

## What is REACH?

REACH, a comprehensive new legislation that will affect anyone producing or importing chemicals in the European Union (EU), will enter into force this June. The legislation will affect every industry with chemicals in its supply chain – including textiles.

REACH is the Registration, Evaluation, Authorization and Restriction of Chemicals. It is a single, coherent system for new and existing chemicals produced within or entering the European Union. REACH will supersede all current chemical regulations within the EU, replacing about 40 existing legal acts and creating a single system for all chemical substances. A new European Chemicals Agency (ECHA) based in Helsinki, Finland, will assume overall responsibility for the administration of REACH. REACH abandons the previous distinction between “existing chemicals” (i.e. products that were placed on the market before 1981) and new substances (introduced after 1981). New substances already have to be tested and evaluated for a range of risks to human health and the environment before they can be marketed. Unlike the roughly 4,000 ‘new’ substances, whose potential risks are known, very little is known about the approximately 100,000 substances defined as “existing chemicals”. REACH will alter that.

### ***Goals of REACH***

The legislation’s twin goals are protecting the environment and human health and enhancing the competitiveness of the EU chemicals industry. REACH places the burden of providing evidence that chemical substances are safe for humans and the environment on industry. Previously, the responsibility of proving that chemical substances were harmful was on the regulatory agency. The REACH Regulation is based on the principle of self-responsibility. In other words, chemicals may only be commercialised if there is sufficient data on their properties (physical properties, toxicity, environmental impact, etc.). That makes producers and importers responsible for the safe handling of chemicals. They have to compile the data required for evaluation and make it available to all stages in the supply chain.

REACH focuses on chemicals of high concern, or those manufactured or imported in high volumes. All chemicals produced within or imported into the EU in volumes of over one tonne per year will require registration in a central database. Registration must occur *before* manufacture or import. Failure to register a chemical will result in a ban on its manufacture or import into the EU market. Additionally, a Chemical Safety Report (CSR) is required for all chemicals that are manufactured or imported in volumes over ten tonnes per year. The report must contain data concerning risks to human health and the environment, risk assessments for the chemicals’ intended uses, and recommended risk management procedures.

### ***Scope of REACH***

The new legislation applies to all chemical substances produced in the EU or imported in amounts of 1 tonne or more. All chemicals that meet this criterion will have to be registered with the new European Chemicals Agency in Helsinki, Finland. The larger the quantity produced or imported, the more properties have to be evaluated.

Authorization from the ECHA may be required for the use of substances considered to be of very high concern: carcinogens, mutagens, toxins to the reproductive system (CMR), and

substances that are persistent, bio-accumulative, and toxic (PBT), as well as those that are *very* persistent or *very* bio-accumulative (vPvB). If the ECHA determines the use of a particular chemical on its own, in a preparation, or in an end product poses an unacceptable risk to human health or the environment, the agency can restrict its use in certain products or by consumers. The chemical may be banned entirely.

Chemical substances contained in end product articles must be registered only if they are produced or imported in sufficient volume, and if the chemical substance is *intended to be released* during the product's normal use, like the ink from a pen. In the case of a textile end product, where consumer laundering may release remnants of dye, softener, sizing, or other chemicals from processing, it may be that the release is considered *unintended* and this substance would not then be subject to registration.

### ***Implementation of REACH***

REACH legislation was adopted by the EU in December of 2006. Enforcement begins in June 2007, although the ECHA is not slated to become operational until June of 2008. The implementation timeline for registration runs from June 2008 to May 2018, with a pre-registration period for existing chemicals from June 2008 to December 2008. It allows the continued production and import of these chemicals during a volume dependent transitional phase while preparing the registration dossier. The ECHA will manage a stepped approach to registering all chemicals with a priority for those of very high concern and chemicals produced in the greatest volumes.

Other countries – including Switzerland, Norway, Japan, Canada, Korea, New Zealand, China, and certain states in the USA – have declared an interest in evaluating REACH. The legislation may inspire new standards worldwide.

DyStar is endeavoring to ensure compliance by forming a high level working group on REACH, monitoring the development of REACH regulations, and increasing the understanding of the regulations with all DyStar associates. DyStar is cooperating in national and international working groups, seeking to support the interests of the textile industry and ensure effective communication along the textile value chain.

### ***Useful links on REACH***

#### **European Commission**

[http://ec.europa.eu/enterprise/reach/index\\_en.htm](http://ec.europa.eu/enterprise/reach/index_en.htm)

#### **European Chemical Industry Council (CEFIC)**

[www.cefic.be/Templates/shwStory.asp?NID=494&HID=441](http://www.cefic.be/Templates/shwStory.asp?NID=494&HID=441)