



Seeing the law clearly

Focused on REACH – the European chemicals regulation

How can we help?

Although the European Chemicals Regulation (REACH) has been in force since 2007, it continues to present challenges for compliance. Its broad scope and complex provisions require an understanding not only of the legal issues but also the technical and scientific background. This requires expert legal advice.

We can advise you on all aspects of REACH, whether you manufacture in or import into the European Economic Area (EEA), are a downstream user in the EEA responding to enquiries regarding particular substances or a supplier of articles. You will benefit

from our experience in dealing with REACH across a wide range of industries, not just the chemical sector but also aviation, petroleum and industrial engineering.

You may have questions regarding your operations in or across the EEA or you may be considering a reorganisation which may impact upon your REACH registrations. Whatever the issue, we work closely with you to understand your specific business concerns and objectives, using our extensive experience to help develop innovative solutions.

Why work with us?

- 1 Registration strategy** – we assist with registration strategy including consideration of who is the “importer” for REACH purposes within a corporate group. Sometimes it’s possible to rationalise multiple registrations of the same substance by different group companies through changes to the supply chain.
- 2 Solutions** – we work closely with clients to understand and respond to the implications of ECHA initiatives, such as the Chemical Safety Report/Exposure Scenario Roadmap and the REACH 2018 Roadmap.
- 3 Advising suppliers** – we are advising suppliers on the recent clarification by the European Court of Justice of how the 0.1% weight by weight of Substances of Very High Concern (SVHCs) is calculated. Suppliers must provide safety information where a component in an article sold in the EEA (the EU plus Iceland, Lichtenstein & Norway) contains SVHCs over this threshold, regardless of tonnage or whether the product was sourced outside or in the EEA.
- 4 Data protection** – we work with potential registrants and Substance Information Exchange Forum (SIEF) members in relation to the data which may be available, confidentiality issues in the context of disclosure requirements and ensuring that the necessary data access arrangements are in place.
- 5 Support** – requirements for global harmonisation of classification and labelling of chemicals present new challenges, with new obligations relating to safety data sheets. We can support you in this area.
- 6 Oil and gas expertise** – we are working with the oil and gas industry looking at REACH in the context of hydraulic fracturing, in particular the development of a generic exposure scenario for chemicals used.
- 7 Authorisation applications** – we advise on authorisation applications, including confidentiality aspects and in relation to restrictions.
- 8 In-house team** – we regularly work with consultants and in-house technical experts as well as lobbyists to achieve our clients’ goals.

What happens next?

For more information please contact:



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Who do we work with?

Examples of our recent work includes advising:

- a major client in the oil and gas sector through an extensive REACH compliance audit
- on data sharing requirements including how to protect confidential business information, negotiating letters of access and contractual matters linked to SIEF
- a multi-national chemical company on who is the importer for the purpose of its REACH registrations, the appointment of Only Representatives and whether changes to registrations were appropriate in the light of recent restructuring
- a major company in the petroleum sector to assess whether it is adequately covered by the identified uses in the registration dossier, applying relevant Cefic guidance as appropriate
- in relation to a proposed restriction and the steps which can be taken in response

“Outstanding department is particularly noted for its work on matters relating to shale oil and gas... and on REACH and biocides legislation.”

Legal 500 2015

“The very good and very timely Elizabeth Shepherd is noted by a client for her quality of information which is described as excellent.”

Chambers 2016