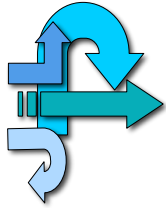


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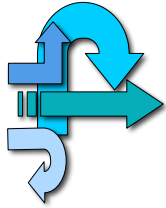
REACH: Protecting Your Supply Chain

Georjean L. Adams
EHS Strategies, Inc.
November 17, 2011

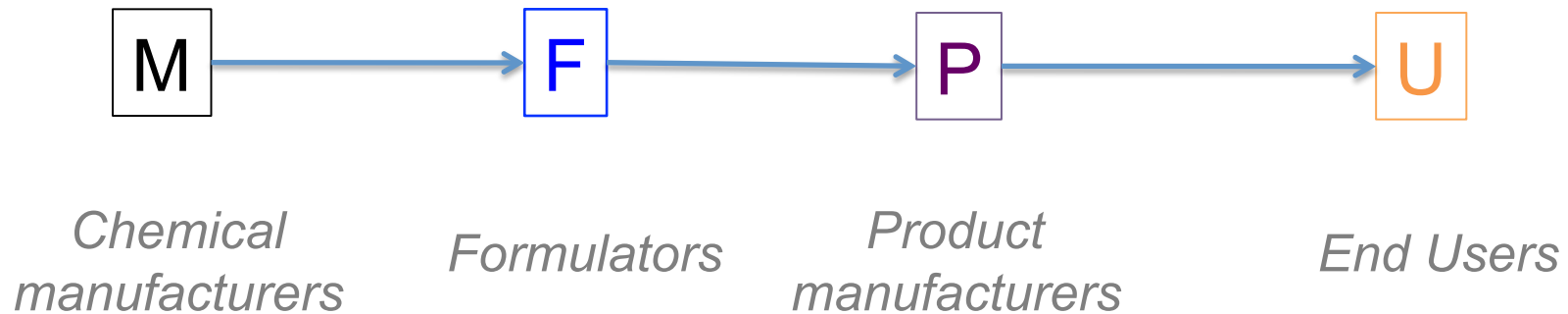


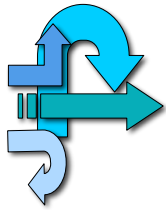
Overview

- REACH supply chain impacts
- What your European customer wants & worries about
- Ways to meet customer needs
 - Registration scenarios
- How do you decide?
 - Costs and considerations

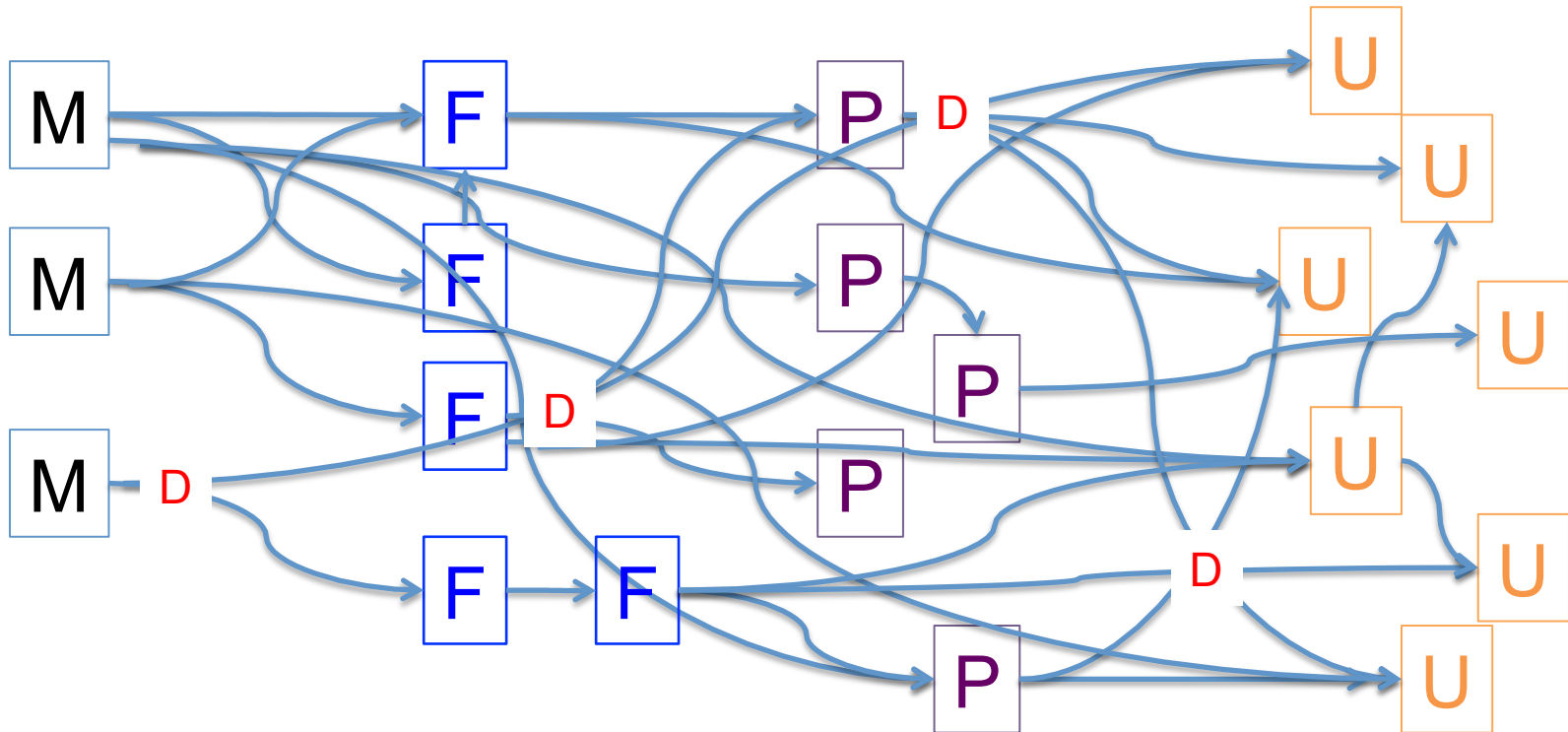


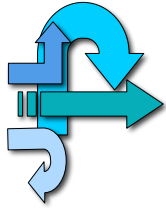
Supply Chain





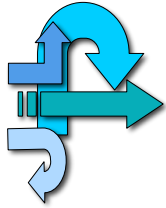
Supply Chain Reality





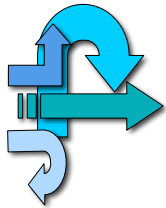
REACH Responsibilities

1. Someone in the supply chain has to register
 - Chemical components and uses of your product
2. Safety Data Sheets (SDS)
 - Necessary safety precautions for exposure scenarios
3. Substances of Very High Concern (SVHC)
 - Communicate presence
 - Follow any restrictions for authorized SVHC

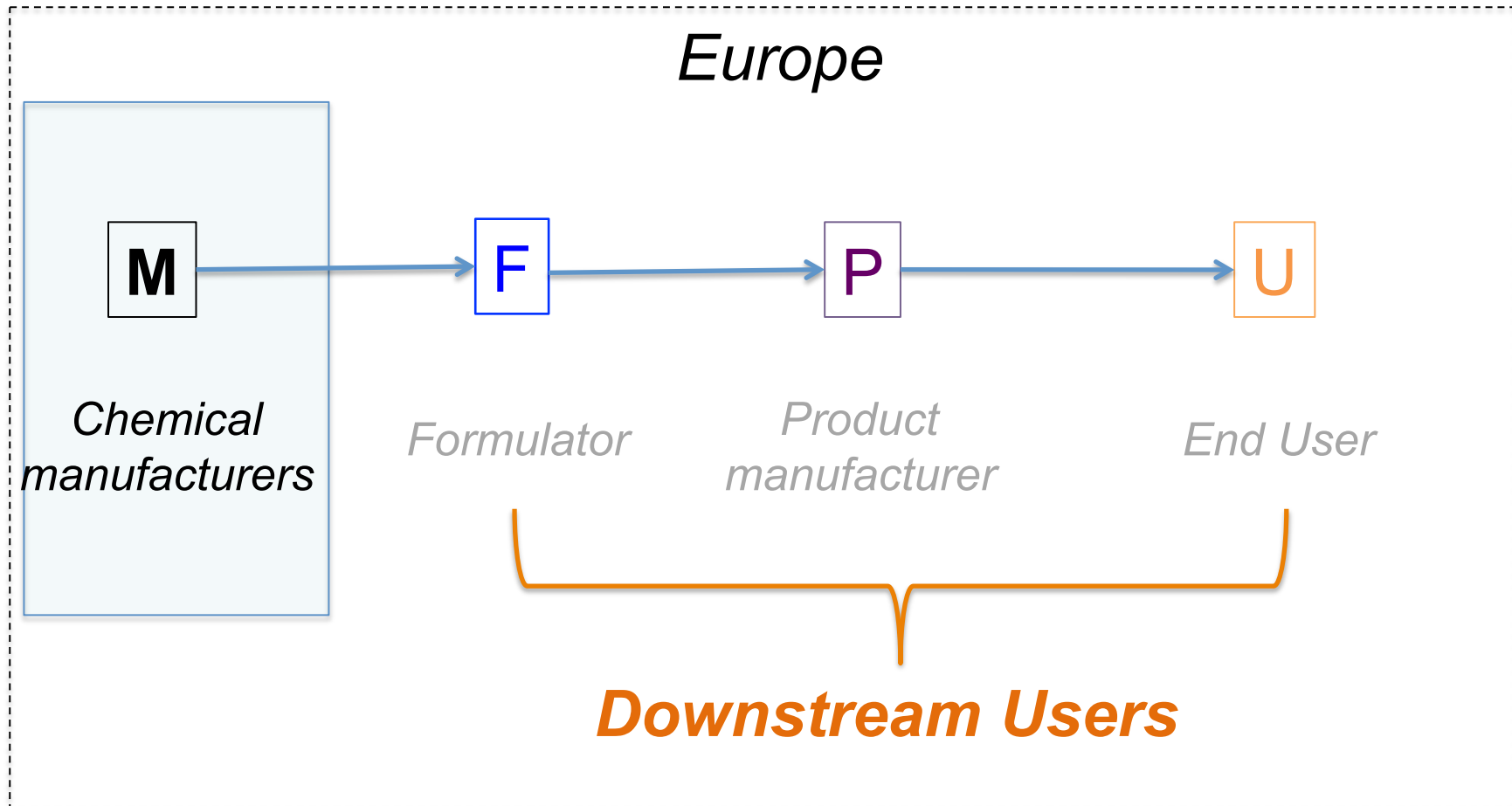


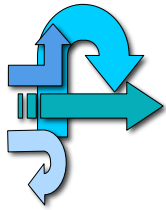
REACH Responsibilities

1. Someone in the supply chain has to register
 - Chemical components of your product
 - Supply chain uses
 - Has to be **EU legal entity**
2. Safety Data Sheets (SDS)
3. Substances of Very High Concern (SVHC)

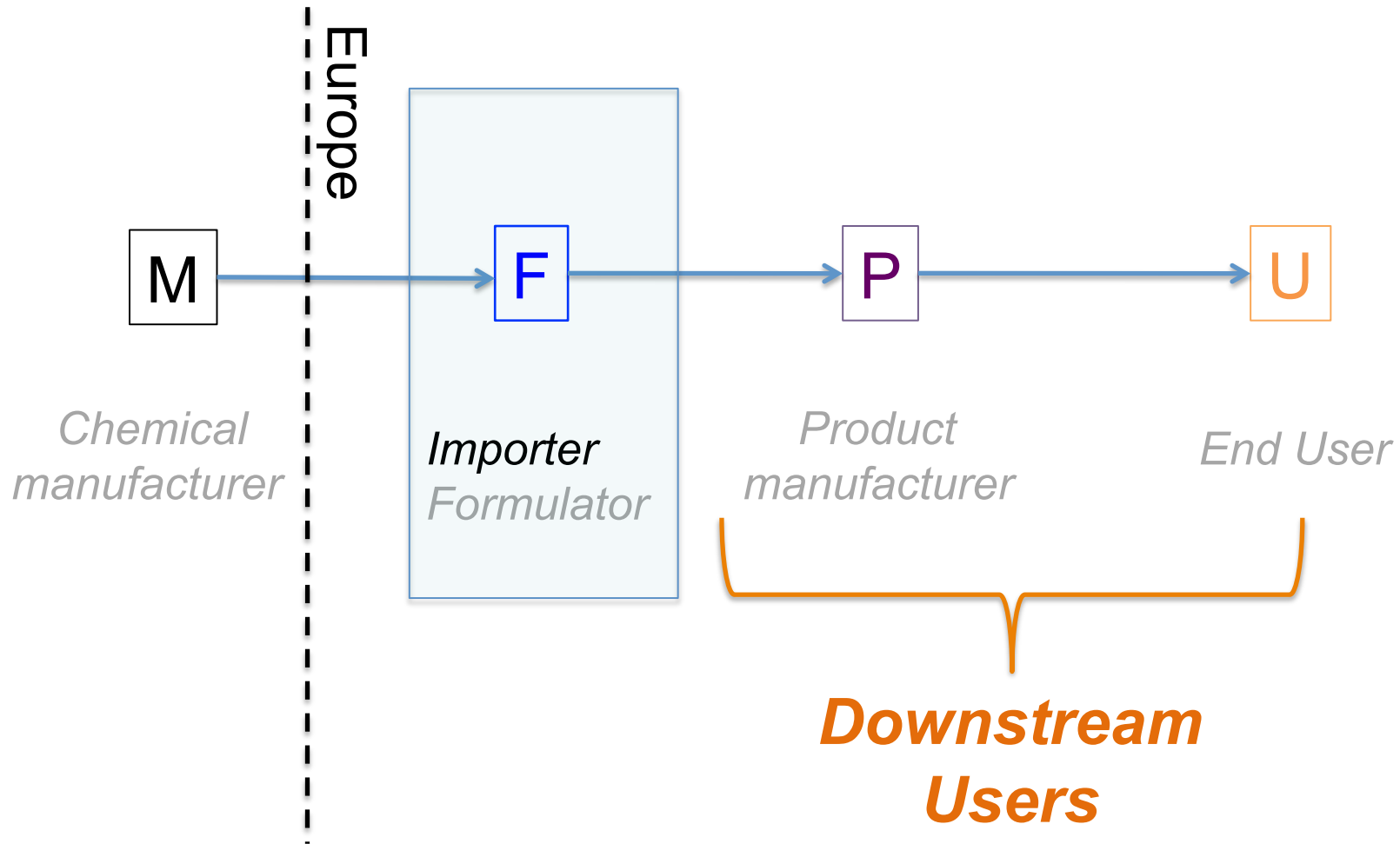


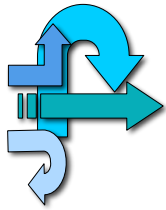
Who Registers?



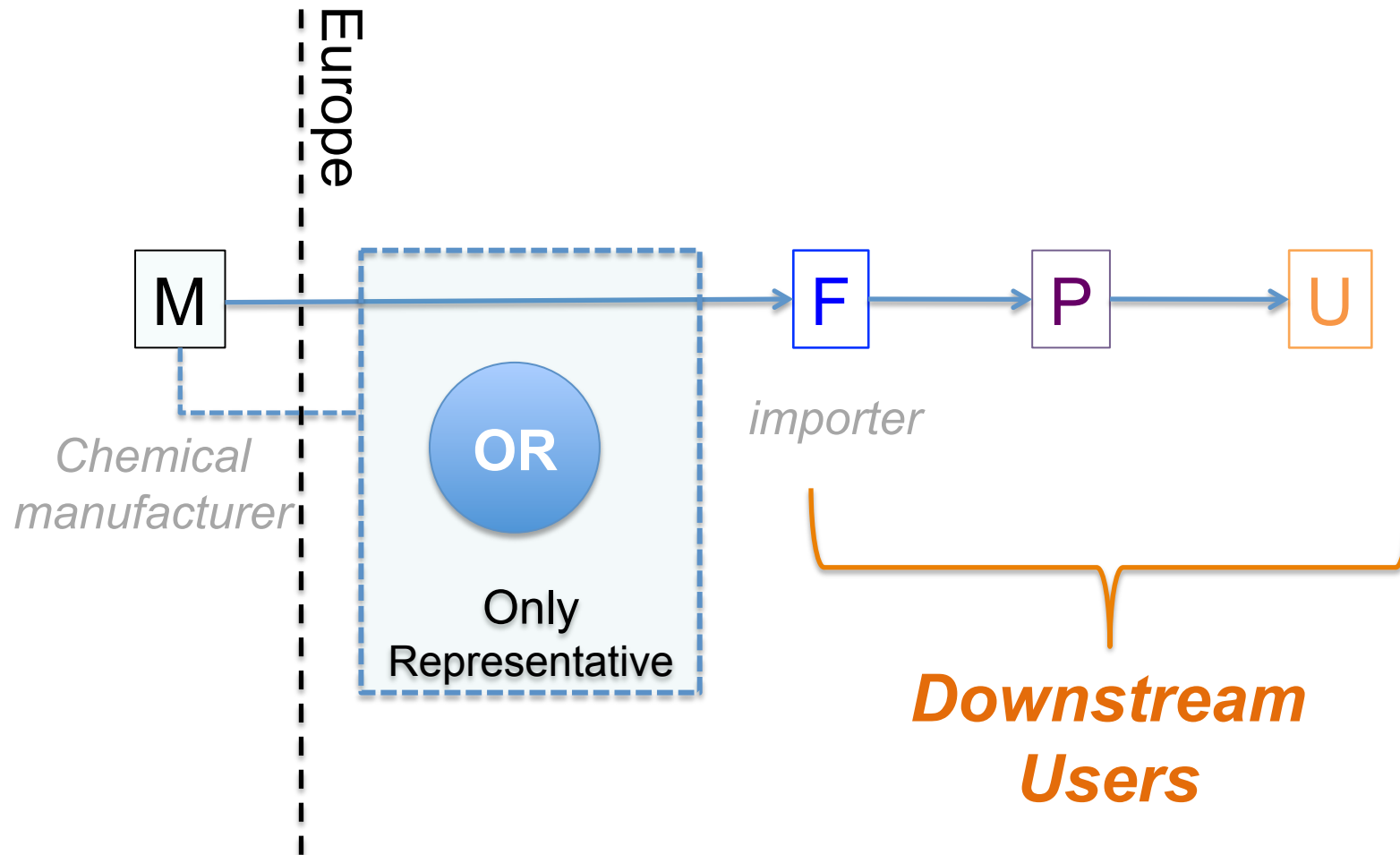


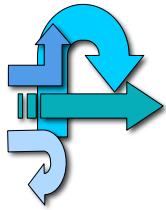
Who Registers?



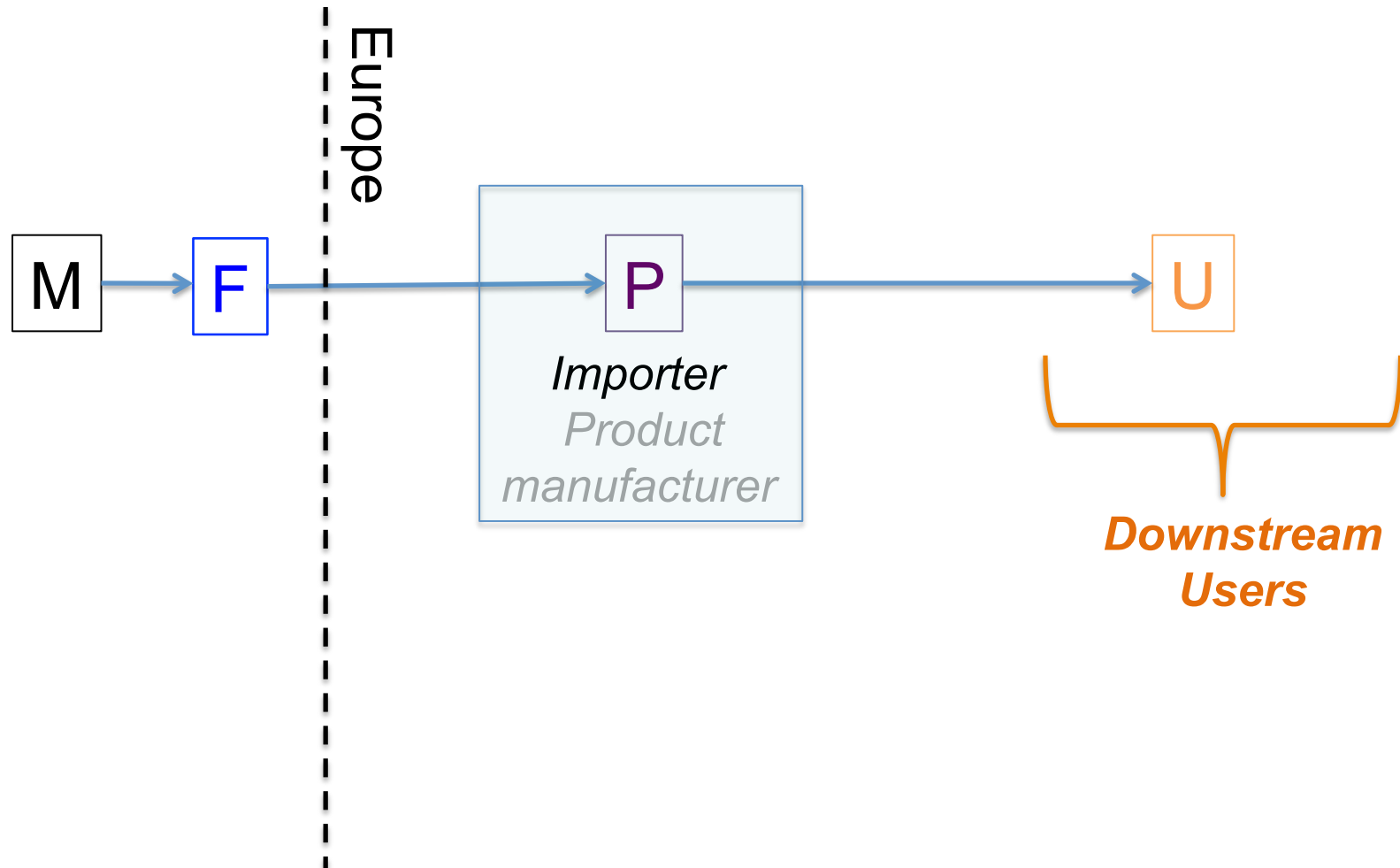


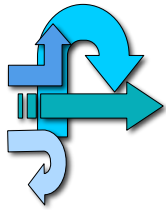
Who Registers? *EU Legal Entity*



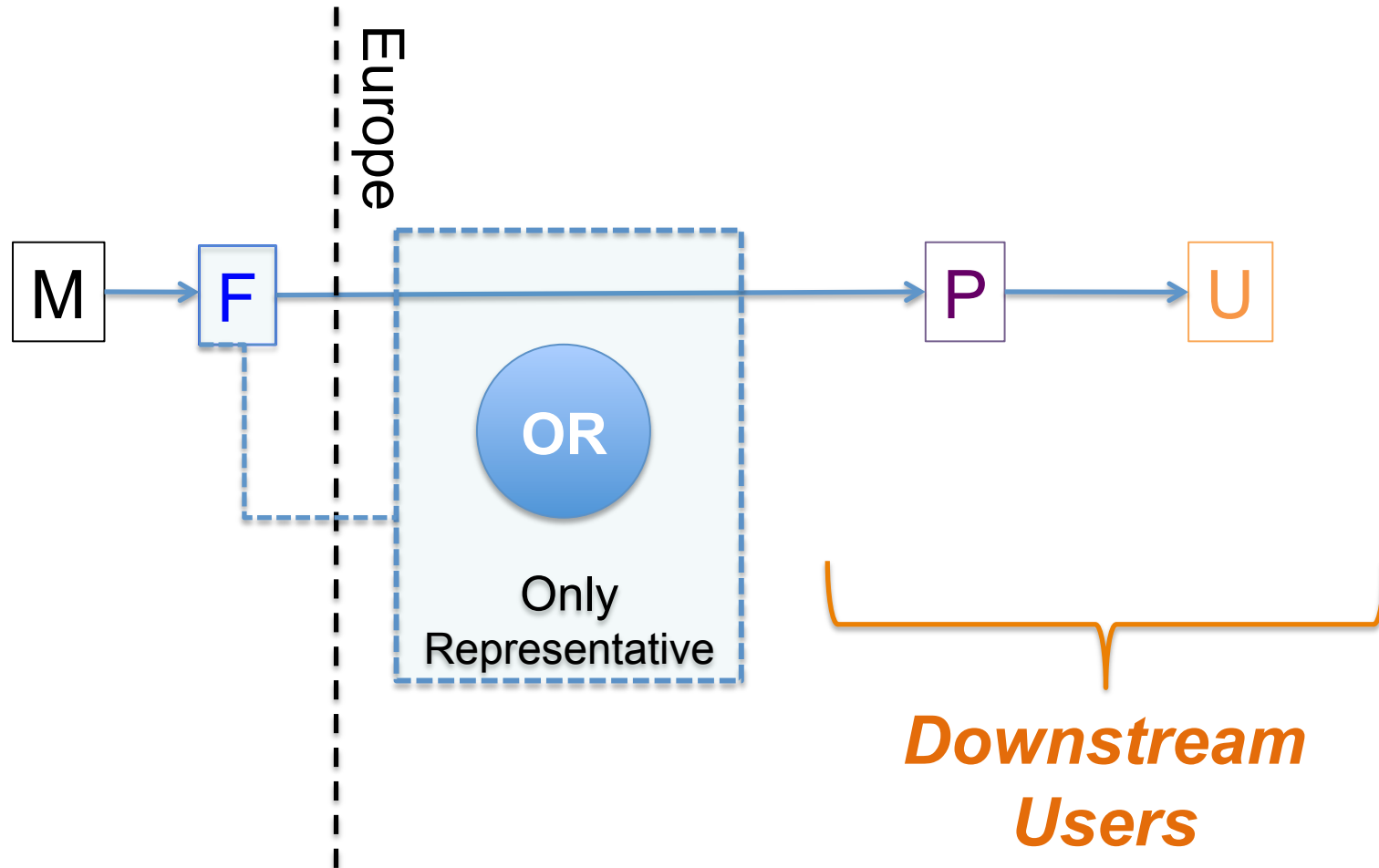


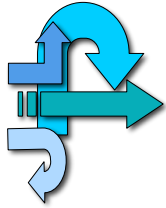
Who Registers?



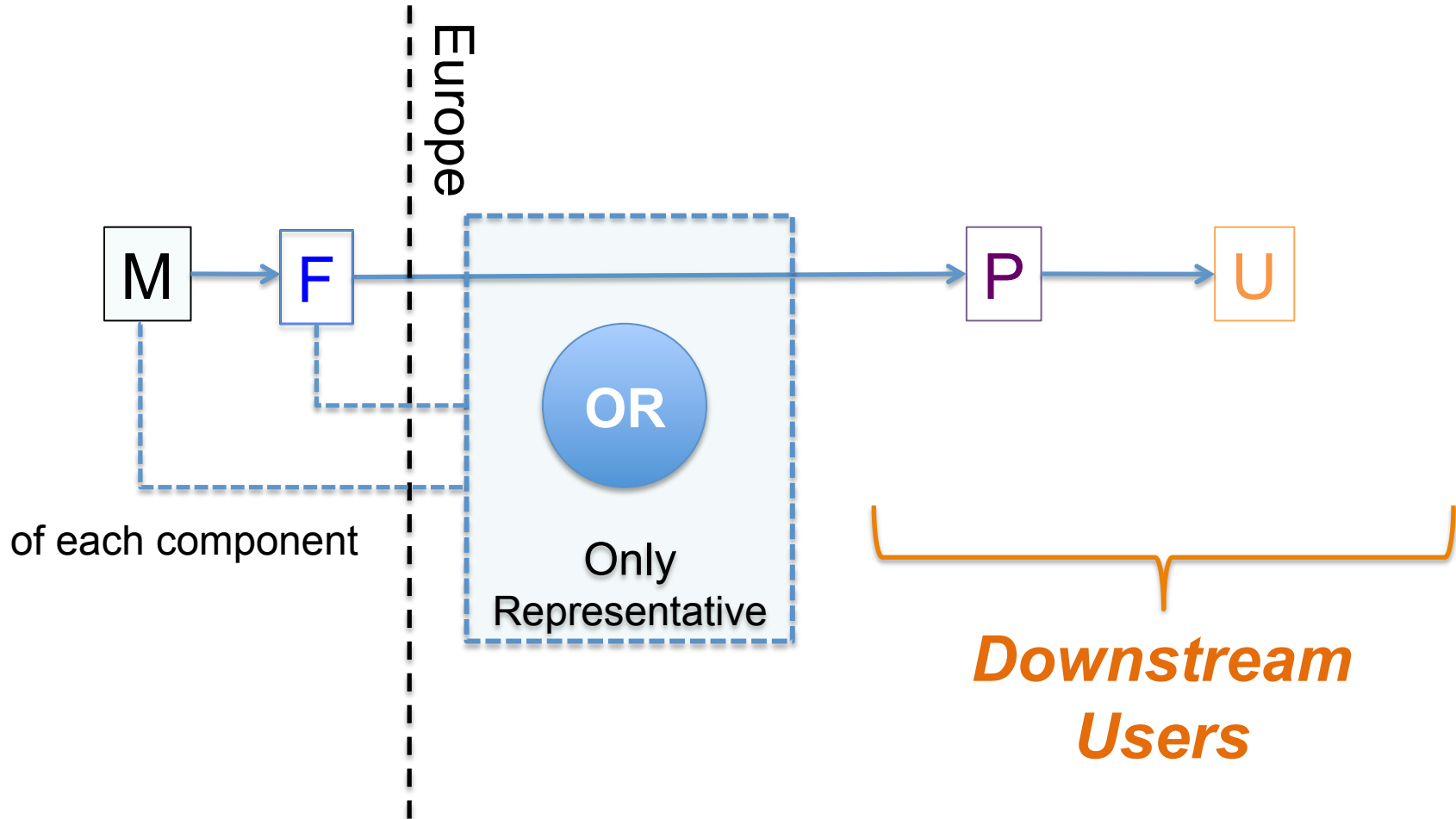


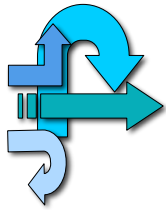
Who Registers? *EU Legal Entity*



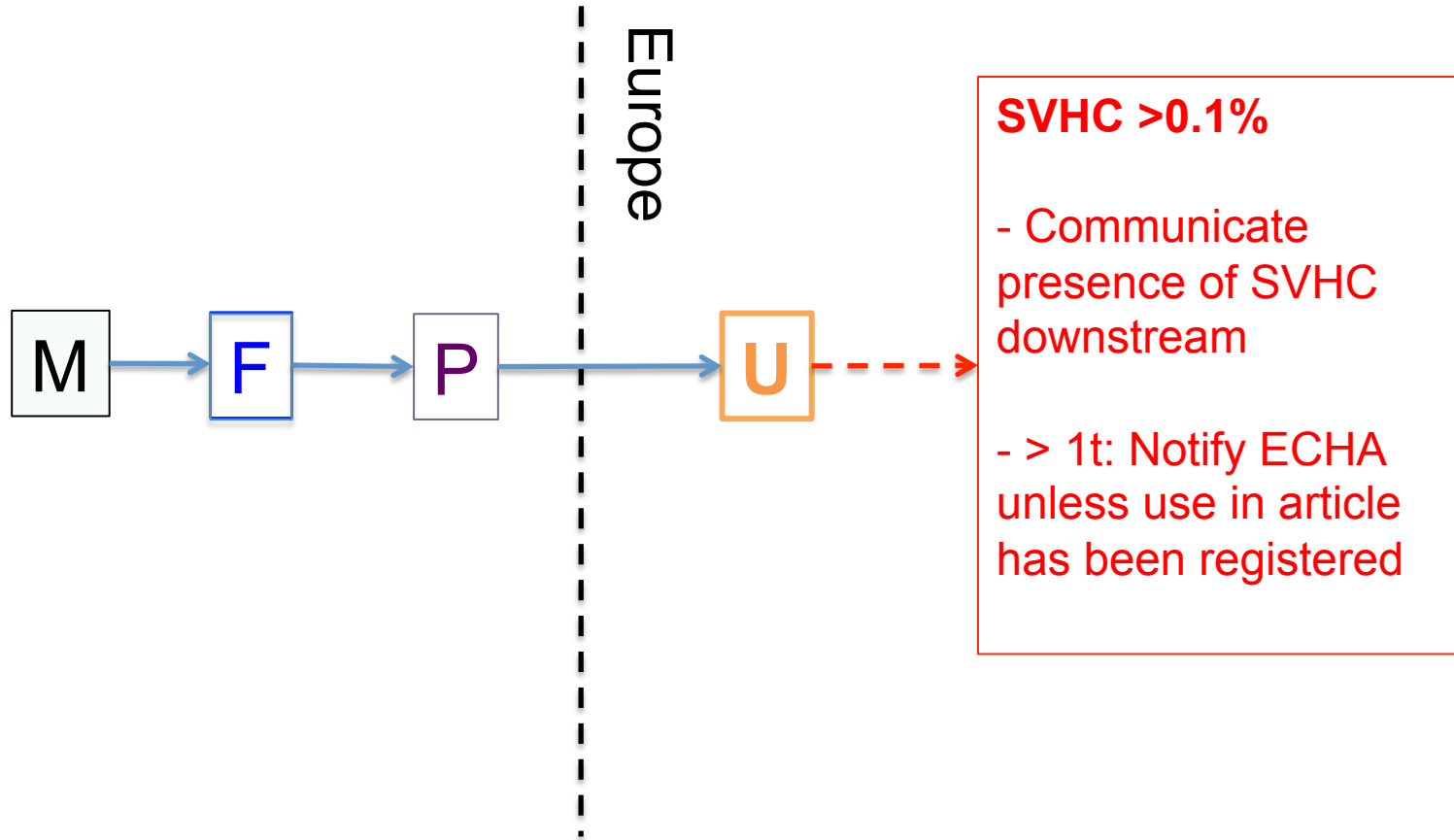


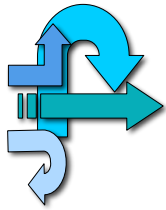
Who Registers? *Supply Chain*





Imported Articles: No Registration

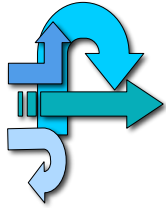




REACH Responsibilities:

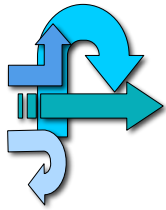
Downstream Users

1. Know chemicals are registered by supply chain
2. Safety Data Sheets (SDS)
 - Communicate uses to suppliers
 - Follow safety provisions in supplier SDS
 - Pass necessary safety precautions downstream
3. Substances of Very High Concern (SVHC)
 - Communicate presence of SVHC
 - Notify ECHA if use not registered
 - Follow any restrictions for authorized SVHC



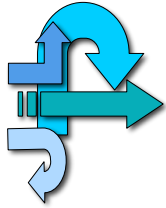
What Your Customer Wants

1. To be a REACH **Downstream User**
 - Components are pre-registered or registered (or will be) by his supply chain for his uses
2. Compliant SDS for his site's use and to build his product's SDS
 - Registration numbers
 - Safety info and exposure scenario (>10t)
 - CLP
3. Preferably no SVHC >0.1%, no restrictions
 - If yes, supply chain gets use authorized



Customer Worry #1: Registration

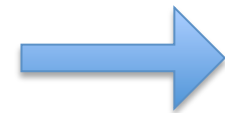
- Will supply chain register components?
 - *Will he see a price increase?*
 - *Will he have to provide confidential use information?*
- Will supply chain decline to register?
 - *Will he have to register and can he afford it?*
 - *Can he find another supplier who has/will?*
 - *Does he have to stop using it?*

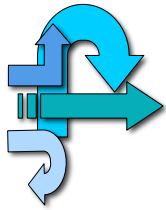


Registration: *What You Should Do*

- Ensure someone in your supply chain
 - Filed Pre-registration already
 - *Did your customer, your OR or someone else in supply chain pre-register all chemical components?*
 - Filed or *Will File* Registration
 - Previous new chemical notice (PMN)
 - Nov 2010 if >1000t or CMR
 - *by May 31, 2013 if 100t – 1000t*
 - *by May 31, 2018 if 1t – 100t*
 - Exempt: <1t per importer
- If none of the above: don't market

Registration Scenarios and options

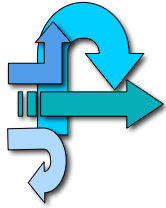




Registration Scenario #1: **Selling Registered Product Now**

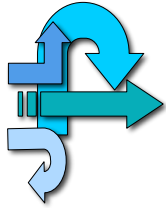
- ✓ Your chemical suppliers have registered
- ✓ Your product volumes and uses are covered by their dossiers
- ✓ Exposure scenarios in SDS
- ✓ You have established mechanism to get SDS to your customers
- ✓ You have established upstream and downstream communication on new volumes and uses
- ✓ Confidentiality agreements in place
- ✓ No SVHC and tracking new SVHC and Restrictions

Congratulations!



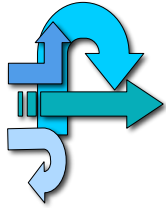
Registration Scenario #2: Pre-registered, **Will be Registered**

- ✓ Verified pre-registration by your supply chain
 - **each** chemical component and **each** supplier
 - For polymers, was monomer pre-registered
- Suppliers are **committed** to registering
 - ✓ upstream communication on volumes and uses
- ✓ Distributing compliant SDS and SVHC info
 - ✓ providing pre-registration numbers



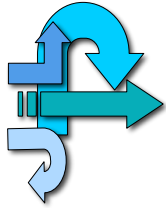
Registration Scenario #3: Pre-registrant *Not Sure* will Register

- Register the chemical **yourself** through your OR
 - Submit “inquiry” > join/form SIEF > register
- Help **your supplier** register
- Help **your customer** (importer) register
- Buy time: stay under 100t/yr until 2018
- Substitute chemical to one that is/will be registered
- *Withdraw product from market*



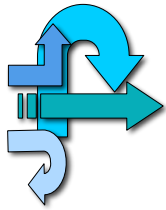
Registration Scenario #4: Registered, but *Not by Your Supply Chain*

- Change supply chain to a registered chemical
 - Same chemical, new manufacturer
 - Substitute another, registered chemical
- Become Co-registrant via your OR
 - Do registration inquiry
 - Join consortium or purchase a Letter of Access from existing SIEF
 - complete the business-specific info, refer to tox data in existing dossier, do risk assessment for your product



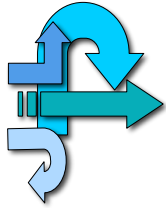
Registration Scenario #5: **Begin Marketing in Future**

- If no one in your supply chain has registered yet:
 - Help supply chain register
 - Switch to supplier (or substitute chemical) who has
 - Set up your own OR to late pre-register > SIEF > file registration dossier when volume is triggered
- Establish supply chain communication networks as soon as possible
 - Uses, volumes, tox data
 - SDS preparation and distribution system
 - SVHC and restrictions communication, if needed



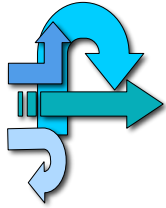
Costs of Registration

- Establishing and participating in a SIEF
 - Consortium & data exist? Letter of Access?
 - New testing needed?
 - Confidentiality concerns?
- Consultant and internal costs of dossier preparation
 - Chemical Safety Report, eSDS, submission
- Registration & Update Fees
- Ongoing communication & documentation
 - OR - SIEF - Supply Chain - Agency
- Manage changes in volumes, uses, suppliers, customers, ORs, consultants, regulatory requirements



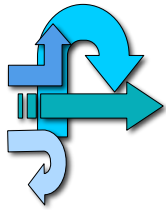
Customer Worry #2: SDS

- Can he comply with SDS safety conditions?
- Will his customers accept safety conditions?
- If SDS doesn't cover his exposure scenario, he must:
 - *Change practices to meet*
 - *Tell use info upstream so supplier will cover*
 - *Do his own chemical safety assessment*
 - *Find another supplier who has his exposure scenario*
 - *Quit buying product*



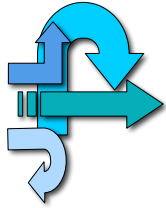
SDS: What Should You Do?

- Know your customers' uses
 - Deal with confidentiality concerns
- Make sure registering party covers your customers' exposure scenarios
 - *Otherwise customer has to notify ECHA and do assessment*
- Communicate supplier SDS to customers
- Help customer comply with precautions



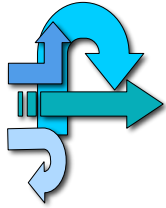
Customer Worry #3: SVHC >0.1%?

- Keeping up with new SVHC listings & presence in product
 - 53 Candidate SVHC now
 - Informing his customers
- Imported Article: Does he have to notify ECHA?
 - Exempt if <1t or someone has already registered use
- Will SVHC go on Authorization list?
 - Will his use be authorized?
 - Can he and his customers meet restrictions?



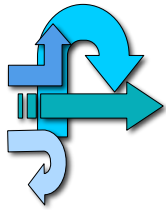
SVHC: What Should You Do?

- Must communicate SVHC >0.1% *up front* to industrial customers
 - Any volume
 - Chemicals listed > 6 months
 - Track new SVHC listings
 - Article 0.1% wt/wt controversy
- Watch for authorization/restrictions
- Consider substitution



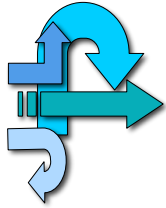
Information Exchange Challenges

- **Information management**
 - Timeliness and completeness, updates
 - Documents (REACH-IT)
 - Records of communications
- **Confidentiality**
 - Formulation composition, Customers, Uses, Volumes
- **How much control do you want to have?**
 - Contracts with OR, technical service providers for SIEF and dossier, document management provider



Deciding What to Do

- Understand your supply chain thoroughly
 - Who and what they have done, plan to do, can do
- Understand compliance options costs & ROI
 - Do you need to change your product or suppliers?
 - Can you manage information and risks?
 - volumes, uses, suppliers, customers, SDS distribution, communications, deadlines
 - Track regulatory changes in interpretations, listings and restrictions
- Clarify roles and responsibilities



References

ECHA Guidance http://echa.europa.eu/home_en.asp

- Navigator (be sure to answer as the EU importer)
<http://guidance.echa.europa.eu/>
- Registration 2013 http://echa.europa.eu/2013_en.asp
- Downstream Users http://echa.europa.eu/reach/du_en.asp
- Articles http://echa.europa.eu/reach/sia_en.asp
- Preregistrations (verify with *your* suppliers)
<http://apps.echa.europa.eu/preregistered/pre-registered-sub.aspx>
- Registered Chemicals (verify with *your* suppliers)
<http://apps.echa.europa.eu/registered/registered-sub.aspx>
- Candidate SVHC
http://echa.europa.eu/chem_data/authorisation_process/candidate_list_table_en.asp

CEFIC

<http://www.cefic.org/Industry-support/Implementing-reach/Guidances-and-Tools1/>

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