

# Public Consultation in relation to the REACH REFIT evaluation

Fields marked with \* are mandatory.

## 1) Purpose and Context of the Consultation

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### a) The REACH REFIT evaluation

REACH[1] is the European Regulation for the Registration, Evaluation, Authorisation and Restriction of chemicals (EC) No 1907/2006. It is the main EU law on chemicals, covering substances on their own or in mixtures or in articles for industrial, professional or consumer use[2].

The European Commission (DG Internal Market, Industry, Entrepreneurship and SMEs and DG Environment) is conducting an evaluation of the REACH Regulation as part of the regular reporting obligation to monitor progress in the achievement of the objectives of the Regulation according to Article 117 (4) of REACH. Regular monitoring and reporting provides information to identify needs for adjustment and to propose recommendations to improve the implementation of the Regulation or the need to consider modifications.

This evaluation is part of the Commission's Regulatory Fitness and Performance Programme (REFIT) [3] and will cover the five compulsory evaluation criteria: effectiveness, efficiency, relevance, coherence and EU added value, including examining the potential to improve the way in which it delivers on its objectives and the potential for burden reduction and simplification.

The roadmap[4] for the REACH REFIT evaluation outlines the objectives, scope and key evaluation questions to be addressed in the evaluation. Furthermore, the consultation strategy[5] for the REACH REFIT evaluation provides additional details about the consultation objectives, activities and tools planned, including the present open online public consultation.

The objective of the public consultation is to obtain stakeholder views on the general approach to the 2017 REACH REFIT evaluation and to collect stakeholder views on strengths and weaknesses of REACH as well as any potentially missing elements. The responses will be taken into consideration in the preparation of the Commission Staff Working Document, presenting the results of the REACH REFIT evaluation and the Commission general report on the functioning of REACH addressed to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.

The current open online public consultation is part of a broader stakeholder consultation strategy which includes also an SME panel circulated through the Europe Enterprise Network. Please note that the results may also be used in the context of other studies in the chemicals field.

\*\* The consultation will last for 12 weeks. Responses to the public consultation must be submitted by 28 January 2017. \*\*

## **b) Structure of this questionnaire**

The questionnaire has four parts and you may choose which parts (or questions) you answer depending on your interest and level of familiarity with the REACH legal text and its implementation:

**Part I – General Information about respondents** (compulsory)

**Part II - General Questions** for respondents interested in REACH, but who may not be familiar enough with the legal text and provisions to answer more detailed questions (compulsory)

**Part III – Specific Questions** which require more in-depth knowledge and experience in dealing with the REACH Regulation (optional)

**Part IV – Additional Comments**

You may interrupt your session at any time and continue answering at a later stage. Once you have submitted your answers online, you can download a copy of the completed questionnaire.

To facilitate the preparation of your contribution, a pdf version of the questionnaire is available [here](#).

In view of the limited resources for translation as well as the specialised nature of the topic and technical terminology involved in this consultation, the questionnaire is available in English, German and French. Individual replies may be provided in any EU language.

*Privacy Statement: The information you provide will be used strictly in accordance with the provisions of Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. The content of your contribution and identity will be published on the Internet, unless you ask to remain anonymous.*

Disclaimer: *This document does not represent an official position of the European Commission. It is a tool to explore the views of interested parties. The suggestions contained in this document do not prejudice the form or content of any future proposal by the European Commission.*

[1] Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) - OJ L 396, 30.12.2006

[2] <http://ec.europa.eu/growth/sectors/chemicals/reach/>

[http://ec.europa.eu/environment/chemicals/reach/reach\\_en.htm](http://ec.europa.eu/environment/chemicals/reach/reach_en.htm)

[3] [http://ec.europa.eu/smart-regulation/index\\_en.htm](http://ec.europa.eu/smart-regulation/index_en.htm)

[4] [http://ec.europa.eu/smart-regulation/roadmaps/docs/2017\\_env\\_005\\_reach\\_refit\\_en.pdf](http://ec.europa.eu/smart-regulation/roadmaps/docs/2017_env_005_reach_refit_en.pdf)

[5] <http://ec.europa.eu/DocsRoom/documents/17785/attachments/1/translations/>

## 2) Questionnaire

### Part I – General Information about Respondents (compulsory)

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#### 1. Please indicate your name or the name of your organisation.

\* Your name or name of the organisation/company:

European Sustainable Phosphorus Platform (ESPP)

Contact name (for organisations):

Chris Thornton

Transparency Register ID number (for organisations):

(If your organisation is not registered in the transparency register, you have the opportunity to [register now](#). If your entity responds without being registered, the Commission will consider its input as that of an individual/private person and as such, will publish it separately.)

260483415852-40

\* Country:

Belgium

\* E-mail address

info@phosphorusplatform.eu

**\* 2. Received contributions may be published on the Commission's website, with the identity of the contributor. Please state your preference with regard to the publication of your contribution:**

(Please note that regardless the option chosen, your contribution may be subject to a request for access to documents under [Regulation 1049/2001](#) on public access to European Parliament, Council and Commission documents. In this case the request will be assessed against the conditions set out in the Regulation and in accordance with applicable [data protection rules](#))

- My contribution may be published under the name indicated; I declare that none of it is subject to copyright restrictions that prevent publication
- My contribution may be published but should be kept anonymous; I declare that none of it is subject to copyright restrictions that prevent publication
- I do not agree that my contribution will be published at all

**\* 3. We might need to contact you to clarify some of your answers. Please state your preference below:**

- I am available to be contacted
- I do not want to be contacted

**\* 4. Please indicate whether you are replying to this questionnaire as:**

- A citizen
- A business
- A non-governmental organisation (NGO)
- A consumer association
- An industry association
- A trade union
- A government or public authority
- An intergovernmental organisation
- Academia or a research or educational institute
- Third country private organisation
- Third country public authority
- Other (please specify)

**5. Please indicate the level at which your organisation is active:**

- Local
- National
- Accross several countries (e.g. Scandinavia)
- EU
- Global

**Part II – General questions (compulsory)**

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This part is intended for all respondents interested in REACH, including those who may not be familiar enough with the legal text to answer more detailed questions.

**6. To what extent do you think REACH is achieving the following objectives?**

	1 Not at all	2 Slightly	3 Somewhat	4 Substantially	5 Very much	Do not know / not applicable
*a) Improve protection of consumers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*b) Improve protection of workers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*c) Improve protection of the environment	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

<p><b>*d)</b> Free circulation of chemicals on the internal market (Reduce barriers to trade in chemicals across borders within the EU)</p>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p><b>*e)</b> Enhance competitiveness and innovation</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
<p><b>*f)</b> Promote alternative methods to animal testing for hazard assessment of chemicals</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

**7. To what extent do you think REACH is delivering the following results?**

	1 Not at all	2 Slightly	3 Somewhat	4 Substantially	5 Very much	Do not know / not applicable
<p><b>*a)</b> Generation of data for hazard /risk assessment</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

<p>*b) Increase in information on chemicals for risk management</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>*c) Increase in information exchange in the supply chain</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>*d) Improvement in development and implementation of risk management measures</p>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>*e) Shifting the burden of proof from public authorities to industry</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
<p>*f) Fostering innovation (e.g. substitution of SVHCs, development of new substances)</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>*g) Promoting the development, use and acceptability of alternatives to animal testing</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

<p>*h) Implementation of the 3Rs (replacement, reduction and refinement) in relation to the use of animal testing</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
<p>*i) Dissemination of information on chemicals for the general public</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>



8. The various processes of REACH (e.g. registration, evaluation) are expected to generate data that can be used by public authorities to adopt adequate risk management measures under REACH or in other EU legislation. To what extent do you think that the data generated are adequate for adopting the following measures?

	1 Not useful at all	2 Slightly useful	3 Somehow useful	4 Substantially useful	5 Very useful	Do not know / not applicable
*a) REACH authorisation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*b) REACH restriction	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*c) Consumer protection legislation concerning chemicals in articles (e.g. cosmetics, toys, food packaging)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*d) Environmental legislation (e. g. Seveso, Industrial Emissions Directive)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

<p>*e) Harmonised Classification &amp; Labelling</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
<p>*f) Occupational Exposure Limits (OEL) in the context of worker protection legislation</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

**9. To what extent do you agree with the following statements in relation to the European Chemicals Agency (ECHA)?**

	1 Strongly disagree	2 Disagree	3 Neutral	4 Agree	5 Strongly agree	Do not know / not applicable
*a) ECHA has handled the registrations of chemical substances effectively (i.e. support for registrant, access to IT tools)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
*b) ECHA has established a strong and trustful relationship with its stakeholders	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

<p>*c) ECHA has contributed to reducing the impact of REACH on SMEs</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
<p>*d) ECHA's activities and guidance have facilitated an innovation-friendly framework</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
<p>*e) ECHA has been successful in facilitating the implementation of the last resort principle concerning animal testing.</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

## Part III – Specific questions that require more experience with REACH

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This part contains more detailed questions related to the five evaluation criteria and to REACH procedures.

You may further explain your answers at the end of the consultation.

### Part III. A

#### Effectiveness

The following questions explore the extent to which the objectives of the REACH Regulation have been met, and any significant factors which may have contributed to or inhibited progress towards meeting those objectives.

**10. In your view, to what extent have the REACH Regulation and its various chapters been implemented successfully?**

	1 Not at all	2 Slightly	3 Somewhat	4 Substantially	5 Very much	Do not know / not applicable
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Registration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Data-sharing and avoidance of unnecessary testing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Information in the supply chain	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Evaluation – dossier	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Evaluation – substance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Authorisation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Restriction	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Overall implementation of REACH	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

**11. Do you agree that the REACH legal text presents requirements regarding the following chapters in a clear and predictable manner?**

	1 Strongly disagree	2 Disagree	3 Neutral	4 Agree	5 Strongly agree	Do not know / not applicable
Registration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Data-sharing and avoidance of unnecessary testing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Information in the supply chain	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Evaluation – dossier	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Evaluation – substance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Authorisation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Restriction	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

**12. In your view, to what extent are the following elements of REACH working well?**

	1 Not well at all	2 Rather not well	3 Neutral	4 Rather well	5 Very well	Do not know / not applicable
Transparency of procedures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Speed with which hazards/risks are identified	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Speed with which identified risks are addressed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Time to allow duty holders to adapt	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Predictability of the outcomes	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

**13. Please identify unintended effects of REACH, indicating whether you consider those to be positive or negative. Please provide evidence to quantify such effects or a qualitative description.**

(max. 5.000 characters)



**14. In your view, to what extent are the following elements of REACH enforcement satisfactory?**

	1 Not at all satisfactory	2 Rather unsatisfactory	3 Neutral	4 Rather satisfactory	5 Very satisfactory	Do not know / not applicable
Overall REACH enforcement in the EU	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
REACH enforcement at Member States level	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
REACH is enforced uniformly across the EU	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Prioritisation of enforcement activities at EU level (by Forum)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Communication on enforcement activities from Member States and Forum	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

**14.1. If you answered 3 or less for any of the above, please explain how the relevant aspect of REACH enforcement could be improved.**

(max. 5.000 characters)

**15. Have you, in the past 5 years, experienced a REACH inspection/control or have your products been controlled for REACH compliance? - To be answered only by companies (REACH dutyholders).**








- Yes
- No
- I don't know













## **Efficiency**













The following questions explore the costs and benefits of implementing the REACH Regulation. The legislation was designed to deliver benefits in terms of protection of human health and the environment, better functioning of the EU internal market (e.g. facilitating trade between EU Member States) and fostering competitiveness and innovation of EU industry (e.g. better and safer chemicals). Costs can relate to costs for businesses, public authorities and society as a whole.

**16. In your view, how significant are the following benefits generated for society by the REACH Regulation?**

	1 Not significant at all	2 Rather not significant	3 Neutral	4 Rather significant	5 Very significant	Do not know / not applicable
Reducing the exposure of citizens in general to hazardous chemicals and, therefore, avoiding healthcare costs, lost productivity, etc.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

<p>Reducing the exposure of workers to hazardous chemicals and, therefore, avoiding healthcare costs, lost productivity, etc.</p>						
<p>Reducing damage to the environment and to eco-systems and, therefore, avoiding the costs of treating contaminated water, restoring impacted fisheries, cleaning-up contaminated land, etc.</p>						

<p>Encouraging research and innovation, generating new jobs, and improving the competitiveness of EU manufacturing industry by encouraging /supporting a shift towards green, sustainable chemistry and a circular economy</p>						
<p>Stimulating competition and trade within the EU single market</p>						

Stimulating international trade between the EU and other countries						
For businesses: Increasing the confidence of your clients /customers in your products						

**17. In your view, to what extent are the costs linked to the following REACH chapters (for society, companies, public authorities, etc.) proportionate to the benefits (for society, companies, public authorities, etc.) achieved?**

	1 Not at all	2 Slightly	3 Somewhat	4 Substantially	5 Very much	Do not know / not applicable
Registration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Information in the supply chain (e.g. eSDS - extended Safety Data Sheets)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Evaluation - dossier	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Evaluation - substance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



Authorisation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Restriction	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Requirements for substances in articles	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**18. Is the level of the fees and charges paid to ECHA as provided by the Fee Regulation (Commission Regulation (EC) No 340/2008), still adequate?**

	Yes	No, it is too high	No, it is too low	I don't know
Fee for registration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Fee for authorisation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Fee for appeal	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**19. Do you believe that there are areas where the REACH Regulation could be simplified or made less burdensome?**

- Yes to a large extent
- Yes but only to a minor extent
- No
- I don't know

If yes, you may provide ideas, preferably substantiated with quantitative evidence or qualitative information, at the end of the questionnaire.

## **Relevance**

The following questions explore the extent to which REACH is consistent with current needs.

**20. Do you believe that the REACH Regulation addresses the key issues in relation to the management of chemicals?**

- Yes to a large extent
- Yes but only to a minor extent
- No
- I don't know

If you answered no, you may provide detailed comments at the end of the questionnaire.



**21. How suitable do you consider REACH to be to deal with the following emerging issues?**













	REACH is the most suitable EU legal instrument to address the issue	REACH should only play a secondary role and the issues should be addressed by specific legislation	REACH is not a suitable instrument and should not address the issue at all	Do not know / Not applicable
Nanomaterials	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Endocrine disruptors	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Substances in articles	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Combination effects of chemicals	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Extremely persistent substances	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**Coherence**

**22. Please tell us to what extent you agree or disagree with the following statements:**

	1 Strongly disagree	2 Disagree	3 Neutral	4 Agree	5 Strongly agree	Do not know / not applicable
<p>The different chapters (e.g. registration, authorisation, restriction,...) in REACH are applied in a coherent manner (e.g. there are no contradictions, inconsistencies...)</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

<p>The different chapters in REACH (e.g. registration, authorisation, restriction,...) are applied in a coherent manner (e.g. there are no contradictions, inconsistencies, they are complementary...) in relation to other EU legislation (e.g. worker protection legislation, consumer protection legislation, environmental legislation)</p>						
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<p>The implementation of the SVHC Roadmap, including the Risk Management Option Analysis (RMOA), contributes to coherent implementation of authorisation and restriction under REACH</p>						
<p>The implementation of the SVHC Roadmap, including the RMOA, contributes to coherent implementation of REACH in relation to other EU legislation (e.g. there are no contradictions, inconsistencies, they are complementary...)</p>						

**22.1. If you disagree with one or more of the statements above, where do you consider coherence should be enhanced?**

(max. 5.000 characters)

**EU Added Value**

**23. To what extent do you consider that taking action through the different chapters of REACH has added value above what could have been achieved through action by Member States alone at national level? (1= no value, 5= a very high value)**

	1	2	3	4	5	Do not know / not applicable
Registration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Data-sharing and avoidance of unnecessary testing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Information in the supply chain	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Evaluation – dossier	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Evaluation – substance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Authorisation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Restriction	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



## Part III. B

**24. In your view, how satisfactory are the following mechanisms and procedures of the REACH Regulation?**

	1 Not at all satisfactory	2 Rather unsatisfactory	3 Neutral	4 Rather satisfactory	5 Very satisfactory	Do not know / not applicable
Awareness raising for duty holders on key obligations and deadlines	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Support for preparation of registration dossiers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Participation in Substance Information Exchange Fora (SIEFs) – data sharing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>







Dossier submission - IT tools	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Communication of information along the supply chain	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
eSDS - extended Safety Data Sheets	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Notification of SVHCs in articles	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Information concerning presence of SVHCs in articles	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Assessment of testing proposals	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Dossier compliance check	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Enforcement /follow-up of compliance check decisions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Substance evaluation activities by Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Identification of relevant SVHCs for the candidate list	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
RMOA (Risk Management Option Analysis) process	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Prioritisation of SVHCs for authorisation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Amendments to the list of substances subject to authorisation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Substitution of SVHCs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Support for applicants for authorisation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Assessment of applications for authorisation by ECHA	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
ECHA public consultations (e.g. in restriction or authorisation)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Consideration of the availability and feasibility of alternatives	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Decision making by Commission on applications for authorisation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Preparation of Annex XV dossiers to propose new restrictions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Assessment of proposals for new restriction	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Decision making by Commission on new restrictions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Exemptions for R&D activities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reduction of fees for SMEs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Guidance by ECHA	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Guidance by national authorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Guidance by industry associations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Support provided by Helpdesks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Operation of the Board of Appeal	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Inspections by enforcement authorities						
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## Part IV – Additional comments

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### **25. If you have any additional comments relevant to this public consultation, please insert them here. You may also upload position papers.**

(max. 5.000 characters)

Certain aspects of REACH need to be updated to address secondary raw materials and organic-based products (e.g. digestate), in coherence with other regulatory developments to accompany the Circular Economy, in particular the revision of the EU Fertilisers Regulation.

Digestate should be clearly exempted from REACH as should other comparable organic products. Annex V §12 currently exempts composts and biogas, but not digestate. REACH is not an appropriate tool for addressing safety and public information about organic products, where safety is substantially about contaminants and pathogens, rather than the chemical nature of the product matrix.

REACH Art 2(7)d exempts “recovered substances” from registration, once an initial registration dossier has been submitted. This is a positive and important mechanism to facilitate recycling and recovery, and so the circular economy. However, certain points should be clarified to ensure on the one hand consumer and environmental safety and information, and on the other hand clear rules for business operation (cost sharing and organisation thereof). Companies benefiting from the Art2(7)d exemption should be required to develop and to publish information concerning the nature of their product (sameness with the registered substance, contaminants, other safety aspects such as respirable dust) - the current information requirements applicable are unclear and very minimal, and do not require any publication. This requires to explicit what information is required and to define a mechanism

for its publication, subject to confidentiality requirements. This requirement should not necessarily be applicable to each recovery site (could be farms or sewage works) but it should be possible for it to be fulfilled by a technology supplier who can justify that the product from their installations supplied to different sites is similar. Also, the current application of Art 2(7)d can result in a situation where one initial registrant of a substance pays the dossier development, administration and maintenance costs, and also registration fees, and companies recovering the substance are not obliged to register (this is important and should be maintained) but therefore have no obligation to share costs nor to contribute to dossier updating. This aspect should be clarified by specifying that companies recovering the substance and benefitting from Art 2(7)d must “fairly” share costs and administrative burden of the registration dossier (or the technology suppliers, as above, rather than individual production sites).

An adaptation of REACH requirements should be considered for secondary raw materials which are destined only for use as fertilisers and which are conform to the revised EU Fertilisers Regulation criteria, in order to avoid prohibitively complex dossier requirements and administration for variable and biological origin substances (for example: ashes and ash based products, biochars, recovered mineral-organic combination products ...). This should not compromise on ensuring safety of farmers and users and protection of the environment, and publication of data relevant to these, but should enable adapted requirements given that the safety and public concern about these products is often more regarding contaminants (heavy metals, organic contaminants, pharmaceuticals, pathogens) - which are addressed in the Fertilisers Regulation - rather than with the chemical matrix.

Improving these aspects of REACH implementation are important to facilitate the development of recycling and of placing on the market of secondary raw materials (Circular Economy). Harmonisation should be ensured with other EU Circular Economy legislation under consideration, in particular the revised EU Fertilisers Regulation and CEN standards development for secondary raw materials.

Please upload your additional document(s) (one by one, any format)

**26. Are you interested in being contacted in the context of the ongoing study on the impact of authorisation?**

- Yes
- No

## Contact

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