

RIP 3.5-1

preliminary study on guidance for downstream users

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Contractor

Consortium

- **Danish Toxicology Centre (DTC)**
- **Ökopol**
- **Risk & Policy Analysis (RPA)**

Objectives

- **Evaluation of current experiences**
- **Analysis of DU obligations under REACH**
- **Preparing an outline of the guidance**
- **Case studies**

Current experiences

- **Analysis of 9 selected industry sectors / supply chains**
 - **Characterisation of supply chain and its actors**
 - **Substance/ preparations applied**
 - **Communication in supply chain**
 - **Expertise on management of chemical**



Current experiences

- **Textile industry**
- **Graphic industry**
- **Sealants – adhesives**
- **Electronic industry**
- **Detergents formulators**
- **Plastic processing**
- **Construction sector**
- **Packaging sector**
- **Distributors of chemicals**

Current experiences

- **Evaluation of relevant studies**
 - The NL VAST programme
 - North Rhine Westphalia REACH testing
 - Danish Paint Association REACH project
 - UBA/RIVM Matrix project

Current experiences

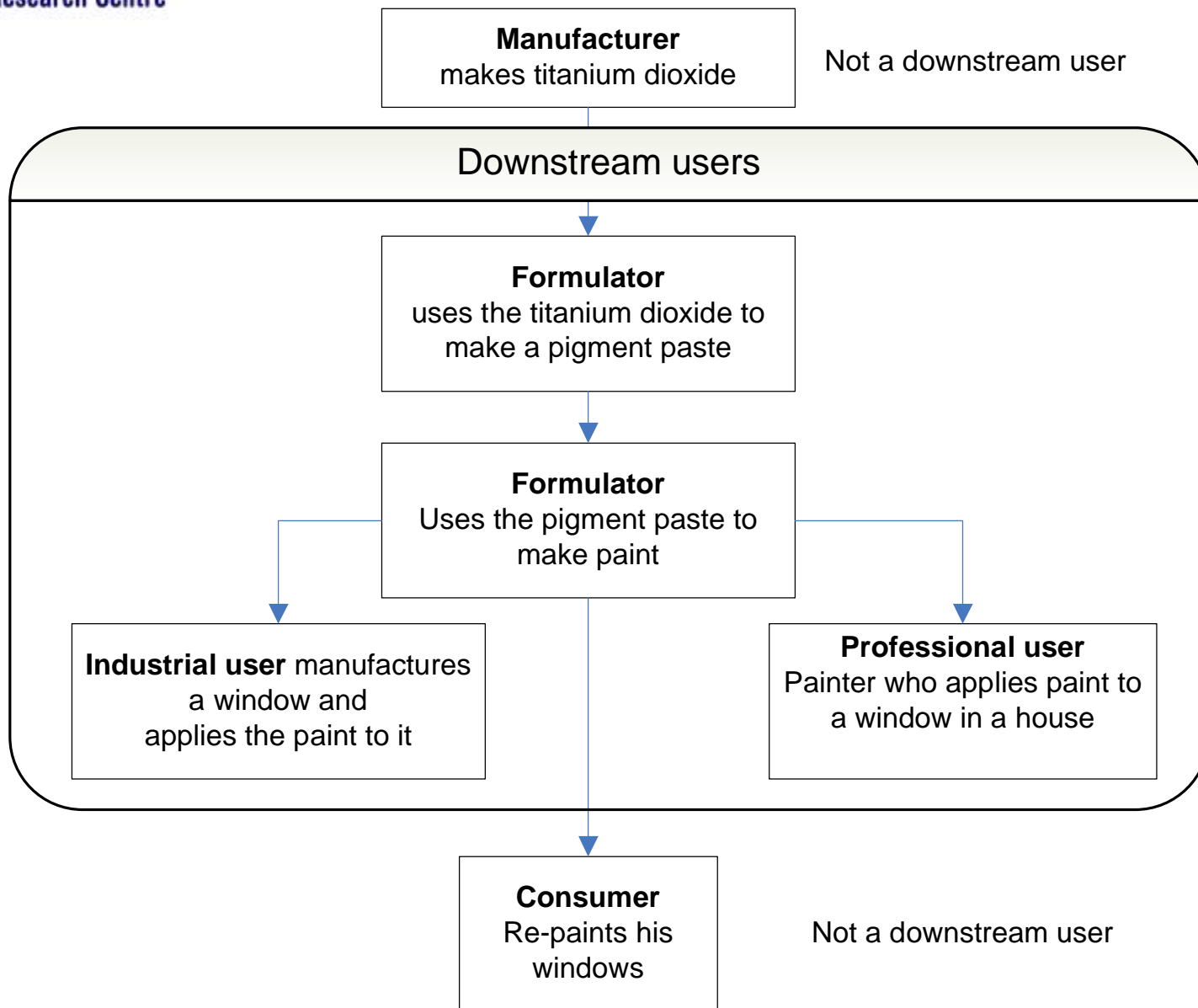
Some general observations:

- **DU's are very often SME**
- **Many DU have intensive dialogues with suppliers**
- **Distributors often have a key role in supply chains**
- **Formulators of speciality chemicals often supply the user directly**
- **Technical fact sheets used in addition to SDS**
- **Expertise on management of chemicals is often low at end user level**
- **Confidentiality a key issue but depend on supply chain and the companies involved**

Analysis of DU obligations

- **Main DU roles and obligations**
- **Types of DU with similar guidance needs**
- **Terminology**
 - **Formulators (F)**
 - **Industrial users (IU)**
 - **Professional users (PU)**
 - **Other DUs: re-fillers, re-importers**
 - **Non DU actors: distributors, storage providers, re-branders, consumers**

Who is a downstream user?



Draft Guidance structure

- **Executive/ introduction**
 - Basic terminology
 - Overview of the guidance
 - How to use the guidance
- **Preparing for REACH**
 - Main new requirements for DU
 - Phase-in scheme and implications for DU
 - Voluntary actions/ options for DU
- **Workflows**
- **Draft guidance text**

Draft Guidance contents

- **Identification of roles**
 - DU roles and related obligations
 - Connect to the right workflow(s)
- **Checking information from supplier,**
 - SDS,
 - e-SDS,
 - Art 30 information
 - Direct the user to the right workflow

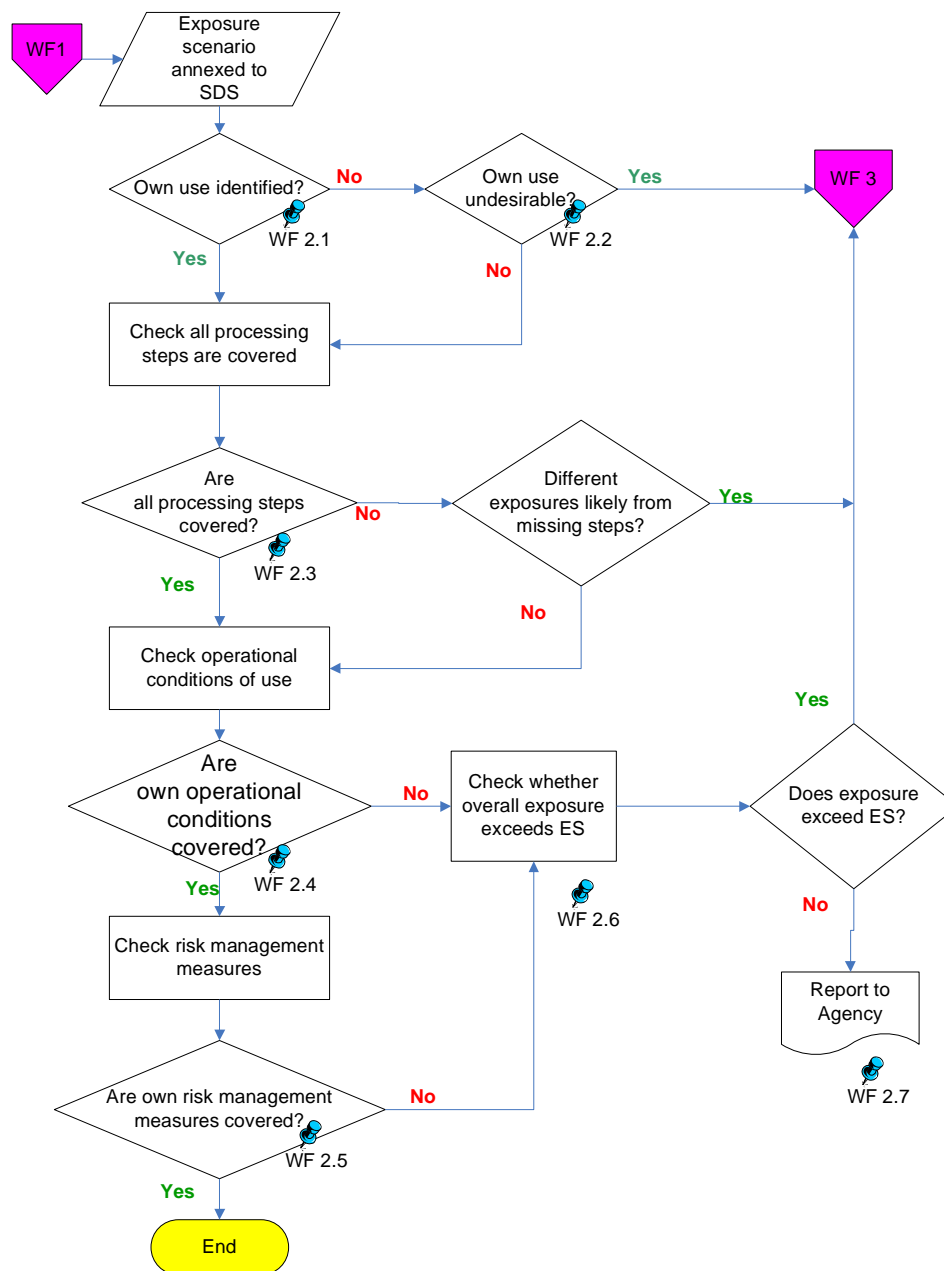
Draft Guidance contents

- **Checking compliance with suppliers ES**
 - Are DU uses covered?
 - Are DU's conditions within operational conditions and RMM described?
 - Does conditions in place include as a minimum conditions communicated by suppliers?
- **Carrying out a DU CSA, and reporting to Agency**
- **Compliance with authorisation and restrictions**

Draft Guidance contents

- **Communication upstream**
 - Identification of use to supplier
 - Informing supplier of new hazard information
 - Info re. RMM not appropriate
 - Report to Agency re. different classification
- **Communication with downstream user**
 - Obtaining information on downstream uses
 - Providing information to downstream customers

WF2: Checking compliance with supplier's exposure scenario





Case studies

Testing draft guidance in 4 case studies

- Semiconductor manufacture
- Textile finishing
- Textile finishing and formulators (Latvia)
- Graphics/ printing industry
- Other consultations

Case: semiconductor manufacture

Characteristics of industry

- R&D intensive industry
- Dependency on supplier ('qualification' system)
- Closed production systems
- Use of non-disclosure agreements

Some observations

- Use of workflows regarded a good approach
- More extensive guidance needed in some places
- Composition of preparations and specific use conditions regarded CBI
- Scenarios at sector level a possible solution

Case: textile finishing

Characteristics of industry

- Competence on chemicals management
- Good communication between formulators and users (R&D intensive industry)
- Mainly SME's

Some observations

- Suggest guideline with interactive links
- Explain division of responsibility among actors
- Specific uses and full composition of preparations are regarded as CBI
- Currently recommendations on RMM too general

Case: Graphic industry

Characteristics of industry

- Dominated by SME
- Awareness on chemicals

Some observations

- Brief and precise introduction is needed
- Guidance for companies with more roles
- IT tool based guidance preferred
- Use of standard ES would be feasible
- Better explanation of terminology
- CBI is not regarded an issue

Conclusions and recommendations

Regarding the DU Guidance:

- Easy to read introduction to guide the user
- Guidance as an interactive tool, e.g. web based
- Clear description of roles and related obligations
- Include illustrative examples
- Clearly separate mandatory and voluntary actions
- Encourage development of sector specific guidance
- More focus on professional end users
- Include guidance for distributors



Conclusions and recommendations

Exposure scenarios

- Develop standard description of manufacture/use processes and RMM for sectors
- Develop further examples of ES
- Guidance on documenting compliance with ES

Preparations

- Develop guidance for ES for preparations



Conclusions and recommendations

Communication barriers

- Composition of preparations and specific use and conditions of use often regarded as CBI
- Analyse further what info is CBI and how to avoid disclosure (e.g. in case studies)
- Language
- Terminology

Comments to Report

- **CWG is invited to comment on the report before 1 May, (if possible coordinated with comments by the RRSM/LWG meeting in June).**
- **Report available on ECB home page:
//ecb.jrc.it REACH; Documents; RIP final reports;
RIP 3.5-1**