

REACH – Guidance for Distributors

This leaflet explains the REACH responsibilities and key role distributors have to play in REACH.

What is REACH?

REACH (Registration, Evaluation, Authorisation and restriction of Chemicals) is the system for controlling chemicals in the EU/EEA. It became law in the UK on 1 June 2007.

REACH covers most chemical substances that are manufactured in, or imported into, the EU. This can be:

- A substance on its own
- A substance in a mixture (for example, ink or paint)
- A substance that makes up an 'article' (an object that is produced with a special shape, surface or design; for example, a car, a battery, clothes, etc.)

What is happening to chemicals under REACH?

Substances that are manufactured in or imported into the EU in quantities of 1 tonne or more per year will need to be registered with the European Chemicals Agency (ECHA). Registration is carried out by the manufacturer, importer, or 'Only Representative'. For substances that have been pre-registered, registration will be phased in over an extended period, with registration deadlines dependent principally on the tonnage. For other substances registration should occur before the substance is placed on the market (at 1 tonne or more). Some substances are exempt from all or certain aspects of REACH (see [UK REACH Competent Authority Information Leaflet Number 8 - Exemptions](#) for more details).

Who is a distributor under REACH?

A distributor is anyone who **only** stores and places on the market a substance (on its own or in a mixture) for third parties. Placing on the market may be supply or simply making a substance available, and may be in return for payment or free of charge. A retailer is a distributor. If the products that you distribute are articles, then you will also be classed as a 'supplier of articles'.

Some companies who consider themselves as distributors may also have additional roles as defined by REACH, e.g., importers (see 'Other non-distributive roles' below)

Why is the role of distributor important?

Communication up and down the supply chain is one of the things critical to the success of REACH. As a distributor, **you are a vital link in this communication chain** and your participation is needed.

What are distributors required to do?

1. For the products you deal with, you will need to pass health and safety information (including Safety Data Sheets) up and down the supply chain. You should read [UK REACH Competent Authority Leaflet Number 13 - Safety Data Sheets](#) for more details. Importantly, your customers may need you to ask questions or pass information up the supply chain and it is important that you help. For example:
 - If your supplier provides information on the hazards or safe handling of a product, then you would have a duty to provide this to your customers;
 - If your customers provide information about their uses of products, you should pass this on to your supplier. Customers may need to make the company who will register the substances aware of their use for it to be supported in the registration.
 - Customers may want to know that the substances they are using have been pre-registered/registered under REACH.

As some supply chains have many links, each distributor must pass the relevant information up and down the supply chain for REACH to operate properly.

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2. You should not distribute products containing substances that should have been either pre-registered or registered, but haven't. Substances supplied legitimately to a distributor before a registration deadline can continue to be distributed, but you will need to retain evidence of the date of supply to demonstrate that this continued supply is legal.

To ensure you can fulfil your customer orders in the future (particularly if you distribute less common chemicals), you should consider contacting your supplier to find out if the substances are pre-registered (or registered already). The final deadline for the registration of pre-registered substances is 31st May 2018. Substances not registered by this deadline cannot be manufactured/imported until registered. Batches of material manufactured/imported before the deadline can continue to be supplied by a distributor.

3. You need to keep all information that you require to carry out your duties under REACH for a period of at least 10 years after you last supplied a substance/preparation.
4. If you supply articles containing a substance of very high concern (SVHC) on the candidate list in a concentration above 0.1% (weight/weight), then you should supply your customer with sufficient information to allow safe use of the article and as a minimum the substance's name. Your EU-based suppliers should have provided you with this information. Consumers may ask if SVHCs are present in articles and you (or those you supply) will need to provide a response within 45 days (see [UK REACH Competent Authority Information Leaflet Number 9 – Articles](#) for more about substances in articles).

SVHC are substances that have hazards with serious consequences, e.g. they can cause cancer, or they have other harmful properties and accumulate and remain in the environment for a long time. SVHC are formally identified under REACH and added to a list. The list is maintained by the European Chemical Agency and published on their website. The list is updated periodically (usually in June and December each year).

Other non-distributive roles

A trader who imports substances directly from outside the EU/EEA and then distributes them within the EU/EEA is usually an importer in REACH terms. The REACH provisions relating to importers will apply to you for the importation of any substance in quantities of 1 tonne or more per year in addition to the duties of a distributor. You should read [UK REACH CA Information Leaflet Number 3 - What REACH Means for Importers](#) for more details.

A trader, who buys substances from inside the EU/EEA and blends them with other chemical substances before onward supply is a formulator (a downstream user role in REACH). The REACH provisions relating to downstream users will apply to you in addition to the duties of a distributor. You should read [UK REACH CA Information Leaflet Number 4 – What REACH Means for Users of Chemicals](#) for more details.

REACH does not apply to a haulier, who solely transports substances and/or preparations by rail, road, inland waterway, sea or air.

Further information

For advice on the application of REACH obligations, you can contact the UK REACH Competent Authority's national helpdesk:

Email: UKREACHCA@hse.gov.uk

Website: www.hse.gov.uk/reach

