

August 2018 r1

## REACH FAQ's

These FAQ's are intended to inform our customers regarding REACH and our Steel 'Articles'

### What is REACH?

REACH is a regulation of the European Union, adopted to improve the protection of human health and the environment from the risks that can be posed by chemicals.

### Who are ECHA?

European Chemicals Agency (ECHA)

The Agency established for the purposes of managing and carrying out the technical, scientific and administrative aspects of the REACH Regulation. The Agency is in Helsinki, Finland.

### Are Speciality Steels Manufactures under REACH?

No we are 'Downstream Users'

Downstream users are users of chemicals under REACH. They are companies or individuals:

- within the European Union/European Economic Area,
- who use a substance, either on its own or in a mixture,
- in their industrial or professional activities.

We are - Producers of articles: incorporate substances or mixtures into or onto materials to form an article.

### What is an 'Article'

REACH defines an article as an object which during production is given a special shape, surface or design that determines its function to a greater degree than its chemical composition. According to REACH, articles are for example clothing, flooring, furniture, jewellery, newspapers and plastic packaging. (Our Steel products are 'Articles')

Why has Pb been made an SVHC now? Sweden presented a proposal in accordance with Article 59(3) and Annex XV of the REACH Regulation (01 March 2018, submission number SPS-014057-18) requesting that lead be identified (lead powder and lead massive) as a substance of very high concern due to it being toxic for reproduction.

The Annex XV dossier was circulated to Member States on 8 March 2018 and the Annex XV report was made available to interested parties on the ECHA website. After consultation Sweden's proposal was formally adopted by the Member State Committee on 12-14 June 2018 . They concluded that:

***'Lead (lead powder and lead massive) is identified as a substance meeting the criteria of Article 57 (c) of Regulation (EC) 1907/2006 (REACH) as this substance meets the criteria for classification as toxic for reproduction category 1A in accordance with Regulation (EC) No 1272/2008<sup>2</sup>.'***

[https://echa.europa.eu/documents/10162/13638/msc\\_svhc\\_agreement\\_lead\\_en.pdf/ff0b82c2-98c4-2958-a2b2-b8fbf75bda00](https://echa.europa.eu/documents/10162/13638/msc_svhc_agreement_lead_en.pdf/ff0b82c2-98c4-2958-a2b2-b8fbf75bda00)

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### Will customers see a new Safety Data Sheet (SDS)?

For steel articles a safety data sheet is not a legal requirement and is provided as part of our duty of care to downstream users. LSS Customers will be provided with an updated SDS for the products they purchase.

### Have there been any changes to the advice regarding the risks of handling Pb steels ?

No Lead has been recognised as a Hazardous Substance for a number of years – Advice is included in the SDS

### Is this likely to be a step nearer to the banning of Pb steels in the future?

Possibly but the process to move from the candidate list to the 'Authorisation List' list may take several years. There is already a restriction in place for lead in Annex XVII of the REACH Regulations

### What will BREXIT mean for REACH?

HSE Statement 19/7/18

At the beginning of July HSE published a formal Notice providing information with regards to developments in the EU withdrawal negotiations for businesses affected by chemicals regulatory processes. The Notice confirms earlier statements made by Defra, in March, regarding the implementation period. It also states the UK's commitment to continue implementing safe management of chemicals, responding to emerging risks, and allowing trade with the EU to be as frictionless as possible. During the implementation period (currently subject to finalisation of the Withdrawal Agreement) businesses should be aware that during the implementation period:

- Registrations, approvals, authorisations and classifications in place before March 2019 will continue to be valid in the same way that they are now.
- REACH will continue to apply to the UK.
- The process for registering new chemicals under REACH will remain the same as it is now, which will require UK companies to register with the European Chemicals Agency (ECHA).
- The UK will recognise all new registrations, approvals, authorisations and classifications granted by the EU.
- We expect that HSE will not be able to act as a 'leading authority' to conduct certain assessments under the Plant Protection Products, Biocides and REACH regulations. We will work with affected businesses to minimise disruption and delay to their on-going assessments.
- UK-based businesses will have the same rights as EU-based businesses to have their cases accepted and processed by 'leading authorities' based in other EU member states.
- HSE will continue to process product applications under the Biocidal and Plant Protection Products Regulation for the UK market under the national authorisation route. Any applications will be considered against the current rules and standards.

Whilst this Notice provides further details for chemicals regulations, this would still be subject to EU wide agreement and subject to finalisation of the Withdrawal Agreement. The Notice in full can be found at

[https://webcommunities.hse.gov.uk/connect.ti/eu.exit/view?objectId=56115&exp=e1&utm\\_source=govdelivery&utm\\_medium=ebulletin&utm\\_campaign=eu-exit-5-jul&utm\\_content=text-link](https://webcommunities.hse.gov.uk/connect.ti/eu.exit/view?objectId=56115&exp=e1&utm_source=govdelivery&utm_medium=ebulletin&utm_campaign=eu-exit-5-jul&utm_content=text-link)

### Further Information

For further information see:

<https://echa.europa.eu/regulations/reach/understanding-reach>

<https://www.cia.org.uk/reachready/>

<http://www.hse.gov.uk/reach/>