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REACH, the EU's chemical legislation - Achievements after five years

The use of chemicals in the EU has become considerably safer since the [REACH Regulation](#) entered into force in 2007 as underlined by a Commission Report on the review of REACH published today in Brussels.

Why a REACH review?

The REACH Regulation requires the Commission to review certain of its elements and to publish a general report on REACH, providing a platform to examine the overall operation of REACH and the attainment of its unique combination of objectives: high level of protection of human health and environment, promotion of alternative testing methods as well as free circulation of substances in the internal market, competitiveness and innovation.

In line with the principles of Smart Regulation, the Commission undertook a broad assessment of what five years of REACH have brought about, going beyond the legal obligations and paying special attention to the impacts on SMEs and innovation, administrative burdens and costs.

The Commission sees the REACH review as a rolling exercise and is preparing an assessment of the registration requirements for substances registered between 1 and 10 tonnes, as well as for polymers.

What is the impact of REACH so far?

Although it is still too early to quantify the benefits, REACH has brought significant improvements in the management of chemical risks through the registration, evaluation, authorisation and restriction processes. The monitoring of REACH carried out by Eurostat reveals a marked increase in the quality of data as a result of the first registration phase as well as a marked decrease in the risk associated to substances already registered.

There are significant differences in the impacts of REACH in terms of compliance costs and market concentration. The costs for the first registration period have been estimated at € 2.1 billion; nevertheless, industry seems able to absorb the additional costs with no major adverse effects and a general acceptance of the long-term objectives. At the same time, communication requirements are an important stimulus for the generation of ideas and innovation not only in the chemical sector but also in downstream users. Certain firms or sectors appear more vulnerable in this process and the Commission's Report identifies a number of areas to address those issues, including appropriate support for SMEs to minimise the impact of the Regulation for them.

What is the public perception of chemicals in Europe?

The Commission ran a Eurobarometer survey on the public perception of chemicals.

According to the survey, citizens are nowadays generally well aware of the wide application of chemicals and 61% of Europeans say that chemicals on the EU market today are safer than 10 years ago. Furthermore, 69% of Europeans consider chemicals unavoidable for their daily life and 75% relate them to industrial innovations. More than half of the respondents agree that chemicals can help reduce the use of natural resources but nevertheless, only 43% of the respondents agree that they can contribute to a better environment.

In general, Europeans think that industry and public authorities should ensure the safety of chemical substances in the EU. See [MEMO/13/61](#).

What are the overlaps between REACH and other EU legislation dealing with chemical risk?

Although the REACH review has not identified major overlaps between REACH and other EU chemicals legislation, the Commission noted some minor overlaps or potential overlaps and the need for more coherence in the area of restrictions.

In cooperation with Member States, the Commission will endeavour to clarify the scope and the procedures of different EU legislation managing chemical risks in order to improve coordination and enhance consistency.

What are the next steps to identify substances of very high concern (SVHC)?

In 2010, the Commission committed to having at least 136 substances of very high concern on the candidate list by the end of 2012, as an intermediate target to accelerate the time at which those substances are put on the candidate list. Having reached this intermediate target, the Commission is now working on the longer term objective of identifying all relevant substances of very high concern by 2020 for their inclusion on the candidate list. To this end, in cooperation with Member States and the ECHA, the Commission is developing a roadmap to assess and identify such substances.

Based on the Risk Management Option analysis approach (RMO) and making use of information obtained from the registration and evaluation processes, the roadmap has a broader scope than the identification of substances to be added to the candidate list. Besides authorisation, this process will also be helpful to ensure progress in other areas of REACH such as restriction.

What is the role of the European Chemicals Agency in the implementation of REACH?

The European Chemicals Agency (ECHA), founded in 2007, was created to help implement the REACH regulation. Companies that produce or import to the EU chemicals in quantities higher than one tonne per year must register them with ECHA. ECHA also assists Member States and the European Commission in the process of restriction and authorisation of chemicals of concern. ECHA is now fully operational and plays a central role in the daily management of REACH and other chemicals legislation. This role should continue in the future, with increased operational efficiency and engagement with stakeholder activities.

What does the Commission propose to reduce the impacts of REACH for SMEs?

The Commission's Report acknowledges the result of a recent survey showing that REACH is considered by SMEs as one of the 10 most burdensome pieces of EU legislation. These results are mainly related to the limited awareness of downstream users about their role and obligations under REACH.

For that reason, the Commission proposes a list of measures aiming to reduce the administrative burden of REACH for SMEs while assisting them to fulfil all REACH obligations. The recommendations tackle concrete issues identified in the review of particular relevance for SMEs; among others, in relation to SME participation in Substance Information Exchange Fora (SIEFs), availability of guidance or awareness-raising. Furthermore, the Commission proposes to revise the Fee Regulation in order to lower the costs for SMEs.

What is the Fee Regulation and how does it support SMEs?

The Fee Regulation establishes the fees and charges that companies must pay for registering chemicals or for applying for an authorisation for the use of certain chemicals in the context of the REACH regulation. The Fee Regulation is currently being reviewed. The review takes into account the conclusions of the REACH review, in particular those related to the costs of REACH and its impact on competitiveness and innovation. The main focus of the Fee Regulation review is to reduce the burden on SMEs while ensuring that ECHA is able to fulfil its tasks.

[Chemicals and the Environment](#)

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