



REACH

Draft of the REACH (Registration, Evaluation and Authorisation of Chemicals) introduces changes in registering chemical substances and introducing them on the market. About 30,000 chemical substances, before their introduction on the market, will be covered with an obligation of registration and research in the aspect of their hazardous effect on health and environment. This legislation transfers the burden of ensuring the safety of chemical substances in trade from the state onto entrepreneurs.

Companies that manufacture or import chemical substances in the volumes exceeding one tonne per year will be obliged to register such products in the central database, and each substance will have to have documentation concerning its safe use. In many cases, companies will be covered by the legislation in three ways – simultaneously as manufacturers, importers and users of chemical substances. According to the estimates of the Ministry of Economy and Labour, Polish companies will have to register about 5,00 substances. Within REACH legislation, the institution managing the central register of chemical substances and publication of relevant data would be European Chemicals Agency based in Helsinki, related to agencies and institutes across Europe.

REACH legislation is also to cover cement industry products. According to the CEMBUREAU European Cement Association, mineral raw materials, or substances occurring in nature should be excluded from the registration requirements, as it is in the case of natural gas, oil or coal. In the processing used by the cement industry, the final product is achieved as a result of mineralogical transformation of minerals contained in natural raw materials. In such cases, chemical composition of the products, as compared to raw materials, remains unchanged, only their mineralogical content changes.

Furthermore, requirements contained in REACH are the same as several legal regulations that already apply, such as:

- IPPC Directive (96/61/EC), which describes requirements resulting from application of basic raw materials, including materials obtained from waste and reused, applied in the cement industry;



- Directive (2000/76/EC), concerning waste incineration;
- Directive 89/106/EEC concerning construction materials, regulating health, sanitary and environmental aspects related to application of construction materials. Moreover, properties of such materials are specified in European standards;
- Directive 89/109/EEC - concerning health and safety concerning work with chemicals, as well as legal acts on materials and products that can have contact with food.

The existing legal acts impose relevant requirements on the products manufactured and ensure a high level of security as concerns health, sanitary and environment protection.

It is worth noticing that covering European Union's products with REACH procedures may significantly impact on deteriorating competitiveness of such industries as compared to the countries from outside the Union. It is important to estimate the impact of the solutions proposed on economic results. It also seems that the goods designed for export to countries not covered by REACH should be excluded from the system.

The requirements contained in REACH should feature transparent definitions and precisely define the principles, stating threshold values for minimum concentrations of substances and terms for their release. In its position, European industry supports the approach based on the assessment of the substances covered by REACH as concerns their risk to health and environment. The document for information sharing about chemical substances should be the Characteristics Charts prepared on the basis of the existing

European regulations, which specifically define the terms of product application without the risk to employees and the environment. The new legislation should consider the standards and regulations prepared so far for various sectors, as well as regulations on occupational diseases and health and safety regulations.

It is worth mentioning that works on REACH also feature proposals of solutions which would allow for limitations of costs to companies. A certain simplification of REACH could be to apply the OSOR system (one substance, one registration), which would allow for cost reduction through establishment of consortia and division of registration costs. An argument is also important that the system would limit the number of research required (including tests on animals).

