Registration, evaluation, authorisation and restriction of chemicals (REACH); European Chemicals Agency

2003/0256(COD) - 11/10/2005

On the basis of a report from the Presidency, the Council held a policy debate on a number of key aspects of the draft Regulation for REACH and establishing a European Chemicals Agency. The issues discussed related to information requirements at registration of chemicals and data sharing among registrants. In the light of the debate, the Council instructed the Permanent Representatives Committee to examine the issues discussed in more detail with a view to reaching for a political agreement on REACH at the next session of the Competitiveness Council at the end of November 2005.

At the end of the debate the President made a summing-up:

"Overall, the Presidency is encouraged by the positive response to the compromise proposal and the constructive contribution of all delegations. This debate has taken us an important step closer to achieving agreement on this dossier at our next meeting in November.

I would like to make the following concluding remarks:

With regard to the registration of substances between 1 and 10 tonnes, it seems to the Presidency that there is broad support for a targeted approach to information requirements as proposed by the Presidency including additional information in Annex V.

Some delegations have expressed a preference for the approach only to apply to existing substances.

It appears to the Presidency that a significant number of delegations are in favour of a system in which the requirement for determining whether further information is to be provided is kept with the registrant.

The Presidency notes that this approach would not preclude that the Agency could be involved in assisting industry decisions.

Regarding the registration of substances between 10 and 100 tonnes, it appears to the Presidency that there is broad consensus that the Presidency’s proposal to reduce the information requirements is appropriate, though some delegations signalled an openness to consider the possibility of exposure-based waiving of information in this tonnage range.

The Presidency notes a broad consensus towards sharing of all data and joint submission of information for registrants of the same substance provided that further consideration is given to provisions aiming to ensure that companies are able to act in a cost-efficient way and adequate protection of commercial business information."