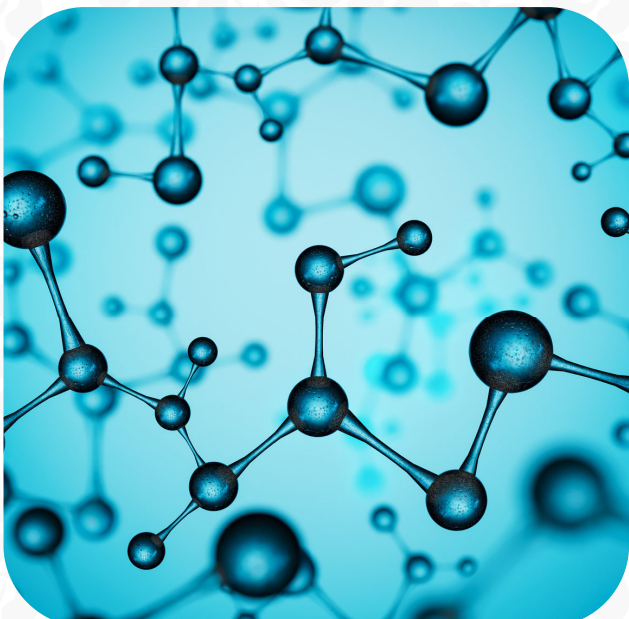




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Cosmetics: Know Your UK REACH

CTPA Open Webinar on UK REACH for Cosmetics

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Welcome & Introduction

Nicholas Shaw Núñez
CTPA Head of International Growth
and Regulatory Services

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UK REACH: Principles, Roles and Responsibilities

Nicholas Shaw Núñez
CTPA Head of International Growth
and Regulatory Services

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REACH in the UK

- [UK REACH SI](#) and
 - [2nd amendment](#)
 - [3rd amendment](#)
 - [4th amendment](#)
- The Health and Safety Executive (HSE) takes the role of the European Chemicals Agency (ECHA)
- Came into force on 1 January 2021 in GB
- NI continues to follow EU rules in accordance with the NI Protocol in the UK/EU Withdrawal Agreement

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UK REACH – Key Principles



No data, no market

Identify and manage the risks linked to the substances they manufacture and market in GB

Demonstrate to HSE how the substance can be safely used

Communicate the risk management measures to the users

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UK REACH – Scope



REACH covers substances manufactured or imported > 1 tonne/year per legal entity

Substances on their own: Cosmetic ingredients manufactured or imported as raw materials

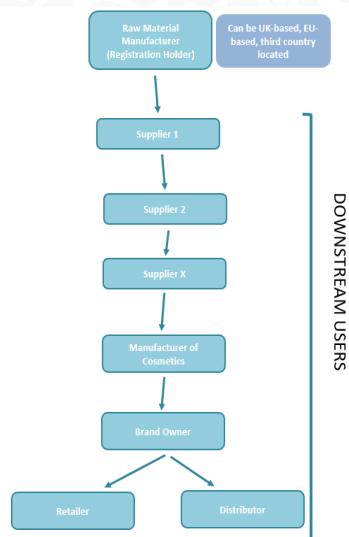
Substances within mixtures: Cosmetic ingredients that make up a finished cosmetic product

Must consider the manufacture or import tonnage of each ingredients within a finished cosmetic product

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UK REACH – The Cosmetic Supply Chain



Responsible person

- Takes legal responsibility for the safety of the product and compliance with the UK and EU Cosmetics Regulation

Distributor

- Is responsible for ensuring the product is stored and shipped in suitable conditions, and verify certain aspects of the product compliance.

UK REACH – Roles Definitions

Obligations under the REACH system are determined by the company's role with regard to the individual ingredients

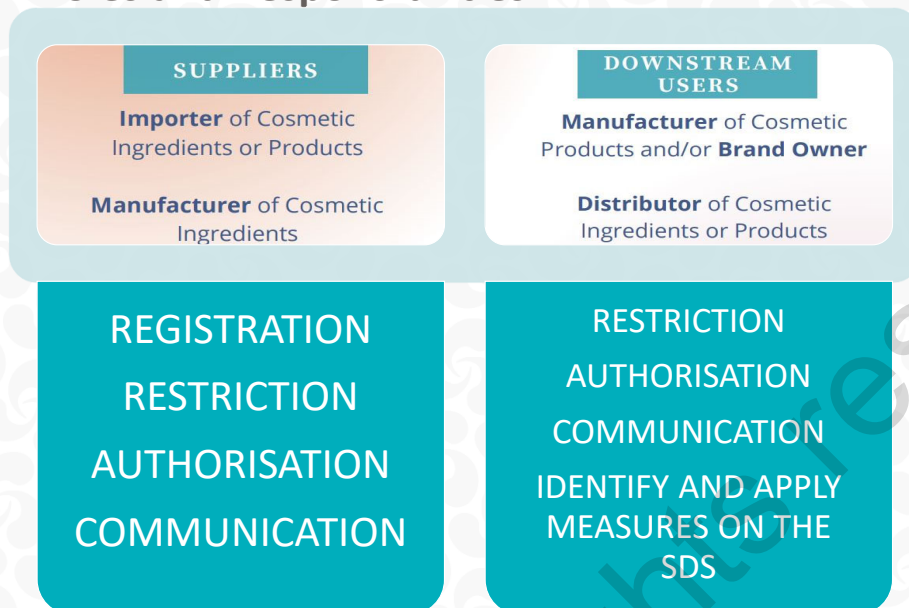
Manufacturers: If you make chemicals, either to use yourself or to supply to other people (even if it is for export)

Importers: If you buy chemicals from outside the UK

Downstream users: Companies using a substance, either on its own or in a preparation, in the course of their industrial or professional activities.

Distributor: stores and places on the market a substance, on its own or in a preparation, for third parties - includes retailers.

UK REACH – Roles and Responsibilities



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UK REACH – Registration



1 Substance → 1 Dossier

Companies need to register their substances in collaboration with other companies who are registering the same substance.

Expert scientific committees assess whether the risks of substances can be managed:

- HSE receives and evaluates individual registrations
- Regulators evaluate selected substances to clarify initial concerns for human health or for the environment.

Possible results:

- Ban hazardous substances if their risks are unmanageable.
- Restrict a use or make it subject to a prior authorisation.
- Allow the use of the chemical.

In the long run, the most hazardous substances should be substituted with less dangerous ones.

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UK REACH – DUs Due Diligence



- ✓ Implementing safe use of chemicals at their own site and communicating relevant information both to their suppliers and their customers
- ✓ Identify and apply appropriate measures in the safety data sheet and exposure scenario
- ✓ Inform suppliers if they have new information on the hazards or risks
- ✓ Comply with regulatory requirements for chemicals of concern

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UK REACH – Communication



Across the supply chain → the registration holder must inform its customers further down in the supply chain

Downstream Users must provide information regarding their use of a substance to the supplier, in addition to any new information on the hazard or risk management of a substance

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UK REACH: Transitional Requirements and DUINs

Julie Mayhew
Defra Senior Policy Adviser, REACH
Stakeholders and Comms

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UK REACH – Preparedness Advice

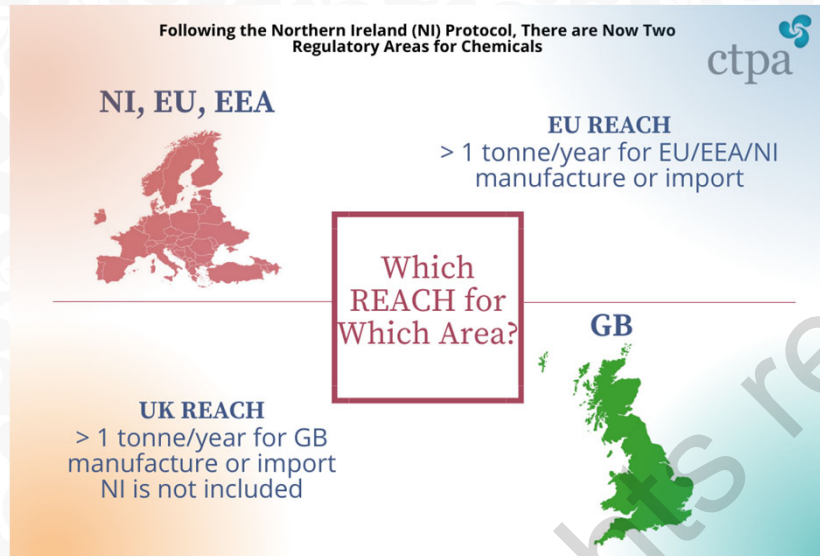
Francesca Rapolla
CTPA Regulatory Affairs Manager

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Northern Ireland Protocol



UK REACH – Transitional Provisions

'Existing' substances (currently registered under EU REACH) manufactured or imported into the UK

UK Registration Holder (Article 127B UK REACH)

UK Downstream Users (article 127E UK REACH) – ONLY IF SUPPLIER DOESN'T REGISTER

Submission of preliminary information within 120 days from 1 January 2021 (identity of the manufacturer/importer; identity of the substance; information on the manufacture and use of the substance; an indication that the information has been reviewed by an assessor having appropriate experience, registration number and registration date under EU REACH; any existing ECHA decision related to the registration)

Submission of Downstream User Import Notification (DUIN) within 300 days from 1 January 2021 (identity of the manufacturer/importer; identity of the substance; classification and labelling of the substance, only if it is known; registration number under EU REACH, only if it is known; any substance authorisation if applicable; details of any restrictions; any other available and relevant information necessary for proper risk management measures)

EU companies can use a UK-based OR

Full registration obligation from 28 October 2021 within:

- 2 years for substances >1000 tonnes/year, CMRs, very toxic to aquatic organisms, candidate list substances (as of 31 December 2020)
- 4 years for substances >100 tonnes/year, candidate list substances (as of 27 October 2023)
- 6 years for substance >1 tonne/year

UK REACH – Preparedness 1



Map all cosmetic ingredients that you use in your portfolio

What is their country of manufacture or import?

What is their tonnage of manufacture or import, cumulatively for your company?

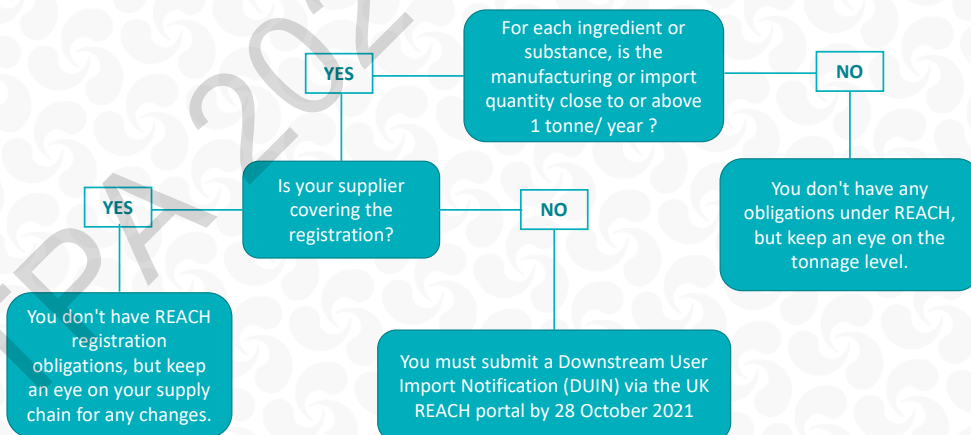
What is the supplier preparedness plan?

Remember, this is only for the GB market!

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UK REACH – Preparedness 2



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Focus – How to Submit the DUIN



1. Register as a downstream user via the UK REACH IT, keep a record of the provided DUIN registration number
 - ✓ Also keep a record of your DU status pre-Brexit
2. Populate the information spreadsheet template
 - ✓ Remember, it is vital you tell the Health and Safety Executive who you are and which chemicals you are importing. There is a caveat for information you don't know
3. Submit the completed spreadsheet to the Health and Safety Executive, including information on your legal entity and the DUIN number

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UK REACH – Preparedness 3



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Your Preparedness Checklist

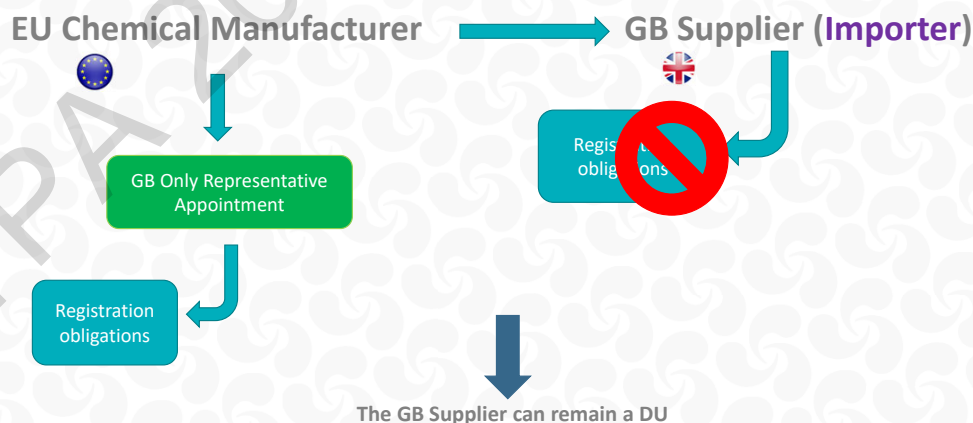


- ✓ Identify the identity and quantity of all the cosmetic ingredients within your portfolio
- ✓ Collaborate with your suppliers to understand their plans to comply with UK REACH
- ✓ Keep proof of your DU status pre-Brexit
- ✓ Submit DUINs via the UK REACH-IT
- ✓ Continue your communication with your suppliers
- ✓ Assess and prepare for the 2/4/6 years deadline
- ✓ Prepare your business for possible changes to supply chain, ingredients, products

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Case Study 1



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Case study 2

Single Market and Customs Union – UK in the EU



From 1 January 2021



CTPA Resources

Post-Brexit Trade

Great Britain, Northern Ireland and the European Union

May 2021

[CTPA Guide on post-Brexit Trade](#) (public)

[CTPA UK REACH Infographics page](#) (public)

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UK REACH

The UK Registration, Evaluation and Authorisation of Chemicals (REACH) Regulation is found within this [Statutory Instrument](#) and its amendments as below:

- 2nd amendment
- 3rd amendment
- 4th amendment

UK REACH came into force on 1 January 2021 and it is applicable to Great Britain (England, Wales and Scotland); Northern Ireland will follow EU Regulations according to the NI Protocol of the Withdrawal Agreement under which the UK left the EU.

This framework follows the same principles and standards as EU REACH, in particular:

[CTPA UK Regulations for cosmetics](#) (members only)

[CTPA UK REACH Reference Zone](#) (members only)

REACH (UK)

REACH in the UK and EU

The Registration, Evaluation and Authorisation of Chemicals (REACH) Regulation is a horizontal chemical regulation which aims to ensure a high level of protection for human health and the environment from the risks that can be posed by chemicals, whilst enhancing the competitiveness of the chemical industry. The REACH model operates in both the UK and EU; however, the system are independent and chemicals must be registered and managed separately under both UK and EU REACH. Further information about REACH (EU) may be found [here](#).

It is important to highlight that UK REACH only applies to Great Britain (England, Wales and Scotland); Northern Ireland follows EU REACH (in accordance with Annex II of the NI Protocol to the EU/UK Withdrawal Agreement).

Introduction to UK REACH

The Registration, Evaluation and Authorisation of Chemicals (REACH) Regulation in the UK is a regulation that applies to chemicals manufactured or imported into the GB market over 1 tonne, per year, per legal entity, throughout the supply chain. Its aim is to ensure a high level of protection for human health in the workplace and the environment from the risks that can be posed by chemicals. It also promotes alternative methods for the hazard assessment of substances in order to reduce the number of test animals.

CTPA members webinar archive

[UK REACH](#)

[UK REACH Roles and Responsibilities](#)

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Useful Resources



- [HSE UK REACH Guidance](#)
- [UK REACH IT system](#)
- [Defra UK REACH Q&A](#)
- [Chemical Industries Association REACH Ready](#)

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UK REACH – Learnings from the Past and Support

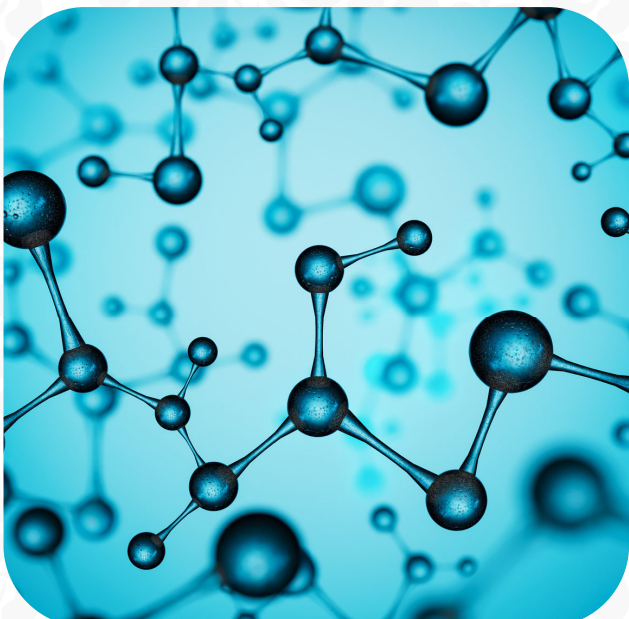


Dr Roger Pullin

CIA Head of Chemicals and Health
Policy

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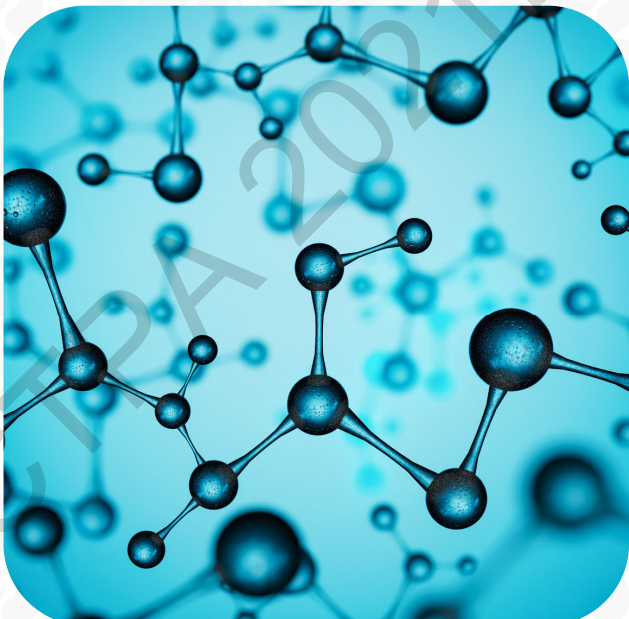
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Thank you!

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