# UEAPME position on
# REACH amendments, 2nd Reading

| Amendment n. | Issue | UEAPME position | Justification |
|---|---|---|---|
| **6**<br>Art. 1 | Duty of care | NO | Its introduction would favour the unequal application of standards in the EU |
| **10**<br>Art. 14 | Chemical safety assessment for dangerous substances of less than 10 tons | YES | Only very dangerous substances of any tonnage should be assessed |
| **11**<br>Art. 14 | Information to downstream user | NO | Complicates unnecessarily information flow |
| **12**<br>Art. 23 bis | Communication of non-registration | YES | Has important environmental and market benefits |
| **13**<br>Art. 27 | Cost sharing proportional to volume | YES<br>(high priority) | It provides a mechanism to share equitably costs for tests |
| **16**<br>Art. 28 | Cost sharing proportional to volume | YES<br>(high priority) | Same as above |
| **17**<br>Art. 30 | Coast sharing proportional to volume | YES<br>(high priority) | Same as above |
| **19**<br>Art. 31 | Minimum requirements for safety data sheets | YES | It favours data sharing |
| **21**<br>Art. 33 bis | Information to downstream user | NO | Same as amend.11 |
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| **67**<br>Recital 35A(new) | Assistance to SMES for tests | YES | It helps SMEs overcome their technical- financial deficiencies |
| **68**<br>Recital 35B(new) | Same as above | YES | Same as above |
| **71**<br>Recital 46A(new) | Non registration for owner of studies unwilling to share them | YES<br>(high priority) | It prevents excessive animal testing |

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| **72** Recital 50A(new) | Non registration of participant not paying | YES | Self evident |
| **73** Recital 51A(new) | Notification of non-registration to Agency and downstream users | YES (high priority) | Important environmental and market benefits |
| **95** Art. 1 | No increase of bureaucratic requirements under REACH for SMEs | YES | Benefits SMEs |
| **98** Art. 1 | EU support for SMEs in implementing REACH | YES | Important to help SMEs adjust to new system |
| **117** Art. 3 | Definition of unsupported use | YES | Help downstream user avoid dangerous applications |
| **119** Art. 3 | Definition of quantity per year on basis of average production for last 3 years | YES (high priority) | Market fluctuations should be taken into account to prevent them from affecting terms of registration |
| **122** Art. 3 | Definition of use and exposure category | NO | Definitions are too restrictive and can put many companies who do not see their use recognized out of the market |
| **125** Art. 6 | Registration of preparation instead of single substances | NO | Registering all the possible preparations would be to burdensome |
| **127** Art. 6 | Registration of monomers | YES (high priority) | It is unnecessary to register a monomer already reacted in the polymer |
| **128** Art. 6 | Registration of monomers | YES (high priority) | Same as above |
| **129** Art. 6 | Registration of monomers | YES (high priority) | Same as above |
| **130** Art. 7 | Notification of substance in article also below 1 ton | NO | Targeting low quantities has no environmental benefit while damaging SMEs |

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| **131** Art. 7 | Notification of substance in article below 1 ton | NO | Same as above |
| **137** Art. 7 | Agency guidance to help producers and importers of articles | YES | Important to help actors complying with regulation |
| **150** Art. 12 | Definition of quantity for phase-in substances based on average production last 3 years | YES | Market fluctuations should be taken into account to prevent them from affecting terms of registration |
| **156** Art. 14 | Chemical safety assessment of substances in quant. less than 10 tons | NO (High priority) | It would be highly expensive against a negligible environmental benefit |
| **157** Art. 14 | Chemical safety assessment of substances in quantities above 1 ton | NO | Quantities up to 10 tons should be exempted (same as above) |
| **159** Art. 14 | Exemption to chemical assessment for dangerous substance under dir. 1999/45/CE | YES | In compliance with Directive 1999/45/CE |
| **164** Art. 22 | Annual production based on average volumes for last 3 years | YES | Same as am. 119 |
| **168** Art. 25 | Exception to compulsory data sharing | YES (high priority) | The Agency must evaluate the legitimacy of request for opt-out |
| **169** Art. 25 | Liberalization of test-data after 15 years | NO (high priority) | Liberalization should happen after 10 years, as it provides SMEs with the access to tests data they need to survive. |
| **170** Art. 25 A (new) | Communication of non-registration | YES | Same as amend. 12 and 73 |
| **171** Art. 27 | Liberalization of test-data after 15 years | NO (high priority) | Same as amend. 169 |

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|---|---|---|---|
| **172**<br>Art. 27 | Non registration of participant who does not pay | YES | Same as amend. 72 |
| **176**<br>Art. 28 | Obligation to preliminary registration and compulsory data sharing | YES | It reaffirms compulsory data sharing |
| **179**<br>Art. 28 | Liberalisation of test data after 10 years | YES | Same as above |
| **186**<br>Art. 30 | Availability of all studies in SIEF, including non-vertebrates | YES | It confirms importance of sharing all types of studies, including non-vertebrates |
| **189**<br>Art. 30 | Non registration for those who do not share animal test data | YES | It protects and enforces compulsory data sharing |
| **190**<br>Art. 30 | Non registration of participant who does not pay | YES | Same as amend. 72 and 172 |
| **200**<br>Art. 37 A (new) | Ad hoc procedure for SMEs to notify uses to Agency | YES<br>(high priority) | It prevents unnecessary additional test data and protects SMEs industrial secrecy |
| **312**<br>Art. 124 A (new) | Agency role to initiate controls | YES | The Agency role would ensure uniform guidelines for control system's harmonisation |