

CHEMICAL IMPORTERS

Information Sheet

September 2017

Under EU Chemical Regulations, those who import chemicals from outside the EU have a number of duties to fulfil. This information sheet aims to outline the key responsibilities for EU importers of chemical substances and mixtures under the REACH, CLP and Prior Informed Consent (PIC) Regulations, for which the Health & Safety Authority are the relevant Competent Authority in Ireland.

Who is legally responsible for the importation of chemical *substances and mixtures* into the EU?

Import means *the physical introduction into the customs territory of the EU.*

- An importer, in accordance with the **REACH** and **CLP Regulations**, is defined as *any natural or legal person established in the EU who is responsible for import.* Under REACH and CLP import is deemed to be placing on the market.

Companies who source their chemicals from within the EU are not importers and do not have any importer duties as they are considered to be downstream users.



THE REACH REGULATION (EC) NO. 1907/2006

Importer duties under REACH



- ☑ Importers are responsible for submitting a REACH registration to the European Chemical Agency (ECHA) for each substance, whether on its own or in a mixture, or incorporated into an article with intended release, imported into the EU in quantities equal to or greater than 1 tonne per year.
- ☑ Importers, prior to registration, must make an inquiry to ECHA to establish whether another company has already registered the same substance. This is in order to facilitate the sharing of test data.
- ☑ Non-EU manufacturer(s) cannot register substances but they can appoint an Only Representative (OR) to represent them in the EU. The OR completes the registrations on behalf of the EU importer(s), thus removing that duty from the EU importer. Importers concerned about their registration obligation should contact their non-EU supplier to discuss any plans they may have in relation to the appointment of an OR.
- ☑ Importers must supply safety data sheets (SDSs), which should be prepared in accordance with the requirements of REACH Annex II, for all hazardous chemicals placed on the EU market.
- ☑ Importers must contact and notify the Irish National Poison Centre regarding the use of their emergency number in Section 1.4 of the SDSs, where appropriate.
- ☑ An importer cannot import a chemical substance that is listed in Annex XIV of REACH (past the sunset date) for a use or use it himself, unless the use has been granted an authorisation by the EU Commission.
- ☑ An importer cannot import a chemical substance that is listed in Annex XVII of REACH, unless it is for a use that is permitted in accordance with specific conditions identified in Annex XVII.
- ☑ These REACH requirements also apply to importers who imports substance(s) or mixture(s) for their own use only, without further onward supply.





THE CLASSIFICATION, LABELLING AND PACKAGING (CLP) REGULATION (EC) NO. 1272/2008

Importer duties to classify, label and package chemical substances and mixtures

- ☑ Importers must classify, label and package all hazardous substances and mixtures in accordance with the CLP Regulation.
- ☑ Importers, who place hazardous substances on the market either on their own or in a mixture, irrespective of tonnage imported, must notify the classification and labelling information to ECHA within one month of first import. This also applies to substances that are pre-registered but not yet registered to ECHA under REACH. This duty to notify does not apply if the information has already been provided as part of a REACH registration.
- ☑ Importers of hazardous mixtures must notify certain information to the National Poisons Information Centre (NPIC) if they place mixtures classified as hazardous for health or physical effects on the Irish market. The notifications should be sent directly to the National Poison Information Centre at Beaumont Hospital (see Further Information for details).
- ☑ These CLP requirements also apply to importers who import substance(s) or mixture(s) for their own use only, without further onward supply.



THE PRIOR INFORMED CONSENT (PIC) REGULATION (EC) NO. 649/2012

Under the PIC Regulation an importer is defined differently than an importer under REACH & CLP. Importers are defined as any natural or legal person who at the time of import into the customs territory of the Community is the consignee for the chemical.

Importer duties under the PIC Regulation



- ☑ An importer may not import any chemical listed in the Annexes to the PIC Regulation unless it is in accordance with specific conditions identified in EU Legislation e.g. REACH and CLP.
- ☑ Importers must notify yearly imports of chemicals listed in the Annexes to the Regulation before 31 March the following year using ECHA's ePIC IT tool.

Further Information

HSA Hazard Labelling & Packaging according to the CLP Regulation Information Sheet

http://www.hsa.ie/eng/Publications_and_Forms/Publications/Chemical_and_Hazardous_Substances/Hazard_Labelling_Packaging_according_to_the_CLP_Regulation_-_Information_Sheet.html

HSA Export and Import of Chemicals Information Sheet

www.hsa.ie/eng/Publications_and_Forms/Publications/Chemical_and_Hazardous_Substances/import_export_info_sheet.pdf

European Chemicals Agency website www.echa.europa.eu

HSA's Chemicals Helpdesk;

email chemicals@hsa.ie or call 1890 289 389

HSA's website www.hsa.ie/chemicals

HSA Safety Data Information Sheet www.hsa.ie/eng/Publications_and_Forms/Publications/Information_Sheets/SDS_haz_chem_info_sheet.pdf

Irish National Poison centre www.poisons.ie (01) 797 4214

