

UEAPME position on REACH amendments, 2nd Reading

Amendment n.	Issue	UEAPME position	Justification
6 <small>Art. 1</small>	Duty of care	NO	Its introduction would favour the unequal application of standards in the EU
10 <small>Art. 14</small>	Chemical safety assessment for dangerous substances of less than 10 tons	YES	Only very dangerous substances of any tonnage should be assessed
11 <small>Art. 14</small>	Information to downstream user	NO	Complicates unnecessarily information flow
12 <small>Art. 23 bis</small>	Communication of non-registration	YES	Has important environmental and market benefits
13 <small>Art. 27</small>	Cost sharing proportional to volume	YES (high priority)	It provides a mechanism to share equitably costs for tests
16 <small>Art. 28</small>	Cost sharing proportional to volume	YES (high priority)	Same as above
17 <small>Art. 30</small>	Coast sharing proportional to volume	YES (high priority)	Same as above
19 <small>Art. 31</small>	Minimum requirements for safety data sheets	YES	It favours data sharing
21 <small>Art. 33 bis</small>	Information to downstream user	NO	Same as amend.11
67 <small>Recital 35A(new)</small>	Assistance to SMES for tests	YES	It helps SMEs overcome their technical- financial deficiencies
68 <small>Recital 35B(new)</small>	Same as above	YES	Same as above
71 <small>Recital 46A(new)</small>	Non registration for owner of studies unwilling to share them	YES (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 Art. 27	Non registration of participant who does not pay	YES	Same as amend. 72
176 Art. 28	Obligation to preliminary registration and compulsory data sharing	YES	It reaffirms compulsory data sharing
179 Art. 28	Liberalisation of test data after 10 years	YES	Same as above
186 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 Art. 30	Non registration for those who do not share animal test data	YES	It protects and enforces compulsory data sharing
190 Art. 30	Non registration of participant who does not pay	YES	Same as amend. 72 and 172
200 Art. 37 A (new)	Ad hoc procedure for SMEs to notify uses to Agency	YES (high priority)	It prevents unnecessary additional test data and protects SMEs industrial secrecy
312 Art. 124 A (new)	Agency role to initiate controls	YES	The Agency role would ensure uniform guidelines for control system's harmonisation