

Public Consultation in relation to the REACH REFIT evaluation

Fields marked with * are mandatory.

1) Purpose and Context of the Consultation

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

[3] 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

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

2) Questionnaire

Part I – General Information about Respondents (compulsory)

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

* Your name or name of the organisation/company:

EurEau – European federation of National Associations of Water Services

Contact name (for organisations):

Carla Chiaretti

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.)

39299129772-62

* Country:

Belgium

* E-mail address

carla.chiaretti@eureau.org

* **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)

*** 4.2. Business or industry association - fields of interest or activity(ies) - multiple choices possible** (the letters in brackets correspond to NACE codes)

- Agriculture, forestry and fishing (A)
- Mining and quarrying (B)
- Manufacture of food products (C10)
- Manufacture of beverages (C11)
- Manufacture of tobacco products (C12)
- Manufacture of textiles (C13)
- Manufacture of wearing apparel (C14)
- Manufacture of leather and related products (C15)
- Manufacture of wood and of products of wood and cork except furniture (C16)
- Manufacture of paper and paper products (C17)
- Printing and reproduction of recorded media (C18)
- Manufacture of coke and refined petroleum products (C19)
- Manufacture of basic chemicals, fertilisers, plastics and synthetic rubber in primary forms (C20.1)
- Manufacture of pesticides and other agrochemical products (C20.2)
- Manufacture of paints, varnishes and similar coatings, printing ink and mastics (C20.3)
- Manufacture of soap and detergents, cleaning preparations, perfumes and toilet preparations (C20.4)
- Manufacture of other chemical products (C20.5)
- Manufacture of man-made fibres (C20.6)
- Manufacture of basic pharmaceutical products and pharmaceutical preparations (C21)
- Manufacture of rubber and plastic products (C22)
- Manufacture of other non-metallic mineral products (C23)
- Manufacture of basic metals (C24)
- Manufacture of fabricated metal products, except machinery and equipment (C25)
- Manufacture of computer, electronic and optical products (C26)
- Manufacture of electrical equipment (C27)
- Manufacture of machinery and equipment (C28)
- Manufacture of motor vehicles, trailers and semi-trailers (C29)
- Manufacture of other transport equipment (C30)
- Manufacture of furniture (C31)
- Manufacture of games and toys (C32.4)
- Manufacture of medical and dental instruments and supplies (C32.5)
- Other manufacturing (excluding manufacturing of toys or medical and dental instruments) (C32)
- Electricity, gas, steam and air conditioning supply (D)
- Water supply; sewerage; waste management and remediation activities (E)
- Construction (F)
- Wholesale and retail trade (G)
- Transporting and storage (H)
- Professional, scientific and technical activities (M)
- 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)

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>*d) 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 type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
<p>*e) Enhance competitiveness and innovation</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>*f) Promote alternative methods to animal testing for hazard assessment of chemicals</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input 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>*a) 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 type="radio"/>	<input checked="" 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 checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input 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 checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*d) Environmental legislation (e. g. Seveso, Industrial Emissions Directive)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

<p>*e) Harmonised Classification & Labelling</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input 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 checked="" type="radio"/>	<input type="radio"/>	<input 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

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 checked="" 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 checked="" type="radio"/>
Information in the supply chain	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Evaluation – dossier	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Evaluation – substance	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Authorisation	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Restriction	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Overall implementation of REACH	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input 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 checked="" 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 checked="" type="radio"/>	<input type="radio"/>
Information in the supply chain	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Evaluation – dossier	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Evaluation – substance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Authorisation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Restriction	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input 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 checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Speed with which hazards/risks are identified	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Speed with which identified risks are addressed	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Time to allow duty holders to adapt	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Predictability of the outcomes	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input 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)

For the European Water Industry REACH is the positive key instrument to control hazardous substances entering the urban water cycle and to help to fulfil the requirements for good chemical status in the Water Framework Directive. It is therefore essential that the authorisation process of REACH is used much more, identifying more substances of very high concern for the candidate list and using the authorisation process in a strict way. Because of the above, REACH is also the key to delivering the circular economy. Fewer harmful substances in the environment will result in cleaner groundwater, rivers, lakes, coasts and seas - and a better quality of the

residual products obtained from the treatment of waste water.

Indeed, an effective source control approach facilitates the possible reuse of water and nutrients, like nitrogen and phosphorus, from waste water and sludge. In fact, sewage sludge and waste water are to be considered valuable sources that can be reused and recycled if they fulfil appropriate quality criteria. In that sense, source control can add to a true circular economy, creating jobs, and a sustainable society.

Fewer harmful substances in the society will also reduce the overall exposure of the population to chemicals and would be a strong and positive driver for product innovation.

Furthermore water suppliers will have access to adequate and reliable drinking water resources that are protected from contamination.

EurEau supports also the following ChemSec's comments: "REACH gives companies clear guidance as to which substances to prioritise for substitution. Many companies have phased out SVHCs added to the Candidate List (or even the SIN List) or at least focused their substitution work on these substances, specifically consumer close companies with reputations to protect. Many companies have also taken strategic decisions to not apply for authorisation, but instead substitute these substances. Overall this has led to a reduction of SVHCs on the market and a larger market share for alternative substances or technologies, which are clear benefits of REACH.

REACH, with its clear priorities has also helped companies to communicate their chemical issues internally and externally with their suppliers, a clear benefit of REACH.

Studies show that the mere anticipation of regulation is a very strong driver for innovation. Regulatory processes often take time, but when initiated they provide signals to the market, showing what is to come for companies that are watching developments. In other words - when a substance is about to be regulated, innovative companies start inventing alternatives. The driving of innovation is a clear benefit of REACH.

The use of hazardous chemicals can seriously hurt a brand. Because of this, consumer close companies with a brand name to protect often compare the price for substitution with the risk of getting bad publicity due to having unwanted substances in their products. Product safety and consumer reputation is of very high importance to these companies. It is therefore beneficial to them when legislation moves in the same direction since it will move a larger part of the market and reduce price for the alternative they have used for a long time and paid a premium price for. Also in this aspect REACH is beneficial.

Official data from REACH are used by for example investors to make sustainable investments and ask companies relevant questions in regards to the substances they produce. This is a clear benefit of REACH.

REACH is well known outside of EU borders and similar systems are developed and put in place around the world. Data collected in the REACH processes is used extensively outside of the EU. The data helps producers and users of chemicals outside of the EU to move in the same direction as companies in the EU - a clear benefit of REACH.

Some authorisations granted so far have disfavoured alternative users and producers. Granting authorisation when alternatives are available will cause an economic disadvantage to companies who have already invested substantial

resources in substituting SVHCs. Moreover, granting authorisation when there are alternatives available send an unclear message to companies regarding the legal intention that SVHCs should be substituted when possible.

If authorisation is granted to an applicant even when competitors use an alternative, all competitors, including the producer of the safer alternative will in fact be disfavoured. This would not happen if authorisation would be more in line with the intentions of REACH, which is to grant authorisation only when no alternatives are available and the use has a socioeconomic benefit. Therefore it is of great importance that the opinions from ECHA as well as the decisions from the Commission do not disfavour users and producers of alternatives."

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 applic:
Overall REACH enforcement in the EU	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
REACH enforcement at Member States level	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
REACH is enforced uniformly across the EU	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input 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)

EurEau supports the following ChemSec's comments:

"We propose ECHA to refuse registration number to companies not providing relevant or not sufficient information in their registration dossier. This would undoubtedly lead to a higher quality of information in the dossiers. More accurate information in the registration dossiers will in turn lead to better substance and dossier evaluations. It would also facilitate and enable enforcement in all Member states. One of the reasons why enforcement is burdensome for Member States is that relevant data often is missing".

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 checked="" 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>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
<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>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

<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>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>Stimulating competition and trade within the EU single market</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Stimulating international trade between the EU and other countries	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
For businesses: Increasing the confidence of your clients /customers in your products	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

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 checked="" 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 checked="" type="radio"/>	<input type="radio"/>
Evaluation - dossier	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Evaluation - substance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

Authorisation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Restriction	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Requirements for substances in articles	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" 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 checked="" type="radio"/>
Fee for authorisation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Fee for appeal	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" 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 checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Endocrine disruptors	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Substances in articles	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Combination effects of chemicals	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Extremely persistent substances	<input checked="" 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 checked="" 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>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
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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)

REACH is an overarching regulation and therefore it also covers areas regulated by other legislation, such as product regulation or workers protection regulation. This does not mean that REACH or any other legal framework are more important, but that all regulations should apply without prejudice.

REACH and Water Framework Directive

For the European Water Industry REACH is the key instrument to control hazardous substances entering the urban water cycle and to help to fulfil the requirements for good chemical status in the Water Framework Directive. It is therefore essential that the authorisation process of REACH is used much more, identifying more substances of very high concern for the candidate list and using the authorisation process in a strict way.

RMOA - structure of work or a bottleneck?

Since Risk Management Option Analysis (RMOA) was introduced very few substances has been added to the REACH Candidate List. It therefore seems like the RMOA is a clear bottleneck in the procedure. RMOA introduces risk as a first step in the process of hazard identification of SVHCs, totally against the intention of REACH. RMOA should therefore never be mandatory in REACH. If Member states find RMOA useful for their prioritisation of work they could use this tool on a voluntary basis. RMOA requires accurate data of use and in many cases this is non-existing in the dossiers, which means a proper RMOA can't be performed.

Circular economy- REACH and future importance for the water sector

REACH and its possibility to be the most important source control instrument for the water sector is also the key to delivering the circular economy.

Fewer harmful substances in the environment will result in cleaner

groundwater, rivers, lakes, coasts and seas - and a better quality of the residual products obtained from the treatment of waste water.

Water suppliers will have access to adequate and reliable drinking water resources that are protected from contamination.

An effective source control approach facilitates the possible reuse of water and nutrients, like nitrogen and phosphorus, from waste water and sludge. In fact, sewage sludge and waste water are to be considered valuable sources that can be reused and recycled if they fulfil appropriate quality criteria. In that sense, source control can add to a true circular economy, creating jobs, and a sustainable society.

Fewer harmful substances in the society will also reduce the overall exposure of the population to chemicals and would be a strong driver for product innovation.

We also support ChemSec the following comments: "Circular economy is now getting introduced in the EU and this concept needs to go hand in hand with REACH - not work against it. It is in the greatest interest of all advocates for the Circular Economy that the quality of secondary material is maintained; this can only be achieved if recycled material fulfils REACH requirements, as any other material needs to do. If not, reuse and recycling will not become an attractive option. In order to achieve a truly sustainable and safe circular economy, we must accept that not all materials can be reused or recycled at this point, since they may contain unwanted substances that should not re-enter the market. Producers and downstream users need to be able to trust that the material they use is clean enough to keep customers safe and their brand reputations unharmed. This calls for compliance with REACH, traceability and making sure that hazardous substances are not diluted into materials of higher quality. The success of Circular Economy is therefore dependent on virgin and recycled materials that are free from hazardous substances. The best way to achieve this is to speed up the REACH process and introduce obligatory chemical inventory and chemical traceability for all products produced and imported to the EU."

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 checked="" 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 checked="" type="radio"/>	<input type="radio"/>
Information in the supply chain	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Evaluation – dossier	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Evaluation – substance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Authorisation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Restriction	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" 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 applic
Awareness raising for duty holders on key obligations and deadlines	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" 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 checked="" 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 checked="" type="radio"/>
Dossier submission - IT tools	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Communication of information along the supply chain	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" 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 checked="" type="radio"/>
Notification of SVHCs in articles	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Information concerning presence of SVHCs in articles	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" 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 checked="" type="radio"/>
Dossier compliance check	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" 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 checked="" type="radio"/>
Substance evaluation activities by Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" 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 checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
RMOA (Risk Management Option Analysis) process	<input checked="" 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 checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Amendments to the list of substances subject to authorisation	<input checked="" 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 checked="" 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 checked="" type="radio"/>
Assessment of applications for authorisation by ECHA	<input type="radio"/>	<input type="radio"/>	<input checked="" 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 checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Consideration of the availability and feasibility of alternatives	<input type="radio"/>	<input checked="" 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 checked="" 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 checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Assessment of proposals for new restriction	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Decision making by Commission on new restrictions	<input type="radio"/>	<input checked="" 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 checked="" 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 checked="" type="radio"/>
Guidance by ECHA	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" 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 checked="" type="radio"/>
Guidance by industry associations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Support provided by Helpdesks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Operation of the Board of Appeal	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Inspections by enforcement authorities						
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Part IV – Additional comments

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)

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

1904c54b-ba84-479d-afda-0b6b15e931b6/2015.07.24_TTIP_and_Chemicals.pdf

4cf8642b-523e-4641-afd8-e647a81d2eab

/20160527_EurEau_Position_Paper_Source_Control_for_Micropollutants_final.pdf

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

Yes

No

Contact

GROW-ENV-REACH-REVIEW@ec.europa.eu
