

Chemical Distributor Duties under REACH and CLP

Information Sheet

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Distributors of chemicals have duties under EU chemical legislation including the REACH (Registration, Evaluation, Authorisation and restriction of Chemicals) Regulation and the Classification, Labelling and Packaging (CLP) Regulation.

REACH controls the manufacture, import, supply and safe use of chemical substances in the EU while CLP requires companies to classify, label and package their hazardous chemicals correctly before placing them on the market.

Who is a Chemical Distributor?

A chemical distributor sources chemicals from within the EU, stores them and then supplies them to third parties. Distributors do not use or change the chemical in any way; for example, they do not formulate chemicals or decant chemicals into smaller containers.

Examples of distributors are retailers e.g. hardware stores, who sell chemicals in their stores to both professional users and private consumers, and also storage providers who simply store chemicals for further distribution.



What Duties do Chemical Distributors have under REACH?

Distributors must:

- pass vital health and safety information, including Safety Data Sheets, on the hazards and risks of the chemicals they distribute along the supply chain. This could include information on the safe handling of chemicals received from the manufacturer and passed down to the customer or information from the customer regarding his use of the chemicals passed up to the manufacturer or importer
- ensure that the substances that they place on the market have been pre-registered or registered by their suppliers by the required REACH registration deadlines of 2010, 2013 or 2018
- ensure that if they are supplying articles that contain 0.1% or more of a substance of very high concern (SVHC) (as named by the European Chemicals Agency (ECHA) on the Candidate List), they should provide customers with sufficient information to allow safe use of that article
- keep all information required to carry out duties under REACH for a period of at least 10 years after last supply of a chemical

Chemical distributors also have duties regarding Safety Data Sheets (SDS). Before distributing SDSs for hazardous chemicals, distributors must:

- ✓ ensure that the SDS, and any exposure scenarios which may be attached as an annex to the SDS, are provided in the relevant national language
- ✓ ensure that the SDS contains details of any required specific national regulations, for example, national occupational exposure limit values (OELVs) or details of national regulations on disposal and waste
- ✓ be aware that if they add their own contact details in Section 1 of the SDS, they are then responsible for the content of that SDS
- ✓ ensure if they are compiling their own SDSs that they include information on uses passed on to them by a customer and include all information from the SDS and exposure scenarios supplied to them

What Duties do Chemical Distributors have under CLP?

Distributors must ensure that all hazardous chemicals are correctly labelled and packaged before distributing them on to their customers. This means checking that the label contains:

- ✓ the hazard information in the required national language
- ✓ the EU suppliers contact details
- ✓ compliant hazard symbols/pictograms



From the 1st December 2010, chemical substances must be classified, labelled and packaged according to the CLP Regulation. This means that new pictograms, signal words, hazard statements and precautionary statements will appear on labels. In Section 2 of the SDS these will appear in addition to the current symbols, indications of danger, risk and safety phrases. From the 1st June 2015 these new pictograms, signal words, hazard and precautionary statements will be applied to mixtures.

Other roles for Distributors

- A company who buys chemicals from outside the EU and then distributes them within the EU is an **importer** under REACH and CLP and so may have registration or notification obligations
- A company who buys chemicals within the EU and then blends them with other chemicals or re-fills or decants them into new containers, before supplying them on, is a **downstream user** under REACH and CLP and will have additional duties along with their distributor duties

Further Information

- The Health and Safety Authority's website: <http://www.hsa.ie>
- The HSA's REACH website: <http://www.reachright.ie>
- REACH and CLP Helpdesks on 1890 289 389 or email reachright@hsa.ie or clp@hsa.ie
- The European Chemicals Agency (ECHA) website: <http://echa.europa.eu>