

CUSTOMER INFORMATION

Implementation of the directive

Meusburger Georg GmbH & Co KG (as down-stream user) has complied with its duties under the REACH directive by obtaining confirmation from its suppliers that the intended use (mould and tool making) is taken into consideration for the purpose of registration. We would ask you not to notify directly your own specific use in the field.

REACH

On 1 June 2007 the new European Chemical Directive REACH (**R**egistration, **E**valuation, **A**uthorisation and **R**estriction of **C**hemicals) came into force in all member states of the European Union. The purpose of this directive is that all substances that are on the market in Europe are registered and controlled by a central chemicals agency with seat in Helsinki. REACH covers fundamentally all substances that are manufactured in or imported into the EU or are used there, irrespective of whether they have noxious properties or not. Exempt are only very few substances that are subject to their own special regulations.

Metals and metal alloys and hence also steel and slag materials as well as other side products of coke, iron and steel production are covered by the REACH directive.

The REACH directive does not only affect manufacturers and importers of substances. Users as 'downstream users' in the meaning of the directive have to ensure that their particular application is covered by registration of the substance.

BASIC ELEMENTS

The REACH system consists of three basic elements:

1. **Registration:** all substances of which more than one tonne is produced or imported into the EU annually are subject to the duty of registration. This duty applies to all companies with seat in the EU that manufacture or import more than one tonne of such a substance per annum. For the registration a registration dossier has to be established at the European agency for chemical substances. The technical dossier that is deposited in the registration dossier makes statements about the properties of the respective substance and its safe use. After registration, a registration number is given.

Above an annual production of 10 tonnes, a substance safety report must be produced describing concrete risk management measures for the different applications in which the substance is used.

Substances that are not registered are not permitted to be manufactured or marketed under the above conditions. Substances that are already in production and are marketed at the point of the REACH directive coming into force are subject to certain transitional periods for registration, provided a pre-registration has been completed by 1 December 2008.

2. **Evaluation:** the registration dossiers are evaluated or examined. The evaluation of the dossier involves a sample check of the content of the dossier submitted. Where the substance evaluation leads to a suspected risk for human health or the environment this substance will be examined.

3. Authorisation: authorisation is only required for substances with particularly worrying properties, i.e. substances classed as carcinogenic, mutagenic, as having an adverse affect on procreation or as being persistent / bio-accumulative with highly toxic properties. The authorisation procedure is not subject to any defined minimum quantity. Appendix XIV of the REACH directive contains a listing of those substances requiring authorisation. The first substances that require authorisation will be published in 2009. In accordance with our current state of knowledge we can assume that products supplied by our suppliers and by Meusburger Georg GmbH & Co KG will not be affected.

Downstream user

The REACH directive defines users of substances as 'downstream users'. The term of downstream user covers all companies with seat in the EU that use substances or preparations from substances as part of their industrial or commercial activity. Dealers are not considered downstream users in the meaning of the directive (but see next section). The distinction between user and importer is also important. If a user himself imports a substance from a country outside the EU, he will have the duties of an importer for that substance, as defined in the REACH directive, and not those of a downstream user.

The complete chain of supply of a substance is covered in order to establish a comprehensive risk management system for the total life cycle of a substance.

Downstream users do not have to carry out their own registration or pre-registration of a substance. However, they have a duty to check the information given by their supplier in order to establish that the intended use of the respective substance is covered by the registration obtained by the manufacturer or importer. If this is not the case and it is a hazardous substance, a substance safety report has to be produced and retained for that substance.

Communication along the chain of supply

In this part the REACH directive defines certain duties of information exchange along the chain of supply, both in the direction from the supplier to the purchaser and from the purchaser to the supplier.

As part of the communication from the supplier to the purchaser the supplier produces a safety data sheet where the respective substance is a hazardous substance or hazardous preparation. This has to be communicated to the purchaser. For substances requiring registration, this includes the registration number, scenarios of usage and exposure as well as assistance for risk management. Should a substance not meet the criteria for classification as hazardous, certain minimum information details will nevertheless have to be communicated. In the communication by a purchaser with the immediate upstream supplier (which can also be a dealer) the purchaser has to give the supplier further information regarding the application and processing of the substance that goes beyond the risk management measures described in the safety data sheet or that puts these measures in question. In addition, new information about hazardous properties has to be passed on irrespective of the particular application/use.

Dealers have an obligation to pass on information in both directions of the supply chain.

Safety data sheet

In accordance with the REACH directive, the duty to produce a safety data sheet applies to all substances that meet the criteria for classification under RL 67/548/EC, irrespective of the quantity threshold of one tonne per annum. Safety data sheets also have to be produced for persistent, bio-accumulative and toxic substances and substances that are included on the list of candidates requiring authorisation. For hazardous substances exposure scenarios have to be produced that describe how the respective substance should be handled. These are included as an enclosure to the safety data sheet and are communicated to the downstream user. There are some other changes to the structure of safety data sheets that have to be taken into account. Revised safety data sheets are now available and can be sent on request.

Further information

This customer information intends to give a basic, short overview of the REACH directive for those of our contacts who up to now have not had to deal with this directive. This does not mean that this information implies a claim of completeness. In spite of our conscientious efforts we cannot accept any form of warranty for the correctness of the statements made.

For further information you may visit the following sites:

- » <http://echa.europa.eu/>
- » http://echa.europa.eu/reach/helpdesk/nationalhelp_contact_en.asp