A GUIDANCE NOTE FROM THE UK CHEMICALS STAKEHOLDER FORUM

What SMEs need to know about the 2018 REACH Registration deadline

Version 2, 27 April 2017

Introduction

REACH is a substantial piece of legislation controlling the manufacture, import and use of chemicals within the European Union/European Economic Area (EU/EEA). The acronym stands for Registration, Evaluation, Authorisation and Restriction of Chemicals. Its main purpose is to ensure that industry is responsible for the safe use of chemicals throughout the supply chain, contributing to a high level of protection of human health and the environment, and to facilitate the free circulation of chemical substances within the internal market ("substances" is the term used in REACH and in this advice note). The European Chemicals Agency (ECHA) is the body responsible for the administration of this legislation.

REACH applies to substances on their own, in mixtures and in articles (objects). As such, it has the potential to impact all UK business sectors from chemical manufacturers, metals industry, furniture makers and retailers to builders, food companies and printers. Most businesses use chemicals, in some form, in their day-to-day operations.

This advice note provides a brief introduction to the **registration** element of REACH. The UK Chemicals Stakeholder Forum has prepared this paper as we approach a key milestone - **31 May 2018** - the registration deadline for tens of thousands of substances, which are manufactured or imported in **quantities between 1 and 100 tonnes per year** (substances used in high tonnages have already been registered). "Import" means import into the EU/EEA.

Each individual company manufacturing or importing substances has to register them, jointly with other companies manufacturing or importing the same substance. We are concerned that many companies, in particular smaller ones, are not aware of, or are not actively preparing for, registration. Registration will affect namely any companies and supply chains that use substances and hence depend on them. In the worst case, if nobody registers a substance, it will no longer be available on the market. That's a business continuity risk that all companies should want to avoid.

1. What is registration?

Registration is a legal requirement under REACH. Each EU/EEA company that manufactures or imports 1 tonne or more of a substance a year must collect a standard set of data on that substance. The data is used to assess its hazards and ensure that any risks to human health and the environment are controlled. A registration dossier must be submitted to ECHA for this purpose.

Most substances already manufactured or placed on the market before REACH came into force – known as "phase-in" substances – can benefit from staggered registration deadlines, based on volume and hazard properties. A company must have pre-registered the substance by 1 December 2008 to benefit from these extended deadlines.

Each EU/EEA company manufacturing or importing phase-in substances in medium or high volumes (above 100 tonnes a year), or substances which were category 1A/1B carcinogenic, mutagenic or reproductive toxicants (CMRs), should have registered them by now in the two previous rounds of registrations in 2010 and 2013. By 31 May 2018, phase-in substances manufactured or imported in volumes between 1 tonne and 100 tonnes a year must also be registered.

2. How do I know if I need to register a substance?

If your company manufactures or imports any pre-registered phase-in substances in quantities between 1 tonne and 100 tonnes a year and you have not yet registered them under REACH, the registration deadline of 31 May 2018 is likely to apply to you. If not already done, you should review

your portfolio and identify those substances that are subject to registration and consider your course of action as a matter of urgency. Figure 1 gives you a general indication on how to determine if you have registration obligations.

REACH defines phase-in substances as those that:

- Are listed in the European Inventory of Existing Commercial Chemical Substances (EINECS), or
- Were manufactured in EU countries in the past but have not been placed on the EU market since 1 June 1992; or
- Substances that qualify as "no-longer polymer'' (see NLP entry here)

If your substance is "new" (i.e. 'non-phase-in') or is a phase-in substance that has not been pre-registered, you must submit an inquiry to ECHA and register it before you can manufacture or import the substance at 1 tonne or more per year.

The EC Inventory database can be used to assess whether your substance is "phase-in" or "non phase-in". More information on how to make sure that you properly identify the substances for registration purposes is available on the ECHA guidance for identification and naming substances.

If your substance meets one of the phase-in criteria above but has not been pre-registered, you could still benefit from the delayed 31 May 2018 registration deadline, if you are eligible for "**late pre-registration**". Late pre-registration is open only to those companies who manufacture or import a phase-in substance in quantities between 1 tonne and 100 tonnes per year for the first time after 1 December 2008. **You must submit a late pre-registration within six months after manufacturing or import exceeds 1 tonne and no later than 31 May 2017**. CMR substances categories 1A and 1B are not eligible for late pre-registration.

Pre-registration

- Took place between 1 June and 1 Dec 2008;

-Allowed companies to inform ECHA about which phase-in substances they intended to register and benefit from an extended registration deadline;

- It is company specific: as general rule, it cannot be transferred/sold to another company;

-Check in REACH IT whether your company pre-registered, particularly if there have been personnel changes since 2008;

-"Late pre-registration" does not apply to companies that failed to pre-register by 1 December 2008;

"Late pre-registration" is free and relatively simple.

3. Are there any exemptions to registration?

There are a few substances for which exemptions exist. Exemptions include radioactive substances, substances in transit and those in customs warehouses intended for re-export outside the EU/EEA, and waste (as defined by other EU legislation).

There are no registration obligations for substances that already require some other kind of registration or licence before they can be used in Europe, e.g. human and veterinary medicines, food additives, and the active substances used in plant protection products and biocidal products.

REACH Annexes IV and V list individual substances or categories of substances which are exempt from registration. The substances in Annex IV are typically of natural origin and are exempted because they are considered to be of minimal risk. For the categories in Annex V (e.g. naturally occurring minerals and ores) registration is deemed inappropriate or unnecessary. There are also registration exemptions in place for some recovered materials, such as compost.

For some other substances, including chemical intermediates (a substance that is manufactured for, and consumed or used in, chemical processing in order to be transformed into another substance), there are reduced information requirements as long as particular conditions are met.

The UK HSE (UK REACH Competent Authority) has provided a useful leaflet on exemptions to REACH registration. More detailed information on Annex V exemptions from ECHA is available here.

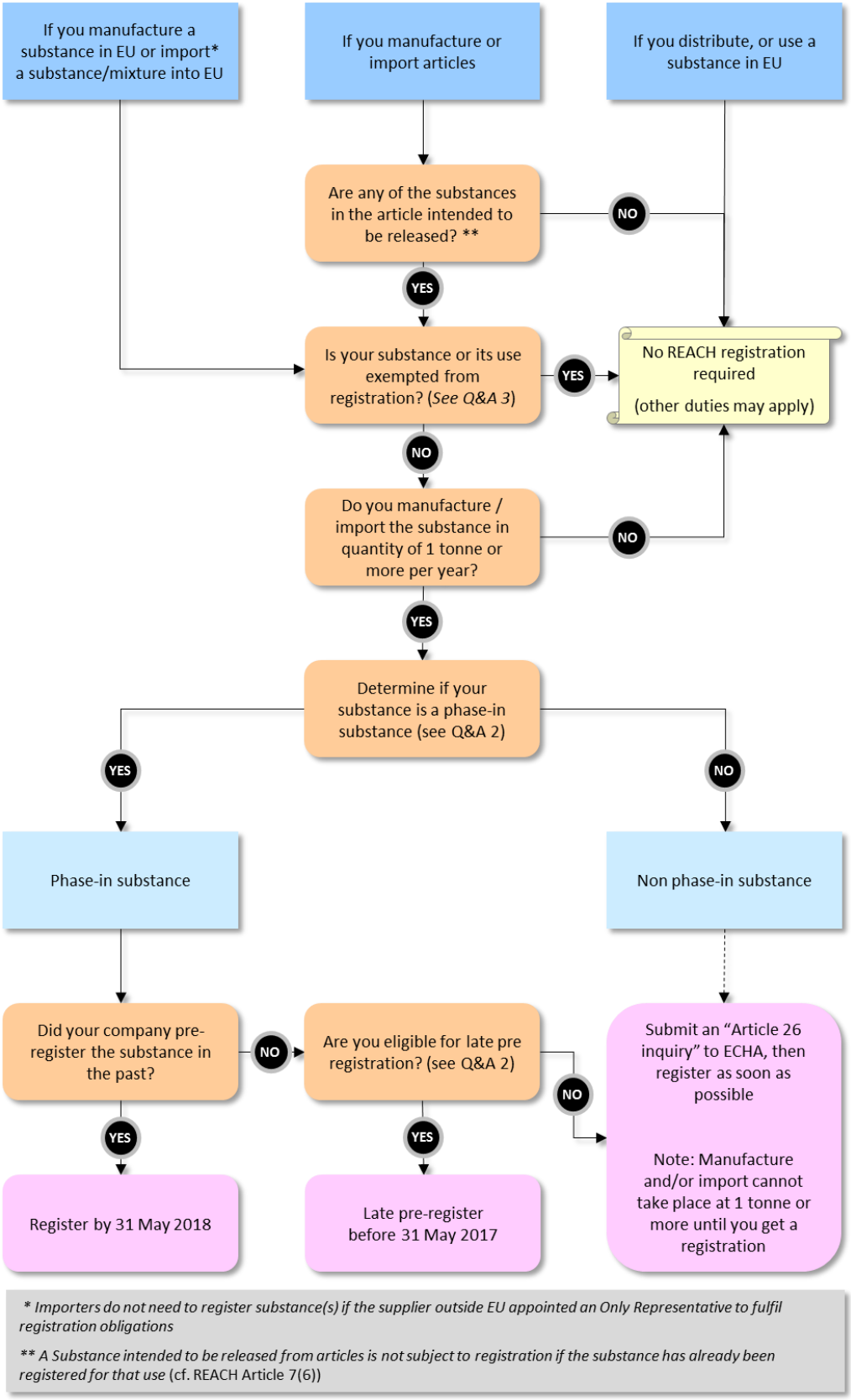

Fig.1. How to determine whether you have registration obligations - general overview
(Please consult the ECHA 2018 webpages and registration guidance to clarify registration obligations for your specific substance)

4. Can my non-European suppliers register substances I import above 1 tonne per year?

No. REACH does not apply outside the EU/EEA. Although your non-EU/EEA suppliers have no direct responsibilities, they may wish to support you to ensure continued supply of their products into the EU/EEA. REACH allows non-EU/EEA substance manufacturers, formulators of mixtures and producers of articles to appoint an "Only Representative" (OR) established in the EU/EEA in order to register and cover their customers. In this way, you are relieved from registration obligations, and are now considered a downstream user under REACH. If no OR is appointed, you are required to register as importer. This may be challenging, especially in the case of substances present in imported mixtures, as you may need to access technical information on the substances directly from your supplier to be able to make your own registrations.

If the substance you import is registered by an OR, it is imperative you are aware of who the OR is. The non-EU manufacturer/supplier is expected to inform the EU-based importers within the same supply chain of the OR's appointment. It is also advisable to obtain confirmation from the OR that your imported tonnage and use(s) are covered in the registration. Importers claiming that their registration obligations are covered by an OR must be able to provide evidence to enforcement authorities under request. Without clear documentation that the imports are covered by the registration of the OR, the importer remains responsible for them. Further information is available in the ECHA guidance on registration.

5. What do I have to do if I have registration obligations?

Once you know that your substance has to be registered, you should find out if the substance has already been registered by others or, if not, which other companies intend to register it. You then need to engage with them to prepare the joint part of the registration, submit your individual part of the registration and pay your registration fee to ECHA. Once you have successfully registered, REACH requires you to keep the information in your dossier updated as necessary. Figure 2 represents a step-by-step overview of the registration process. Please bear in mind that:

- You need to estimate the average tonnage per year of the phase-in substance that you will manufacture or import for the three years before you register. This is important because the amount of information you have to include with your registration will differ depending on whether the answer is 1-10 tonnes or 10-100 tonnes. Consult the ECHA guidance on registration for more information on how the tonnage is calculated.

- To minimise cost and avoid unnecessary animal testing, registration is based on the principle of "one substance, one registration". Registrants must work together in Substance Information Exchange Forums (SIEFs). SIEF members gather the information they need to register the substance, share data on its intrinsic properties and agree on its classification and labelling. Some of the data should already be available, but where there are data gaps testing may be required. Registrants have the obligation to share all test data on vertebrate animals.

- It is important to check that the substance you intend to register really is the same as the one covered by the SIEF. You need to justify "sameness" of the substance based on your own data and the substance identity description provided by the SIEF. If the substance has not already been registered in one of the earlier deadlines, one of the first tasks of companies will be to agree on substance identity covered by the joint registration.

- For each substance, one company takes the role of lead registrant. The lead registrant's tasks are to submit the joint part of the registration, establish the platform for joint registration ("joint submission object") in REACH-IT and distribute the security token so that all co-registrant can

join the platform and submit their individual parts of the registration. All co-registrants are responsible for making sure that the registration is done on time according to the legal requirements. In practice, the lead registrant often takes the task to produce the joint part of the registration. This is a complete dossier containing all the required data for physicochemical, toxicological and environmental properties. The co-registrants then refer to the lead dossier, in particular for the technical data about the substance.

- After the lead registrants has submitted the joint part of the registration, the other co-registrants then submit "member dossiers" containing information specific to their company, substance identification, information on how their substance is used, and their production or import volumes.

- If the quantity manufactured or imported is 10 tonnes a year or more, you need to carry out a Chemical Safety Assessment (CSA) to assess the intrinsic properties, manufacture, use, exposure and risk of the substance. If the substance fulfils certain hazard criteria, the CSA must include an assessment of the exposure to demonstrate that the risk can be controlled with a set of operational conditions and risk management measures. The CSA is documented in a Chemical Safety Report (CSR) by the registrant. The CSR can be submitted by companies separately, or as part of the joint part of the registration dossier covering all identified uses of the substance. ECHA has developed CHESAR, an application that automatically generates the CSR and structures the exposure information you need to communicate to supply chain. Manuals and a free webinar on how to use CHESAR are available here.

- There is a dedicated software package called IUCLID for producing registration dossiers. ECHA's manual on how to prepare registrations helps identify which sections of IUCLID should be filled in for a lead registrant dossier, or for a co-registrant dossier. A number of free webinars are also available on the ECHA website to guide you on how to use IUCLID. The dossiers must then be submitted to ECHA through the ECHA REACH-IT portal. Each company must create an online account in REACH-IT.

6. What is a SIEF and what is a consortium?

A SIEF is the formal group of companies who have pre-registered the same substance. One SIEF covers one substance. Being part of the SIEF is a legal obligation for all registrants of the same pre-registered substance.

A consortium is a voluntary organisation of companies who have decided to work together. A consortium can cover more than one substance and its remit may go beyond preparing REACH registration dossiers. Not all SIEFs have a consortium and not all members of the SIEF need to be part of a consortium.

The Directors' Contact Group, an informal group of the European Commission, ECHA and some European industry associations, published advice on points you should consider when looking at joining a consortium or just being part of the SIEF. A list of existing REACH registration consortia is available here.

7. What do I have to do if my substance has already been registered?

If your substance has already been registered, you should contact the lead registrant as soon as possible and discuss buying a Letter of Access. This will ensure you are part of the joint submission and be the proof of your right to refer to the data in the lead registrant's dossier.

If you have pre-registered, it is likely that you have already heard from the lead registrant. Otherwise, you should check the pre-SIEF pages of REACH-IT and ECHA's database of registered substances.

As co-registrant, your submission does not need to include the information already provided by the lead registrant. But be aware that, although much of the work has already been done, your own dossier needs to include information specific to your company, so preparing and submitting it will still require some time and resources.

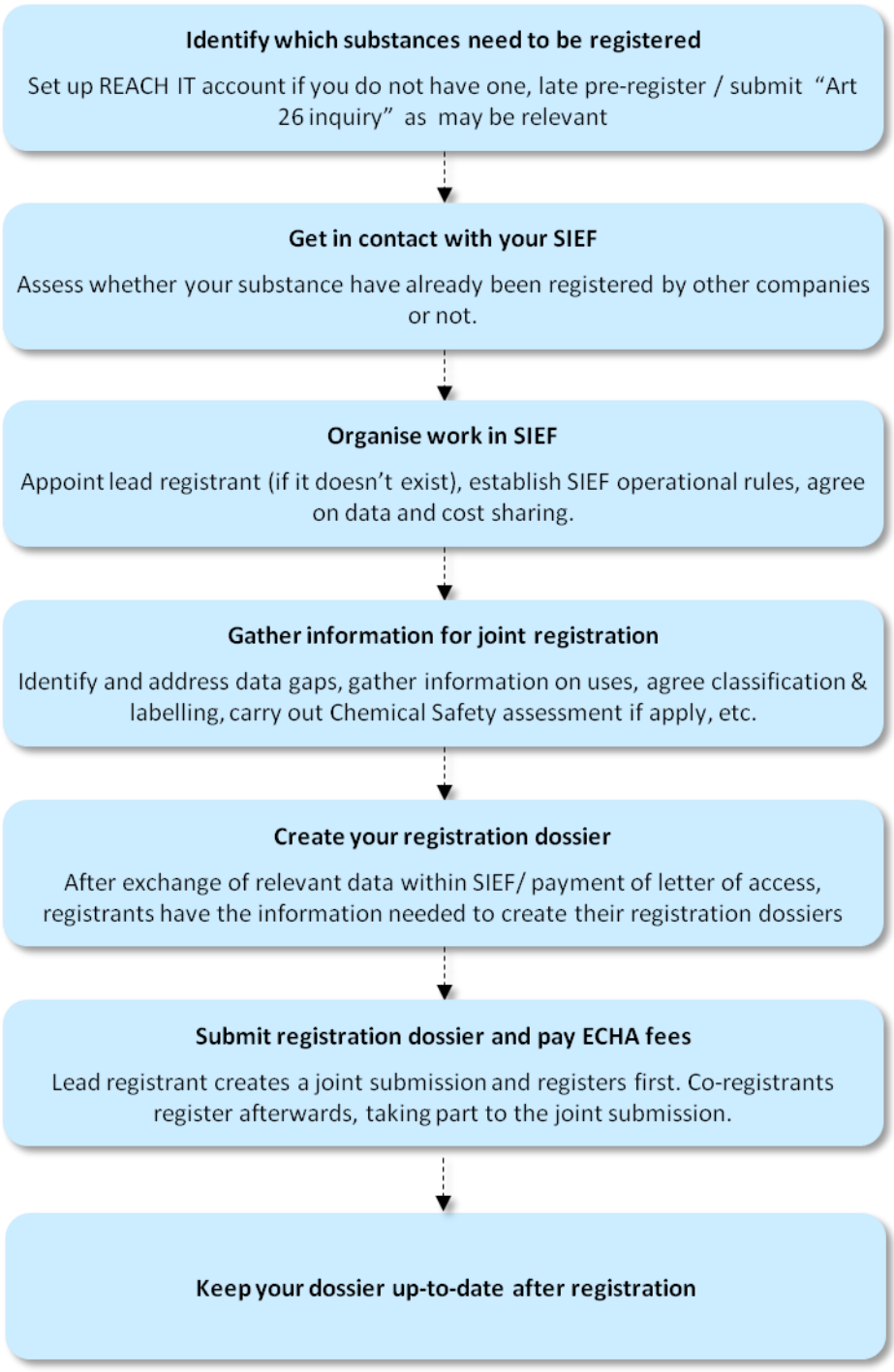

Fig.2. Step-by-Step overview of the registration process
(Please consult the ECHA 2018 webpages and ECHA guidance for more information)

8. What if my substance has not yet been registered?

If the substance has not been registered, you should contact other potential registrants as a matter of urgency. If you pre-registered, ECHA will have automatically added you to the "pre-SIEF" webpage, which contains the contact details of all the companies that pre-registered that substance. If companies can agree they are all talking about the same substance, a SIEF can be formed and work can begin to prepare the joint registration. Discussions on substance identity may see some pre-SIEFs merge or split. Decisions need to be clearly documented and justified in both situations, as they might be subject to enforcement.

If no one company is opening contact, you should consider doing so as soon as possible and think about whether to offer to act as lead registrant. Being a lead registrant gives you the chance to keep the registration under control, but it comes with the responsibility of leading the registration for your fellow SIEF members.

Lead registrants and candidate lead registrants should notify themselves to ECHA, which regularly updates the list of substances with lead registrants available.

9. What are the information requirements if I manufacture/import 1-10 tonnes a year?

Minimum information requirements are outlined in Column 1 of Annex VII of REACH. These include a number of physicochemical data, as well as toxicological and eco-toxicological information. An overview can also be found on the ECHA guidance on registration (section .4.1.1 Table 2). If you are registering a substance in this tonnage band you will not need to prepare a CSR.

Registrants of phase-in substances in the 1-10 tonnes per annum tonnage band may be able to benefit from reduced data requirements. If certain conditions are met, instead of a full Annex VII data set, a registrant has the option to provide only physicochemical data. In order to be eligible, neither of the Annex III criteria should be met.

- CMRs or PBT/vPvB substances are not eligible for reduced registration requirements;
- Substances having 'dispersive or diffuse use' **and** predicted to be classified for human health or environmental hazards are not eligible for reduced data requirements.

'Dispersive and diffuse use' is likely to include both consumer and professional use. Uses in an industrial setting (e.g., in a factory) where there are systems in place to minimise release are unlikely to be dispersive or diffuse.

This provision could reduce the cost required either to commission testing or for a letter of access, since there would be no need for data on human health or environmental endpoints. If you submit only physicochemical data, please document your assessment carefully and provide convincing justifications in your dossier. ECHA has published an Inventory of substances (called *Annex III Inventory*) predicted to be hazardous; and related examples, which you could use to assess if the reduced requirements apply to your specific case. The UKHSE has also published a useful leaflet on this topic. If your phase-in substance is eligible for reduced requirements but you voluntarily decide to provide the full Annex VII dossier, you do not need to pay the registration fee to the Agency. ECHA Q&A 1237 gives more details on the fee waiver.

10. What are the information requirements if I manufacture/import 10-100 tonnes per year?

Minimum information requirements are outlined in Column 1 in Annex VII and VIII of REACH. You need to have more toxicological and eco-toxicological information than you would for the lowest volume (1-10 tonne) substances. You will also need to conduct a CSA and present the results in the CSR. For the CSR, you need information on the manufacturing processes (but not for imports), identified use and exposure. Identified uses include your own use, those that you market a

substance for and those that are made known to you by your customers and any subsequent customers further down the supply chain.

11. Who needs to be involved?

Pulling together a registration dossier can be challenging and requires a wide range of expertise. You may need to involve regulatory affairs managers, toxicologists, occupational hygienists and legal advisers, amongst others. Procurement and sales also have a role in gathering data from suppliers and customers. All the expertise needed may or may not be already available within your company. You might also wish to hire consultants to help you preparing for registration. A free Service Providers guide is available here. Resource needs will be highest for those who play an active role in preparing the joint submission dossier, but even those with a less active role need to ensure they have sufficient resource dedicated to REACH in advance of the deadline. In addition, you may need to contract out some testing to get data for your registration. Tests take time and some testing houses are already overbooked. If you are a first-time registrant, it is advisable to have a plan in place to identify priorities and establish a timeline.

12. How much will registration cost and how will these costs be shared?

The total cost of registration varies depending on a number of factors, including the type of substance, the cost of the studies needed, the tonnage band of the substance you manufacture or import, the size of your company, and the number of registrants involved. It is therefore difficult to predict exactly.

Each registrant must pay a fee to ECHA for each individual registration dossier. Current ECHA fees are detailed here. The level of the ECHA fee depends on the type of dossier, the tonnage band of the substance, and some other factors. There are reduced fees for companies meeting the EU SME definition. Please note that the EU SME definition is different from the one sometimes used in the UK. Staff headcount, annual turnover, annual balance sheet are key criteria to assess SME status. You also need to consider ownership, voting rights and relationships with other companies. ECHA checks the SME status of any firms claiming this discount, and administrative charges apply if the claim is incorrect. It is therefore very important that you make sure your company fully meets the SME criteria. Step by step instructions on how to work out the right company size category are available here.

ECHA registration fees are only a small fraction of the total costs. Information gathering costs will be shared among the companies in a SIEF and, as a general rule, co-registrants need to compensate the lead registrant for the work they do (or have already done) putting the lead dossier together. This may relate to the commissioning of tests or bringing in the support of consultants. Costs significantly increase if a CSR is required. ECHA have provided valuable information on indicative costs and timelines for generating new information for registering substances.

Data sharing agreements should reflect the various costs in a transparent manner as set out by the Implementing Regulation on data sharing, adopted by the Commission with Member States on 26 January 2016 . ECHA has also fully revised its guidance on data sharing in light of the new legislation.

It is important to note that companies should only pay for the data they need for their own registration and for a fair and transparent contribution for the preparation of the joint part of the dossier and to the SIEF administration costs. For instance, if you manufacture or import a substance in quantities between 1-10 tonnes a year, the data you need is generally limited to what is needed for that tonnage band (Annex VII). However, registration strategies sometimes may mean that higher tonnage data (Annex VIII upwards) are used to justify waiving some of the Annex VII requirements. This should be set out clearly in the SIEF costs.

Bear in mind that costs may be significant even for low tonnage registrations and sometimes it may be difficult to agree on what “fairness” means in practice. Advice on fair, transparent and non-

discriminatory cost sharing in SIEFs is available on the Directors' Contact Group webpage on the ECHA website.

To support access to finance for SMEs, the European Commission runs a number of EU funding programmes through financial intermediaries such as banks and venture capital organisations. A list of UK funding schemes is also available on gov.uk. Please note these funding programmes are not specifically related to REACH and securing them may not be an easy task.

13. What can I do if I do not agree with the costs?

Although REACH does not foresee any role for ECHA in the management of SIEFs, it is possible to lodge a data-sharing dispute with ECHA if data or cost-sharing negotiations fail in SIEFs. You might find it helpful to read ECHA's practical advice on data sharing negotiations, ECHA's Frequently Asked Questions on this topic and review the decisions on data and cost-sharing disputes taken so far by the Agency.

REACH allows a company to submit part of the information separately under certain conditions if joint submission of those pieces of information would lead to disproportionate costs or disclosure of commercial sensitive information, or if the co-registrant disagrees with the Lead registrant's selection of data. In each case you need to explain why you have opted out. Co-registrants who opt out, however, must still submit their registration as part of the joint submission in line with the "One Substance, One Registration" requirement. Note that if you do decide to opt out, you will not benefit from reduced ECHA registration fees for joint registrations and ECHA may prioritise your dossier for evaluation.

When working with other companies and competitors remember that lengthy negotiations over costs, maybe involving legal support, may be in themselves expensive and time consuming, especially in large SIEFs. What you save in data sharing could be absorbed by legal, accounting or management fees, travel expenses and time negotiating in meetings. Reaching an amicable compromise with the other registrants should result in the best collective outcome in terms of time and money, and help you to meet REACH's deadlines.

14. How can I avoid using animals when carrying out tests?

Avoiding unnecessary animal testing is a major objective of REACH, and accordingly, animal tests should only be considered only as a last resort. Progress has been made in recent years to reduce the numbers of animals used during testing and *in vitro* (non-animal) test data is now widely accepted in many cases. However, there are still times when use of animals is unavoidable for regulatory assessment. When preparing a registration, you should observe these key principles to minimise animal testing. You should follow them in order:

1. The SIEF should consider all available existing information before concluding that there is an information gap;
2. The SIEF should consider whether it can minimise animal testing by following one or more specific testing adaptations. These are shown in column 2 of the REACH annexes VII and VIII for substances manufactured or imported in a quantity up to 100 tonnes a year;
3. If REACH does not mention specific adaptations, SIEFs should consider whether animal testing can be minimised or avoided through other means (e.g. read across from a similar substance, weight of evidence assessment, QSARs (models used to predict the properties of chemicals), in vitro methods, etc.). These are outlined in Annex XI of REACH;
4. If adaptation is not possible and you cannot avoid animal testing, SIEFs must make sure they use the test of least severity and/or which uses the fewest animals. That is the test expected to cause the least pain, suffering, distress and lasting harm.

The UK HSE has developed useful guidance on opportunities to minimise animal testing, including for low volume registrations. ECHA has also produced a practical guide on avoiding unnecessary animal testing and has more information, including details of new alternative testing methods, here. A series of free webinars examining the availability of alternatives to some animal tests for REACH is available here.

REACH has recently been updated to accommodate new alternative methods and some animal tests have even been deleted. It is important that you get familiar with these changes, and how new alternative methods can be used to further minimise animal testing. The latest consolidated version of REACH reflects these new opportunities. A useful overview on how to avoid new animal tests in the context of your "2018 REACH registration" is available on Cruelty Free International's website. Finally, you should remember that any alternative testing strategy needs to be scientifically robust and clearly justified. ECHA may evaluate your registration dossier at a later stage, so it is important that you properly document how you have reached your decision. The annual ECHA evaluation reports offer some tips on how to substantiate your decisions.

15. What happens if I miss the 2018 deadline?

"No data, no market" is one of the basic principles of REACH. So if you do not register a substance with the required information in time, you cannot manufacture or import it at volumes of 1 tonne or more per year. If you miss the deadline, you will have to register your substance before being allowed to restart manufacture or import. Selling unregistered chemicals after the registration deadline may be considered a breach of REACH and may also lead to backdated fines. Information on how the REACH enforcement regime operates in the UK is available on the UK Health and Safety Executive (HSE) website.

16. What happens once I have submitted my registration dossier?

ECHA will send you an electronic invoice for your registration fee through REACH-IT. If you do not pay your invoice within the deadlines set by ECHA, your registration will be deemed incomplete in the completeness check. Dossiers are also checked for completeness for the required information. Once your dossier is judged complete and the fee paid, you will receive a registration number. All correspondence from ECHA about the registration is through your REACH-IT account, so it is important that you check it regularly and react promptly, if necessary.

Once you have got your registration, your job is not over and done with. It is your responsibility to make sure your dossier is kept up-to-date. It is important to have a review procedure to maintain knowledge of your substance and its uses. You should then update the dossier as new information emerges, for example, if new data or arguments to waive testing emerge that have a bearing on your substance. Do not forget that ECHA evaluates a proportion of registrations in detail and they may request further information on the substance at a later stage.

If there is new hazard information, or information that may affect the risk management measures, you will also need to update any Safety Data Sheets, so customers are aware and can continue to use the substance safely.

17. What can I do if I'm relying on others to register a substance I depend on?

Even if your company does not have to register, you may rely on some chemicals, so you need to make sure they will still be available. It is important to note that some manufacturers and importers may decide not to register their substances, and withdraw them from the market instead. This may be because of the costs of registration and/or because they fear substance may be subject to authorisation or restriction under REACH in future (these are the ways REACH can put extra controls on the most hazardous substances). It is therefore important to engage fully and early with your suppliers to understand their registration intentions. Otherwise, there is a very real risk that you may only discover after 2018 that a substance you use was not registered. Bear in mind that pre-registration is not a guarantee that the company will go on to register a substance.

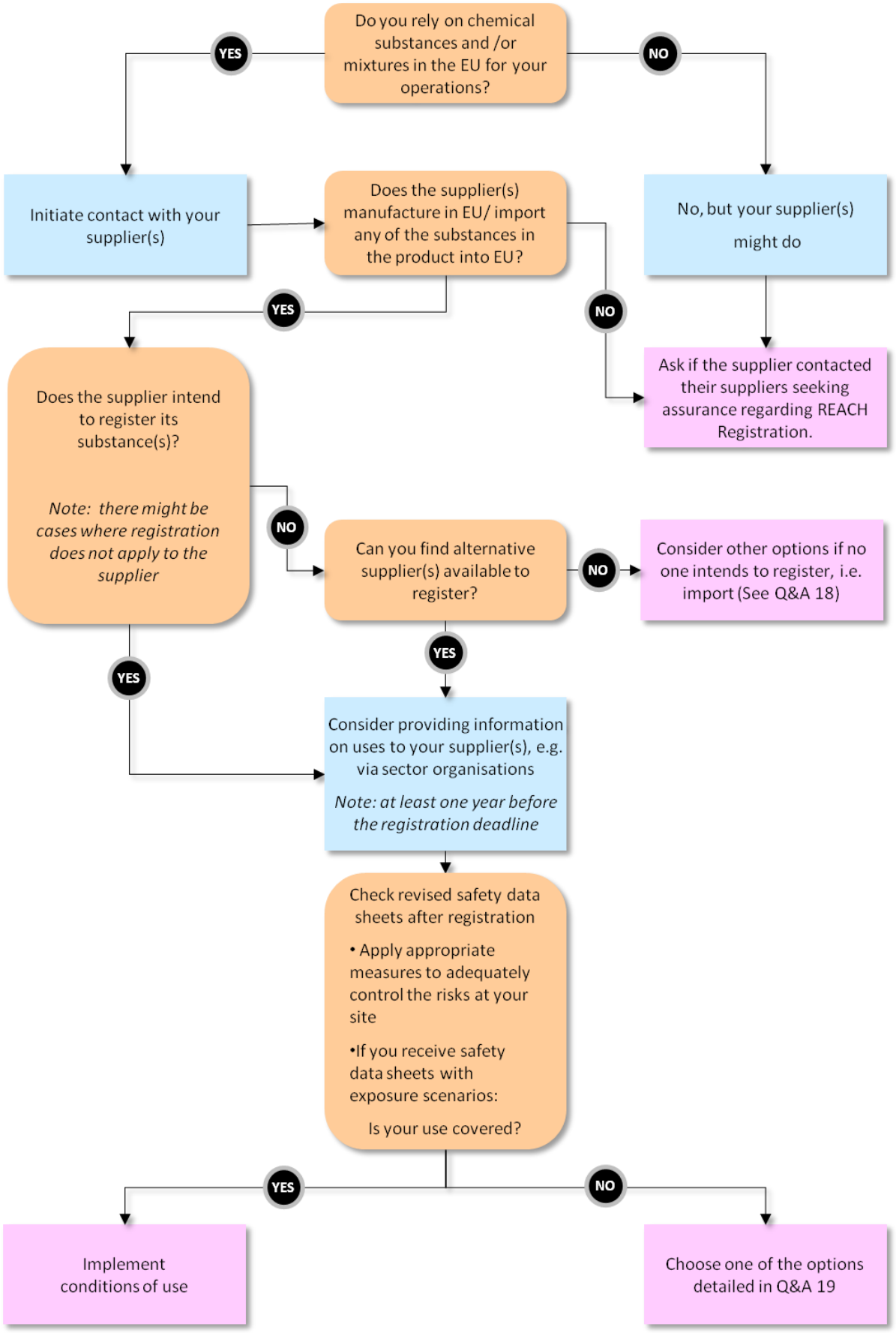

Fig.3. Communication in the supply chain: general overview of downstream users' rights and obligations

(Please consult the ECHA guidance for downstream users for a more detailed overview)

To address this risk, ask your supplier well in advance of the 2018 deadline whether they intend to register. You should also ask your supplier if they have established use and exposure categories/scenarios covering your use **at least one year** before the 2018 deadline. You can help to protect yourself by taking a proactive role and provide them with information to help them register. In the past, large companies with significant need of certain substances have helped smaller companies to register in order to guarantee future supply.

If you and/or your supplier's operate in an organised sector, it is advisable to manage these contacts through the sector organisations. ECHA, industry associations and the Member States have been cooperating to further develop tools to manage use information flows for registration as part of the "ECHA CSR/ES Roadmap . "Use maps" have been developed to provide information to registrants, often through sector organisations. In organised supply chains, it should be expected that typical uses of the downstream user sector will be covered in registrations. Figure 3 gives you a general indication of the actions you should consider in terms of supply chain communication.

18. What can I do if my supplier says they won't be registering a substance on which I depend?

If your supplier doesn't register, he won't be allowed to manufacture or import the substance at volumes of 1 tonne or more a year. You should therefore consider to research alternative suppliers who are available to register the substance and cover your use in their registration dossier. On request, ECHA used to give downstream users' contact details to any firms that identified themselves as potential registrants. If you cannot find any suppliers available to register, your company itself could look to manufacture or import the substance, and register it (if you reach the 1 tonne a year threshold). Remember that you could be entitled to submit a late pre-registration until 31 May 2017 to avoid a break in supply. If this is an option you decide to pursue you need to create a REACH IT account.

Note: if a company doesn't register and ceases manufacturing or importing the substance, it may still supply stocks, provided it had a valid pre-registration. Please see ECHA Q&A [40] for further information.

19. What happens if my use is not covered by the registration?

If you use a substance in a novel way that you think your suppliers may not expect, then you should let them know. It is possible that the registrant is covering your use, but it is safest to make sure. Here individual contact with your supplier would probably be the most efficient way forward.

In some instances, you may only realise that your use hasn't been covered by your supplier when you receive a revised safety data sheet after registration. If this happens, you have five options:

(i) Speak to your supplier and ask them to cover your use;
(ii) Change your conditions of use to one covered by the safety data sheet;
(iii) Substitute the substance with a different one that covers your conditions of use but where an exposure scenario is not required or available. Alternatively, substitute a different process which does not require the substance;
(iv)Change supplier to one whose safety data sheet covers your use;
(v) Prepare a downstream user CSR yourself, unless exemptions apply.

Under option (V), you might be required under certain circumstances to report information about your use to ECHA. In this case, you have six months to do so after you receive the safety data sheet containing the substance's registration number.

Please note that if suppliers cannot support requested uses for reasons of protection of human health and the environment, they must inform ECHA (usually by updating the registration dossier) and downstream users in writing outlining the reasons.

20. What if I don't want to tell my suppliers how I use their chemicals?

If you don't want to let your supplier know about a particular use (for example because of commercial concerns) then you don't have to, but you will need to inform ECHA and possibly prepare your own chemical safety assessment.

And finally...How to find out more

You may be able to find out more about registration by contacting sector organisations, which may be coordinating or signposting relevant activity or may have developed guidance specifically for your area of business. The UK HSE provides a REACH helpdesk. The helpdesk service is free and confidential and can be contacted at UKREACHCA@hse.gsi.gov.uk.

There are also a number of guidance documents and materials available that you may find helpful:

- ECHA REACH 2018 webpage;
- To refer to the Annexes mentioned in the paper see the Regulation itself ;
- HSE bite-size guidance on registration;
- ECHA practical guidance on REACH 2018 for SMEs;
- ECHA registration guidance in a nutshell;
- Full ECHA guidance on Registration;
- ECHA downstream users' guidance in a nutshell;
- ECHA free webinars on REACH 2018;
- ECHA Registration FAQs;
- CEFIC guidance documents and tools for REACH implementation;

This guidance was updated by a sub-Group of the UK Chemicals Stakeholder Forum comprising: Silvia Segna (Chemical Industries Association) (Chair), Susanne Baker (Tech UK), Michael Cooper (CBA), Ellen Daniels (BCF), Finella Elliott (EEF), Helen Middleton (ADS), Mamta Patel (Chemical Watch), Steve Quinn (West and Senior Ltd), David Sidgwick (ADS), Wayne Smith (BCF), Katy Taylor (Cruelty Free International). Non-Forum members - Keith Bailey (Defra), Ruth Coward (Defra), Patrice Mongelard (Defra), Jane Kirk (HSE), James Lloyd (HSE) and Andrew Smith (HSE) - also contributed to this work.