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## **Newsletter RNI srl 25.9.2020**

### **1 IN 4 IMPORTED PRODUCTS IS NOT IN COMPLIANCE WITH REACH AND CLP**

ECHA has recently published the first results of the inspection pilot project carried out in collaboration with National competent authorities and the customs of 16 Member States.

Over 1400 products were tested and approximately 23% were found not to comply with the requirements of REACH and / or the classification and labeling requirements of CLP.

The majority of checks addressed compliance with REACH restriction obligations, focusing on the presence of the restricted substances cadmium, lead and nickel in articles. These are mostly imported products from China (80%) as well as from the United Arab Emirates, India, Thailand, North Macedonia and Madagascar.

The majority of the CLP non-compliances were related to labeling requirements, most commonly a lack of national language, and lack of or use of incorrect pictograms and signal words on the hazard label.

These outcomes show that importers need to step up their efforts to supply safe REACH and CLP compliant products within the EU. There is also continuing need for a targeted enforcement for a stricter application of REACH and CLP at the EU entry points.

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## BREXIT NEWS



UK REACH will come into being on the 1st Jan 2021 , the day after the Brexit transition period ends. Anyone making, selling or distributing chemicals in the UK and the EU needs to follow UK REACH and EU REACH rules both.

Companies must review their roles in the EU and UK REACH systems, and their current supply chains. They'll need to take certain actions to access the EU / EEA and UK markets.

UK holders of current EU REACH registrations, can continue to leverage the "**grandfathering**" process by providing minimum required information to the Health and Safety Executive (HSE) by 30 April 2021 and then completing the registration process according to the UK-REACH rules based on the deadlines set for each tonnage band.

UK companies, holders of EU REACH registrations, can continue to sell in the EU and according to EU rules, until 31.12.2020. If they intend to keep the EU market they will have to decide whether to transfer their registrations to an EU legal entity by the end of 2020, or to support their EU clients in a new EU REACH registration path.

UK companies, holders of EU REACH registrations, which intend to maintain the EU market and also the UK market, will have to fulfill double obligations defined by the authorities on both sides of the Channel. Those who transfer their registration to the EU will not have access to the grandfathering way.

UK-based and non-UK based downstream users (who are not EU REACH registration holders) currently importing chemicals from an EU / EEA country must ensure that the substances they purchase are covered by a valid UK REACH registration.

These companies must notify the HSE by submitting a **Downstream User Import Notification (DUIN)** of their intention to continue importing substances from the EU / EEA by 27 October 2021.

Due to Brexit, UK downstream users will no longer be able to refer to decisions on **new REACH authorization** as of January 1, 2021.

All existing authorizations that have completed the entire authorization process (and have a review date) will be recognized by REACH UK. This means that the chemicals can continue to be used by UK companies that rely on these new ones. New applications for authorization and authorizations pending EU / ECHA approval must instead be submitted again according to the new REACH UK rules.

The online service '**Comply with UK REACH**' will go live on 1 January 2021.

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## **APPROVAL OF ACTIVE SUBSTANCES BASED ON ACTIVE CHLORINE**

The EU Commission has approved 11 combinations of active substance-PT in biocidal products based on active chlorine released from sodium chloride by electrolysis and active chlorine released from hypochlorous acid for the uses PT1, PT2, PT3, PT4, PT5.

The Commission proposed to adopt the approval in December.

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## **KKIDIK (TURKISH REACH): PREREGISTRATION DEADLINE SET ON 31/12/2020.**



In 2017, Turkey published and consolidated the text of the KKIDIK regulation regarding chemicals that can be placed on local national market. The scheme adopted follows the European REACH regulation in many prescriptions, so much so that it is often referred to as Turkey-REACH. One of the significant differences is that there is only one registration deadline for all tonnage bands, set for 31/12/2023.

**At this stage, the possibility is open to pre-register by 31/12/2020.**

As for REACH EU, applicants must be Turkish legal entities. Non-Turkish companies that want to keep the market will have to appoint a local OR (only Representative). RNI srl can offer this service.

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