



Piloting REACH on Downstream
Use and Communication in Europe

**Commission Working Group on the Practical Preparations for
REACH
6th Ad Hoc Meeting: 13 March 2006
Brussels**

PRODUCE: Results and Outcome of Dissemination Workshop

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Facilitator

KEY OBJECTIVES OF PRODUCE

To test the workability of REACH for “Companies Receiving Chemicals”, and for their Suppliers and Customers.

To test upstream and downstream communication along the supply chain.

To advise the European Commission on potential workability problems.

To provide input to REACH Implementation Projects and additional guidance tools.



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PRODUCE
potted history

Early 2004	Commission welcomes Unilever's offer to facilitate a strategic partnership to test the workability of REACH for Downstream Users.
Nov 2004	PRODUCE presented to Leiden CWG.
Jan 2005	Partnership populated and start of pre-work in three sub-projects.
June 2005	First Steering Group Meeting
Dec 2005	Final draft report ready: 34 recommendations
Feb 2006	Full report; Summary Report; Website
March 2006	Vienna Dissemination Workshop
March 2006	PRODUCE Results presented at CWG



The structure of PRODUCE

Reports to the EU CWG on REACH

STEERING GROUP

CONTACT GROUP

SUB-PROJECT TEAMS

- Independent chairman
- Industry associations
- Commission Services
- Member States
- Advisory participants
 - project manager
 - facilitator
- Observer NGO's

- Three members
- Industry
 - Commission Services
 - a Member State

Each involving Supplier, DU and Member State:

- **Spray can propellant:**
 - BAMA, BP, Unilever, McBride/APL, Greece
- **Perfume preparation:**
 - Firmenich(CH/EU), Unilever, Netherlands
- **Linear Alkylbenzene:**
 - ISU (Korea), Unilever, Hungary

PRODUCE:

- Overall Project Manager & Sub-Project Manager for all sub-projects:
Paul Birker
- Independent Facilitator:
John Solbé



The Steering Group

Alexander de Roo

I FRA/RI FM

FEA

Unilever

Cefic

A.I.S.E

DG ENTR

DG ENV

JRC/ECB

Greece

Hungary

The Netherlands

France

Eurocommerce

Vier Pfoten International

European Disposables and Nonwovens Association

European Trades Union Confederation

Greenpeace

Eurogroup for Animal Welfare

- Independent chairman
- Industry associations
- Commission Services
- Member States
- Advisory participants
 - project manager
 - facilitator
- Observers: NGOs *et al.*



Key deliverables

Practical experience

For partners in Industry, Commission and Member States

Identification of bottlenecks and
recommendations to improve workability

Recommendations and Lessons Learned

(all this in the context of the Oct. 2003 REACH text)



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Outputs of PRODUCE

The Summary Report

The Main Report

Appendices

The Dissemination Workshop Report

Please see the web-site

www.producepartnership.be



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The Summary Report

Executive Summary

Quotes

Recommendations



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Main text

Introduction

Objectives

Organisation & *Modus Operandi*

Description of Sub-Projects

Preparatory Actions by Downstream Users

Application of REACH to Five Supply-Chain Situations

The Findings of PRODUCE and Lessons Learned

Plus: Bibliography, Glossary and Index



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Appendices

- A Roles & members of the PRODUCE Team
- B A compendium of questions and answers
- C Lessons learned
- D Example of Trade Association help for its members
- E Preparing for REACH among downstream users:
PRODUCE experience
- F Responses to PRODUCE from Retailers



G1 Linear Alkylbenzene: Chemical Safety Report: Part A

G2 Linear Alkylbenzene: Chemical Safety Report: Part B

G3 Linear Alkylbenzene: Chemical Safety Report: Part C

G4 Linear Alkylbenzene: Comments of the Hungarian CA

H1 Liquefied Petroleum Gas: Extended Data Sheet

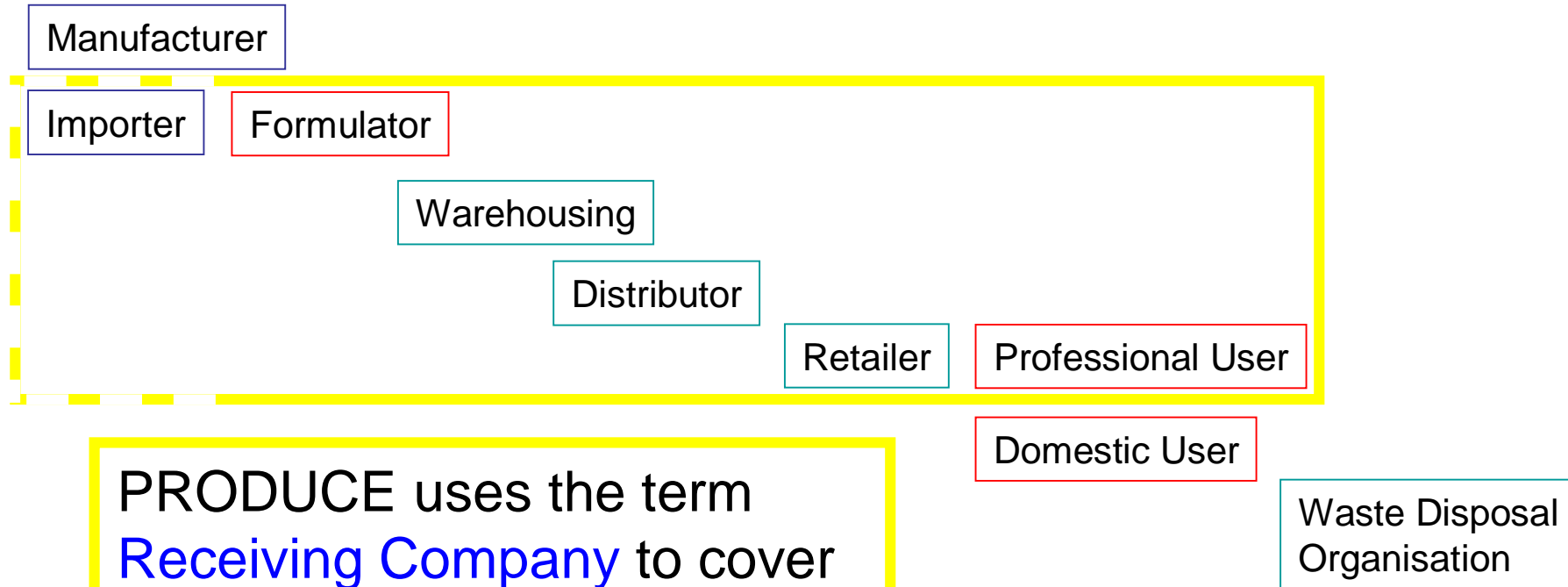
H2 Liquefied Petroleum Gas (LPG): Chemical Safety Report –
LPG used as hydrocarbon propellant



- J Air Freshener: Extended Safety Data Sheet: Formula A
- K1 All-Purpose Cleaner: Extended Safety Data Sheet
- K2 All-Purpose Cleaner: Product Information Sheet for bulk transport, handling and storage
- L Aerosol Mousse Bathroom Cleaner: Extended Safety Data Sheet
- M1 Fragrance Formula A: Safety Data Sheet
- M2 Fragrance Formula B: Safety Data Sheet
- M3 Fragrance Formula C: Safety Data Sheet
- N Preparing a Chemical Safety Assessment for Preparations



Basics: Understanding the chain of supply, use and disposal



PRODUCE uses the term **Receiving Company** to cover all these actors in the Supply Chain.



Recommendations of PRODUCE

- 1-6** *Preliminary actions by Companies and their Organisations*
- 7-11** *Upstream / Downstream Collaboration*
- 12-17** *Registration*
- 18-21** *Safety Data Sheets*
- 22-27** *Chemical Safety Report and Exposure Scenarios*
- 28** *Risk Assessments*
- 29** *Communication*
- 30-34** *Guidance*



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Recommendations of PRODUCE

1-6 Preliminary actions by Companies and their Organisations

Companies were recommended to: -

- know their roles under REACH;
- understand and assign their tasks and duties;
- establish the systems they will need;
- decide the mechanism of importing to the EU e.g. through a Representative;

Trade Associations, Sector Groups or other partnerships were encouraged to: -

- raise awareness among their members / partners;
- think of themselves as natural brokers for consortium formation and self-help groups.



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Recommendations of PRODUCE

7-11 *Upstream / Downstream Collaboration*

Recommendations concerned: -

- finding points of collaborative contact for REACH and communicating these up and down the chain;
- identifying aggregated tonnages of each substance imported;
- need for guidance from the RIPs on handling Confidential Business Information;
- allowing Downstream Users to join SIEFs;
- a mechanism for DU to contribute data to SIEFs (inconsistency between Articles 26.6 (latest text) and 27.1)



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Recommendations of PRODUCE

12-17 *Registration*

Recommendations centred on practicality of the process:

- maximum use of automated methods for submitting information;
- identification of substances by a unique system;
- un-linking suppliers names from SDS for preparations: RIP to address confidentiality issues;
- Receiving Companies develop awareness of Supplier intentions;
- DUs contact Suppliers to ensure full use of DU information;
- re-format part of CSR to avoid an anomaly.



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Recommendations of PRODUCE

18-21 *Safety Data Sheets*

- Extended SDS – translation would be eased by developing standardised phraseology: Trade Associations could help;
- Summarise 'status' of a substance, perhaps in Section 15;
- Distinguish between lack of data or absence due to irrelevance;
- Avoid inflexible, repetitious processes in compiling templates for Pre-Registration / Registration.



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Recommendations of PRODUCE

22-27 *Chemical Safety Report and Exposure Scenarios*

- Separation of Company role in relation to environmental risk assessments from Authorities' role;
- CSR prepared by Receiving Company should address all their own uses and thus Exposure Scenarios;
- Environmental and Human Health ESs may require different approaches (% v tonnage, respectively);
- Preparation CSRs will need simple, meaningful, proportionate methods;
- Sector Groups encouraged to compile databases on uses;
- and to develop standardised ES framework within their Sector.



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Recommendations of PRODUCE

28 *Risk Assessments*

- Risk assessments for human health or the environment should only be required where a substance is classified accordingly.

(In other words an environment-only classification should lead to an environment-only assessment etc.)



Recommendations of PRODUCE

29 *Communication*

- Communication needs beyond the DU as specified in REACH should be addressed

e.g. warehousing, transport, distribution, retail, domestic, waste disposal



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Recommendations of PRODUCE

30-34 *Guidance*

Guidance development was recommended for:

- terminology (glossary needed);
- identification of continuing legislative duties as well as new duties;
- DUs who may need IT tools and training to contribute data;
- justifying the acceptance of non-standard data;
- the use of existing information such as historical human data.



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Conclusions of PRODUCE Workshop

1. *General notes on the PRODUCE Report*

- 64 participants attended.
- There was no adverse criticism of the work.
- Some participants raised the point that because of the *good working relationships* in the detergent industry PRODUCE might have been an atypical case. *Extrapolating to other situations would need care.*



Conclusions of PRODUCE Workshop

2. Summary of discussion

Principal themes:

Needs for guidance

Data-sharing

Communication

Contributors included:

Animal Welfare, Austria (ind.), BAMA, Belgium (ind.), Boots, BP, Carrefour/Eurocommerce, Cefic, CONCAWE, DG ENTR, DUCC, FEA, Hungary (ind.), The Netherlands, Slovakia, Unilever



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Conclusions of PRODUCE Workshop

Needs for guidance

SMEs in particular (but in fact all Companies) are going to need a lot of guidance but it must be

tailored to the capability of the recipient;

generally made as simple as possible;

backed up by very good Help Desk functions centrally or nationally.

Note that even though the total guidance available may be massive, a good indexing system should be installed to enable focus on the sections needed by an individual.



Conclusions of PRODUCE Workshop

Data-sharing

Commercially sensitive information (Confidential Business Information) is an issue of concern to many.

How can membership of a SIEF be permitted or restricted? What are the criteria for membership?

Generally speaking, Receiving Companies want to be able to contribute data and to debate the interpretation with Suppliers. Problem of use unsupported by Supplier.

Collaboration between M/I and DU/RC needs to be enhanced / facilitated. Have Trade Associations and Sector Groups a vital role here?



Conclusions of PRODUCE Workshop

Communication

Just like technical guidance, communication of REACH activities and outputs will benefit from a tailored approach. Concerted action would seem to be needed. But how will this be handled before there is an Agency?

Who does what? Does the MS have a role now?

How?

Without effective communication from the centre, how will the consumer be informed? Will confidence rise or fall?



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Thank you