An tÚdarás Sláinte agus Sábháilteachta Health and Safety Authority

**Health and Safety Authority**

**Chemicals Helpdesk**

**Introduction**

The EU REACH and CLP Regulations require that Member States establish a helpdesk to provide advice to companies with obligations under these regulations.

The Health and Safety Authority (HSA), as the lead Competent Authority for REACH and CLP in Ireland, has established a REACH and CLP Chemicals helpdesk. While there is no regulatory requirement to do so, the Chemicals Helpdesk also answers queries on the Detergents and Export Import Regulations.

**Function and Scope of the Chemicals Helpdesk**

The function of the Chemicals Helpdesk is to provide assistance and information to stakeholders, particularly SMEs, on REACH and CLP and to answer questions on stakeholders’ responsibilities and obligations under these Regulations. The main focus of the Chemicals Helpdesk is on Irish companies in the first instance. Companies based in the EU/EEA must contact the REACH/CLP Helpdesk established in their own Member State; therefore companies that contact the Chemicals Helpdesk from another EU Member State will be referred to the helpdesk in their respective Member State. The Chemicals Helpdesk will also answer queries from companies based outside the EU, especially those with a business relationship with an Irish company. Finally, the Chemicals Helpdesk will answer queries from consumers and the general public, when they relate to the relevant EU Regulations.

Where necessary, the Chemicals Helpdesk may refer an enquirer to an alternate source of information such as the European Chemicals Agency (ECHA) helpdesk. The Chemicals Helpdesk will offer factual information based on available technical guidance documents.

The Chemicals Helpdesk will focus on providing information on the legal obligations of companies and stakeholders and where to find technical information. The Chemicals Helpdesk will also support companies in defining and understanding roles in relation to the regulations (e.g. manufacturer, importer, distributor, formulator, downstream user). This is in order to allow industry to use the guidance documents according to the role they have under REACH and CLP.

It is not within the scope of the Chemicals Helpdesk to give advice that requires detailed industry sector knowledge or substance-specific knowledge. It is also outside the scope of the Chemicals Helpdesk to work with individual companies to provide training, to prepare REACH registrations, to classify substances or mixtures, to confirm compliance with the regulations or to approve items that a company is required to prepare such as safety data sheets, labels, etc.

Where questions go beyond the scope of the Chemicals Helpdesk, the enquirer will be advised of this, and referred to further sources of information, where possible.

The Chemicals Helpdesk participates in an EU wide network of Member State helpdesks known as HelpNet. The aim of this ECHA network is to achieve harmonisation of answers to queries on REACH and CLP. An exchange forum, known as HelpEx, facilitates questions on REACH and CLP to be shared and answered amongst the MS helpdesks. If a question cannot be answered by the Chemicals Helpdesk, the question can be posted onto HelpEx for consideration by other MS helpdesks. If the Chemicals Helpdesk intends to post a query onto HelpEx, the enquirer will be informed of this prior to the query being posted and assurance given that company specific information will not be included.

**How to contact the Chemicals Helpdesk**

The Chemicals Helpdesk can be contacted by telephone 0818 289 389 (Monday to Friday 9am to 3pm) or by email chemicals@hsa.ie. Those who contact the Chemical Helpdesk by telephone may be asked to send the details of their query by email to ensure that are technical details are received correctly.

**Response times**

Every effort will be made to respond to queries within 2 working days. In certain cases, however, questions may take longer to respond to. In such cases, a holding response may be provided to the enquirer, informing them that the query is being dealt with and that a response will be provided as soon as possible. The Chemicals Helpdesk staff may also contact the company for further information or clarifications to assist in answering the query. In all cases, queries will be responded to within a maximum of 14 working days.

**Confidentiality**

The Chemicals Helpdesk will respect any confidential information given as such. Confidential information will not be included in any document, published on the internet, or in any way be made public. However, confidentiality should not be interpreted as allowing anonymity of the enquirer with respect to using the Chemicals Helpdesk. The enquirer must provide sufficient information to the Chemicals Helpdesk in order to receive an answer to a query.

As outlined previously, the Chemicals helpdesk may post queries to HelpEx for consideration by other MS helpdesks. This network operates in a confidential manner and no information will be made available to any persons outside the network. Additionally, as also indicated above, if the Chemicals Helpdesk wishes to submit a query to the network, the company’s agreement will be obtained before proceeding. All questions submitted to the network and answers agreed on are stored in a knowledge database within HelpNet. ECHA uses this information to develop FAQs, which are published on its web site. ECHA will remove any confidential information from the FAQ before publishing.

**Liability**

The Chemicals Helpdesk does not take legally binding decisions when providing an answer to a question. Therefore the enquiring company remains at all times responsible for compliance with the REACH and CLP Regulations. The Regulations give companies the final responsibility for their implementation; therefore any enquirer who incurs damage through the possibility of an incorrect interpretation of information about REACH or CLP obtained from the Chemicals Helpdesk will not be able to hold the Chemicals Helpdesk liable.

Enquirers to the Chemicals Helpdesk will be made aware of this in the answer provide to them as follows:

*The information provided here is given as guidance only based on the relevant Regulation(s). The information provided is not, and is not intended to be, a legal interpretation of the Regulations and does not constitute legal advice. The Chemicals Helpdesk accepts no liability with regard to how this information may be interpreted or used. Interpretation of, and compliance with, the relevant Regulations in relation to specific substances or mixtures remains the responsibility of those who are manufacturing, importing, distributing or using such substances or mixtures.*