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Implementing Act on Data Sharing

state of play June 2014

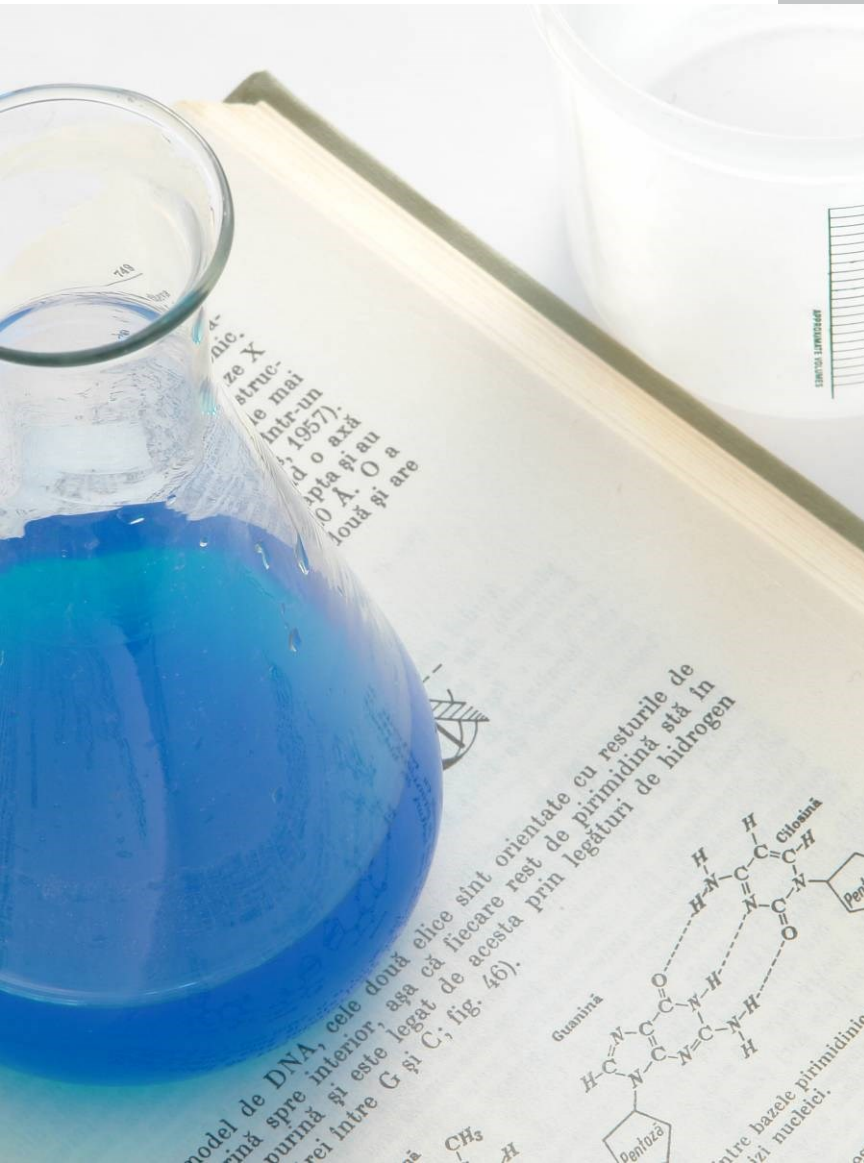
REACH Information and Experience
Exchange Forum (RIEF IV)
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Why an Implementing act?

Limited provisions in REACH on data sharing

2013 REACH review highlighted need for action

Continuous flow of complaints from SMEs

December 2013 SME Workshop



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Scope

Initially limited to phase-in substances (SIEFs)

...but same issues also arise for non-phase-in substances

Need to also address evaluation



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Transparency

Minimum requirements:

Clarity on the applicable cost-sharing model

Annual accounts available on request

Itemisation of costs (info requirements/admin.)



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Fairness

Companies shall only pay for the costs related to their registration requirements

Increased role of the Agency in the context of the dispute resolution mechanism:

- **ECHA will in particular ensure the respect of the OSOR principle and the possibility to opt out**

A reimbursement mechanism must be foreseen



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A pragmatic approach

Need not to penalise good pupils ...

- **No retroactivity**
- **Possibility to opt out**
- **Flexibility on reimbursement**
- **No single model imposed on cost sharing**

... but need to take into account the past

- **Best effort to provide justification for already incurred costs**



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Next steps

*Discussion at the CARACAL open session on
23/24 June*

Planned adoption before year end.