



Health & Safety

# MATTERS

Health & Safety Information for GMB Safety Reps

## REACH - Changes To Chemical Usage In The Workplace

### Introduction

REACH - the new European Union Regulations on the Registration, Evaluation, Authorisation and restriction of Chemicals, comes into force in the UK on 1 June 2008. The new regulations will change the way that chemicals are classified and labelled, whether they are manufactured in the UK or abroad. This should mean that much more information on the effects of exposure to chemicals and products is made available to Safety Representatives.

### Why have the new Regulations been introduced?

There are a number of reasons for the introduction of REACH. The new requirements under the regulations mean that the people who place chemicals on the market, such as manufacturers and importers, are now responsible for understanding and managing the risks that are associated with their use. The new Regulations are intended to promote free movement of chemicals within the EU (as everyone is working to the same standard within the same system), and promote innovation and competitiveness within the EU chemicals industry. Most importantly, REACH will provide a higher level of protection of human and environmental health from chemical use than the suite of EU Directives that it replaces. This is particularly true in the case of high hazard chemicals, where users of chemicals will be encouraged to substitute these for less harmful alternatives.

### What will businesses be required to do under REACH?

Manufacturers and importers of chemicals in greater quantities than 1 tonne per year will have to register each individual substance with the European Chemicals Agency (ECHA). Registration procedures will include the provision of information on the health effects and safe use of chemicals, to a greater degree than is currently provided on chemical data sheets. All chemicals that are deemed to be of "very high concern", such as those which cause cancer, will need to be authorised for use by the ECHA as well as registered. Companies who do not register the substances that they produce or import will not legally be allowed to manufacture or distribute them.

### Does this mean that some harmful substances, such as asbestos, will be legalised?

The simple answer is NO. Any substance that poses a particular threat can be restricted. Restrictions take many forms, for example, from a total ban to not being allowed to supply it to the general public. Restrictions can be applied to any substance, including those that do not require registration.

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## GMB SAFETY REPS

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### **What about companies who use chemicals, but don't import or make them?**

One of the key elements in REACH is the requirement for every business or organisation that uses chemicals to compile an inventory of the substances that they use. This covers everything from cleaning products and paint to metals and solvents, for any usage including cleaning and maintenance. They should then identify any substances that are of 'very high concern' such as cancer-causing chemicals, and seek to substitute these for less harmful alternatives wherever possible.

### **What will the impact be on Safety Representatives and workers?**

In most workplaces, there will be minimal changes, and the supply of information to Safety Representatives should improve as Safety Data Sheets become more comprehensive. It is important to note that the introduction of REACH does not affect employers' duties under the Control of Substances Hazardous to Health Regulations (COSHH), and that the employer still has the legal duty to manage chemical use in a safe way.

If you work in a company which manufactures or imports chemicals, then the introduction of REACH registration is a change to working conditions, and you should ask to see copies of registration applications made and revised Safety Data Sheets, either individually or through your Health and Safety Committee. Employers may also need to reconsider COSHH assessment in light of new information on the risks from substances provided by the ECHA.

### **Who is responsible for enforcement in the UK?**

Each EU member state has a 'Competent Authority', which is appointed to manage the introduction of REACH, provide information and enforce non-compliance with the regulations. In the UK, the Health and Safety Executive (HSE) is the competent authority, working with the Environment Agency and other government departments. HSE will provide advice on REACH through a 'helpdesk'; propose restrictions on the use of chemicals where they are found to be of 'very high concern'; and enforce cases of non-compliance when complaints are made or whistle-blowing occurs.

### **Where do we go from here?**

Whilst REACH is unlikely to affect most workplaces to any great degree, it is important for Safety Representatives to understand the changes that are being made, and the new information which employers must make available. Detailed guidance can be found at <http://www.hse.gov.uk/reach/about.htm>, or contact - [tristan.chard@gmb.org.uk](mailto:tristan.chard@gmb.org.uk) for more information on the subject.

GMB welcomes the introduction of REACH as a positive step to better control hazardous chemicals in the workplace. We would welcome feedback from members on how their employers are adapting to the new requirements. Please send comments to the e-mail addresses above.

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