



Implementing
REACH
together





REACH is here

In future EU chemical law will to a large extent be governed by the REACH Regulation, which came into force on 1 June 2007. The REACH Regulation unites numerous legal documents on EU chemical legislation that existed alongside each other and supplements them with new aspects. The aim of the regulation is to improve the information that exists on chemical substances manufactured within and imported into the EU. It additionally aims to reduce the risks associated with the use of chemical substances.

REACH brings changes

REACH stands for **R**egistration, **E**valuation, **A**uthorisation of **CH**emicals and is based on the principle of independent responsibility within the industry. The regulation therefore places a duty on manufacturers and importers to the same extent as industrial and commercial users/processors. Employing the principle of reversing the burden of proof, REACH shifts the responsibility for examining chemical safety to these groups. In future they will have to demonstrate convincingly that their products are safe to handle and do not unnecessarily harm the health of either processors or consumers or damage the environment. This is no longer a task of the national authorities.

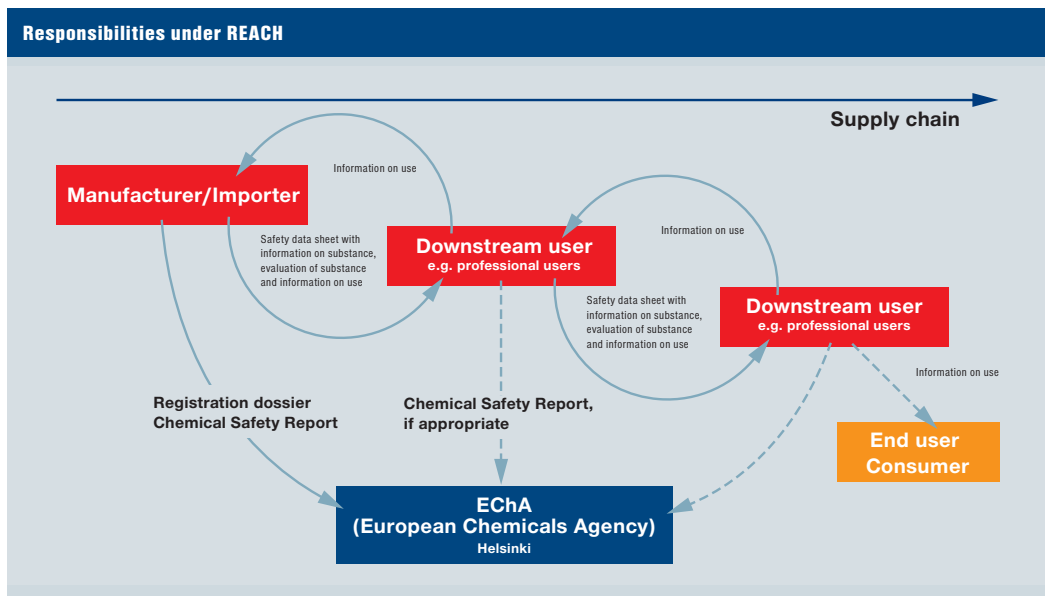
REACH has consequences

All substances manufactured or imported in quantities of more than 1 ton per annum have to be registered with the new European Chemicals Agency (EChA) in Helsinki – which in effect means that basic data on identity, impurities, classification, waste disposal and handling have to be submitted in the form of a registration dossier. It is not the products that are registered but the individual substances – even if they are a constituent of a preparation or of a product. On the principle of “no data, no market”, it will only be possible to place chemical substances on the EU market that have previously been registered. Substances that have not been registered will become illegal.

The first specific REACH process is pre-registration of what are called phase-in substances from 1 June to 1 December 2008. Registration of high-volume, environmentally harmful and particularly hazardous substances (CMRs) has to take place within the first 3.5 years after the law has come into force; registration periods from 3.5 to 11 years have been defined for additional substances (see table).

REACH Deadlines	
1 June 2007	REACH comes into force
1 June 2008	Start of pre-registration
1 December 2008	End of pre-registration
1 January 2009	Publication of the pre-registered substances, start of registration
1 June 2009	EChA proposes substances that have to undergo an authorization procedure
1 December 2010	End of the registration period for substances $\geq 1,000$ t/a CMRs ≥ 1 t/a environmentally hazardous substances ≥ 100 t/a
1 June 2013	End of the registration period for substances ≥ 100 t/a
1 June 2018	End of the registration period for substances ≥ 1 t/a

Responsibilities under REACH



REACH covers more

Another special feature of REACH is the extension of communication within the supply chain. This is because one of the basic ideas of REACH is to establish comprehensive risk management for the entire life cycle of chemicals. Consequently, the entire sales chain is incorporated into the REACH process. The regulation not only affects the manufacturers and importers of chemical substances but also companies that employ chemicals in the widest sense, the so-called downstream users.

Typical downstream users are:

- Formulators who manufacture preparations from different substances (for example: adhesives, paints, construction chemicals)
- Companies that employ substances or preparations in order to manufacture products (for example: the plastics and rubber industry, pharmaceuticals, automotive industry, engineering and plant construction, electroplating and surface coating plants)
- Companies that provide services using substances or preparations (for example: trades such as painter decorators or cleaning companies)
- Reimporters of registered substances

Downstream users also have tasks and duties. They have to provide their upstream manufacturer or importer with information on the precise use so that it can take account of this application in its information on exposure in the technical dossier and, if applicable, in its exposure scenarios and thus recommend suitable risk management measures. The application then becomes an "identified use". In this case the downstream user does not need to conduct any independent registration but has to apply the risk management measures recommended by the manufacturer/importer.

If the manufacturer/importer does not identify the individual application by including it in its Safety Data Sheet – perhaps because it views the risk from this application as too great – or does not wish to notify the downstream user of the application in order to maintain company secrecy, the downstream user may have to submit an independent use registration, detailing the hazard potential for humans and the environment together with safety precautions.



LuV and REACH

Some nine years elapsed between the initial approaches to a new European chemicals regulation and its coming into force. LuV was intensively involved with the subject at an early stage, for example through involvement in Internet consultation on the first draft of the regulation and in a simulation game in North-Rhine/Westphalia from September to November 2003 aimed at practically testing selected elements of the REACH process by authorities and companies.

From the outset, we have been concerned with reassuring our customers from the earliest stage possible that our products will continue to remain available. This also includes clarifying with our European and non-European suppliers whether they would be arranging for substances to be registered (if appropriate, through a representative within the EU) and if so, which, and in which cases we should take care of the matter. The three pillars of our business – distribution, production and trading – do in fact mean that we are affected in a variety of ways by REACH and have different roles with differing obligations for different substances.



REACH activities at Lehmann & Voss & Co.

Basic information for all sales divisions on REACH	2003
Detailed analyses of which products and substances may be at risk as well as whether data have to be acquired from suppliers for possible registration and for which products/substances	2004
Consistent acquisition/evaluation/compilation of the substance-related data, launch with one to two pilot products from each sales area with the results of provisional REACH documents (registration dossier and chemical safety report) for 11 substances	2005
Supplier survey, REACH workshops with customers	2006
Preparation of pre-registration of the products imported by LuV	2007/2008
Performance of pre-registration	2008



LuV is prepared

The intensive examination of REACH enables us to give full explanations when we receive queries such as the following from our customers: Will the product continue to be available? Will all constituent substances be pre-registered and registered? Which exposure scenarios/uses will you cover or enforce with your suppliers? Are you already in contact with other market participants

or in consortia? Which basic preparations have you made, what have you undertaken for REACH to date?

Each of our business units as well as our foreign subsidiaries have a permanent contact person for REACH, who is well informed and available for information at all times.

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Coordination for the implementation of REACH is the responsibility of the Department 'Safety and Environmental Protection' headed by Dr. Heiko Thoms (Tel. +49 (0) 40-44 197-454, e-mail Heiko.Thoms@lehvoss.de). Our Department 'Legal Affairs' is also involved in the implementation process the responsible person being Hubertus Richert (Tel. +49 (0) 40/44 197-260, e-mail Hubertus.Richert@lehvoss.de).

We have set ourselves the target of fully complying with the requirements of REACH and have therefore taken early action. We shall be pleased to offer our support to customers and suppliers in matters concerned with meeting the various requirements. Let us take a joint and committed approach to fulfilling our responsibility as a chemical company.





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