

Implementing and complying with REACH and international initiatives: A commitment and a challenge

Having played an instrumental role in the making of the European legislation on the Registration, Evaluation, Authorisation of Chemical substances (REACH), Cefic is now taking responsibility in helping implement the new rules in a practical and cost-effective way.

During the past year, however, it has become increasingly clear that implementing REACH will prove far more difficult than foreseen.

Instead of the approximately 150,000 pre-registrations initially expected, there have been as many as 2.8 million pre-registrations of substances by the deadline of December 1, 2008. The unexpected influx has placed a severe burden on the European Chemicals Agency and its computer systems.

The influx has, likewise, created difficulties for the IT systems of ReachLink, the business created by Cefic and German, British, Spanish, Italian and French national associations to help companies work effectively in Substance Information Exchange Forums (SIEFs). Managing a SIEF with 5,000 participants is clearly more demanding than managing a group of 50 organisations, and working procedures had to be re-invented.

“The quality of legislation, correct implementation and proper enforcement are not only of high significance for the achievement of health and environmental objectives, but also for the competitiveness and reputation of the chemicals industry.”

Conclusion of the High Level Group on the Competitiveness of the European Chemicals Industry.

The cost of compliance with REACH has emerged as a separate issue, compounded by the global financial crisis and credit crunch. This is particularly true for small and medium-sized enterprises – there are 27,000 SMEs in the European chemical sector – which often don't enjoy the same access to finance as larger, multinational companies.

Compliance costs for REACH stem from the mobilisation of internal resources in companies, the need to complement knowledge about substances by additional testing and the payment of registration fees. Cefic is advocating a series of fiscal and regulatory measures to ease the burden for companies.

No business as usual

There is no such thing as business as usual for Cefic. Our advocacy activities don't stop the minute policy or regulations enter the implementation phase. Even though REACH is now in force, Cefic continues to advocate for more cost effective implementation measures and reasonable deadlines.

There are some important elements of the legislation that have yet to be spelled out. Issues such as substitution in the authorisation process, for example, have not yet been clarified. Cefic is continuing its efforts on such unresolved issues.

New legal questions on the legal interpretation of REACH are also raised continuously, due to the intrinsic complexity of such regulation. Cefic provides valuable contributions to the chemical industry in that regard.

With REACH, compliance has acquired a true European dimension. Cefic has a unique role to play in guiding and facilitating the process and in helping chemical companies throughout Europe comply with the new system by providing practical guidance and support.