

Recent Developments on REACH

Recent months have seen the intensification of REACH-related reports, declarations, proposed amendments and conferences. These developments are expected to gather steam before the summer holidays, with the expected upcoming votes in the European Parliament Committees.

This Bulletin keeps you up to date with the latest news on REACH.

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► [Environment Commissioner Dimas Speaks at "Within REACH" Conference](#)

At the April 26, 2005 conference on REACH hosted by European Voice, where MLA participated as a knowledge partner, Environment Commissioner Stravos Dimas issued specific statements on the ongoing Commission work on REACH. Mr. Dimas stressed that the Commission is currently working on the development of guidelines and computerized tools addressing all potential workability problems that may arise in the implementation of REACH. Furthermore, he clarified that the Commission is not willing to withdraw the REACH proposal and is open to discussions with the European Parliament and the Council in order to accommodate their amendments to the Commission proposal in the first reading. Finally, the Environment Commissioner anticipated that the overall conclusions of the KPMG study on the business impact of the REACH proposal carried out for the European Chemical Industry (CEFIC) and business association UNICE confirms the Commission's original conclusions.

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▶ Results of KPMG Study

The results of the KPMG study based on business case studies and interviews were presented on April 27, 2005. The study analyzes the potential effects of REACH along the supply chain and focuses on four sectors: automotive, electronics, packaging and inorganics (metals). The KPMG report concludes that the withdrawal of raw chemicals is deemed unlikely and the direct costs for registering substances to the future European chemicals agency would, in most of the cases, be passed on to the consumers and would not represent a major difficulty. Moreover, the KPMG study stresses that the direct costs related to REACH will have low impact on the profitability of the downstream users, no increase on research and development is expected and that SMEs were found more vulnerable to REACH compliance than large chemical companies.

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▶ REACH in the European Parliament

The REACH proposal is on the agenda of many Parliamentary Committee meetings, in particular, in the Environment, Industry and Internal Market Committees. Mr. Sacconi (rapporteur of the Environment Committee), Mrs. Ek (rapporteur of the Industry Committee) and Mr. Nassauer (rapporteur of the Internal Market Committee) have published draft reports for vote in the committees.

The amendments proposed by Mr. Sacconi's draft report introduce, among other things, a separate duty of care obligation to document and notify risks and a "European quality mark" certifying that an article has been produced in compliance with REACH at each stage of the production process.

Mrs. Ek's draft report proposes various amendments to the Commission's original proposal. In particular, it proposes to exempt substances covered by other legislation, such as cosmetic and pharmaceutical ingredients, from the scope of REACH and introduces a stricter duty of care imposing a direct obligation on manufacturers, importers or downstream users to limit or remedy adverse effects on human health or the environment. With regard to data sharing, Mrs. Ek proposes the even sharing of animal testing costs depending on how many companies have already contributed.

Mr. Nassauer's draft report suggests a modified approach for the registration of chemical substances within REACH, to change the Commission proposal of a pure volume-based registration to a risk and exposure-based registration.

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▶ REACH on the Agenda of the Luxembourg Presidency

The above issues, the UK-Hungarian proposal for "One Substance, One Registration" (OSOR), the study of the impact of REACH on the New Member States elaborated by the Joint Research Centre (JRC) and the Institute for Prospective Technological Studies (IPTS) and other issues were discussed in a workshop hosted by the Luxembourg presidency on March 10-11, 2005. The Luxembourg presidency concluded that sufficient information is now available on REACH to continue negotiations and elaborate complementary proposals to the original Commission proposal.

During the workshop, the rapporteurs Mr. Sacconi, Mrs. Ek and Mr. Nassauer confirmed their intention to conclude the first reading by autumn 2005.

The results of the workshop will be presented to the next Competitiveness and Environment Councils in June 2005.

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▶ “Preparing for REACH” Conference

MLA attorneys will actively participate at the two-day conference on REACH hosted by Agra Europe on May 24-25, 2005 at the Renaissance Hotel in Brussels. The conference will feature high-profile speakers, such as Mr. Sacconi and Mrs. Ek, who will discuss REACH-related key issues and provide practical and strategic approaches to companies in order to prepare for REACH.



The conference comes at a critical time in the debate since the proposals are yet to be approved by the European Parliament and Europe's 25 Member States. European industry has expressed particular concern over the costs for small to medium-sized enterprises, the consequences of certain substances being withdrawn from the market and the impact on innovation and competitiveness.

To learn more about the conference or to register, please [click here](#).

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