

EU Reach regulation becomes reality

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The new Reach regulation on industrial chemical control will enter force on 1 June after being published in the EU official journal on 30 December. As a regulation it will have direct effect in member states, cutting out any need for lengthy and uncertain national transposition procedures. It will replace over forty existing EU chemical policy laws.

The publication of the 849-page legal text brings to a definitive end almost six years of intense political negotiation over the reform following a European commission white paper in 2001. The law's final shape was settled politically early in December and approved in mid-month ([EED 18/12/06](#)).

Producers and users of chemicals will have to plug gaps in safety data for thousands of "existing" chemicals produced in volumes above 1 tonne annually. The most dangerous chemicals will be gradually squeezed out of the market through an authorisation process design to foster substitution by safer alternatives.

The 1 June entry-into-force date will trigger a cascade of deadlines affecting businesses, member states and still to be created European chemicals agency. Most of Reach's substantive provisions will apply a year later, from 1 June 2008. The first business-relevant deadline is 1 December 2008, when a six-month window for firms to pre-register substances closes.

The first substance registration deadline falls on 1 December 2010. This will apply to makers or importers of category 1 and 2 carcinogens, mutagens and reprotoxins produced above 1 tonne, to substances classed as very toxic to aquatic organisms above 100 tonnes, and to all other substances above 1000 tonnes. Firms that fail to register these will be denied access to the EU market.

By 1 June 2008 the European commission must adopt a regulation setting the fees payable by firms under various parts of Reach. By 1 December the commission must review criteria for identifying persistent and bioaccumulative substances, a class of dangerous chemicals targeted by the authorisation procedure. By the same date the commission must define the criteria that will allow some firms to omit some testing requirements under Reach.

On 1 January 2009 the chemicals agency will publish the list of pre-registered substance and by 1 June the same year it will make its first recommendations on priority substances to be included under the authorisation requirement.

Follow-up: See EU [official journal entries for Reach, regulation 1907/2006, and for directive 06/121](#), a parallel technical amendment to directive 67/548 on classification, packaging and labelling of dangerous substances.