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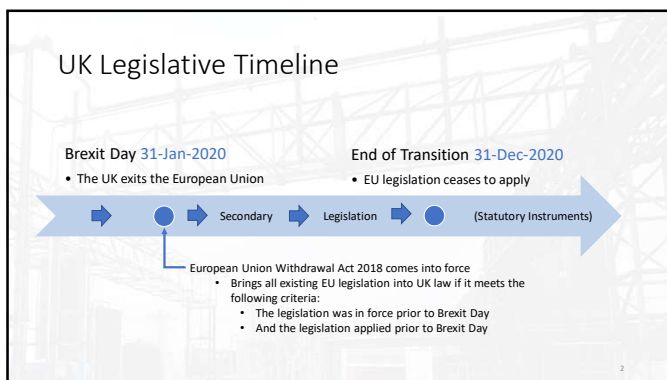
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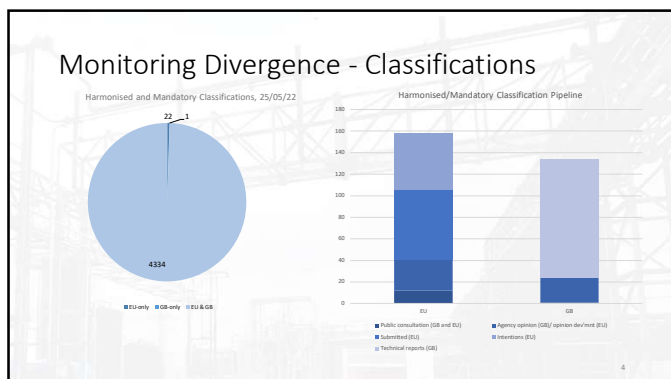
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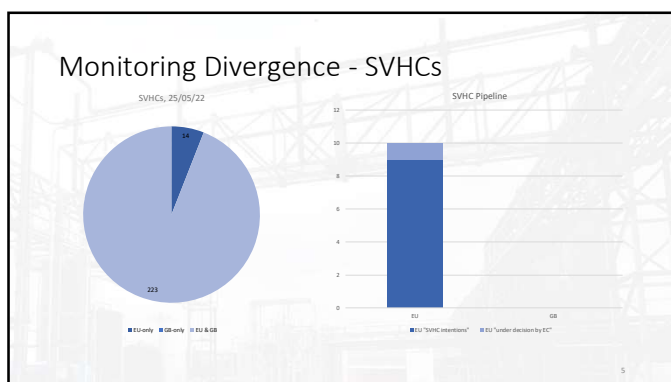
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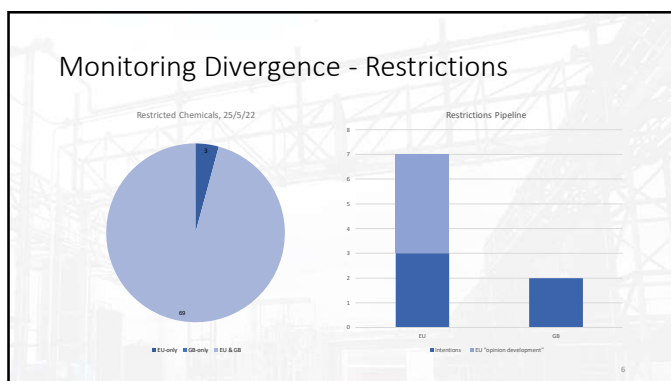
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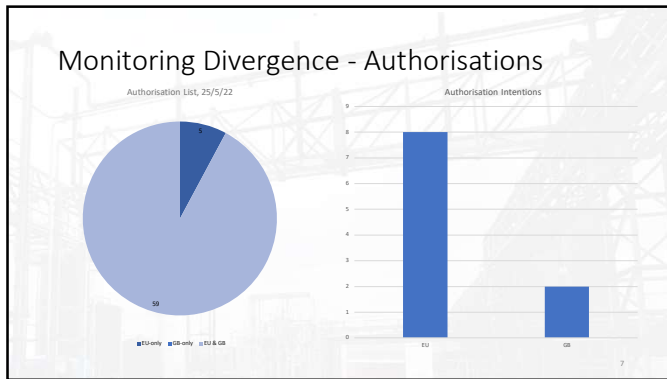
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### 17<sup>th</sup> ATP - (Regulation (EC) No 2021/849)

- 22 Substances added to Annex VI in the EU and Northern Ireland
  - 9 of these are Carcinogenic or Repro-toxic
    - Restrictions #3, 28, 29, 30, 72
- 39 Substances changed on Annex VI
  - Will now carry a different mandatory classification in the EU (and NI) vs. GB
- 1 Substance removed from Annex VI (will remain on the Mandatory Classification List in GB)
- Applies from 17-December-2022

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### 18<sup>th</sup> ATP - (Regulation (EC) No 2022/692)

- 39 Substances added to Annex VI in the EU and Northern Ireland
  - 24 of these are Carcinogenic, Mutagenic or Repro-toxic
    - Restrictions #3, 28, 29, 30, 72
- 17 Substances changed on Annex VI
  - Will now carry a different mandatory classification in the EU (and NI) vs. GB
- 1 Substance removed from Annex VI (will remain on the Mandatory Classification List in GB)
- Applies from 23-November-2023

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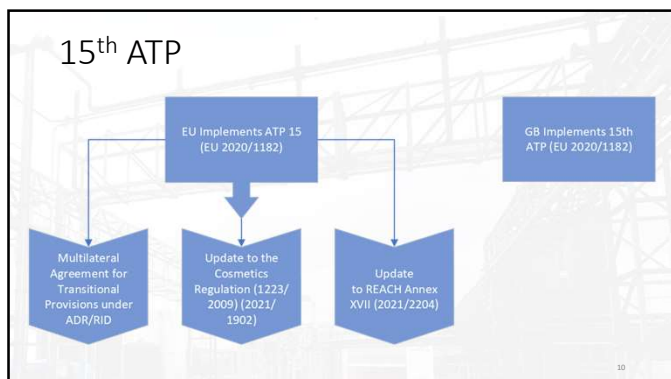
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### Northern Ireland Protocol

- Northern Ireland is part of UK customs territory
- But is regulated by the EU customs unions and single market regulations on manufactured (including chemical) goods
- Companies based in, or supplying products to Northern Ireland are subject to EU REACH, BPR, CLP and all other EU regulations
- They are also required to submit Poison Centre Notifications
  - Although they cannot select their country within the PCN Portal
  - And the Northern Ireland Poison Centre is in England

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### Safety Data Sheet and related legislation in Europe

#### The Safety Data Sheet

**Mainland GB**  
UK SI 2019/758 SDS format  
UK WELS  
UK Mandatory Classifications  
UK REACH registration

**Northern Ireland**  
EC 2020/878 SDS format  
UK WELS  
EU Harmonised Classifications  
EU REACH registration

**EU**  
EC 2020/878 SDS format  
EU and Member State OELs  
EU Harmonised Classifications  
EU REACH registration

**Switzerland – separate legislation**

**EEA: Iceland, Norway, Liechtenstein**  
EC 2020/878 SDS format  
Local OELs  
EU Harmonised Classifications  
EU REACH registration

**Non-EU**

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## Definition of 'Supplier'

Any manufacturer, importer, downstream user or distributor placing on the market a substance on its own or in a mixture, or a mixture, and each of these entities is defined as a natural or legal person established within the community

Safety Data Sheet (REACH): Manufacturer, importer, **only representative**, downstream user or distributor

Label (CLP): Manufacturer, importer, downstream user, distributor

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## Placing on the Market?

### Importer of Record

- Declarant
  - Customs Protocol
  - Entity that clears your goods through customs and into free circulation
  - Complete the customs documentation, pay fees/tariffs
  - Accountable for goods during import
  - Auditable by customs authorities
- Legally – defined as the Importer in the supply chain
- May not ever have physical custody of the goods



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## REACH

- GB Based Companies – manufacturing or importing substances => 1 tonne per annum
- GB-Based Only Representatives taking on registration responsibilities for Non-GB based companies

'Grandfather' an existing EU notification (April 2021)	Initial submission (basic data) for GB companies that held EU REACH Registrations
Downstream User Import Notification (DUIN) – (Oct 2021 – But still open!)	Initial notification (basic data) for GB companies that did not hold the EU REACH Registration
Full Registration =>1000 tonnes – (Oct 2023 – Due to be extended)	Full Registration dossier for highest tonnage band, all CMRs, all H400 and H410 (>100 tonne) and any SVHC substances (>1tonne)
Full Registration =>100 tonnes – (Oct 2025 – Due to be extended)	Full Registration dossier for mid tonnage band, and all SVHC substances
Full Registration =>1 tonne – (Oct 2027 – Due to be extended)	Full Registration dossier for low tonnage band

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## Conformity Marking – The UKCA Mark

- All goods which previously required the CE marking, and aerosol containers
- Check whether you can self-declare or need to use a third party conformity assessment
- Transitional measure allows you to place the mark on the label or accompanying document (until 1 Jan 2023)



- |                                 |                           |
|---------------------------------|---------------------------|
| • Toys                          | • PPE                     |
| • Recreational craft/Watercraft | • Gas appliances          |
| • Pressure vessels              | • Machinery               |
| • Weighing instruments          | • Outdoor equipment       |
| • Lifts                         | • Ecodesign products      |
| • ATEX                          | • Aerosols                |
| • Radio equipment               | • Low voltage electricals |
|                                 | • Pressure equipment      |

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## Hot Topics

- Annex VIII – Poison Centre Notifications
  - Inadvertently published in UK legislation
  - No infrastructure to support notification
  - Consumer and Professional Product Deadline – Jan 1<sup>st</sup> 2021
  - Industrial Product Deadline – Jan 1<sup>st</sup> 2024
  - Official advice from HSE and National Poisons Information Service is to continue previous (pre-Annex VIII) measures
    - Voluntary submission of SDS
- Annex VIII will need to be amended or repealed with legislation in the UK

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## What next for Regulation in the UK

- DEFRA consultation on REACH
- Outcomes of the Northern Ireland Protocol Negotiations
- Decision on Annex VIII
- Divergent substance classifications
- Divergent Restrictions and Authorisations
- Different Biocidal Product Approvals, and different renewal schedules
- Divergent classification methods?
  - New CLP building blocks for the EU -> Endocrine disruptors, Neurological effects



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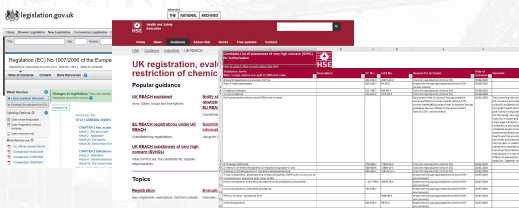
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## Where do you access information?

- Legislation from Legislation.gov.uk
- Guidance and lists from the HSE



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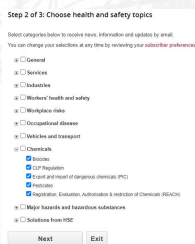
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## How do Suppliers stay informed?

- HSE Bulletins <https://www.hse.gov.uk/news/subscribe/index.htm>
- Industry Groups
  - Chemical Industries Association
  - Chemical Business Association
- Regulatory Consulting Groups
  - REACH Ready
- Events
  - CHEMCON Europe
- TT Environmental newsletter



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## Thank you! Questions/ discussion

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<https://www.linkedin.com/in/alison-potts/>

Websites:

[www.ttenvironmental.co.uk](http://www.ttenvironmental.co.uk)

[www.ghsclassificationcourses.com](http://www.ghsclassificationcourses.com)

[www.chemselfhelp.co.uk](http://www.chemselfhelp.co.uk)



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