

A GUIDANCE NOTE FROM THE UK CHEMICALS STAKEHOLDER FORUM

REACH substance Registration 2018 deadline

Self-assessment guidance for Downstream Users:

My company uses low volume chemical Substances, do I need to act?

Version 1, 27 April 2017

Introduction – Does this document relate to my company/business?

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. **REACH applies to substances on their own, in mixtures and in articles** (essentially objects, finished products). 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.

Most of the obligations under REACH apply to manufacturers and importers, but Downstream User is a specific role under REACH. Downstream Users are companies or individuals who use a chemical substance, either on its own or in a mixture, in the course of their industrial or professional activities. As an example, this document is applicable to your company if your business undertakes any of the following activities:

- Formulation, you blend chemical substances to produce mixtures;
- Production of articles, you use chemical substances or mixtures;

This guidance is also relevant to Distributors who handle and distribute chemical substances and mixtures.

Therefore, if you are a Downstream User, this document relates to your business and provides guidance on how to prepare for the “REACH Registration 2018” deadline.

As a company handling substances or mixtures, in the UK you are obligated to follow the [COSHH Regulations](#) to ensure your employees are protected adequately. In accordance with REACH and when it is applicable, you should receive information in the form of safety data sheets to help you comply with COSHH. Additionally, you need to be aware of the REACH registration obligations that rest with the EU-based manufacturer, importer or Only Representative (OR) to register the substances you depend on¹. Successful registration within your supply chain is necessary to ensure continued supply. The registration process for substances manufactured or imported at higher volumes (above 100 tonnes per annum per Legal Entity) should already have been completed, but now attention must turn to those substances manufactured or imported in the range 1-100 tonnes per annum. Such substances must be registered by 31st May 2018. This deadline is commonly referred to as “REACH Registration 2018”.

Some substances are exempt from the obligation to register. More information can be found [here](#)

¹ More detailed information on the registration process is available in the *UK CSF guidance note on the 2018 REACH registration deadline* published on the [UKCSF website](#)

Please note that even if you use less than 1 tonne per annum (i.e. less than 1,000 kg) of a substance on its own or in a mixture, it may still be subject to registration by the manufacturers and importers, if they manufacture or import it at 1 tonne per annum or more.

If substances falling within the 1-100 tonne per annum range are not registered by the 2018 deadline there is a possibility that supply may cease and they will no longer be available for sale or purchase from your supplier(s). This could have detrimental impact upon your future business, affecting your supply chain and production capability if no alternative suppliers can be found.

It is therefore important that you act to help raise the awareness of those responsible for the registration of substances. After consideration of the rest of this document, **you may wish to prioritise communication towards substances and/or mixtures for which continued supply might appear vulnerable**, and ensure that this communication is done well ahead of the deadline.

This self-assessment guidance provides advice designed to aid you in the examination of your supply chain security with regards to REACH registration 2018. The details of the final procedure you undertake may vary from business to business and it is advised that this background document is examined **in full** prior to starting your review.

Step 1 – Understanding your Portfolio, where to start

*Please also refer to **Flowchart A** (page 3)*

If not already done, the first step is to understand your product 'Portfolio'. This is a list of all chemical substances and mixtures which relate to your company. The list may vary in complexity between industry sectors and the range of usage, volume, supply capacity, technical performance, uniqueness or commercial value may vary greatly. After the 2018 registration deadline, subject to a number of exemptions, most of these substances should have been registered by the relevant manufacturer/importer if they haven't been already.

You should not assume that registration of all these substances will be automatically completed by your upstream supply chain or another organisation. Especially for your priority substances and mixtures, you should check that either registration has already been completed or that it is on track to be completed by the 2018 deadline. Registration numbers will be provided on safety data sheets for those substances already registered, where relevant. In other cases e.g., for mixtures, you may need to contact your upstream supply chain to seek confirmation all is in order.

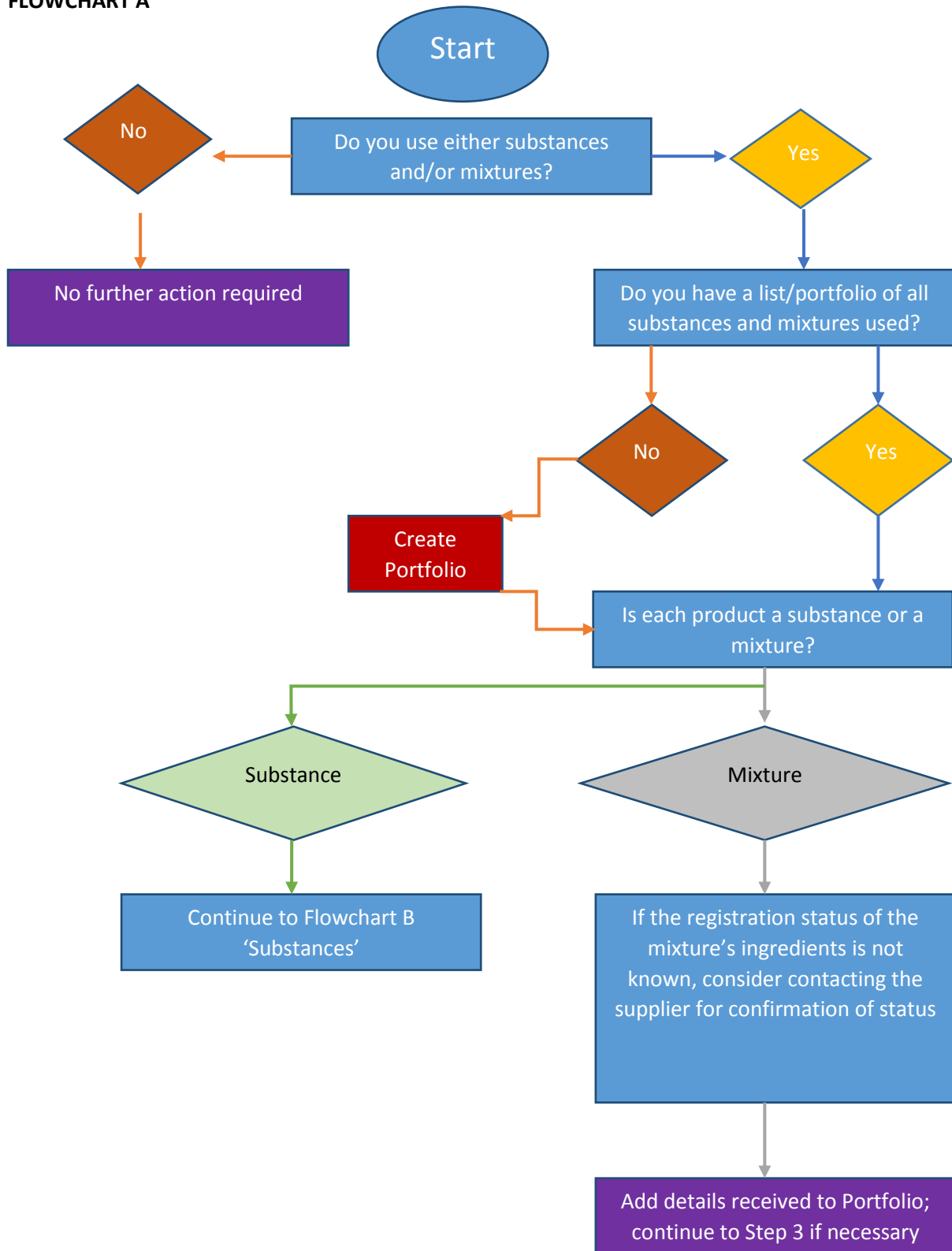
Your company may have a very good understanding of products purchased, yet successful completion of the substance Portfolio may often rely on communication across purchasing, development, quality, regulatory control, safety personnel and sales/marketing departments.

If your company handles many products, it may be advisable to initiate the process by focussing upon purchases made and products used within the last 12-month period. During examination of this list you may wish to discuss the process with other departments for example:

- Purchasing may wish to approve, introduce or re-introduce product from a different supplier
- Technical may wish to introduce new or alternative product technology by way of development
- Safety may wish to introduce new product to improve risk management of hazardous product
- Marketing may wish to develop new goods to enter fresh sales opportunities

It is advisable to examine materials previously used by your company where re-use may be considered or stockholding remains in place.

FLOWCHART A



Your company may already have IT systems in place to enable ready collation and input of data. You may however wish to create a separate record of materials whilst undergoing this process, as you will also be required to clarify the status of the same substance used from different suppliers. A simple Table may be created and an example is shown as part of this document. If your company manages purchases, stock or development via an IT system, it is advised to examine if this program will also allow registration status to be entered into this central system.

Step 2 – Creating your Portfolio Registration Record

Stage A – Substance and mixture details

Create a table (e.g. Excel table or similar) listing substances and mixtures used. Please note you may wish to organise this Table by either substance or supplier. Supplier is recommended to aid contact during later stages of communication.

Note all details shown are fictitious and by way of example guidance only.

Supplier Code	Supplier Name	Material Code	Product Name
ABA -1	ABACUS CHEMICALS	SOL 123A	SOLVENT XYZ
BUZ -1	BUZZ INDUSTRIES	LUB 137A	SUPER ADD3
		LUB 546A	LUBRICANT PLUS
COM -1	COMMERCIAL SUPPLIES UK	LUB 137B	AGENT SLIP4
COM -2	COMMERCIAL SUPPLIES DE	LUB 137C	AGENT SLIP4
		FIL 104A	FILLER CLAY
		DIL 001A	DILUENT EXTRA T
		PIG 327A	PIGMENT ORANGE 21B

Supplier Code – You may wish to create a supplier code in relation to the products to enable easy identification for later communications. You will note for example letters and a number are used. This may aid the identification of key contacts where for example, the supplier has different manufacturing plants as in COM-1 and COM-2 above.

Supplier Name – This relates to the company name and corporate identity.

Material Code – This will again help identify substances as individual products and alternatives. Letters may be chosen to sub-categorise the product e.g. SOL for solvents, LUB for lubricant etc. The number then relates to the substance chemistry and may be sequentially or randomly generated. The final letter may then be used to identify where the same substance identity (chemical equivalent) may be sourced from different suppliers. For example, LUB 137 may be manufactured and/or sourced from three different companies and potentially be sold under a different trade name. See Supplier; BUZ-1, COM-1 and COM-2.

Product Name – This relates to the Trade Name of the supplier. You will find the same substance LUB 137 may be supplied under different trade names.

Stage B – Contact Details

It is important to ascertain the correct contact details. You may already be aware of the contact responsible for supply of REACH information although this role may vary supplier by supplier. If the contact is not known, you may choose to make contact with the sales representative for details of the correct contact person or refer to the supplier's SDS or website. Useful details will include name,

email address, telephone number and postal address. You may also wish to include job title. You may now extend the table in Stage A with this information by addition of extra columns.

Material Code	Contact Name	Job Title	Email	Phone	Address
SOL 123A	Joe Bloggs	Regulatory Manager	jb@abacus.com	0044 123 456789	123 Avenue Est, XXXXXXX
LUB 137A	Lisa Lane	H&S Director	llane@buzz.ie	00353 524 987654	Unit 45 The Works, XXXXXXX
LUB 546A					
LUB 137B	John Smith	Quality Manager	smith@comsup.co.uk	0044 333 543212	1 Cresnet Fields, XXXXXXX
LUB 137C	D Scholz	Technical Manager	dscholz@comsup.de	0049 765 3245	21 Industrie Strasse, XXXXXX
FIL 104A					
DIL 001A					
PIG 327A					

You are now ready to complete the data relating to chemical identification and registration.

Stage C – Known Data

For each row of the Table you now need to consider if the product under consideration is a substance or a mixture.

If the product is a substance it is advisable to identify its registration status.

If it is a mixture, it is advisable to identify the registration status of the ingredients. It is possible that you may not know the individual formulation of this mixture and the supplier may not be in a position to divulge this detail on grounds of intellectual property. In such cases, and especially where the mixture is unique and critical to your business, it is advised that you request confirmation from the supplier that the chemical substances used are registered (subject to any exemptions) or there is commitment to register within the supply chain. If a commitment is given, it is advised for critical products that this is then monitored until full registration status is confirmed. It is also recommended that where alternative mixtures are sourced from different suppliers, all suppliers are evaluated as they may use different formulas or have different supply chains for their raw materials.

Guidance information now follows. See also **Flowchart B** (page 10).

Stage D – Identifying Registration Status and Number

The initial step in identifying the registration status of a substance may be to examine the suppliers' Safety Data Sheet (SDS) for the product in question (Section 1 for substances). If this shows a registration number, this should be entered into your portfolio.

A REACH registration number is 18 digits long and uses the following format:

00-0000000000-00-0000 – the first two numbers relate to registration status

00-0000000000-00-0000 – the following ten numbers relate to the substance

00-0000000000-00-0000 – the following two numbers relate to the check sum

00-0000000000-00-0000 – the final four numbers relate to the identification of Registrant and **may not be present** in some cases due to sensitivity around supply chain.

The REACH registration number has the prefix '01' or '08'².

If the SDS has a REACH number that is pre-fixed '05' or '17' then this is a *pre-registration* or *late pre-registration* number respectively. This would imply that registration has not yet been completed, but has only been *pre-registered* to enable it to be placed on the market prior to the registration deadline. If the number shown is a pre-registration number, you may decide to enquire as to the status of commitment towards completing registration and enter details into your Portfolio. Please note, there is no obligation for companies to mention pre-registration numbers in safety data sheets.

Mixtures are not subject to registration themselves and it is possible that some component substances may also not require registration. Suppliers of SDSs are not always obliged to disclose the full content of mixtures. Therefore, it is not recommended to ask for a definitive list of components within a mixture, instead seek assurance that the relevant registration obligations is taken care of.

If you do not have a SDS or it has been misplaced, it is very important that you request one promptly as this also highlights information about the safe handling and risk management of that substance or mixture. However, please note that **a SDS may not be required for all your products** (e.g. non-hazardous substances do not need a SDS).

It is also recommended that when examining the SDS, additional details of CAS and EC numbers are added to your portfolio. This will help ensure the correct substance is being referred to and also aid searching of the ECHA Registration Database (the list of registered substances – available on the ECHA website).

Add these details to the extended Portfolio. For example:

Material Code	Substance or Mixture	CAS	EC	Registration Number
SOL 123A	SUB	111-11-1	777-888-1	
LUB 137A	SUB	333-333-3	999-999-9	01-2112111234-17-XXXX
LUB 546A	SUB	22-22-22	987-765-2	
LUB 137B	SUB	333-333-3	999-999-9	01-2112111234-17-0005
LUB 137C	SUB	333-333-3	999-999-9	01-2112111234-17-0005
FIL 104A	SUB	54-545-55	555-434-3	
DIL 001A	SUB	123-12-3	212-313-3	01-2113334444-26-0002
PIG 327A	MIX			

In the above simplified example you will find:

- Blank fields where no registration number has yet been identified;
- It has also been confirmed that 3 products (listed as LUB 137) do indeed also share the same identification via CAS and EC number. This substance has been identified as registered by all applicable suppliers and the registration numbers are consistent with one another;
- In one example the final four digits are blanked by an X. This is permissible and can be used where the same substance is sourced from more than one supply chain, for example, if supplied via a distributor;

² 08 is associated with registration of transported isolated intermediates. An Intermediate is a substance that is manufactured for, and consumed or used in, chemical processing in order to be transformed into another substance. It can benefit from reduced registration requirements if it is manufactured and used under strictly controlled conditions.

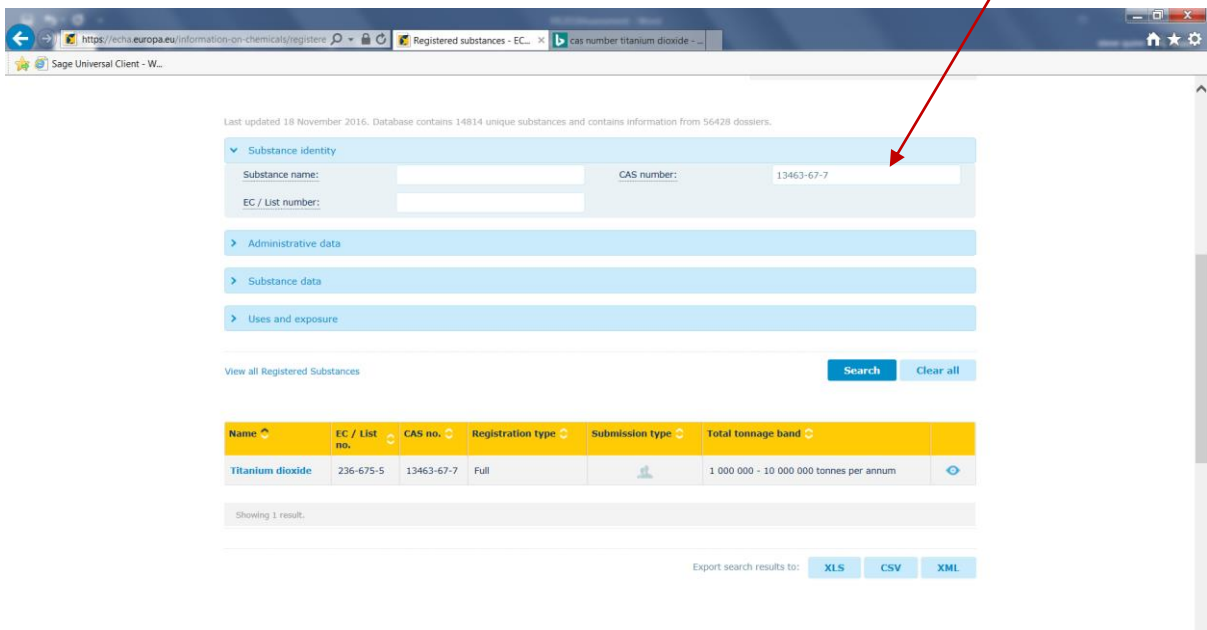
- The last product has been identified as a mixture and therefore one singular registration number is not found.

Stage E – Using the ECHA Registration Database

Should you not find a registration number or you wish to check directly for yourself whether a critical substance has already been registered by the manufacturer/importer relevant to your supply chain, you may also examine the ECHA Registration Database. This can be found [here](#):

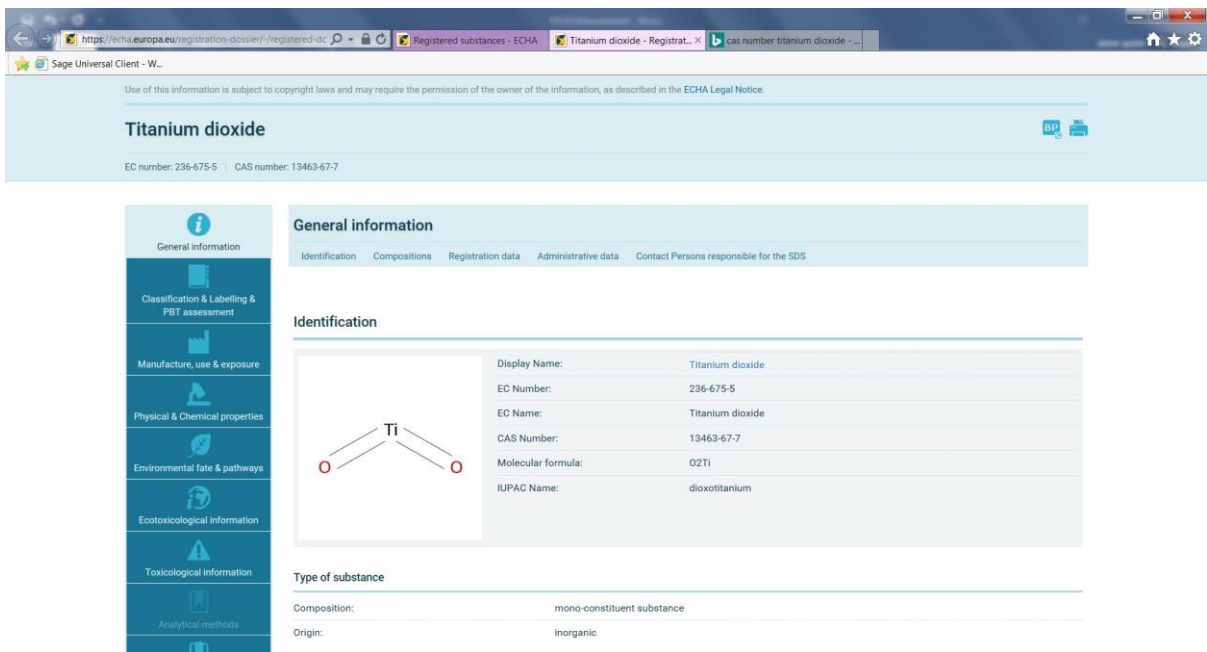
The screenshot shows the ECHA website's 'Registered substances' page. At the top, there is a navigation bar with the ECHA logo and a search bar. Below this, a menu includes 'About Us', 'Regulations', 'Addressing Chemicals of Concern', 'Information on Chemicals', 'Chemicals in our Life', and 'Support'. The main content area is titled 'Registered substances' and contains several paragraphs of text explaining the data source and providing a 'Chemical Property Data Search' button. To the right, a 'Further information' sidebar lists links such as 'Registered substances information', 'How to determine what will be published (Data Submission Manual 15)', 'Understanding REACH Regulation', 'Q&A on registered substances', 'Give us your feedback', 'eChemPortal', and 'Legal notice'. At the bottom, there is a search form with fields for 'Substance name', 'CAS number', and 'EC / List number'.

It is advised that when searching the ECHA database, trade names may not be recognised and a different substance name may be found rather than one more familiar within industry. For this reason, the use of CAS or EC number is recommended. For example, the substance Titanium Dioxide, a white pigment used across several industry sectors has been searched for by its CAS number.



In this instance the screenshot shows the type of registration (full) and the total tonnage band comprising all combined registrations for this substance. Please note that this substance was registered during an earlier phase due to the high volume usage. The selection has been made as way of example only for the purpose of this guidance.

Towards the right of the screen and following the tonnage band, a small blue 'eye-like' symbol is shown. If this is clicked upon, further information will be accessed.



Under the section listed as General Information, if the tab 'Registration Data' is clicked upon you will be guided down the screen where a list of Registrant companies and Registration Numbers may be found. If your supply chain is found, enter details in your Portfolio of substances.

Please note you may not recognise the name of the registrant for your particular supply chain. In some cases, registrants might have kept their identity confidential, hence it does not appear on the dissemination portal. If your supply chain is not recognised, you should consider contacting your supplier(s) for confirmation of the registration status of substances critical to your business.

Stage F – Contact with your Supplier

When direct contact with the supplier is necessary to confirm the registration status of a substance or constituents within a mixture, it is advised that written confirmation is sourced via email, or postal letter.

An example letter template has been supplied at the end of this document (page 14) which may be used when contacting your supplier.

A number of responses may be found after contacting your supplier, for example:

1. The supplier responds and provides written confirmation of the registration number(s) which may then be added to your Portfolio.
2. The supplier confirms pre-registration and a commitment to complete the registration in line with the deadline. This may be quite common. Update your portfolio and follow up with your supplier at a later date. Please be aware that this does not guarantee registration will be completed and on-going communication may be required as the deadline approaches. If the substance is critical to your company, you may wish to plan ahead for an alternative if required.
3. The supplier states the substance is exempt from registration. It is advised that a written justification of the exemption is requested. Update your Portfolio accordingly.
4. The substance is below the registration threshold i.e. less than 1 tonne per annum. Once confirmation is provided update your Portfolio but remain aware that should your demand increase, this may push the substance into the band for registration.
5. The supplier confirms the product is not to be registered. Update your Portfolio and proceed to Step 3.

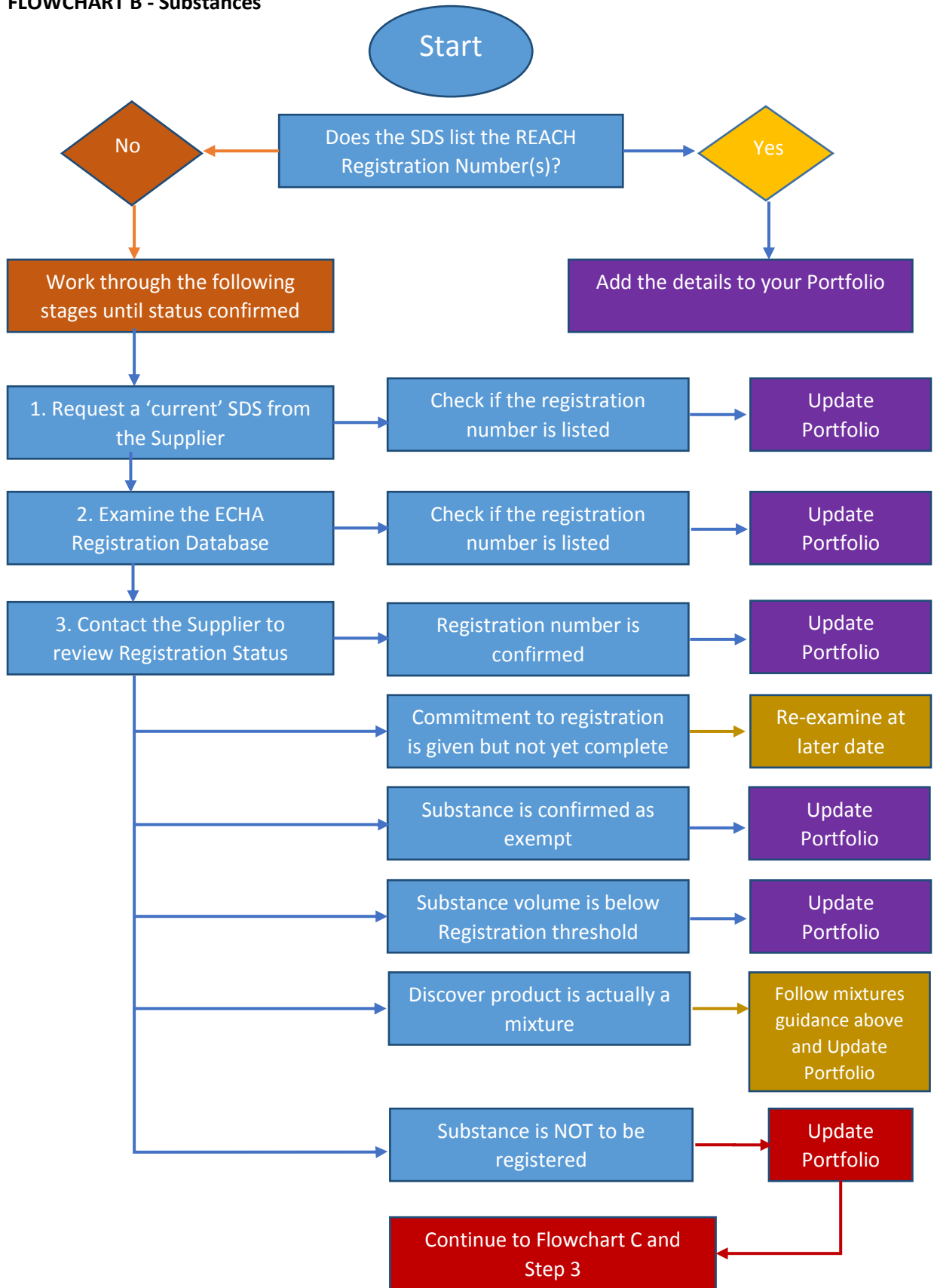
For mixtures, you should receive reassurance that the supplier intends to ensure registration of the relevant substances by the deadline, update your Portfolio accordingly. If the response is that not all substances are intended to be registered, update your Portfolio and proceed to Step 3.

Please also note that you have the right to identify your use to your supplier and to have it included in the registration. In this case, you should let your supplier know **at least one year before the 2018 deadline**. You may also wish to discuss any particular risk management measures you consider relevant to the registration. This may for example also include knowledge of a local, UK-based workplace exposure limit. Upon receipt of extended safety data sheets, please remember to check that your use is supported. This is a legal obligation for downstream users. More information is available on the [ECHA website](#).

NB: When entering data into your portfolio, you may wish to add additional columns to enable ease of searching and clarification, for example:

- colour selected fields to highlight the registration status or points of concern;
- a notes column to input a brief description of information found;
- a 'date' column showing date of last communication or reminder of next contact point;
- a column of annual volume usage to identify priority;
- a column to identify key substances or those with no known substitutes;
- a numerical identifier to enable statistical review for example; number of products awaiting registration, percentage of annual volumes used etc.

FLOWCHART B - Substances



Step 3 – What if a substance is not going to be registered?

Please also refer to **Flowchart C** (page 12)

Should you find that a critical substance you use is NOT going to be registered via your upstream supply chain, you are advised to act quickly and consider the following options.

The initial recommended step would be to discuss the reasons why the substance is not being registered with your supplier. This may stem from a number of factors relating to technical aspects over other raw materials used in its manufacture, lack of understanding relating to the registration process, or commercial concerns. Such concerns may arise from a potential misunderstanding of the costs involved and these could have been overestimated by the supplier.

If at this point further support is needed, the supplier may be prompted to discuss these matters firstly with their trade association, then with the UK REACH Competent Authority:

REACH UK Competent Authority Help Desk
Health and Safety Executive (HSE)
Email: UKREACHCA@hse.gov.uk

The Competent Authority can guide, inform and provide suitable links to: other interested parties; guidance in finding a consultant; guidance towards reduced animal testing; expected costs of shared information; all of which may ease the financial burden.

If you do not believe the upstream supply chain will commit to registration or you wish to consider other options, a number of further paths remain viable. For example:

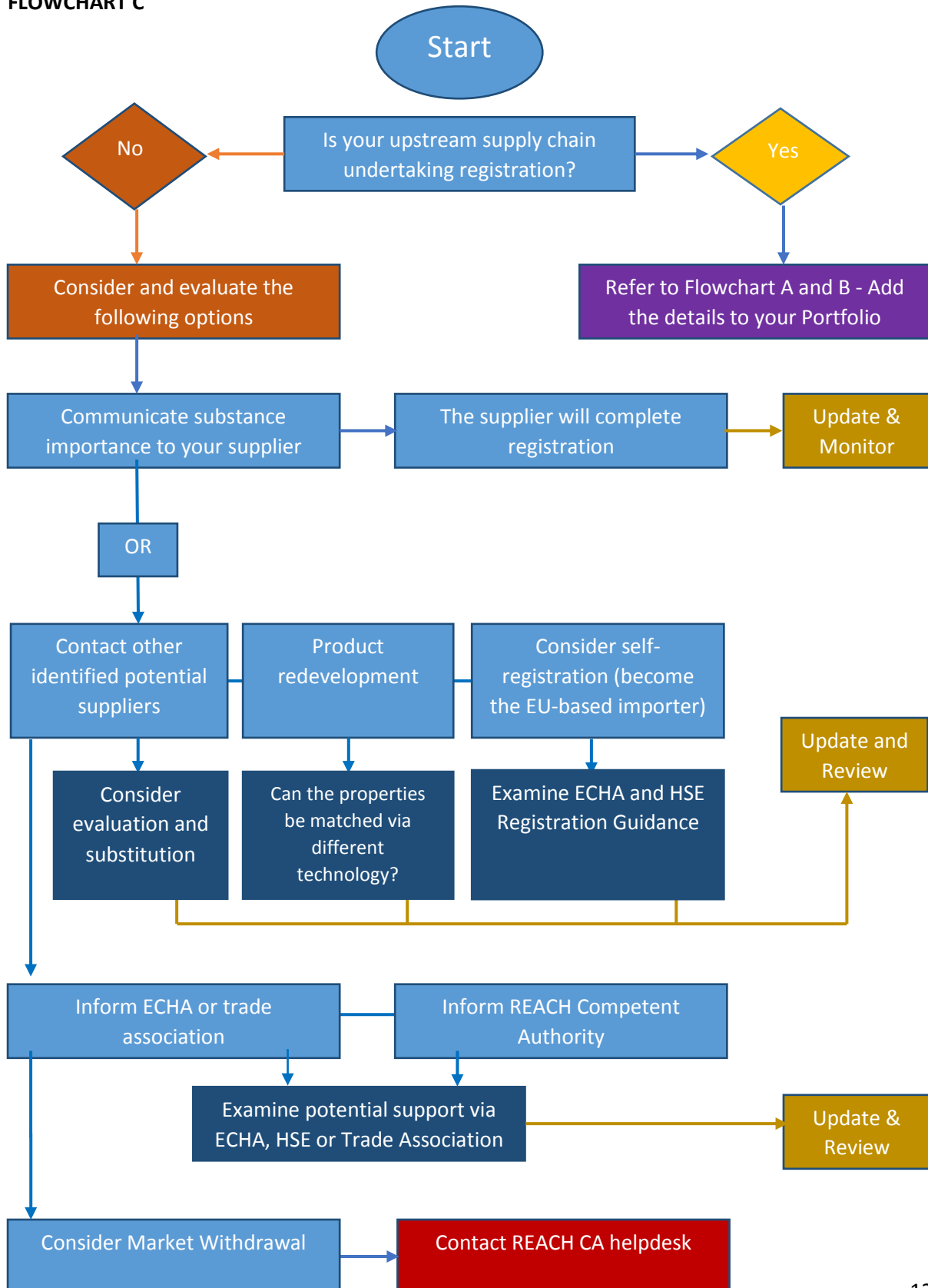
- Search for and possibly locate other companies supplying this substance to the market currently. This may be supported via trade associations. You can also look for registrants on the ECHA website. You may also identify suppliers of the substance not currently supplying your market application. In each case, you may identify a pre-registrant who is willing to undertake registration. You may then consider a process of technical and commercial evaluation. It is recommended that when communicating with a new potential supplier that you ensure your use will be covered by the registration.
- Product Re-Development? You may be aware that the substance being used has already been substituted within your market sector. You may also consider that an alternative material may be substituted without detriment to the final articles performance and a re-development plan may be adopted to ensure continued supply of another substance where registration is secure. It is advised that care is taken to ensure a ‘regrettable substitution’ is avoided.
- If the substance is critical to your company and the product is manufactured outside of the EU, you may consider becoming the ‘importer’ and completing registration directly. After 31 May 2017 (late-preregistration window ends), a valid registration is required before exceeding the 1 tonne per year threshold. If you decide to pursue this route, you need to be mindful of the costs involved and that forward planning is critical. It is recommended that you consult your appropriate Trade Association who may have helped guide other companies/substances through the process previously. You may also find helpful registration guidance by accessing ECHA’s website and HSE’s REACH webpages (linked below).

As a Downstream User, you might also consider stockpiling whilst you consider your options. Please see [ECHA Q&A \[40\]](#) for further information.

As a final option you may consider market withdrawal of product containing a substance that will not be registered. It is advised that this is considered a last resort option after full consideration has been given to the avenues listed above. **It is advised that prior to any final decision to withdraw, you communicate the concerns and discuss with HSE.**

HSE have an interest in learning which substances may become termed as ‘orphaned’, where no registrant is found and vital substances may be removed from the European market. The support levels available may differ, however [guidance](#) may be found to ease the burden or help identify possible solutions.

FLOWCHART C



Summary Top Tips

- Do not presume that the substances you source and rely on will automatically be registered by the manufacturer or importer.
- Reassess your material portfolio and identify the substances sourced where you do not have a registration number or confirmation that no number is needed because the substance is exempt. Where it is not obligatory to provide the number *e.g., non-hazardous substances* – a statement that registration is/will be done should suffice.
- Where no registration number is yet known, examine ECHA's registration database and decide whether to contact your supplier to ask the status of their registration. If no registration number can yet be given, ask if they are going to register the substance by 31 May 2018.
- If you source a mixture from within the EU, ask for assurance from your supplier that all the substances used in its manufacture are registered where necessary, or ask for a commitment from your EU supplier for continued REACH compliance (i.e., that registration will be taken care of).
- If you have doubts about the continued supply of a key substance or mixture, check if it can be sourced elsewhere, from a supplier who has already registered or is committed to registering.
- If you feel uncertain that your upstream supplier of a critical substance or mixture will complete the registration, consider your options regarding sourcing, importing, self-registration where relevant or even replacing the substance/mixture with something else.
- Alert ECHA or your national Competent Authority helpdesk if you identify a key substance that may disappear from the market because there does not appear to be anyone planning to ensure it is registered adequately.
- **Act quickly** – communicating sooner will improve the level of awareness and allow business strategy decisions to be made with greater confidence and reduced pressure.

Useful Website Links

- [HSE REACH homepage](#)
- [ECHA REACH 2018 homepage](#)
- [ECHA's registration database](#)
- [ECHA guidance on Use maps](#)
- [REACH registration and downstream users](#)
- [National Competent Authority helpdesks](#)
- [UKCSF guidance note 2018 REACH registration deadline](#)

Example Letter for issue to Suppliers of Relevant Substances

The following letter template is one example of possible communication with your suppliers when registration status is unknown and required.

Subject – REACH 2018 Substance Registration

Dear Supplier,

*I am writing to you with reference to the REACH Regulation EC 1907/2006. As part of our on-going business continuity schedule and legislative compliance checks we are currently updating our database with regards to the **REACH Registration** status of the products supplied to our company. You will be aware that the next tier of registration, REACH 2018, which covers phase-in substances manufactured and imported between 1 tonne and 100 tonnes per annum, will soon be upon us. The final deadline is 31st May 2018.*

[Insert here a list of products supplied to your company from that supplier where registration status has not been identified by the examination of the currently held SDS or via search of the ECHA Registration Database]

Could you please confirm that registration of all in-scope substances within the above-mentioned products supplied to us will be completed by your company or by the relevant suppliers within your supply chain by the registration 2018 deadline?

We appreciate that the duty to register may not lie with you and you might need to refer in turn to your suppliers. Please keep us informed of any issues that may arise or you may foresee. We thank you for your prompt handling of this enquiry and ask that you respond no later than [Enter target date for feedback](#) (suggest within 4 to 6 weeks from issue)

Please respond electronically to – [Enter name and email address for response](#)

Thank you.

Yours sincerely,

[Signature and Job Title](#)

This guidance was drafted 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.

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