

REACH - IS IT BECOMING BEYOND YOURS?

REACH is based on the principle that industry is best placed to ensure that chemicals placed on the market (whether as chemicals or included in products) do not adversely affect human health or the environment. To do this, the industry must have knowledge of the properties and risks associated with the substances it places on the market.

COMPLIANCE REQUESTED FROM ALL MARKET PLAYERS

For retailers who are importers of products from outside the EU, and as such are considered legally responsible for compliance for the products they import, this places specific additional requirements upon them. While those who are sourcing products from EU based importers have few legal obligations under REACH, the requirements of The General Product Safety Directive (GPSD) still apply to them, of which the requirement to place on the market products which are chemically safe is of paramount importance.

HOW TO STAY ON TOP OF REACH REQUIREMENTS?

One of the major elements of the REACH regulation is the requirement to communicate information on chemicals up and down the supply chain. This ensures that manufacturers, importers and also their customers are aware of information relating to health and safety of the products supplied. For many retailers the obligation to provide information about substances in their products within 45 days of receipt of a request from a consumer is particularly challenging. Having detailed information on the substances present in their products will allow retailers to work with the manufacturing base to substitute or remove potentially harmful substances from products. The list of harmful substances is continuously growing and requires organisations to constantly monitor any announcements and additions to the REACH scope. This can be done on the [European Chemicals Agency's website](#).

By ensuring all actors in the supply chain understand their REACH requirements

the use of harmful chemicals in the EU will begin to reduce. It is estimated that REACH compliance will lead to the removal of 2-8% of the chemicals currently on the market, with some businesses choosing to remove specific chemicals because of the cost and complexity of REACH registration.

CHALLENGES IN COMMUNICATING REACH PROGRESS

A number of Non-Governmental Organisations (NGOs) are also increasing the pressure on large, multi-national enterprises (MNEs) to reduce the use of toxic chemicals, using name and shame tactics. This will inevitably have a knock-on effect on small and medium enterprises (SME) and manufactures supplying MNEs.

The requirement for communication and the need to obtain such detailed information on chemicals means that legal importers must ensure their supply base understands and is carrying out their REACH obligations. This is leading to ongoing demands for information which many suppliers outside the EU are finding difficult to address whether because of a lack of regulation knowledge further down the supply chain or because of a lack of understandings of what is required. As a result some importers are requiring an on-site audit of every supplier or testing of every product to ensure compliance.

Whilst effective, this would be both impractical and economically unviable and would require frequent repetition to avoid changes in components and raw materials. Training of suppliers is also proving problematic given the complexity of regulations and the geographic spread.

One alternative is to tailor compliance efforts using a risk based approach



which itself requires an understanding of the products and the supply base. This can, on itself, provide an audit trail that would form part of a due diligence process.

SOLUTIONS AT HAND

Self-assessment and declaration forms can be the basis of any such approach – but information gathered this way can be misleading, often because the supplier does not understand what information needs to be in their possession and to be communicated.

So how can an importer be confident of the accuracy of the information being supplied? SGS has developed a web based REACH supplier assessment and training tool which not only requires the supplier to report on the information and controls they have in place, but also provides on-line training to ensure that they have implemented appropriate controls and are retaining required records to support their answers.

For more information on SGS REACH solutions visit: www.sgs.com/reach

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