



DOWNSTREAM USERS – 10 PRIORITIES FOR THE REACH REVISION

The REACH Regulation is a cornerstone of the EU chemical legislation. Revising REACH means changing the foundation of one of the most comprehensive chemical legislations in the world. Consumers and professional users buy paints, detergents, glues, inks etc., not chemicals. They purchase products made by DUCC members or articles containing products made by DUCC members. Since its creation in 2001 DUCC has acted with a united objective to contribute to the successful implementation of the REACH and CLP Regulations. In the context of the revision of REACH, DUCC raises the following 10 points.

1 AVOID INCREASING THE DEMAND FOR ANIMAL TESTING

With many of its members as active participants of EPAA (the [European Partnership for Alternative Approaches to Animal Testing](#)) DUCC urges the Commission to avoid increasing animal testing. Advancements in Non-Animal Methods/ New Approach Methodologies (NAMs) need to be reflected in the new data requirements.

2 A TARGETED MIXTURE ASSESSMENT FACTOR

A blanket MAF will have substantial impacts on downstream users, on valuable applications and animal testing. These impacts cannot always be mitigated.

The MAF should be applied only to substances that, based on their characteristics, can end up in an unintended mixture and, if so, contribute to the mixture toxicity. Unintentional co-exposure has spatial and temporal dimensions. The likelihood of possible unintentional co-exposure to chemicals for Human Health and to the Environment is highest for substances that can bioaccumulate, and substances that are persistent, respectively, the focus of MAF should be on PBTs that are used in high tonnages and wide dispersive uses.

3 PROFESSIONALS WHERE EXPOSURE PATTERNS ARE SIMILAR TO CONSUMER USES

Professionals should not be treated like consumers. Professional users normally receive adequate information and training on handling hazardous substances and apply other risk management measures - this professionalism should be recognised. DUCC is open to further engaging in training for professional users as a better solution to generic bans.

4 GENERIC RISK MANAGEMENT APPROACH

Downstream users wish to be part of the solution and a robust implementation of GRA. A crucial point for downstream users, is the importance of a practical, effective procedure, that will have a workable process:

- If a substance can be used safely while alternatives are explored, enough implementation time should be permitted to allow substitution
- That elimination of an entire product category should be considered enough of an impact for a robust assessment of alternatives with the possibility for industry experts to provide input.

5 ESSENTIAL USE

Make essential use a complementary tool for decision making, as the last step in the process, but not the main driver for regulatory decisions.

Any assessment of essential use should be the result of an in-depth review performed by the right experts, in which stakeholders should have the possibility to comment on a draft decision and appeal any final decision. The definition of essential should also consider the wide range of sustainability, social and economic benefits that a substance can bring when incorporated in a product. The concept must also allow for societal changes.

6 POLYMERS REQUIRING REGISTRATION

Polymers are used – and often made/customised – in Downstream Users products for a wide variety of applications and benefits. DUCC encourages the Commission to implement requirements to register only polymers that pose concerns and avoids overload of the system.

DUCC has collected information on the impacts of the different policy options for registration of polymers . [➡ DUCC statements](#)

7 REVOKE REACH REGISTRATIONS FOR REPEAT OFFENDERS

Downstream users need data from upstream to be able to carry out risk assessments, and problems arise if this data is missing. DUCC supports giving ECHA an increased mandate to revoke REACH registration numbers of repeat offenders.

8 SUPPLY CHAIN COMMUNICATION

DUCC supports the introduction of a requirement for the electronic provision of Safety Data Sheets. This is provided that the possibility to send Safety Data Sheets in pdf, email and/or other electronic formats, including but not limited to the XML format, is included.

9 DOWNSTREAM USER REPORTING REQUIREMENTS

DUCC does not support a for detailed information to be required systematically for all substances used by downstream users. There are different scenarios where information on use and exposure can be provided, but the level of detail to be provided should be case specific, depending on the level of concern, available data etc. to ensure a workable system.

Every actor in the supply chain should have the possibility to provide information on uses as relevant. Different actors may be more appropriately placed to provide information.

10 ENSURE PUBLIC FUNDING FOR ECHA

With the increasing requirements in the revision of REACH prompted by the CSS, it is important that ECHA will have public funding and expertise to manage new tasks and to provide necessary guidance on compliance for industry.