

Countdown to REACH

Complying with document delivery challenges

The countdown to the next REACH deadline of 31st May is definitely underway. This is the deadline for companies to register their chemicals with the European Chemicals Agency – ECHA if they that manufacture or import within the EU, substances in quantities above 100 tonnes a year.

Aims of REACH

The aim of REACH is to improve and ensure the safe use of chemical and one of the things that REACH does is make all parties in the supply chain from manufacturers, distributors through to downstream users, directly responsible for the safety of the chemical substances they handle.

Impact on the supply chain

This has caused changes in the shipping of chemicals and, in particular, the requirements for documentation in the supply chain. Under REACH, suppliers must ensure that their customers are supplied with Material Safety Data Sheets (MSDS), exposure scenarios and other critical safety information.

To compound these challenges, there are new REACH-like health and safety regulations being introduced around the world in countries including China, Korea, Turkey and Switzerland as well as updated domestic health and safety legislation, for example, in the USA with updates to OSHA, Hazcom and EPCRA.

With the emphasis on manufacturers and distributors to ensure information about chemicals and their properties is delivered directly to customers, it is not always enough to simply send information in the post or by email as this only assumes they have reached the customer – there is often a need to implement the resources, systems and processes required to ensure the physical delivery of the documents in order to achieve compliance.

To comply with these regulations chemical companies and downstream users world-wide must now consider, not only how they maintain compliance but also how they can demonstrate their compliance and, most importantly, prove it should any legal action arise.



Records

To do this they will need to have easily retrievable records and preferably audit trails of the MSDSs and exposure scenarios that have been sent and received by customers and their own staff. They will also need to demonstrate that new or updated documents have replaced previous versions both internally and externally, plus maintain past versions and, in many cases, record that demonstrate compliance, for over 30 years. The additional work load in administration can be quite significant and must be anticipated.

To add further complexity to the situation, we are seeing a great deal of overlap in legislation mainly because the new international legislation has to co-exist most commonly with domestic health and safety directives. The supply and delivery of Safety Data Sheets for example will be addressed often in more than one relevant piece of legal requirement.

In the UK, COSHH (Control of Substances Hazardous to Health) sits alongside REACH with both calling for risk assessments and utilising the information in Safety Data Sheets. To add further complexity to the situation, we are seeing a great deal of overlap in legislation, mainly because the new international legislation has to co-exist most commonly, with domestic health and safety directives.

One thing is clear; global legislation is moving in the same direction as REACH and the onus is firmly on suppliers to ensure their customers and personnel are supplied with MSDS, ESs and other critical safety information. Often too, there is a requirement actually to deliver, rather than simply send, these documents. The need for systems to aid and automate this whole process is very clear.

REACH Delivery 2013

One such system is the new REACH Delivery 2013 edition, which is designed to enable companies to comply with all relevant international and domestic legislation, easily and cost effectively. REACH Delivery 2013 supports the sending receiving, internal distribution and automated update of MSDS and associated documents for large and small companies alike. It meets the various legislative requirements by guaranteeing delivery and monitoring and auditing actual receipt by customers and staff, as well as ensuring that the latest version of the document is always available.

Companies around the world are using REACH Delivery to automate the sending and updating of their documents, although their customers can still receive them by email or, they too can use REACH Delivery to receive - and send - their documents.

Either way, they are able to monitor, track and report on the process, while retaining a delivery status on all documents sent to and received by their customers. To demonstrate compliance or in the event of a dispute, users are always able to access complete audit trails (with time and date stamps, version numbers, etc.). The saving, in time and cost of administering MSDS and other important documents under the new legislation, is considerable.

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