical products to the EU each year and more than *\$400 billion* in products which contain chemicals that might fall within the scope of REACH [Competitive Enterprise Institute, 2006]. In addition, a survey found that most American companies have not discussed the impact of REACH with their customers or suppliers. If your company has not yet addressed REACH, time is running out; pre-registration ends December 1.

There is a silver (or gold?) lining: consultants who understand the REACH requirements will be in high demand and will be able to charge accordingly. There is also the possibility that a similar regulation will be enacted in the US through changes in TSCA, and that will mean more work for us IHs.

Further reading:

<http://www.cefic.be/>

http://echa.europa.eu/reach_en.asp

Frequently asked questions about REACH

http://echa.europa.eu/doc/reach/080611_REACH_ECHA_FAQ_2%202_Release_2.pdf